Annual Report 2019-2020





PROVINCIAL COURT of Newfoundland and Labrador

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PART 1: YEAR IN REVIEW

Report from the Chief Judge

YEAR IN REVIEW 2019 - 2020

New Judge Appointed

On June 13, 2019 the Honourable Andrew Parsons, QC, Minister of Justice and Public Safety and Attorney General announced the appointment of Rolf Pritchard, QC to the Provincial Court in Happy Valley-Goose Bay.

Judge Pritchard graduated from the University of Alberta Law School in 1995 and was called to the Bar in 1996 when he went to work in private practice. He began his employment with the Provincial Government in 2001, holding several positions prior to becoming Assistant Deputy Minister for Legal Services with the Department of Justice and Public Safety. From 2007 to 2008 he represented the province at the Cameron Inquiry and was legal counsel to the Task Force on Adverse Health Events. The Minister stated "Mr. Pritchard will bring a wealth of knowledge and experience to the Bench. On behalf of the Government of Newfoundland and Labrador, I extend my sincere congratulations and wish him all the best as he embarks on this exciting new chapter in his legal career. I have no doubt he will bring honour to the position by extending courtesy, dignity and respect to all those who appear in his court."

Pandemic

At the end of the fiscal year the court operations faced a sudden lockdown as the province and the world faced the reality of a pandemic caused by the spread of the virus which causes Covid-19. Experience with video and teleconferencing proved to be most useful in continuing the court's core functions when conducting judicial interim release hearings for those arrested by police and trials for those in custody. Facing an increasing backlog of cases and the conduct of a wide range of court functions the judicial and court services administrations were forced to rationalize operations for the foreseeable future. Who knows the short or long term effects of the virus on the Court, the province and the world? Our Court stands ready and determined to meet the challenges.

The Honourable Pamela J. Goulding

Chief Judge

Director's Report

Fiscal Year 2019-2020 has proven to be a year of great accomplishment despite the year ending amidst turmoil in the Province due to the onset of the COVID-19 Pandemic. While Provincial Court continued to operate throughout the Pandemic, cases before the Court were limited for a brief period of time, commencing March 16, 2020.

Early in the Fiscal Year, the Court Administrators and Court Services staff collectively brainstormed to update and modernize the Vision, Mission and Values of Provincial Court. The words and meaning contained within the Vision, Mission and Values are truly those of the employees. They carefully and thoughtfully crafted each word and sentence to ensure it was their belief and understanding and something on which they could deliver.

In the Fall of 2020, Provincial Court staff had the opportunity to come together in St. John's for a learning event sponsored by the Federal Government through *Contraventions Act* funding. The implementation of the Contraventions Regime in Newfoundland and Labrador is a priority for Provincial Court. An integral part of this implementation involves the training of staff in all Court locations of the Province with the ability to deal with *Contraventions Act* cases, and most notably how to deal with any requests in French within each Court Centre. This learning event allowed all Court staff to go through procedures systematically with an opportunity to ask questions, work with required documents when dealing with these tickets and ensure proper protocol is followed.

Also during this learning event, and with a reinvented Vision, Mission and Values in hand, Provincial Court staff collectively brainstormed to draft a Strategic Plan. Each employee was given time to think about priorities for their respective Court Centre and how these priorities are part of a much larger strategic position of the Provincial Court. This process has proven very valuable as all 10 Court centres provided input which yielded an inclusive draft Strategic Plan.

Unbeknownst to all, the strategizing and team building which occurred during this Fiscal Year created a strong foothold which secured Provincial Court's ability to effectively and efficiently operate during COVID-19. The ability of staff to comfortably rely on one another; provide support without prompting; and, do everything possible within policy and guidelines to get the job done, is a testament to the value of our greatest asset – our human resources. The employees of Provincial Court, coupled with the consistent and reliable judiciary, are an invaluable resource and are key to any success enjoyed by Provincial Court.

Joanne Turner

Director of Court Services

PART 2: OVERVIEW OF THE PROVINCIAL COURT

Vision

The Provincial Court of NL:

Strives to be an efficient, modern and innovative court that is also respectful, provides access to justice, maintains a standard level of service in all court centres and is trustworthy in the eyes of the public.

Seeks to be proactive, sensitive and responsive in adapting to changing needs of the community and stakeholders including having a commitment to treatment-based courts across the Province.

Aspires to be a desired workplace with quality staff, proactive succession planning and excellent interpersonal relationships by bridging the gap between staff, stakeholders and judiciary.

Mission

Governed by the Constitution of Canada and the rule of law, the Provincial Court of NL is an independent, impartial, transparent and accessible judicial system.

The Provincial Court of NL rules on legal disputes while offering timely and quality service. To this end, the Provincial Court of NL is a facilitator of the judicial process providing fair and accessible decisions to the public and legal community ensuring efficiency, high standards and including stakeholders in the solutions and processes.

Values

- Provide a safe and healthy workplace for employees.
- Value employee input and provide a supportive environment by offering professional and personal development, fostering teamwork, and demonstrating respect, fairness and equality.
- Ensure the judicial process is independent, fair and impartial.
- Provide a positive impact on society through accessibility to court, and empathy and understanding to the public.
- Establish a high quality of service through innovation, embracing technology and change and by providing a standardized framework across the Province.

