

# ANNUAL REPORT 2020 - 2021



PROVINCIAL COURT  
of Newfoundland and Labrador

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

## Report from the Chief Judge

### ***Year in Review 2020-21***

#### ***New Judge Appointed***

On July 16, 2021, the Honourable John Hogan, QC, Minister of Justice and Public Safety and Attorney General, announced the appointment of Jennifer Mercer, QC, to the Provincial Court in Happy Valley-Goose Bay.

Judge Mercer graduated from Dalhousie Law School in 1997 and was called to the Bar in Newfoundland and Labrador in 1998. She began working as a Crown Attorney in 2007 and was appointed Deputy Minister of Justice and Public Safety in October 2018. Minister Hogan stated, “I congratulate Ms. Mercer on her judicial appointment. She has considerable experience as a private and public lawyer and was a tremendous asset to the Department of Justice and Public Safety, where she will be greatly missed. I worked closely with Jennifer since joining government and I am confident that the Provincial Court is gaining an excellent judge.”

On behalf of all of the Judges of the Court, I welcome Judge Mercer to the Court and am confident that she will carry out her duties and provide excellent service to the people of the province in the years ahead.

#### ***Pandemic – Challenges and Opportunities***

Throughout the year, the Court continued to face the challenges to its daily operations posed by the coronavirus pandemic. The contraction and expansion of the services offered by the Court was carried out on a regional basis depending on the Alert Level established by public health officials. In a continuing effort to attenuate the spread of the disease, our staff revised cleaning and social distancing protocols. In St. John’s, the Court rationalized the scheduling of hearings, opened a tenth courtroom and expanded another. Despite the large numbers of the public attending the Court there were no reports of community spread of the virus at any of our facilities.

Nevertheless, we were able to take advantage of additional teleconferencing capacity and dramatically increase the number of virtual proceedings. The improved quality of the technology and diminished reluctance of the participants to avail of these platforms combined to reduce wait times and improve efficiencies.

**The Honourable Pamela J. Goulding**

**Chief Judge**

## Director's Report

Fiscal Year 2020-2021 has proven to be a year of enormous teamwork and endurance as an organization entering uncharted waters with respect to Court operations and COVID-19. Provincial Court found ways to effectively respond to the ever-changing and evolving public health guidance and pivot its operations to ensure the health and safety of its judges, staff, stakeholders and the public. Processes were streamlined and technology embraced to effectively operate in a virtual environment. In some ways, the pandemic forced the Court to quickly adopt efficiencies and for users to become more comfortable with such changes. For example, the increased use of video and telephone court appearances and online applications for some court processes, to name a few, are now second nature to most. Much has been learned this past year and it is hoped that these lessons can be used to further enhance services of the Court in the future.

Our human resources remain our biggest asset which was again confirmed this past year. Evening and weekend Province-wide staff conference calls where ideas and solutions were freely put-forward, discussed and creatively implemented is how Provincial Court quickly pivoted each time public health guidance changed. Staff in each Court centre adapted public health guidance to their physical plant and operations. This, coupled with judicial and stakeholder support, resulted in all ten Court centres being available and ready to hear Court matters throughout the pandemic.

I am also grateful that stakeholders were quick to respond to meeting requests and were open to learning and adapting to new Court processes and protocols. Physical distancing was crucial to a successful reopening plan, resulting in Provincial Court expanding its physical footprint in several Court locations to ensure physical distancing of all attendees while at Court.

Despite the many hurdles, work of the Court continued as evidenced by the statistics in this Annual Report. While some work of the Court was rescheduled, the fact that Provincial Court remained in operation during the entirety of the pandemic is a testament to the commitment and dedication the judiciary and staff have for ensuring all Newfoundlanders and Labradorians have timely access to justice.

