

Annual Report 2018-2019



**PROVINCIAL COURT
of Newfoundland and Labrador**

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PART 1: YEAR IN REVIEW

Report from the Chief Judge

YEAR IN REVIEW 2018 - 2019

Director of Court Services

On October 1, 2018 Joanne Turner joined our organization as the Director of Court Services.

Joanne has a Master of Employment Relations degree (2007) and a Bachelor of Commerce, Co-op (1998). She brings a varied background of management level experience in operations, human resource management, financial management, organizational change, and employee relations.

She has been working with the Government of Newfoundland and Labrador since 1998 and has worked in various departments and positions including Manager of Employee Relations, Manager of Human Resources, Labour Relations Board Officer, Manager of Corporate Services, Manager of Finance, Financial Analyst, and Financial Officer.

Technology and Innovation

During the last year the Court has witnessed a significant increase in the use of video and teleconferencing technologies. Utilization increased by 27% and 35% respectively over the previous year.

Several years ago the Provincial Court of Newfoundland and Labrador first offered lawyers the option of making a telephonic appearance for non-evidentiary hearings. It was the first court in Canada to do so. The Court entered into an agreement with CourtCall, a US-based company, which specializes in facilitating telephonic appearances by lawyers in courtrooms.

CourtCall is based in Los Angeles, California, and has been in business since 1995. Thousands of lawyers have saved hundreds of thousands of hours and their clients tens of millions of dollars in litigation expense by making CourtCall Appearances instead of traveling to Court. The more CourtCall Appearances are made, the more judges and lawyers can reduce the cost of litigation. Not only is this a saving directly passed on to litigants, but it has helped save the environment by reducing fuel consumption as it eliminates trips to courthouses.

By providing this service the Court eliminates the need for lawyers to make unnecessary trips to court for routine appearances. A lawyer can conduct other business and simply call into the court at the appointed time. This has resulted in a direct saving to lawyers and can be passed on to clients reducing the cost of litigation.

Similar efficiencies are gained through to use of videoconferencing. While a different method of connection is required, the added benefit is that the participants can see each other. This is more suited to use where the hearing or meeting requires face to face contact and enables use where an evidentiary hearing is necessary. Staff and court administrators have also made use of this method for meetings between two of more centers.

I am pleased with the increase in use of these innovative technologies for the traditional court hearings and operational functions. It is the way of the future. The courts must adopt modern business and organizational practices to increase efficiency and improve access to justice.

The Honourable Pamela J. Goulding

Chief Judge

Director's Report

With only six months on the job with Provincial Court, it is difficult to comment on where 'we' have been and where 'we' are going, however, first impressions are lasting impressions. I can report that Provincial Court is a supportive work environment and teamwork is how things get done. I am very excited to be part of this team and I am looking forward to strategically planning the future of Provincial Court, with Provincial Court staff, keeping its stakeholders in mind. Opportunities for incorporating technology in Court process are evident and must be adopted to keep current with industry trends.

The next Fiscal year will be a learning year for me where I hope to be more closely integrated into the Provincial Court team. Having worked with the Government of Newfoundland and Labrador in various capacities for the last 20 years, my hope is to pass along my knowledge and skills to Provincial Court staff so that they can become an even more efficient and better functioning organization.

Joanne Turner

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

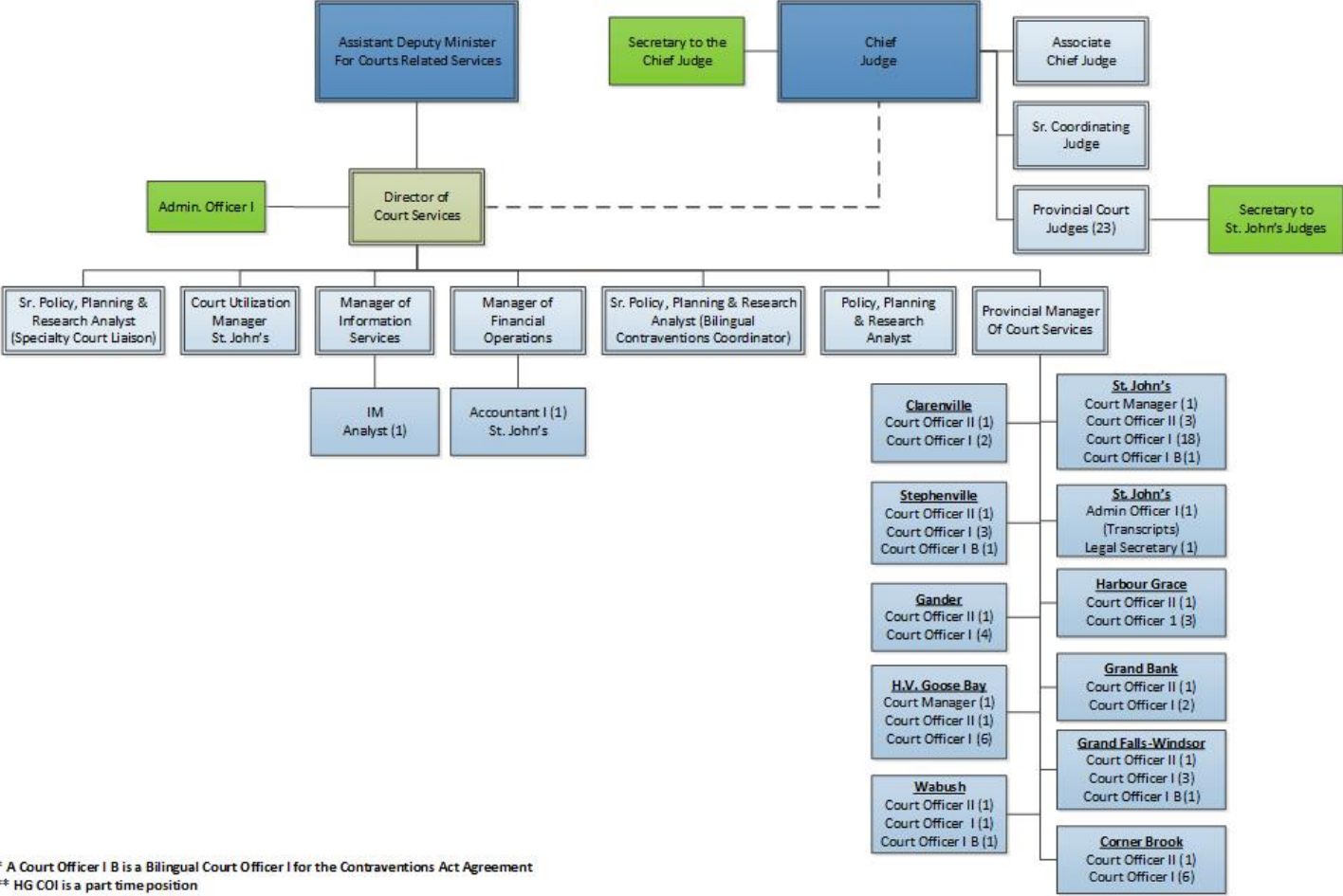
Associate Chief Judge- The Hon. Michael Madden

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 Gregory O. Brown*	February 28, 1992	Per Diem
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	Per Diem (reached mandatory retirement age - March 3, 2019)
The Honourable Wayne Gorman	November 9, 2000	Corner Brook
The Honourable Patrick J.B. Kennedy*	April 11, 2001	Per Diem
The Honourable Colin J. Flynn	April 30, 2001	St. John's
The Honourable Harold Porter	October 12, 2001	Grand Bank
The Honourable Catherine Allen-Westby	October 28, 2002	Corner Brook
The Honourable Bruce Short	November 1, 2003	Harbour Grace
The Honourable John Joy*	August 1, 2006	Per Diem
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	St. John's
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	Gander
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	Clarenville
The Honourable Robin Fowler	August 7, 2017	Grand Falls-Windsor
The Honourable Kari Ann Pike	August 7, 2017	Happy Valley-Goose Bay

*Per Diem (Part-time retired judges)

Provincial Court of NL- Organizational Chart



* A Court Officer I B is a Bilingual Court Officer I for the Contraventions Act Agreement
 ** HG COI is a part time position

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. The Court also employed 4 Per Diem Judges who have retired and continue to work on a part-time basis as needed.