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

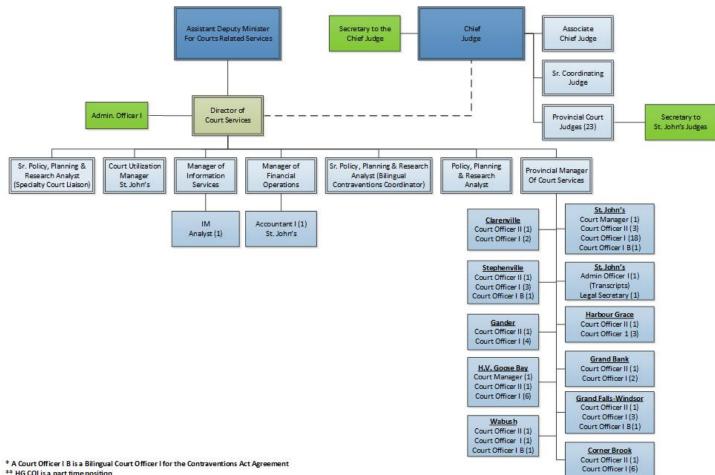
Associate Chief Judge: The Hon. Michael Madden

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 Wayne Gorman	November 9, 2000	Corner Brook
The Honourable Colin J. Flynn	April 30, 2001	St. John's
The Honourable Harold Porter	October 12, 2001	Grand Bank
The Honourable Bruce Short	November 1, 2003	Harbour Grace
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 Honorable 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 Corner Brook	
The Honourable Rolf Pritchard	June 13, 2019	Happy Valley-Goose Bay

*Per Diem (Part-time retired judges)

Provincial Court of NL Organizational Chart



** 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. 3 of the Per Diem Judges reached the age of 70 this year and have retired completely.

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 though 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, Legal Aid NL, 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 reestablishing themselves in the community with an increased and/or appropriate level of support, both medical ad 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.

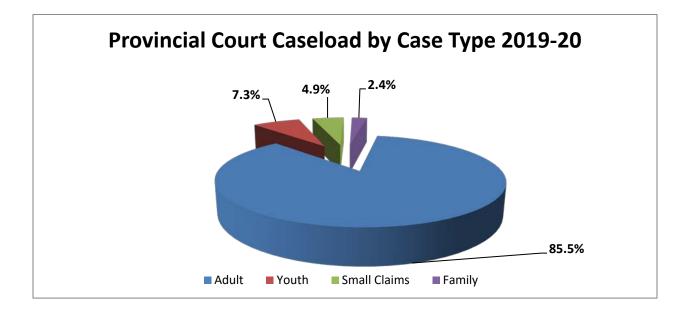
PART 3: PROVINCIAL COURT WORKLOAD

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.

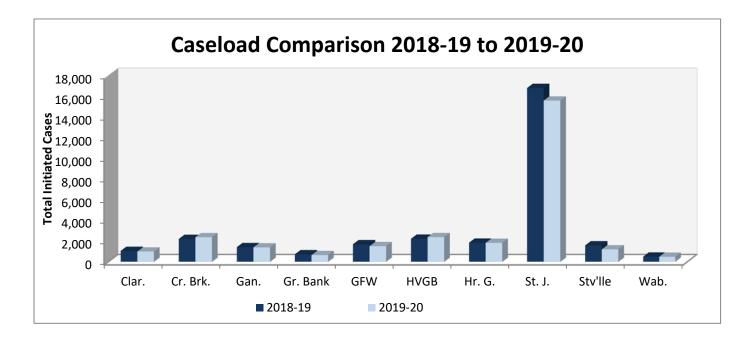
Total Caseload

In 2019-2020, the following cases were initiated in Provincial Court: 24,305 adult cases, 2,077 youth cases, 1,386 small claims cases, and 669 family cases. In addition to the four business lines included in the chart below, Traffic Court processed 106,581 summary offence tickets and conducted 3,824 trials.



Combined Caseload Statistics

COURT CENTRE		ATED JLT*	INITI. YOU			IATED CLAIMS	INITIATED FAMILY**		TOTAL INITIATED CASES	
	2018-19	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19	2019-20
Clar.	858	849	9	6	102	60	86	79	1,055	994
Cr. Brk.	1,765	2,064	227	124	223	195	0	0	2,215	2,383
Gan.	1,076	1,189	123	20	103	90	119	95	1,421	1,394
Gr. Bank	551	494	52	74	53	42	73	35	729	645
GFW	1,325	1,221	68	60	72	90	237	144	1,702	1,515
HVGB	1,931	2,099	114	113	20	30	169	148	2,234	2,390
Hr. G.	1,422	1,520	178	98	142	120	110	97	1,852	1,835
St. J.	14,366	13,398	1,540	1,507	907	691	0	0	16,813	15,596
Stv'lle	1,353	1,095	140	58	97	50	0	0	1,590	1,203
Wab.	377	376	32	17	16	18	72	71	497	482
				**:	*Please N	ote:				
Old	Re-Activ	ated and I	New Fami	ily files tr	ansferred	l from HV-	GB to Wa	bush in 2	018-19:	12
O	d Re-Acti	vated and	New Far	nily files t	transferre	ed from GF	W to Gan	der in 20	18-19:	18
TOTAL	25,024	24,305	2,483	2,077	1,735	1,386	866	669	30,108	28,437
	*These figures include Applications and Peace Bonds. **These figures include Support, Custody, Wardship, Adoption, and Apprehension cases.									