**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

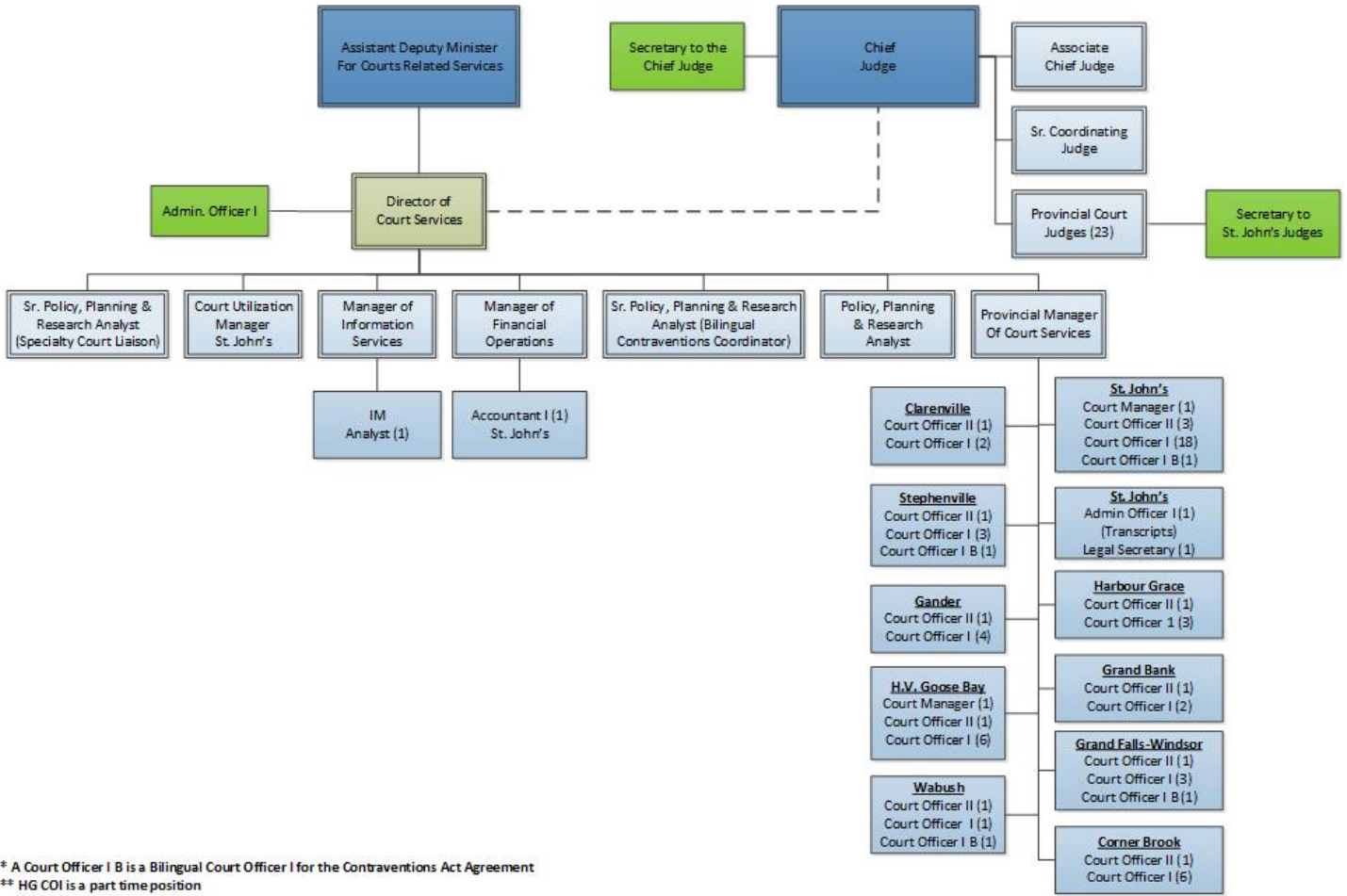
### Associate Chief Judge: The Hon. Michael Madden