LOCATION	JUDGE(S)	STAFF	CIRCUIT(S)
Clarenville	1	3	Bonavista
Corner Brook	3	7	Port au Choix, Rocky Harbour, St. Anthony
Gander	2	5	None
Grand Bank	1	3	None
Grand Falls – Windsor	1	5	Baie Verte and Head of Bay D’Espoir
Happy Valley – Goose Bay	2	8	Makkovik, Nain, Natuashish, Postville, Rigolet
Harbour Grace	1	4	Placentia
St. John’s	1 CJ, 1 ACJ, & 7 Judges	27	None
Stephenville	1	5	Port aux Basques
Wabush	1	3	Port Hope Simpson, Hopedale
Court Services	0	11	None
TOTAL	22	81	15

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 client 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 26 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 and Contraventions: ticketable offences (summary offence tickets) under the *Highway Traffic Act*, the *Motorized Snow Vehicles and All-Terrain Vehicles Act*, *The Contraventions 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, and certificates of conduct. 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

Specialty courts are a therapeutic alternative to traditional criminal court that encourages participants to take responsibility for their behaviour early in the justice system process and to actively work to understand and to change problem behaviours. To facilitate this change, participants must take responsibility for their actions to enter the specialty court process. In return, the therapeutic courts provide an increased level of support to participants offering counselling, supports, enhanced supervision and other individualized services. Rather than respond to the offence alone, therapeutic justice takes a problem-solving approach with the goal of healing participants and preventing recurring offences.

Therapeutic justice is not intended to override the traditional goals of the criminal justice system, to decriminalize behaviors or be a cure all. Instead it is one option to address the underlying issues behind the offences. The specialty courts address criminality like a traditional court, but also use a team of professionals to apply behavioral science tools in an effort to maximize therapeutic outcomes. This problem solving approach also uses the authority of judges to monitor the behaviour of participants in order to maximize the safety of victims.

The Provincial Court of Newfoundland and Labrador currently operates three specialty courts in two centres: Drug Treatment Court (St. John's), Mental Health Court (St. John's) and Family Violence Intervention Court (St. John's and Stephenville).

Family Violence Intervention Court

The Family Violence Intervention Court (FVIC) is a specialized criminal court using an intervention based approach to address the complex issues of partner violence. The court operates both in St. John's and Stephenville, with Stephenville using a technology enhanced model. FVIC uses a treatment based approach intended to address the complex issue of family violence. Members of the team meet regularly to discuss each participant as they progress through FVIC. The focus is on victim safety as well as emphasizing offender accountability and treatment.

Participants in this treatment court must acknowledge responsibility by pleading guilty at the beginning of the court process. They proceed through programming before sentencing takes place. Progress in programming is considered a mitigating factor for sentencing.

This court is a collaborative effort of a number of stakeholders including Provincial Court of Newfoundland and Labrador, Public Prosecutions, Supreme Court of Newfoundland and Labrador (Family Division), Newfoundland and Labrador Legal Aid Commission, Victim Services, Corrections and Community Services, Department of Child, Seniors and Social Development, the John Howard Society and the Women's Centre.

Mental Health Court

The Mental Health Court (MHC) is a project of the Provincial Court of Newfoundland and Labrador (St. John's), Public Prosecutions, Newfoundland and Labrador Legal Aid Commission, Corrections and Community Services and Court Support Services (CSS) of Eastern Health of St. John's. The court is designed to provide an increased level of support, both medical and community based, to accused persons appearing before it.

The MHC 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 due to lifestyle issues related to their mental disorder. 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.

Drug Treatment Court

The Drug Treatment Court (DTC), piloted in St. John's and funded through the federal Canadian Drug Treatment Court Funding Program, is a partnership between Provincial Court of Newfoundland and Labrador, Provincial Department of Justice and Public Safety, Department of Health and Community Services, Newfoundland and Labrador Legal Aid Commission, Public Prosecution Service of Canada and Provincial Public Prosecutions. The goal of the DTC is to reduce crime related to drug addiction by addressing root cause of offences. The DTC commenced November 30, 2018 and accepted its first participants in February 2019.

Founded on National and International DTC Guiding Principles, DTC is committed to public safety, community justice and restoration. DTC combines judicial supervision with intensive treatment, case management, frequent drug testing and intervention to provide a comprehensive and collaborative approach to addressing criminal behaviour motivated by drug addiction. It targets high risk/high need individuals who voluntarily agree to participate in a 9 to 18 month process of supervision, addictions treatment and case management.

The DTC Team consisting of the Judge, Crown(s), Defense, Addictions Specialist and Coordinator, meet weekly to discuss and make decisions on all new applicants and participants. DTC applicants are screened by the Crown(s) to ensure each case meets the eligibility criteria and by DTC to determine suitability for engagement in treatment and case management.



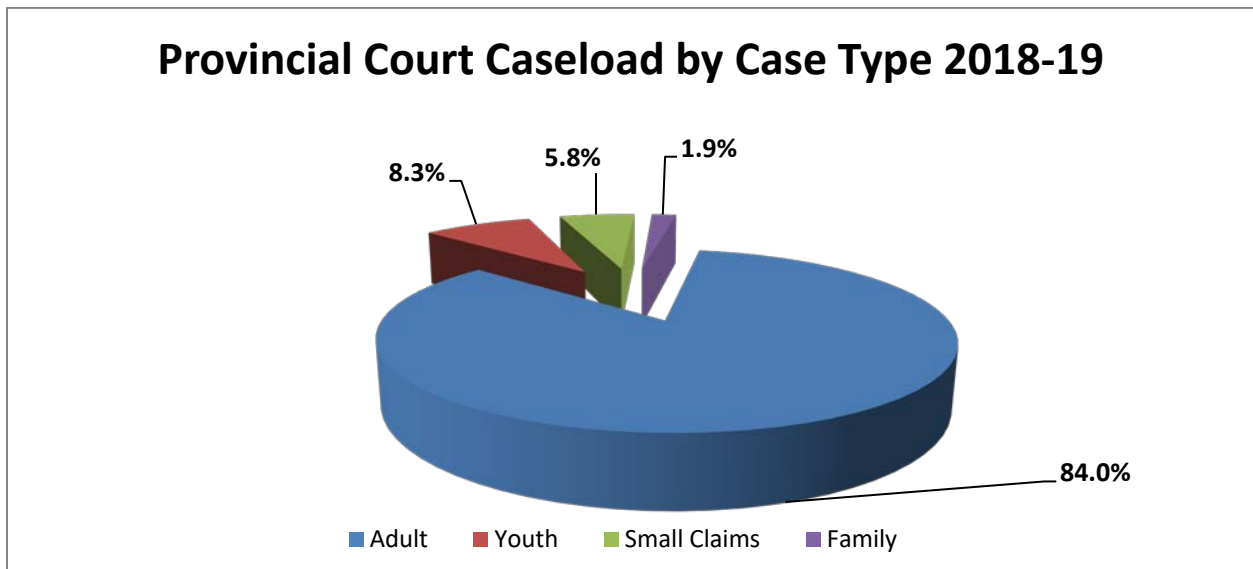
PART 3: PROVINCIAL COURT WORKLOAD

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.

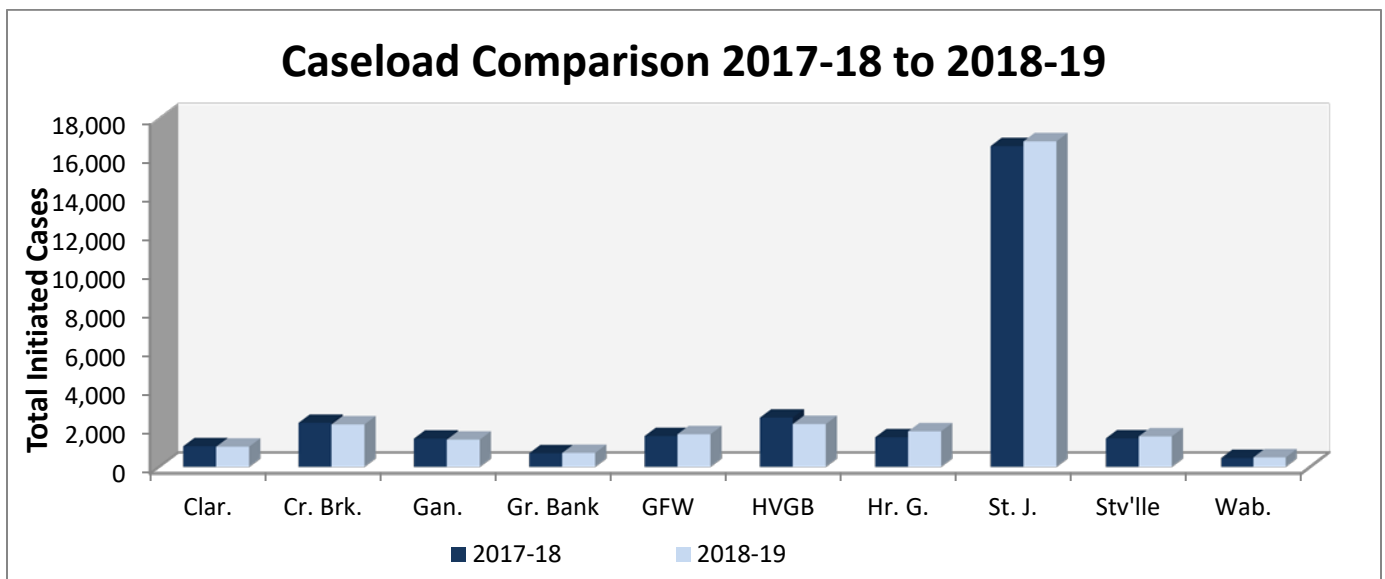
Total Caseload

In 2018-2019, the following cases were initiated in Provincial Court: 25,024 adult cases, 2,483 youth cases, 1,735 small claims cases, and 562 family cases. In addition to the four business lines included in the chart below, Traffic Court processed 128,581 summary offence tickets and conducted 1,001 trials.