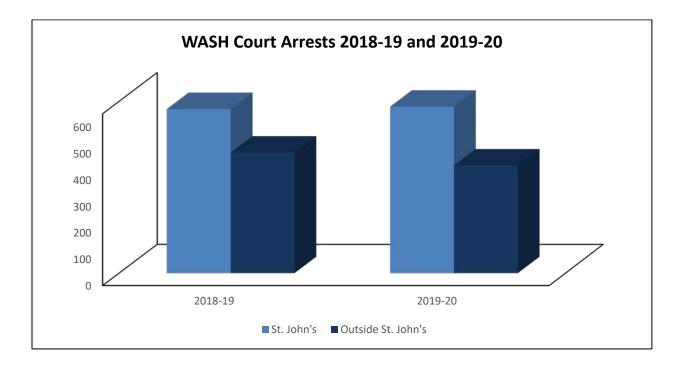


WASH (Weekend and Statutory Holiday) Court Statistics

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.

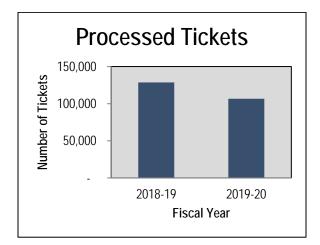
In 2019-20, WASH Court sat for a total of 118 days. There were 1,037 weekend arrests, 630 within the St. John's area and 407 outside of St. John's. This represents a slight decrease from 1,077 arrests in 2018-19.

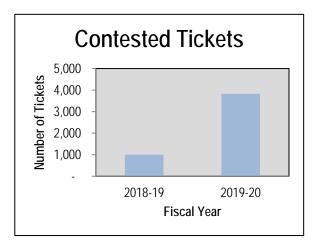
WASH Court Arrests				
	2018-19	2019-20		
St. John's Area	621	630		
Outside St. John's Area	456	407		
Total	1,077	1,037		



Summary Offence Tickets

COURT CENTRE	PROCESSE	D TICKETS	CONTESTED TICKETS (TRIALS)		
	2018-19 2019-20		2018-19	2019-20	
Clarenville	818	709	9	45	
Corner Brook	12,446	9,707	122	292	
Gander	2,021	3,034	66	90	
Grand Bank	440	724	9	11	
Grand Falls – Windsor	2,126	1,442	34	64	
Happy Valley – Goose Bay	1,298	1,497	31	54	
Harbour Grace	2,239	2,345	11	209	
St. John's	104,126	84,255	699	2,956	
Stephenville	799	798	12	41	
Wabush	2,268	2,088	8	62	
TOTAL	128,581	106,599	1,001	3,824	





Contraventions Tickets

2019-2020 was the first full year of Contraventions ticketing in the province of Newfoundland and Labrador as it exists under the *Contraventions Act* which decriminalizes minor statutory offences, removes uncontested cases from the courts and improves the enforcement of penalties.

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, including 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 received formal authorization from the Federal Minister of Transport in 2019 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. Plans to have Gander International Airport authorized and trained in 2020 were put on hold due to the pandemic.

NUMBER OF TICKETS ISSU OFFENCES WERE COMMI	NUMBER OF TICKETS ISSUED	
GOVERNMENT	Government Property Traffic Regulations	42
PROPERTY TRAFFIC ACT	Traffic on the Land Side of Airports Regulations	398
CANADA NATIONAL	National Parks of Canada Camping Regulations	21
PARKS ACT National Parks of Canada Fishing Regulations		5
	National Parks of Canada Highway Traffic Regulations	10
	National Parks Wildlife Regulations	2
CANADA MARINE ACT	26	
TOTAL NUMBER TICKETS	ISSUED	504

In 2019-2020, 504 Contraventions tickets were issued in Newfoundland and Labrador. The breakdown of these tickets is as follows:

In this province, 7 bilingual positions exist under the Contraventions Regime. The positions currently filled are the Coordinator / Policy Planning and Research Analyst, the court officer in Stephenville, and the collections officer with Fines Administration. Recruitment is currently ongoing for the Court Officer positions in Grand-Falls-Windsor, Wabush and St. John's, which were vacated, as well as a judgment officer with the Office of the High Sheriff.

In November of 2019 a Staff Learning Event was offered to court staff from across the island to network and discuss the Contraventions Regime as it pertains to Provincial Court. Bilingual staff as well as three bilingual Judges have participated all year in specialized legal terminology training from the Centre canadien de français juridique, in order to improve their capacity to offer services in French.