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 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 Honourable Phyllis Harris	June 10, 2014	St. John's
The Honourable Paul Noble	September 17, 2015	Clareville
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
The Honourable Jennifer Mercer	July 16, 2021	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 employed 1 Per Diem Judge who has retired and continue to work on a part-time basis as needed and 1 Judge has 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
<b>TOTAL</b>	<b>22</b>	<b>81</b>	<b>15</b>

## Registries

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

- to provide information and direction about court procedures, services, and forms;
- to process cases by providing administrative services in accordance with due process;
- to ensure that automated case management systems are accurately updated and maintained;
- to enhance community confidence and respect by responding to 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, 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 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**

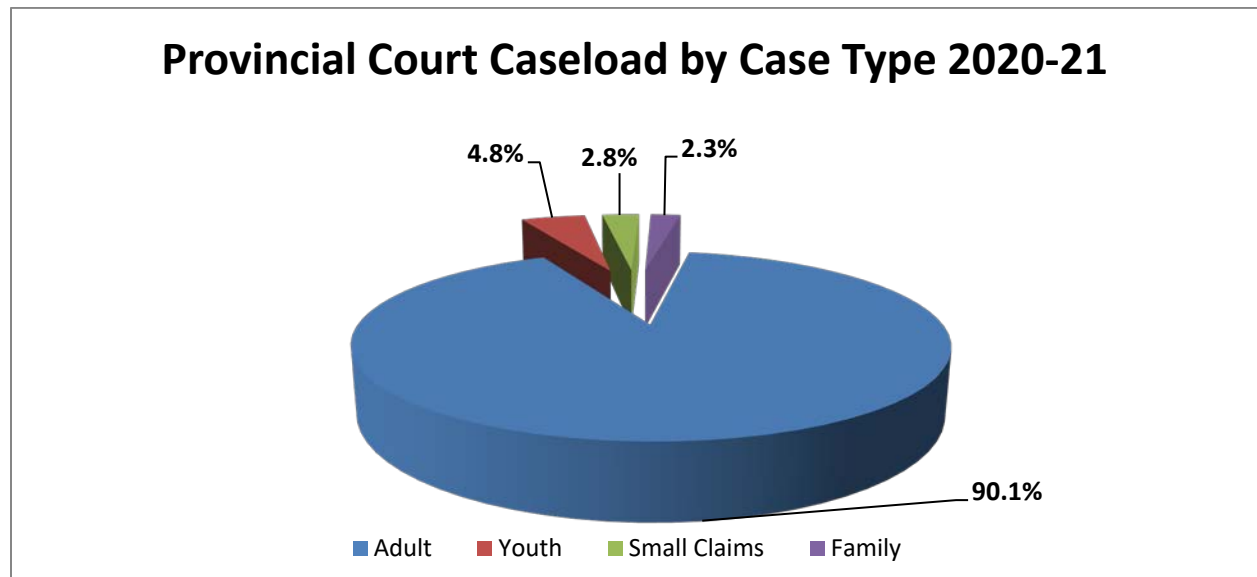


## Definition of Workload

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.