Combined Caseload Statistics

COURT CENTRE	INITIATED ADULT*		INITIATED YOUTH*		INITIATED SMALL CLAIMS		INITIATED FAMILY**		TOTAL INITIATED CASES	
	2017-18	2018-19	2017-18	2018-19	2017-18	2018-19	2017-18	2018-19	2017-18	2018-19
Clar.	914	858	14	9	87	102	62	86	1,077	1,055
Cr. Brk.	1,876	1,765	265	227	154	223	0	0	2,295	2,215
Gan.	1,269	1,076	23	123	77	103	104	119	1,473	1,421
Gr. Bank	552	551	50	52	76	53	35	73	713	729
GFW	1,308	1,325	97	68	65	72	136	237	1,606	1,702
HVGB	2,201	1,931	247	114	18	20	100	169	2,566	2,234
Hr. G.	1,269	1,422	66	178	162	142	47	110	1,544	1,852
St. J.	14,505	14,366	1,094	1,540	965	907	0	0	16,564	16,813
Stv'Ile	1,285	1,353	154	140	48	97	0	0	1,487	1,590
Wab.	366	377	41	32	30	16	27	72	464	497
***Please Note:										
Old Re-Activated and New Family files transferred from HV-GB to Wabush in 2018-19:										105
Old Re-Activated and New Family files transferred from GFW to Gander in 2018-19:										94
TOTAL	25,545	25,024	2,051	2,483	1,682	1,735	511	866	29,789	30,108
<i>*These figures include Applications and Peace Bonds.</i>										
<i>**These figures include Support, Custody, Wardship, Adoption, and Apprehension cases.</i>										

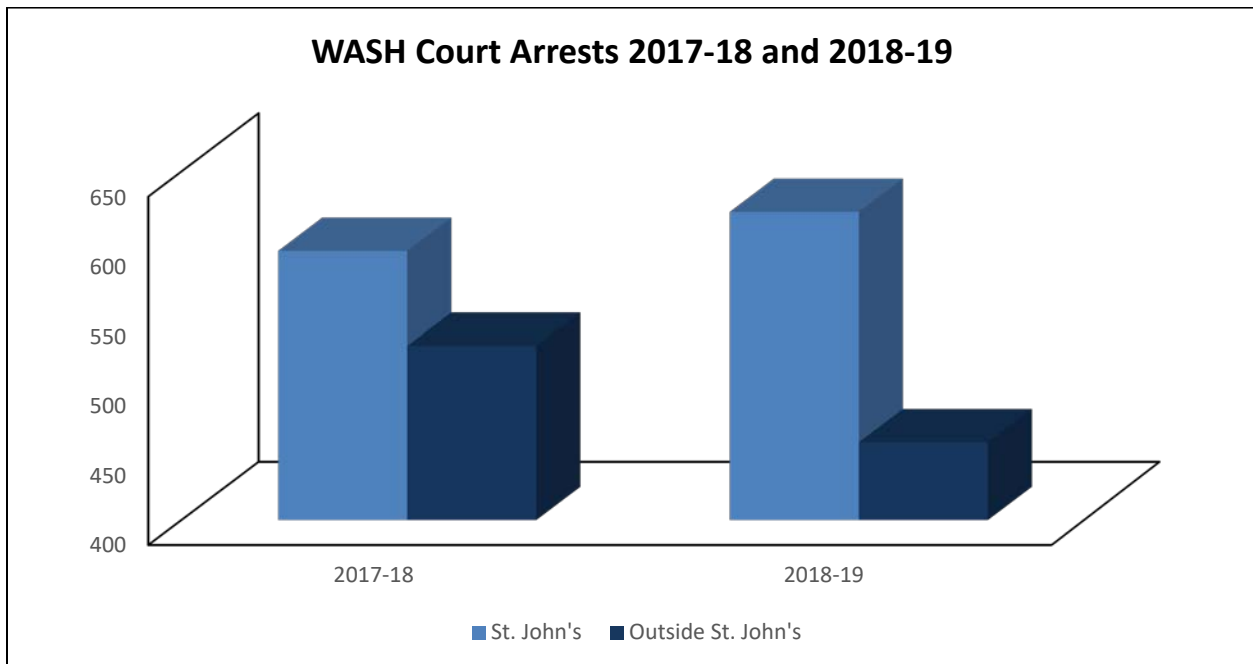


WASH (Weekend and Statutory Holiday) Court Statistics

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.

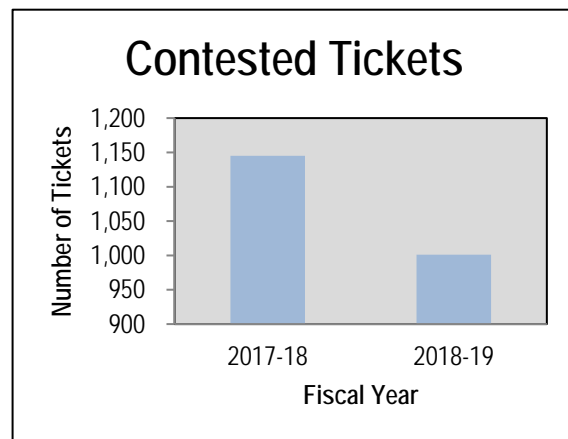
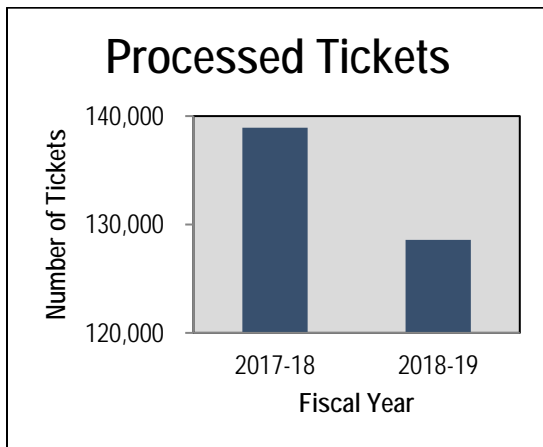
In 2018-19, WASH Court sat for a total of 120 days. There were 1,077 weekend arrests, 621 within the St. John's area and 456 outside of St. John's. This represents a slight decrease from 1,118 arrests in 2017-18.

WASH Court Arrests		
	2017-18	2018-19
St. John's Area	593	621
Outside St. John's Area	525	456
Total	1,118	1,077



Summary Offence Tickets

COURT CENTRE	PROCESSED TICKETS		CONTESTED TICKETS (TRIALS)	
	2017-18	2018-19	2017-18	2018-19
Clarenville	1,234	818	18	9
Corner Brook	10,712	12,446	98	122
Gander	3,193	2,021	77	66
Grand Bank	374	440	2	9
Grand Falls – Windsor	2,367	2,126	62	34
Happy Valley – Goose Bay	1,174	1,298	2	31
Harbour Grace	1,867	2,239	7	11
St. John's	114,797	104,126	845	699
Stephenville	701	799	18	12
Wabush	2,503	2,268	16	8
TOTAL	138,922	128,581	1,145	1,001



Contraventions Tickets

The *Contraventions Act* came into effect in 1992. The objectives of this statute are to decriminalize minor statutory offences, to remove uncontested cases from the courts and to improve the enforcement of penalties.