	Contraventions Statistics													
Fiscal	Tickets Issued	Trials re	equested	Trials	Held	Trials	Complaints concerning	erning Voluntarily				Total	Total	Amount
Year	to Date	French	English	French	English	scheduled, held		non- compliance Act and Regulations	In full	In Part	amount of fines	Amount Paid To Date	Amount Outstanding	
2018/ 2019	10	0	0	0	0	0	0	4	0	\$1,958.50	\$880.00	\$1,078.50		
2019/ 2020	504	0	14	0	2	0	0	314	16	\$44,913.00	\$28,002.00	\$16,911.00		

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	SESS	SIONS	HOURS		
COURT CENTRE	2018-19	2019-20	2018-19	2019-20	
Clarenville	126	116	243	146	
Corner Brook	296	212	441	369	
Gander	141	137	137	130	
Grand Bank	99	91	171	141	
Grand Falls – Windsor	153	171	215	203	
Happy Valley – Goose Bay	254	197	430	338	
Harbour Grace	77	82	57	80	
St. John's	1,531	1,118	1,319	838	
Stephenville	182	175	192	180	
Wabush	378	477	1,098	1,596	
Outside Court Network	1,325	1,122	1,739	1,756	
TOTAL	4,562	3,898	6,041	5,775	

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.

	SESS	SIONS	
COURT CENTRE	2018-19	2019-20	
Clarenville	272	285	
Corner Brook	235	22	
Gander	418	360	
Grand Bank	189	155	
Grand Falls – Windsor	216	216	
Happy Valley – Goose Bay	874	902	
Harbour Grace	575	580	
St. John's	103	127	
Stephenville	209	158	
Wabush	606	495	
Circuit Courts	287	199	
TOTAL	3,984	3,499	

Transcribed Pages and CD Requests

PROVINCIAL STATISTICS	2018-19	2019-20
Transcript Requests	243	210
Transcribed Pages	23,270	13,860
CD Requests	686	574

Requests for Letters of Conduct and Records of Conviction

PROVINCIAL STATISTICS	2018-19	2019-20
Letters of Conduct	19,182	19,732
Records of Conviction	9,071	8,183
TOTAL	28,253	27,915

Emergency Protection Orders (EPOs)

PROVINCIAL STATISTICS	2018-19	2019-20
Number of Applications Received	306	325
Number of EPOs Granted	230	243
Number of EPOs Denied	53	53
Number of EPOs Pending	2	0
Number of EPOs dealt with by Other means (e.g. withdrawn, dismissed wtc.)	21	29

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. Cases are individually assessed by the team to determine suitability for this specialized court.

April 1, 2019 – March 31, 2020

Mental Health Court							
INITI. CAS		CASES REFERRED BACK TO REGULAR COURT SYSTEM		PENDING CASES March 31 ¹		COMPLETED PROGRAMMING	
2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20
55	38	15	7	13	10	27	15

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 2019-20 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	-	Completed Programming	Currently in Programming	Opted out/did not complete
St. John's	147	80	67	15	43	18	3
Stephenville	52	20	32	0	14	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.

Drug Treatment Court 2019-2020					DTC Accumu Jan 2019	
Total Applications	Non-Eligible	Eligible	Pending	DTC Pleas entered (2019-20)	Currentl (Jan 2019-	
Screened				(2013-20)	2018-19	2019-20
27	14	12	1	12	1	10

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 decrease in average turnaround time over the previous fiscal year, with an average of 20 days to complete a transcript in 2019-20. There was also a decrease in the transcript completion time, with the oldest transcript being 119 days, and the total transcripts requested and completed were less than the previous year.

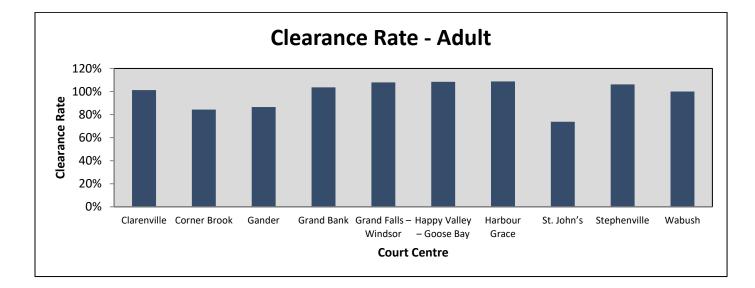
	2018-19			2019-20		
Total Transcrip	ots Requested:	243	Total Transcri	ots Requested:	210	
Total Tra	inscripts:	250	Total Tra	anscripts:	203	
	Turnaround			Turnaround		
Days	Transcripts	Percentages	Days	Transcripts	Percentages	
0 – 30	168	72.22%	0 – 30	154	76.00%	
31 – 60	40	21.03%	31 – 60	30	15.00%	
61 – 90	27	3.97%	61 – 90	13	6.00%	
91 – 120	10	2.78%	91 – 120	5	2.00%	
121 – 150	4	0.00%	121 – 150	0	0.00%	
Over 150	1	0.00%	Over 150	0	0.00%	
Average: 28.20 Days			A	verage: 20 Da	ys	
01	dest: 163 Da	ays	Oldest: 119 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.