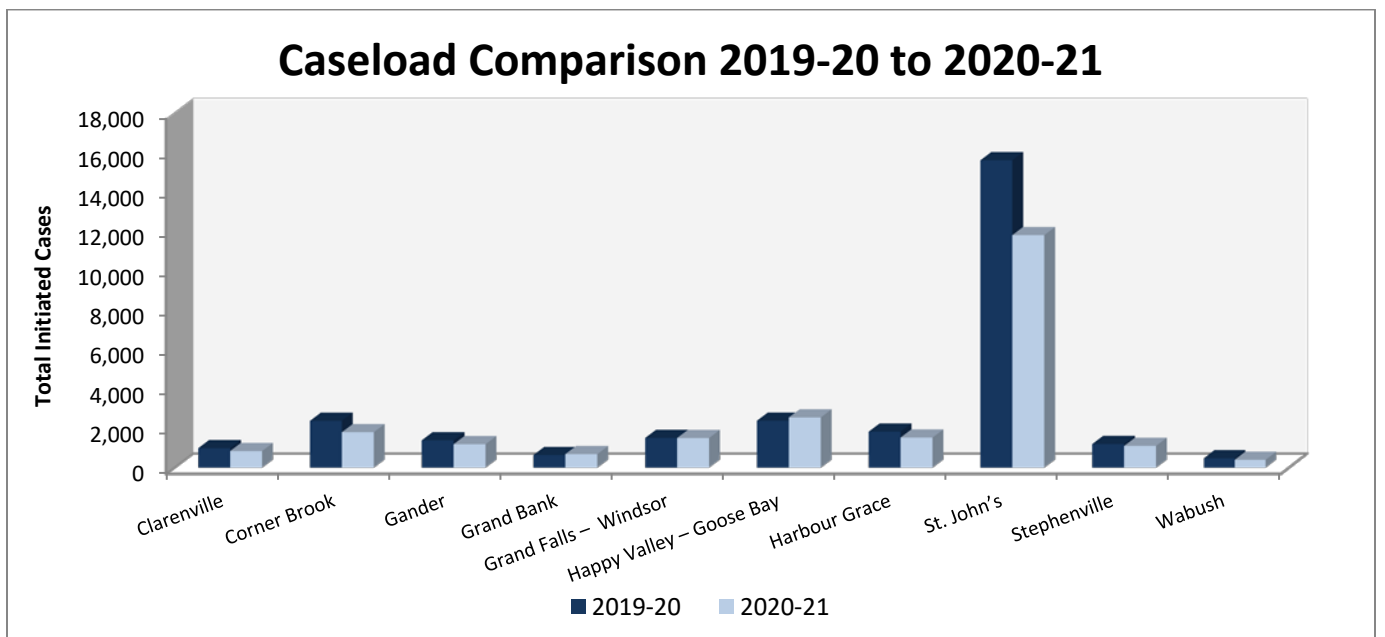
## Total Caseload

In 2020-2021, the following cases were initiated in Provincial Court: 21,145 adult cases, 1,130 youth cases, 654 small claims cases, and 528 family cases. In addition to the four business lines included in the chart below, Traffic Court processed 56,026 summary offence tickets and conducted 181 trials.



## Combined Caseload Statistics

COURT CENTRE	INITIATED ADULT*		INITIATED YOUTH*		INITIATED SMALL CLAIMS		INITIATED FAMILY**		TOTAL INITIATED CASES	
	2019-20	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20	2020-21
Clar.	849	727	6	33	60	32	79	56	994	848
Cr. Brk.	2,064	1,633	124	101	195	73	0	0	2,383	1,807
Gan.	1,189	961	20	35	90	41	95	159	1,394	1,196
Gr. Bank	494	617	74	33	42	16	35	25	645	691
GFW	1,221	1,331	60	81	90	29	144	70	1,515	1,511
HVGB	2,099	2,349	113	86	30	17	148	105	2,390	2,557
Hr. G.	1,520	1,394	98	24	120	32	97	85	1,835	1,535
St. J.	13,398	10,725	1,507	709	691	366	0	0	15,596	11,800
Stv'lle	1,095	1,056	58	23	50	31	0	0	1,203	1,110
Wab.	376	352	17	5	18	17	71	28	482	402
<b>***Please Note:</b>										
<b>Old Re-Activated and New Family files transferred from HV-GB to Wabush in 2020-21:</b>										<b>8</b>
<b>Old Re-Activated and New Family files transferred from GFW to Gander in 2020-21:</b>										<b>8</b>
<b>TOTAL</b>	<b>24,305</b>	<b>21,145</b>	<b>2,077</b>	<b>1,130</b>	<b>1,386</b>	<b>654</b>	<b>669</b>	<b>528</b>	<b>28,437</b>	<b>23,457</b>
<i>*These figures include Applications and Peace Bonds.</i>										
<i>**These figures include Support, Custody, Wardship, Adoption, and Apprehension cases.</i>										