The *Contraventions Act* has added a new option of ticketing to deal with offences designated as “Contraventions”, when circumstances warrant, and is expected to be a simpler and more effective process. The *Contraventions Act* and its Regulations, with the incorporation of the applicable provincial legislation, cover all aspects of the contravention continuum, from the designation of a federal statutory offence as a contravention, to the enforcement and prosecution of that offence, up to the consequences of a conviction.

In August 2017, the Federal Government and the Government of Newfoundland and Labrador entered into the *Contraventions Act Administration and Enforcement Agreement*. As a result, many of the summary conviction offences set out in federal statutes can now be processed by the use of tickets in Newfoundland and Labrador. This Agreement also stipulates the process for sharing fines revenues between the two governments. The newly created bilingual ticket, which was rolled out in October 2018, is used by enforcement officers throughout the province and, like traffic tickets, an offender has the option of paying the associated fine, signing the Not Guilty Plea, or signing the Notice of Intention to Appear and entering a plea in person.

This Agreement aids the Federal Government in taking the necessary measures to ensure that the quasi-constitutional language rights for persons who are prosecuted for contraventions of federal statutes or regulations are respected. In this province, 7 bilingual staff have been or will be hired; a Coordinator / Policy Planning and Research Analyst, 4 court officers located in Stephenville, Grand-Falls-Windsor, Wabush and St. John’s, a collections officer with Fines Administration and a judgment officer with the Office of the High Sheriff. The last two are both located in St. John’s.

The *Contraventions Act* applies to thousands of offences under federal legislation, such as some fisheries offences, environmental offences and offences that occur under National Parks legislation. Enforcement officers from these departments who will be issuing tickets are provided training on the correct process, which includes presentations from the Provincial Department of Justice, the Provincial Court, Fines Administration, and from the Public Prosecution Service of Canada. St. John’s International Airport recently received formal authorization from the Federal Minister of Transport to implement the federal Contraventions Regime for the enforcement of specific offences applicable on airport lands and staff were trained. The ticketing system is now being used at this airport, with plans to have Gander International Airport authorized in the near future.

Tickets Issued to Date	Fines paid in full voluntarily	Trials requested in French	Trials requested in English	Trials held in French	Trials held in English	Trials requested, scheduled but not held in French with explanation	Complaints concerning non-compliance to the Official Languages Act and Regulations
10	4	0	0	0	0	0	0

Videoconferencing

The Provincial Court has availed of videoconferencing since 2004. Since that time, 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 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.

COURT CENTRE	SESSIONS		HOURS	
	2017-18	2018-19	2017-18	2018-19
Clarenville	110	126	185	243
Corner Brook	370	296	476	441
Gander	64	141	81	137
Grand Bank	121	99	197	171
Grand Falls – Windsor	193	153	218	215
Happy Valley – Goose Bay	272	254	667	430
Harbour Grace	45	77	35	57
St. John's	1,637	1,531	1,372	1,319
Stephenville	199	182	221	192
Wabush	134	378	487	1,098
Outside Court Network	934	1,325	835	1,739
TOTAL	4,079	4,562	4,774	6,041

CourtCall

CourtCall is a service offered by a private 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. A lawyer can conduct other business while waiting on hold until the appointed time of his/her client's appearance. 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	
	2017-18	2018-19
Clareville	251	272
Corner Brook	150	235
Gander	231	418
Grand Bank	109	189
Grand Falls – Windsor	270	216
Happy Valley – Goose Bay	789	874
Harbour Grace	460	575
St. John's	112	103
Stephenville	132	209
Wabush	255	606
Circuit Courts	192	287
TOTAL	2,951	3,984

Transcribed Pages and CD Requests

PROVINCIAL STATISTICS	2017-18	2018-19
Transcript Requests	244	243
Transcribed Pages	18,029	23,270
CD Requests	765	686

Requests for Letters of Conduct and Records of Conviction

PROVINCIAL STATISTICS	2017-18	2018-19
Letters of Conduct	18,094	19,182
Records of Conviction	10,320	9,071
TOTAL	28,414	28,253

Emergency Protection Orders (EPOs)

PROVINCIAL STATISTICS	2017-18	2018-19
Number of Applications Received	289	306
Number of EPOs Granted	205	230
Number of EPOs Denied	66	53
Number of EPOs Pending	0	2
Number of EPOs dealt with by Other means (e.g. withdrawn, dismissed, etc.)	18	21



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							
INITIATED CASES		CASES REFERRED BACK TO REGULAR COURT SYSTEM		PENDING CASES March 31 ¹		COMPLETED PROGRAMMING	
2017/18	2018/19	2017/18	2018/19	2017/18	2018/19	2017/18	2018/19
65	55	29	15	15	13	21	27

Notes

¹ Files pending include clients attending assessment and development of Treatment Plan as well as those actively completing a Treatment Plan.

Family Violence Intervention Court Statistics

The Family Violence Intervention Court (FVIC) has been operating in both St. John's and Stephenville since October 2015. Sentencing takes into account offender progress in Family Violence Intervention Court, final counselling report, and bail supervision. Sentencing options utilized in 2018-19 included Absolute Discharge, Conditional Discharge, Incarceration, Probation, Suspended Sentence and Conditional Sentences. Ancillary orders such as DNA collection and Firearm Prohibition may be added depending on the nature of the conviction and circumstances of the offence.

Location	Total Appearing	Eligible Participants	Not interested/not eligible	Pending Plea	Completed Programming	Currently in Programming	Opted out/did not complete
St. John's	189	72	117	10	32	27	3
Stephenville	53	15	38	4	7	5	1

Drug Treatment Court (DTC)

DTC uses individual contact, incentives and sanctions to encourage participant progress and performance. Through DTC Services, participants engage in addictions treatment and case management to actively address issues related to drug motivated criminal behaviour. Sentencing, at the discretion of the DTC Judge, reflects the progress and participation of each individual in addressing their addictions and criminal behaviour.

Total Applications Screened	Non-Eligible	Eligible	Pending	DTC (Pleas entered)	Currently Active	Expelled /Dismissed
14	6	8	0	8	6	2

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.

There was a slight increase in average turnaround time over the previous fiscal year, with an average of 22 days to complete a transcript in 2018-19. While there was an increase in the transcript completion time, with the oldest transcript being 163 days, the total transcripts requested and completed were in line with the previous year.

2017-18			2018-19		
Total Transcripts Requested:	244		Total Transcripts Requested:	243	
Total Transcripts:	252		Total Transcripts:	250	
Turnaround			Turnaround		
Days	Transcripts	Percentages	Days	Transcripts	Percentages
0 – 30	182	72.22%	0 – 30	168	72.22%
31 – 60	53	21.03%	31 – 60	40	21.03%
61 – 90	10	3.97%	61 – 90	27	3.97%
91 – 120	7	2.78%	91 – 120	10	2.78%
121 – 150	0	0.00%	121 – 150	4	0.00%
Over 150	0	0.00%	Over 150	1	0.00%
Average: 22.33 Days			Average: 28.20 Days		
Oldest: 112 Days			Oldest: 163 Days		