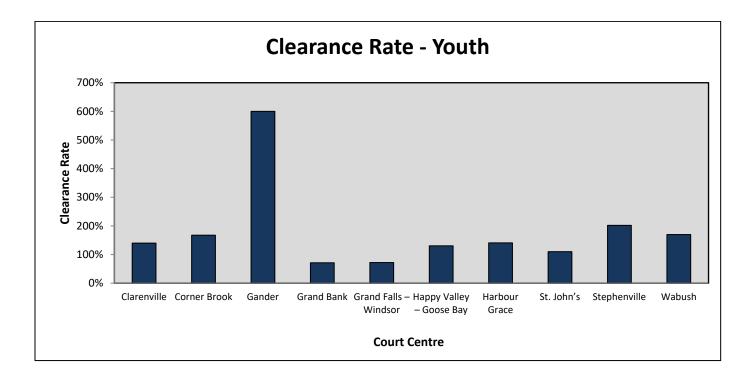
ADULT COURT					
	PENDING	INITIATED	CONCLUDED	PENDING	
COURT CENTRE	CASES	CASES	CASES	CASES	CLEARANCE RATE
	April 1/19	2019-20	2019-20	MARCH 31/20	NATE
Clarenville	742	639	647	734	101.3%
Corner Brook	1,348	1,659	1,399	1,616	84.3%
Gander	901	1,000	865	1,039	86.5%
Grand Bank	278	386	400	264	103.6%
Grand Falls – Windsor	1,169	963	1,039	1,039	107.9%
Happy Valley – Goose Bay	1,900	1,766	1,914	1,752	108.4%
Harbour Grace	1,191	1,133	1,232	1,092	108.7%
St. John's	10,862	11,969	8,828	14,004	73.8%
Stephenville	1,286	857	910	1,233	106.2%
Wabush	430	289	289	430	100.0%
TOTAL	20,107	20,661	17,523	23,203	84.8%
Note: These figures do not incl	ude Applications and	d Peace Bonds.			





Youth

	YOUTH COURT					
COURT CENTRE	PENDING CASES April 1/19	INITIATED CASES 2019-20	CONCLUDED CASES 2019-20	PENDING CASES MARCH 31/20	CLEARANCE RATE	
Clarenville	37	5	7	35	140.0%	
Corner Brook	171	111	186	96	167.6%	
Gander	87	14	84	17	600.0%	
Grand Bank	28	73	52	49	71.2%	
Grand Falls – Windsor	65	54	39	80	72.2%	
Happy Valley – Goose Bay	157	102	133	126	130.4%	
Harbour Grace	130	88	124	94	140.9%	
St. John's	674	1,456	1,602	528	110.0%	
Stephenville	146	50	101	95	202.0%	
Wabush	22	10	17	15	170.0%	
TOTAL	1,517	1,963	2,345	1,135	119.5%	
Note: These figures do not inclu	ide Applications a	nd Peace Bonds.				

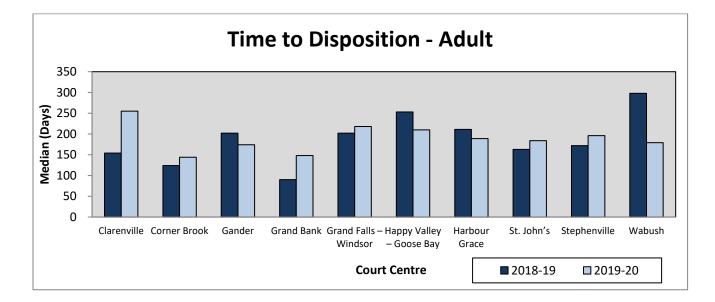


Time to Disposition

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.

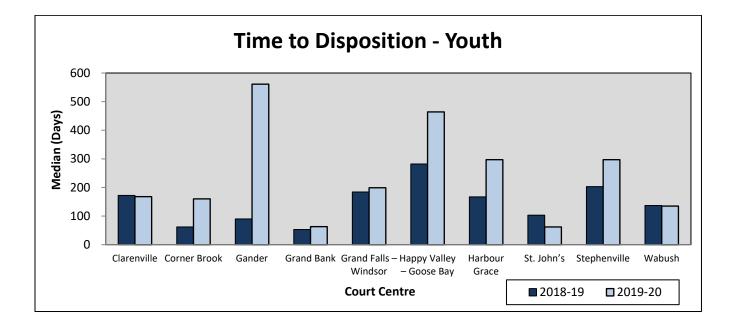
Adult

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)			
	2018-19	2019-20		
Clarenville	154	255		
Corner Brook	124	144		
Gander	202	174		
Grand Bank	90	148		
Grand Falls – Windsor	202	218		
Happy Valley – Goose Bay	253	210		
Harbour Grace	211	189		
St. John's	163	184		
Stephenville	172	196		
Wabush	298	179		
MEDIAN	187	186.5		



Youth

COURT CENTRE	MEDIAN TIME TO D	ISPOSITION (DAYS)
	2018-19	2019-20
Clarenville	172	168
Corner Brook	62	160
Gander	90	561
Grand Bank	53	63
Grand Falls – Windsor	184	199
Happy Valley – Goose Bay	282	464
Harbour Grace	167	297
St. John's	103	62
Stephenville	203	297
Wabush	137	135
MEDIAN	152	183.5