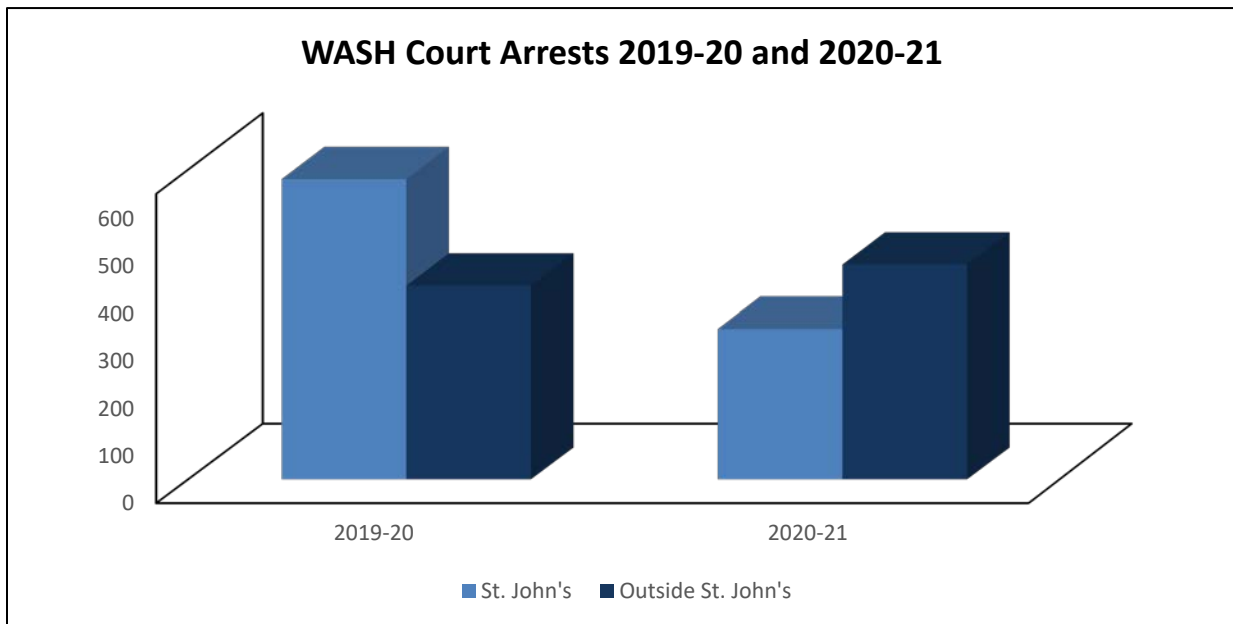


## WASH (Weekend and Statutory Holiday) Court Statistics

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.

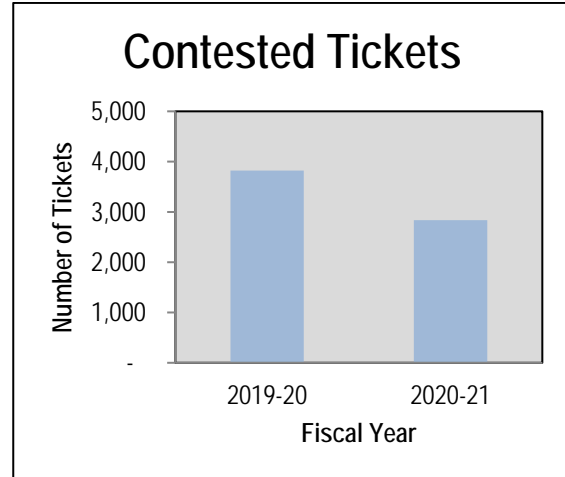
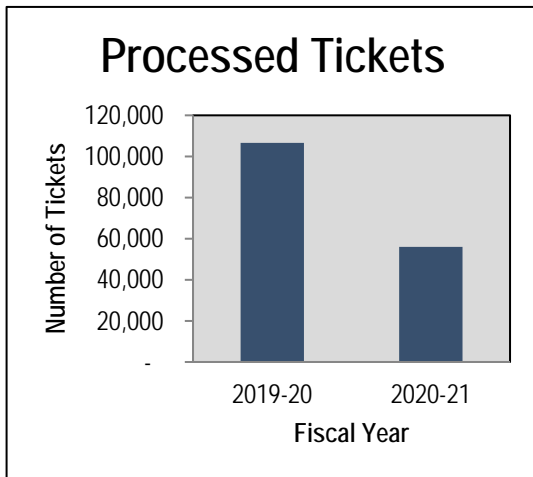
In 2020-21, WASH Court sat for a total of 118 days. There were 768 weekend arrests, 317 within the St. John's area and 451 outside of St. John's. This represents a decrease from 1,037 arrests in 2019-20.