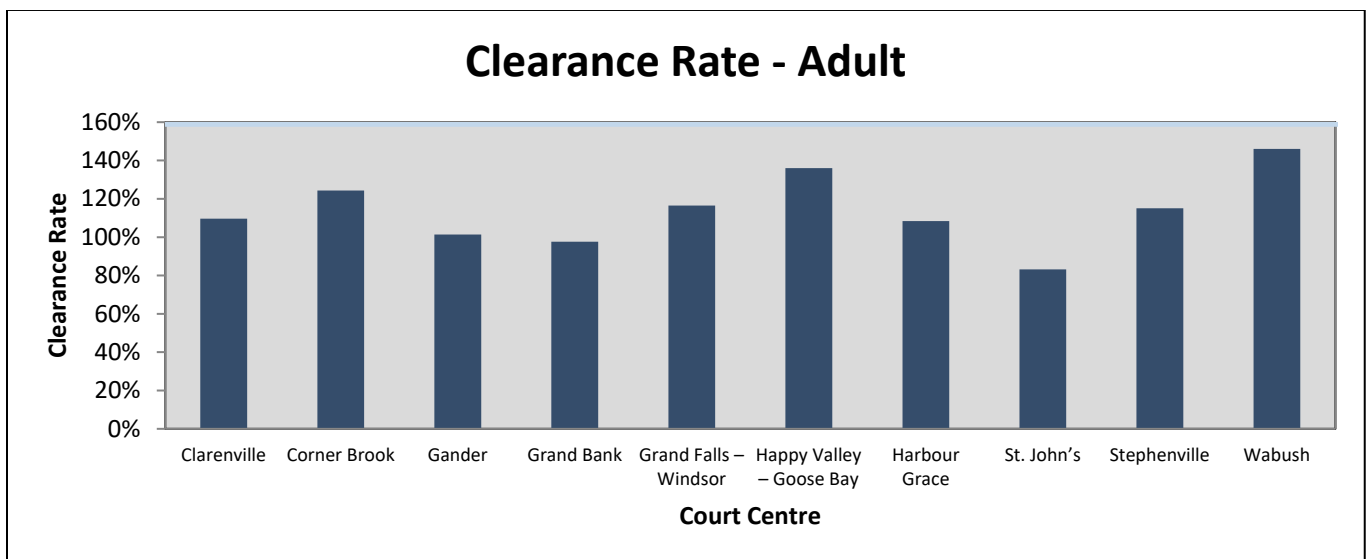
Clearance Rates

The Provincial Court aims for a minimum clearance rate of 100% – that means finalizing cases at the same rate that 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 1/18	INITIATED CASES 2018-19	CONCLUDED CASES 2018-19	PENDING CASES March	CLEARANCE RATE
Clarenceville	521	672	737	510	109.7%
Corner Brook	1,387	1,400	1,741	1,197	124.4%
Gander	830	855	867	859	101.4%
Grand Bank	174	462	451	251	97.6%
Grand Falls – Windsor	1,157	1,062	1,237	1,107	116.5%
Happy Valley – Goose Bay	1,859	1,588	2,160	1,596	136.0%
Harbour Grace	1,017	1,095	1,187	1,040	108.4%
St. John's	11,583	12,810	10,651	12,283	83.1%
Stephenville	1,172	1,028	1,183	1,128	115.1%
Wabush	283	306	447	270	146.1%
TOTAL	19,983	21,278	20,661	20,241	97.1%

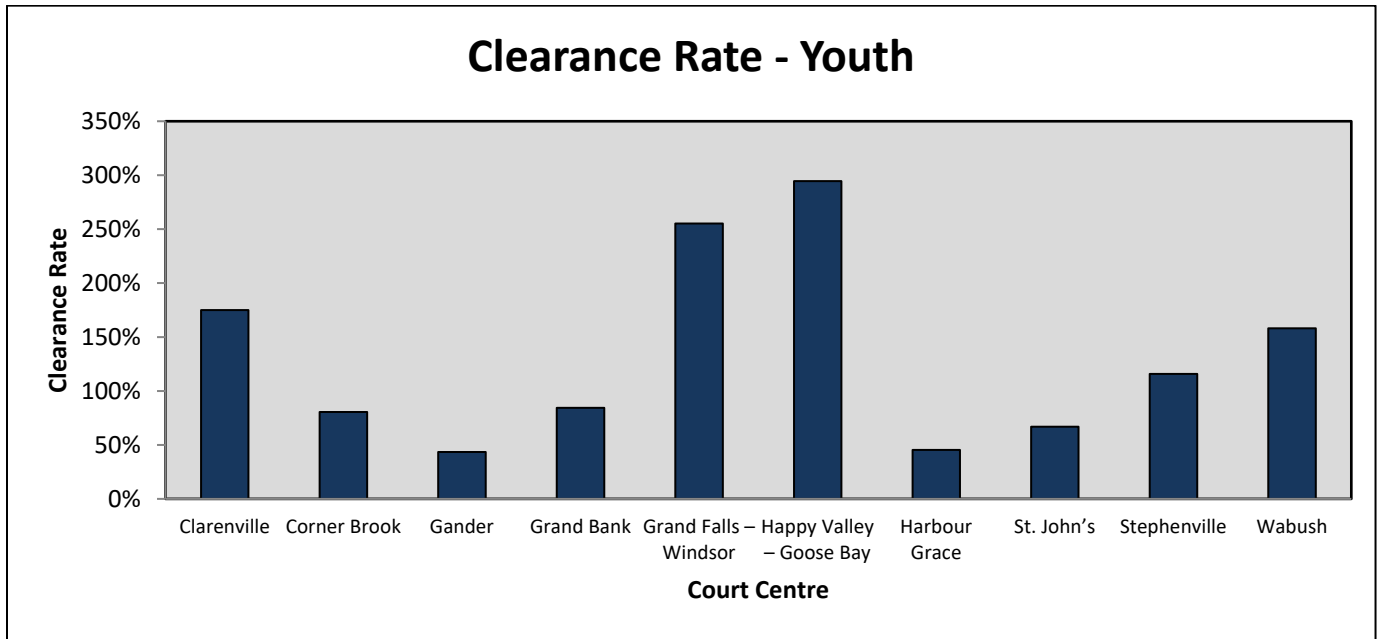
Note: These figures do not include Applications and Peace Bonds.



Youth

YOUTH COURT					
COURT CENTRE	PENDING CASES April 1/18	INITIATED CASES 2018-19	CONCLUDED CASES 2018-19	PENDING CASES MARCH 31/19	CLEARANCE RATE
Clarenville	44	8	14	39	175.0%
Corner Brook	101	215	173	150	80.5%
Gander	25	115	50	86	43.5%
Grand Bank	(10)	51	43	37	84.3%
Grand Falls – Windsor	140	58	148	21	255.2%
Happy Valley – Goose Bay	301	92	271	151	294.6%
Harbour Grace	72	165	75	156	45.5%
St. John's	405	1,485	993	730	66.9%
Stephenville	137	114	132	135	115.8%
Wabush	7	31	49	17	158.1%
TOTAL	1,222	2,334	1,948	1,522	83.5%

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

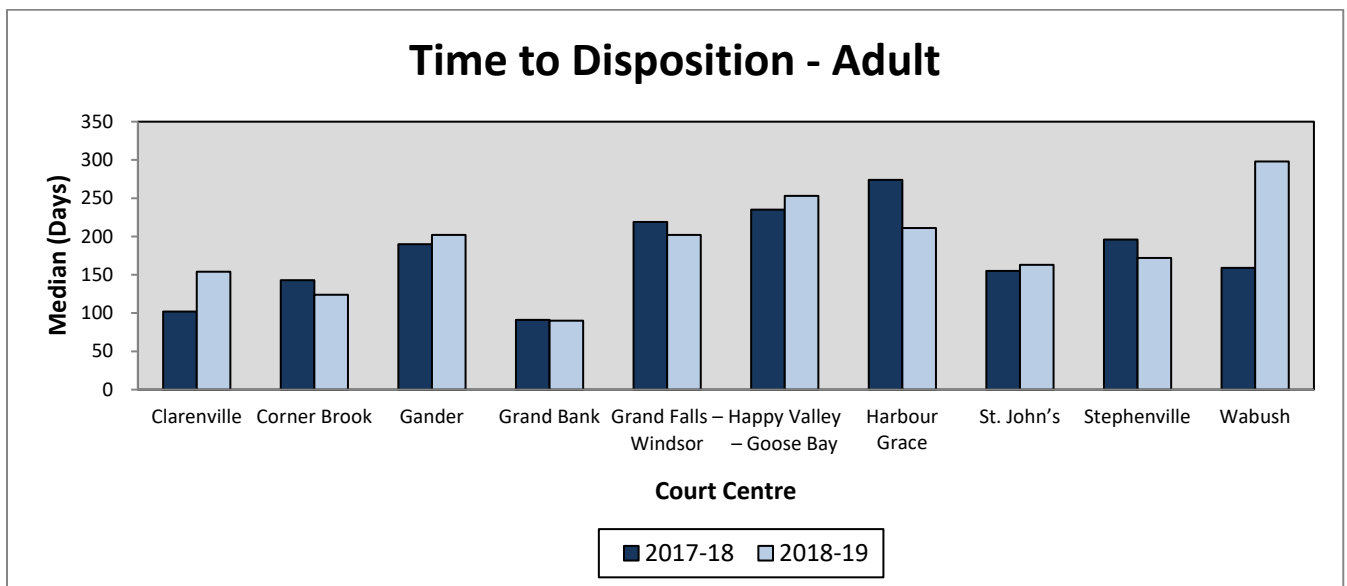


Time to Disposition

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.