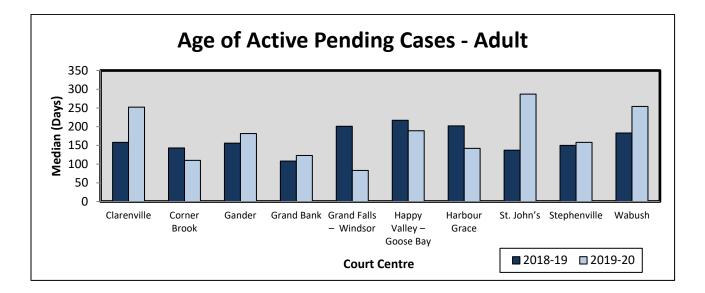


Age of Active Pending Cases

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.

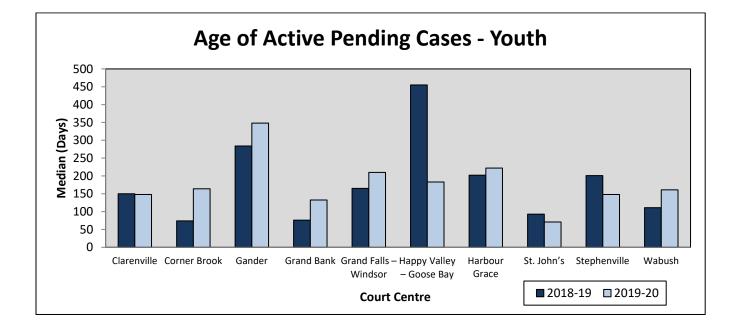
Adult

COURT CENTRE	MEDIAN AGE (DAYS)		
	2018-19	2019-20	
Clarenville	158	252	
Corner Brook	143	110	
Gander	156	182	
Grand Bank	108	123	
Grand Falls – Windsor	201	83	
Happy Valley – Goose Bay	217	189	
Harbour Grace	202	142	
St. John's	137	287	
Stephenville	150	158	
Wabush	183	254	
Total	157	170	



Youth

COURT CENTRE	MEDIAN AGE (DAYS)				
	2018-19	2019-20			
Clarenville	150	148			
Corner Brook	74	164			
Gander	284	348			
Grand Bank	76	132.5			
Grand Falls – Windsor	165	210			
Happy Valley – Goose Bay	455	183			
Harbour Grace	202	222			
St. John's	93	71			
Stephenville	201	148			
Wabush	111	161			
Total	158	163			



PART 5: FINANCIAL STATEMENTS

FINANCIAL STATEMENTS

Budget Expenditures 2019-20

CATEGORY	original Budget	ACTUAL	VARIANCE
Salaries	\$ 9,425,700	\$ 9,425,622	\$ 78
Employee Benefits	\$ 65,600	\$ 27,892	\$ 37,708
Transportation & Communication	\$ 245,100	\$ 451,832	\$ (206,732)
Supplies	\$ 50,400	\$ 57,097	\$ (6,697)
Professional Services	\$ 20,000	\$ 9,740	\$ 10,260
Purchased Services	\$ 754,000	\$ 418,070	\$ 335,930
Property, Furniture, & Equipment	\$ 30,500	\$ 19,061	\$ 11,439
Grants & Subsidies	\$ 6,000	\$ 6,000	\$0
TOTAL	\$ 10,597,300	\$ 10,415,313	\$ 181,987

Staff Overtime							
Time	Time Off in Lieu (TOIL)						
	Hours Dollar Value						
Balance as of							
March 31, 2019	1,144.00	\$ 33,314.48					
Balance as of	Balance as of						
March 31, 2020	1,025.39	\$ 29,779.93					

Paid Overtime					
Fiscal 2018-19	\$ 24,918.00				
Fiscal 2019-20	\$ 26,544.00				

Costs of Judio	cial Exchange*
Fiscal 2018-19	\$ 2,156.00
Fiscal 2019-20	\$ 1,882.00

*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	2018-19	2019-20
Clarenville	Bonavista	\$572	\$483
	TOTAL CLARENVILLE	\$572	\$483
	Baie Verte	\$5,040	\$4,632
Corner Brook	Port aux Choix	\$8,437	\$6,323
	Rocky Harbour	\$2,608	\$2,845
	St. Anthony	\$6,488	\$7,002
	TOTAL CORNER BROOK	\$22,573	\$20,802
Grand Falls – Windsor	Conne River / Harbour Breton / Head of Bay D'Espoir	\$866	\$1,264
	TOTAL GRAND FALLS-WINDSOR	\$866	\$1,264
	Makkovik / Postville / Rigolet	\$4,622	\$3,777
Happy Valley - Goose Bay	Nain	\$46,344	\$36,979
	Natuashish	\$38,427	\$45,981
	TOTAL HAPPY VALLEY-GOOSE BAY	\$89,393	\$86,737
Wabush	Hopedale	\$18,655	\$21,696
Wabush	Port Hope Simpson	\$36,834	\$22,086
	TOTAL WABUSH	\$55,489	\$43,782
Harbour Grace	Placentia	\$966	\$484
	TOTAL HARBOUR GRACE	\$966	\$484
Stephenville	Port aux Basques	\$7,163	\$8,520
	TOTAL STEPHENVILLE	\$7,163	\$8,520
TOTAL	ALL CIRCUITS	\$177,022	\$162,072