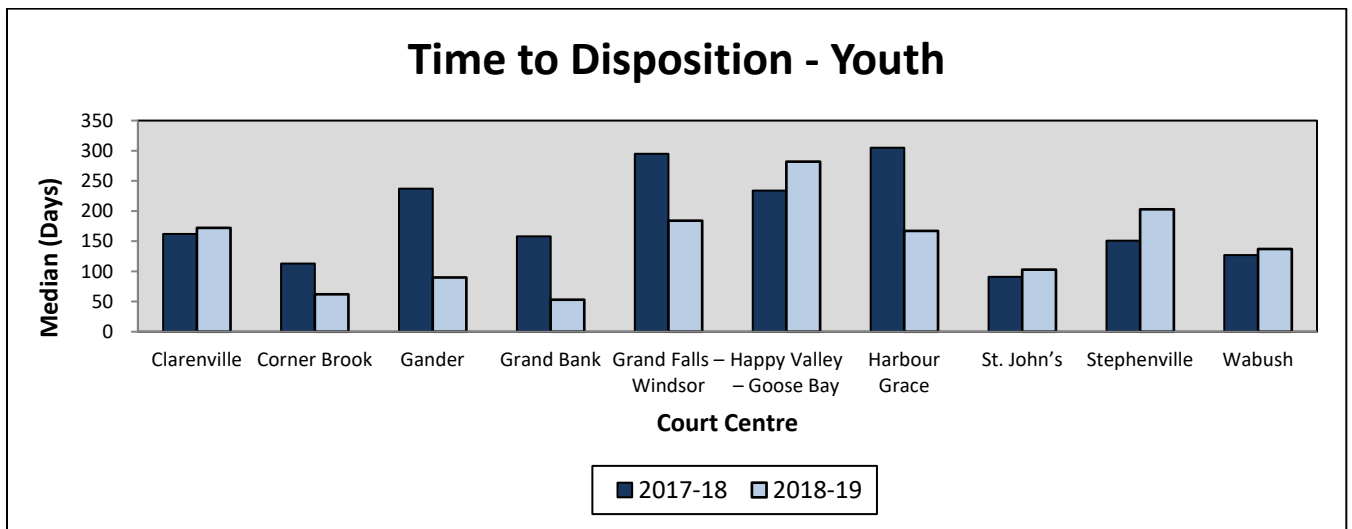
Adult

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)	
	2017-18	2018-19
Clarenville	102	154
Corner Brook	143	124
Gander	190	202
Grand Bank	91	90
Grand Falls – Windsor	219	202
Happy Valley – Goose Bay	235	253
Harbour Grace	274	211
St. John's	155	163
Stephenville	196	172
Wabush	159	298
MEDIAN	175	187



Youth

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)	
	2017-18	2018-19
Clarenville	162	172
Corner Brook	113	62
Gander	237	90
Grand Bank	158	53
Grand Falls – Windsor	295	184
Happy Valley – Goose Bay	234	282
Harbour Grace	305	167
St. John's	91	103
Stephenville	151	203
Wabush	127	137
MEDIAN	160	152

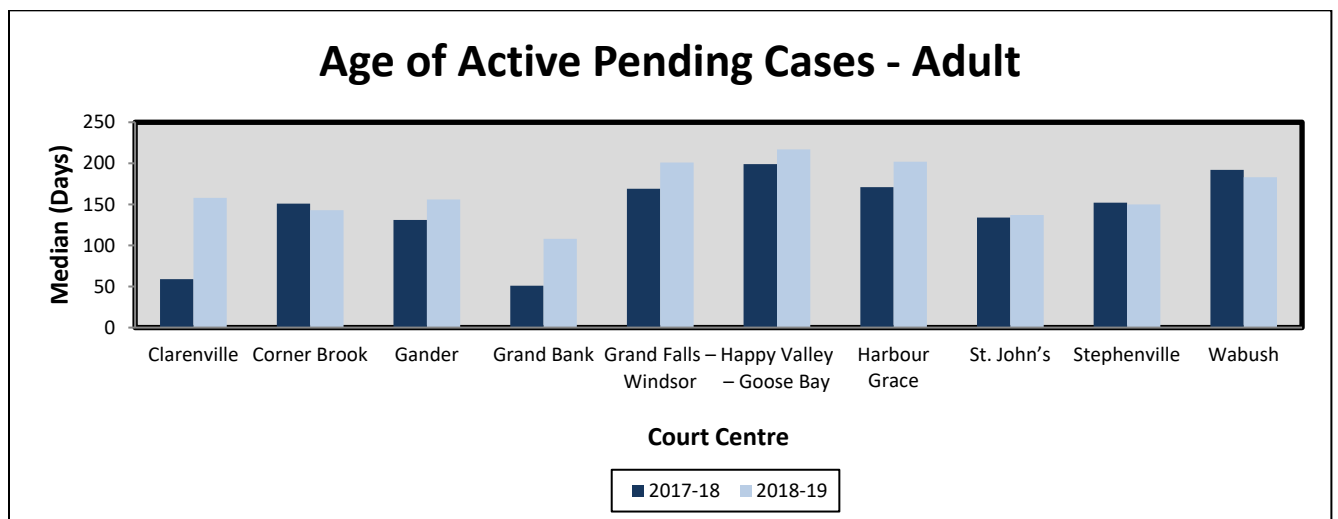


Age of Active Pending Cases

Statistics for the age of active pending cases outlines 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 in its pending caseload. The nature of high-conflict and complex cases inevitably means that those case types will take longer to progress through to conclusion.

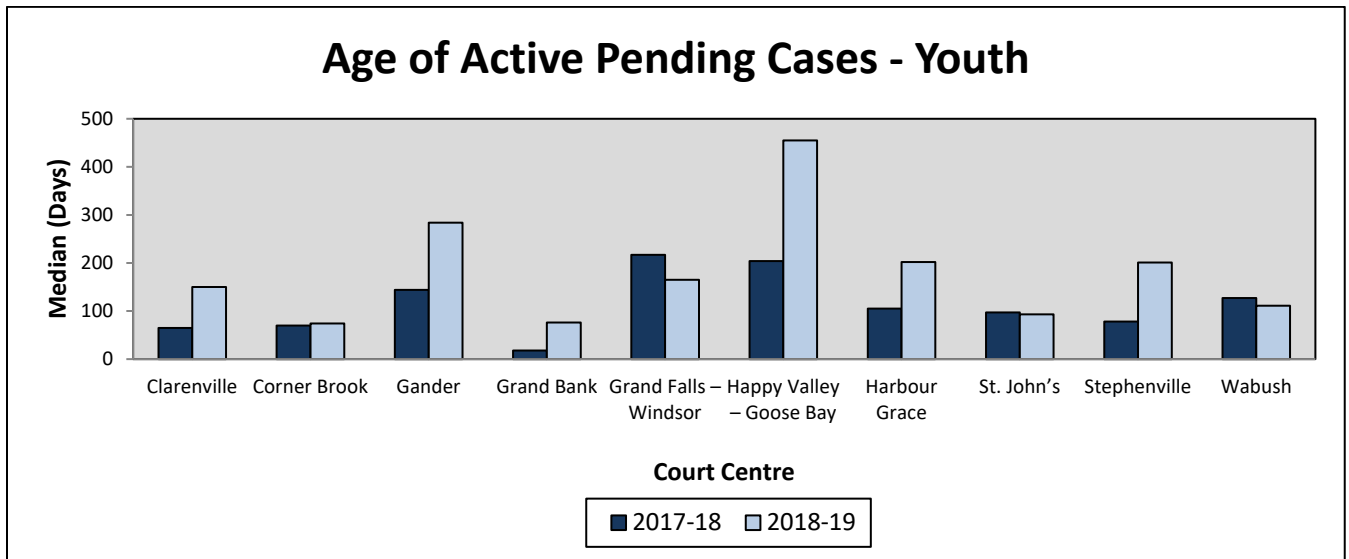
Adult

COURT CENTRE	MEDIAN AGE (DAYS)	
	2017-18	2018-19
Clarenville	59	158
Corner Brook	151	143
Gander	131	156
Grand Bank	51	108
Grand Falls – Windsor	169	201
Happy Valley – Goose Bay	199	217
Harbour Grace	171	202
St. John's	134	137
Stephenville	152	150
Wabush	192	183
MEDIAN	152	157



Youth

COURT CENTRE	MEDIAN AGE (DAYS)	
	2017-18	2018-19
Clarenville	65	150
Corner Brook	70	74
Gander	144	284
Grand Bank	18	76
Grand Falls – Windsor	217	165
Happy Valley – Goose Bay	204	455
Harbour Grace	105	202
St. John's	97	93
Stephenville	78	201
Wabush	127	111
MEDIAN	101	158





PART 5: FINANCIAL STATEMENTS

FINANCIAL STATEMENTS

Budget Expenditures 2018-19

CATEGORY	ORIGINAL BUDGET	ACTUAL	VARIANCE
Salaries	9,300,200	11,998,953	(2,698,753)
Employee Benefits	50,500	58,537	(8,037)
Transportation & Communication	222,500	402,307	(179,807)
Supplies	52,500	60,899	(8,399)
Professional Services	172,000	37,106	134,894
Purchased Services	872,700	348,490	524,210
Property, Furniture & Equipment	33,200	26,971	6,229
Grants & Subsidies	3,000	3,000	-
TOTAL	10,706,600	12,936,263	(2,229,663)

Staff Overtime

Time Off in Lieu (TOIL)		
	Hours	Dollar Value
Balance as of March 31, 2018	1,056.00	30,702.00
Balance as of March 31, 2019	1,144.00	33,314.48

Paid Overtime	
Fiscal 2017-18	29,918.00
Fiscal 2018-19	24,918.00

Costs of Judicial Exchange*

Fiscal 2017-18	3,437.20
Fiscal 2018-19	2,156.00

**Judicial Exchange includes only times when a Judge has a conflict and requires coverage or coverage for leave. Assistance for other centres/circuits is calculated as part of the cost for that centre, not Judicial Exchange.*

Operational Costs of Circuit Courts

COURT CENTRE	CIRCUIT	2017-18	2018-19
Clareville	Bonavista	396	572
	TOTAL CLARENVILLE	396	572
Corner Brook	Baie Verte	3,331	5,040
	Port au Choix	3,804	8,437
	Rocky Harbour	3,272	2,608
	St. Anthony	8,962	6,488
	TOTAL CORNER BROOK	16,038	27,533
Grand Falls – Windsor	Baie Verte	3,331	5,040
	Harbour Breton / Head of Bay D’Espoir	1,424	866
	TOTAL GRAND FALLS–WINDSOR	4,755	5,906
Happy Valley-Goose Bay	Makkovik / Postville / Rigolet	3,878	4,622
	Nain	52,520	46,344
	Natuashish	38,703	38,427
	TOTAL HAPPY VALLEY–GOOSE BAY	95,101	89,393
Wabush	Hopedale	26,675	18,655
	Port Hope Simpson	28,512	36,834
	TOTAL WABUSH	55,187	55,489
Harbour Grace	Placentia	960	966
	TOTAL HARBOUR GRACE	960	966
Stephenville	Port aux Basques	6,042	7,163
	TOTAL STEPHENVILLE	6,042	7,163
TOTAL	ALL CIRCUITS	17,8479	17,7022

Frequency of Circuit Courts

COURT CENTRE AND CIRCUIT	SCHEDULED DAYS		ACTUAL DAYS *	
	2017-18	2018-19	2017-18	2018-19
CLARENVILLE				
Bonavista	4.00	4.00	4.00	4.00
CORNER BROOK				
Port au Choix	16.00	14.00	13.00	11.50
Rocky Harbour	12.00	12.00	6.00	4.00
St. Anthony	14.00	12.00	14.00	8.50
GRAND FALLS – WINDSOR				
Baie Verte	12.00	15.00	4.00	10.50
Head of Bay D'Espoir	4.00	4.00	4.00	4.50
HAPPY VALLEY – GOOSE BAY				
Makkovik	4.00	3.00	2.00	2.00
Nain	54.00	57.00	44.00	49.00
Natuashish	50.00	54.00	30.00	39.00
Postville	2.00	1.00	0.00	1.00
Rigolet	3.00	5.00	1.00	2.00
WABUSH				
Hopedale	20.00	25.00	15.00	12.00
Port Hope Simpson	15.00	10.00	12.00	3.00
HARBOUR GRACE				
Placentia	6.00	6.00	6.00	6.00
STEPHENVILLE				
Port aux Basques	35.00	31.00	29.00	29.00
TOTAL	251.00	253.00	184.00	186.00

*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	2017-18		2018-19	
	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	242,190	7	130,665	4
Federal Statutes	557,420	17	634,694	21
Liquor Control Act	13,912	0	225	0
Municipal Acts	12,450	0	7,950	0
Animal Protection Act (APA)	0	0	0	0
Summary Offence Tickets & Ticket Management System	1,297,878	39	1,356,809	44
Fees and Costs	353,840	11	357,324	12
Victim Fine Surcharge	159,654	5	126,778	4
Provincial Victim Fine Surcharge	47,024	1	30,531	1
Maintenance/Compensation	222,511	7	32,749	1
Civil/Small Claims Payments	152,026	5	78,316	3
Bail/Bonds Sureties	262,524	8	295,440	10
Judgment Enforcement Act	8,035	0	7,820	0
Other (Third Party)	0	0	0	0
TOTAL	3,329,464	100	3,059,301	100

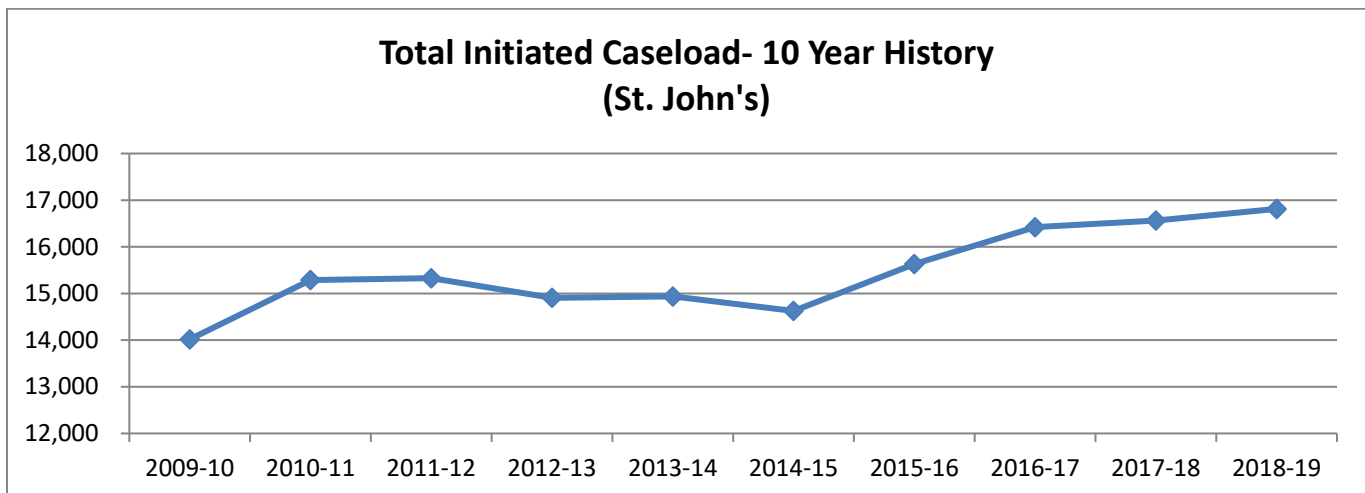
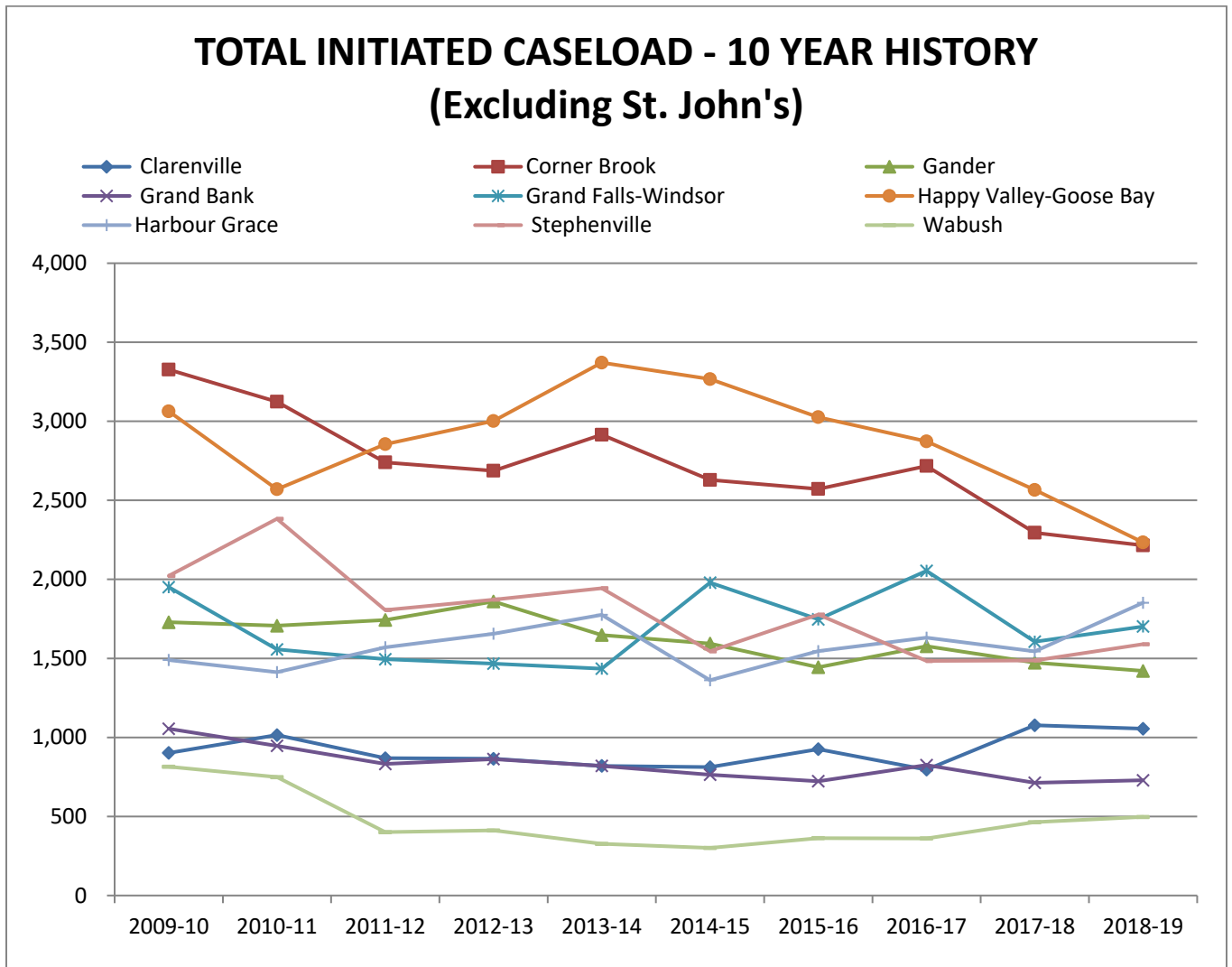
Fines Imposed Summary