COURT CENTRE AND	SCHEDU	ILED DAYS	ACTUAL DAYS *		
CIRCUIT	2018-19	2019-20	2018-19	2019-20	
CLARENVILLE					
Bonavista	4.00	4.00	4.00	4.00	
CORNER BROOK					
Port aux Choix	14.00	14.00	11.50	8.50	
Rocky Harbour	12.00	12.00	4.00	3.00	
St. Anthony	12.00	12.00	8.50	9.50	
GRAND FALLS – WINDSOR					
Baie Verte	15.00	12.00	10.50	6.00	
Head of Bay D'Espoir	4.00	4.00	4.50	4.00	
HAPPY VALLEY – GOOSE BAY					
Makkovik	3.00	4.00	2.00	0.00	
Nain	57.00	54.00	49.00	33.50	
Natuashish	54.00	52.00	39.00	37.00	
Postville	1.00	2.00	1.00	0.00	
Rigolet	5.00	4.00	2.00	2.00	
WABUSH					
Hopedale	25.00	30.00	12.00	19.00	
Port Hope Simpson	10.00	10.00	3.00	7.00	
HARBOUR GRACE					
Placentia	6.00	6.00	6.00	5.00	
STEPHENVILLE					
Port aux Basques	31.00	31.00	29.00	22.00	
TOTAL	253.00	251.00	186.00	160.50	

Frequency of Circuit Courts

*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. The numbers may be different than previous years due to a lengthy storm and COVID-19.

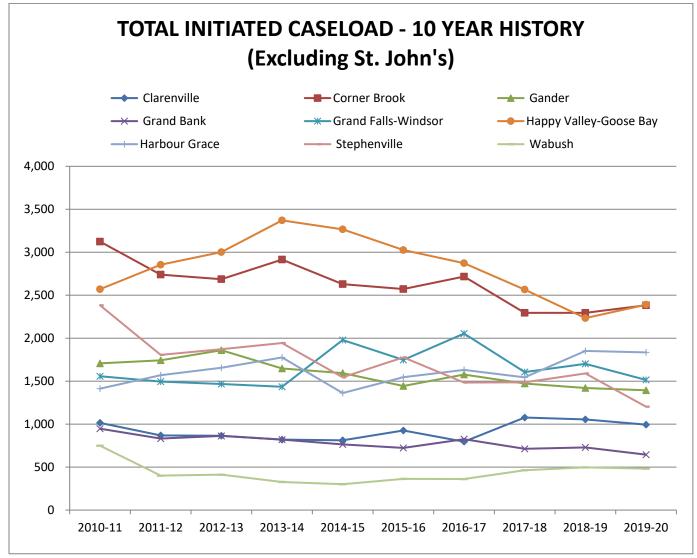
ТҮРЕ	2018-1	2019	2019-20	
ITPE	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	\$130,665	4	\$159,877	6
Federal Statutes	\$634,694	21	\$436,240	16
Liquor Control Act	\$225	0	\$825	0
Municipal Acts	\$7,950	0	\$23,200	1
Animal Protection Act (APA)	\$ 0	0	\$ 0	0
Summary Offence Tickets & Ticket Management System (SOT & TMS)	\$1,356,809	44	\$1,367,696	49
Fees and Costs	\$357,324	12	\$343,438	12
Victim Fine Surcharge	\$126,778	4	\$19,184	1
Provincial Victim Fine Surcharge	\$30,531	1	\$4,143	0
Maintenance/Compensation	\$32,749	1	\$36,533	1
Civil (Third Party)	\$78,316	3	\$126,738	5
Bail/Bonds Sureties	\$295,440	10	\$249,375	9
Judgment Enforcement Act	\$7,820	0	\$6,445	0
Other (Third Party)	\$0	0	\$0	0
TOTAL	\$3,059,301	100	\$2,773,694	100

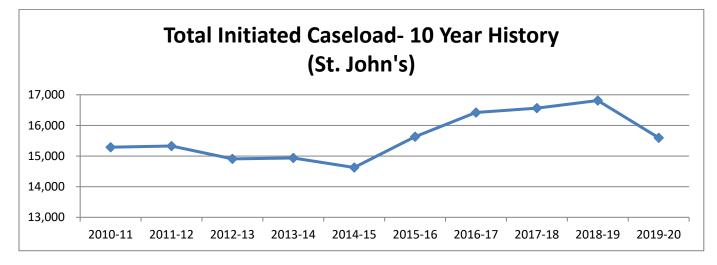
Fines Imposed Summary

ТҮРЕ	2018-1	9	2019-20		
TIPE	Amount	Percent	Amount	Percent	
Criminal Code & Provincial Statutes	\$238,265	12	\$588,105	28	
Federal Statutes	\$598,856	29	\$1,254,126	59	
Liquor Control Act	\$875	0	\$3,700	0	
Animal Protection Act (APA)	\$0	0	\$0	0	
Victim Fine Surcharge	\$671,856	33	\$21,623	1	
Provincial Victim Fine Surcharge	\$48,075	2	\$17,824	1	
Ticket Management System	\$479,941	23	\$216,905	10	
Other (Third Party)	\$9,100	0	\$23,350	1	
TOTAL	\$2,046,968	100	\$2,125,633	100	