TYPE	2017-18		2018-19	
	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	338,628	12	238,265	12
Federal Statutes	792,501	27	598,856	29
Liquor Control Act	16,850	1	875	0
Animal Protection Act (APA)	0	0	0	0
Victim Fine Surcharge	1,092,622	37	671,856	33
Provincial Victim Fine Surcharge	59,241	2	48,075	2
Ticket Management System	627,165	21	479,941	23
Other (Third Party)	13,200	0	9,100	0
TOTAL	2,940,207	100	2,046,968	100



PART 7: 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
Clarenville	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	585	74	84	77	820	853	4
	2014-15	646	44	47	75	812	1,133	6
	2015-16	759	25	70	72	926	1,716	6
	2016-17	621	35	63	77	796	1,652	8
	2017-18	914	14	87	62	1,077	1,234	18
	2018-19	858	9	102	86	1,055	818	51

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Corner Brook	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	2,260	483	172	0	2,915	6,914	107
	2014-15	2,124	370	135	0	2,629	7,318	78
	2015-16	2,063	343	166	0	2,572	7,129	82
	2016-17	2,276	307	134	0	2,717	8,485	132
	2017-18	1,876	265	154	0	2,295	10,712	98
	2018-19	1,765	227	223	0	2,215	12,446	243

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Gander	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	1,361	65	95	127	1,648	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
	2016-17	1,301	53	111	112	1,577	3,422	54
	2017-18	1,269	23	77	104	1,473	3,193	77
	2018-19	1,076	123	103	119	1,421	2,021	64

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Grand Bank	2009-10	821	150	44	40	1,055	1,819	18
	2010-11	736	142	42	27	947	2,459	47
	2011-12	617	131	62	22	832	2,390	37
	2012-13	652	124	55	32	863	1,895	25
	2013-14	639	91	70	20	820	961	16
	2014-15	624	39	60	41	764	1,027	1
	2015-16	567	56	49	51	723	803	3
	2016-17	719	39	32	35	825	336	2
	2017-18	552	50	76	35	713	374	2
	2018-19	551	52	53	73	729	440	21

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Grand Falls-Windsor	2009-10	1,413	196	103	239	1,951	3,397	59
	2010-11	1,169	85	114	189	1,557	2,660	67
	2011-12	1,111	145	74	165	1,495	2,480	61
	2012-13	1,061	168	92	146	1,467	2,786	61
	2013-14	1,054	160	81	140	1,435	1,886	70
	2014-15	1,526	175	67	211	1,979	2,299	51
	2015-16	1,273	189	101	184	1,747	2,680	61
	2016-17	1,532	268	91	163	2,054	2,591	82
	2017-18	1,308	97	65	136	1,606	2,367	62
	2018-19	1,325	68	72	237	1,702	2,126	39

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Happy Valley-Goose Bay	2009-10	2,344	379	34	306	3,063	1,318	8
	2010-11	2,165	173	23	209	2,570	1,199	3
	2011-12	2,498	205	29	123	2,855	1,093	6
	2012-13	2,622	203	33	144	3,002	907	8
	2013-14	2,974	179	39	179	3,371	426	5
	2014-15	2,830	142	35	260	3,267	878	3
	2015-16	2,552	210	47	217	3,026	1,163	19
	2016-17	2,422	252	28	171	2,873	772	18
	2017-18	2,201	247	18	100	2,566	1,174	2
	2018-19	1,931	114	20	169	2,234	1,298	65

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROC'S'D	SOT TRIALS
Harbour Grace	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
	2016-17	1,272	132	173	54	1,631	979	30
	2017-18	1,269	66	162	47	1,544	1,867	7
	2018-19	1,422	178	142	110	1,852	2,239	101

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROC'S'D	SOT TRIALS
St. John's	2009-10	12,057	1,356	605	0	14,018	126,687	466
	2010-11	13,189	1,374	725	0	15,288	140,720	686
	2011-12	13,379	1,249	699	0	15,327	133,801	655
	2012-13	13,102	1,079	727	0	14,908	128,633	410
	2013-14	12,968	1,237	732	0	14,937	121,252	510
	2014-15	12,871	975	781	0	14,627	133,383	587
	2015-16	13,341	1,410	881	0	15,632	112,416	458
	2016-17	14,515	1,065	842	0	16,422	122,031	525
	2017-18	14,505	1,094	965	0	16,564	114,797	845
	2018-19	14,366	1,540	907	0	16,813	104,126	2,893

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROC'S'D	SOT TRIALS
Stephenville	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	0	1,806	3,734	67
	2012-13	1,638	176	58	0	1,872	3,262	74
	2013-14	1,659	212	73	0	1,944	2,929	41
	2014-15	1,378	96	71	0	1,545	1,869	14
	2015-16	1,594	90	93	0	1,777	2,526	17
	2016-17	1,338	80	66	0	1,484	2,169	14
	2017-18	1,285	154	48	0	1,487	701	18
	2018-19	1,353	140	97	0	1,590	799	45

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
Wabush	2009-10	615	119	24	57	815	1,266	17
	2010-11	643	43	18	45	749	1,756	34
	2011-12	327	32	16	26	401	1,745	14
	2012-13	341	20	21	30	412	2,734	12
	2013-14	229	33	25	40	327	2,751	8
	2014-15	224	2	25	50	301	3,028	17
	2015-16	261	19	21	62	363	2,341	12
	2016-17	269	19	22	51	361	2,219	11
	2017-18	366	41	30	27	464	2,503	16
	2018-19	377	32	16	72	497	2,268	59

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTs PROCS'D	SOT TRIALS
OVERALL	2009-10	24,541	3,222	1,289	1,320	30,372	156,197	937
	2010-11	25,733	2,791	1,426	803	30,753	170,713	1,293
	2011-12	25,083	2,618	1,377	560	29,638	161,384	1,105
	2012-13	25,106	2,335	1,563	588	29,592	159,619	819
	2013-14	25,158	2,655	1,508	672	29,993	142,285	866
	2014-15	24,604	1,990	1,470	816	28,880	155,916	859
	2015-16	24,787	2,476	1,676	817	29,756	135,587	751
	2016-17	26,265	2,250	1,562	663	30,740	144,656	876
	2017-18	25,545	2,051	1,682	511	29,789	138,922	1,145
	2018-19	25,024	2,483	1,735	866	30,108	128,581	3,581

*****Please Note:**

Old Re-Activated and New Family files transferred from HV-GB to Wabush in 2018-19: 105

Old Re-Activated and New Family files transferred from GFW to Gander in 2018-19: 94