Ten Year Statistical Data





COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Clarenville	2010-11	815	109	53	38	1,015
	2011-12	706	60	72	31	869
	2012-13	656	80	71	58	865
	2013-14	585	74	84	77	820
	2014-15	646	44	47	75	812
	2015-16	759	25	70	72	926
	2016-17	621	35	63	77	796
	2017-18	914	14	87	62	1,077
	2018-19	858	9	102	86	1,055
	2019-20	849	6	60	79	994

SOT's PROCS'D	SOT TRIALS
1,644	7
1,500	6
1,515	27
853	4
1,133	6
1,716	6
1,652	8
1,234	18
818	51
709	11

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	initiated Family	TOTAL	SOT's PROCS'D	SOT TRIALS
Corner Brook	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	2,295	12,446	243
	2019-20	2,064	124	195	0	2,383	9,707	163

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOT's PROCS'D	SOT TRIALS
Gander	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
	2019-20	1,189	20	90	95	1,394	3,034	73

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Grand Bank	2010-11	736	142	42	27	947
	2011-12	617	131	62	22	832
	2012-13	652	124	55	32	863
	2013-14	639	91	70	20	820
	2014-15	624	39	60	41	764
	2015-16	567	56	49	51	723
	2016-17	719	39	32	35	825
	2017-18	552	50	76	35	713
	2018-19	551	52	53	73	729
	2019-20	494	74	42	35	645

SOT's PROCS'D	SOT TRIALS
2,459	47
2,390	37
1,895	25
961	16
1,027	1
803	3
336	2
374	2
440	21
724	11

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL		
Grand Falls- Windsor	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	ļ	
	2013-14	1,054	160	81	140	1,435	ļ	
	2014-15	1,526	175	67	211	1,979	ļ	
	2015-16	1,273	189	101	184	1,747		
	2016-17	1,532	268	91	163	2,054	ļ	
	2017-18	1,308	97	65	136	1,606		
	2018-19	1,325	68	72	237	1,702	ļ	
	2019-20	1,221	60	90	144	1,515		

SOTS TRIALS
67
61
61
70
51
61
82
62
39
51

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOT's PROCS'D	SOT TRIALS
Happy Valley- Goose Bay	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
	2019-20	2,099	113	30	148	2,390	1,497	53

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Harbour Grace	2010-11	1,077	134	99	103	1,413
	2011-12	1,217	142	117	94	1,570
	2012-13	1,343	66	169	78	1,656
	2013-14	1,429	121	137	89	1,776
	2014-15	1,045	77	164	76	1,362
	2015-16	1,224	87	182	53	1,546
	2016-17	1,272	132	173	54	1,631
	2017-18	1,269	66	162	47	1,544
	2018-19	1,422	178	142	110	1,852
	2019-20	1,520	98	120	97	1,835

SOT's PROCS'D	SOT TRIALS			
1,801	31			
1,505	41			
1,600	20			
1,204	27			
1,415	18			
1,469	22			
979	30			
1,867	7			
2,239	101			
2,345	62			

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	initiated Youth	INITIATED CIVIL	initiated Family	TOTAL	SOT'S PROCS		SOT TRIALS
St. John's	2010-11	13,189	1,374	725	0	15,288	140,72	0	686
	2011-12	13,379	1,249	699	0	15,327	133,80	1	655
	2012-13	13,102	1,079	727	0	14,908	128,63	3	410
	2013-14	12,968	1,237	732	0	14,937	121,25	2	510
	2014-15	12,871	975	781	0	14,627	133,38	3	587
	2015-16	13,341	1,410	881	0	15,632	112,41	6	458
	2016-17	14,515	1,065	842	0	16,422	122,03	1	525
	2017-18	14,505	1,094	965	0	16,564	114,79	7	845
	2018-19	14,366	1,540	907	0	16,813	104,12	6	2,893
	2019-20	13,398	1,507	691	0	15,596	84,25	5	579

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	initiated Youth	INITIATED CIVIL	initiated Family	TOTAL	SOT's PROCS'D	SOT TRIALS
Stephenville	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
	2019-20	1,095	58	50	0	1,203	798	42

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOT's PROCS'D	SOT TRIALS
Wabush	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
	2019-20	376	17	18	71	482	2,088	17

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL	SOTS PROCS'D	SOTS TRIALS
OVERALL	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
	2019-20	24,305	2,077	1,386	669	28,437	106,599	1,062

***Please Note:

Old Re-Activated and New Family files transferred from HV-GB to Wabush in 2019-20:12Old Re-Activated and New Family files transferred from GFW to Gander in 2019-20:18