WASH Court Arrests		
	2019-20	2020-21
St. John's Area	630	317
Outside St. John's Area	407	451
Total	1037	768



## Summary Offence Tickets

COURT CENTRE	PROCESSED TICKETS		CONTESTED TICKETS (TRIALS)	
	2019-20	2020-21	2019-20	2020-21
Clarenville	709	770	45	17
Corner Brook	9,707	8,247	292	213
Gander	3,034	2,354	90	62
Grand Bank	724	617	11	14
Grand Falls – Windsor	1,442	1,477	64	54
Happy Valley – Goose Bay	1,497	1,256	54	102
Harbour Grace	2,345	1,509	209	65
St. John's	84,255	38,146	2,956	2,248
Stephenville	798	624	41	35
Wabush	2,088	1,026	62	25
<b>TOTAL</b>	<b>106,599</b>	<b>56,026</b>	<b>3,824</b>	<b>2,835</b>



## Contraventions Tickets

Since 2019 Contraventions ticketing has been taking place 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 environmental offences, and ones that occur under National Parks legislation. In 2020, some offences under the *Quarantine Act* were also added as a response to the pandemic. Enforcement officers from all departments who issue tickets, are provided training on the correct process, including presentations from the Provincial Department of Justice, the Provincial Court, Fines Administration, and the Public Prosecution Service of Canada.

Contraventions Statistics												
Fiscal Year	Tickets Issued to Date	Trials requested		Trials Held		Trials scheduled, held	Complaints concerning non-compliance Act and Regulations	Fines Paid Voluntarily		Total amount of fines	Total Amount Paid To Date	Amount Outstanding
		French	English	French	English			In full	In Part			
2019/2020	504	0	14	0	2	0	0	314	16	\$ 44,913.00	\$ 28,002.00	\$16,911.00
2020/2021	64	0	4	0	4	0	0	45	5	\$ 10,616.00	\$ 7,250.50	\$ 3,365.50

## 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	
	2019-20	2020-21	2019-20	2020-21
Clarenville	116	51	146	125
Corner Brook	212	268	369	645
Gander	137	102	130	275
Grand Bank	91	108	141	195
Grand Falls – Windsor	171	167	203	351
Happy Valley – Goose Bay	197	284	338	777
Harbour Grace	82	103	80	254
St. John's	1,118	1,215	838	1,675
Stephenville	175	370	180	689
Wabush	477	624	1,596	2,635
Outside Court Network	1,122	516	1,756	1,100
<b>TOTAL</b>	<b>3,898</b>	<b>3,808</b>	<b>5,775</b>	<b>8,719</b>

## 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	
	2019-20	2020-21
Clarenville	285	306
Corner Brook	22	53
Gander	360	284
Grand Bank	155	85
Grand Falls – Windsor	216	243
Happy Valley – Goose Bay	902	645
Harbour Grace	580	252
St. John's	127	122
Stephenville	158	4
Wabush	495	307
Circuit Courts	199	35
<b>TOTAL</b>	<b>3,499</b>	<b>2,336</b>

### Transcribed Pages and CD Requests

PROVINCIAL STATISTICS	2019-20	2020-21
Transcript Requests	210	114
Transcribed Pages	13,860	9,807
CD Requests	574	327

### Requests for Letters of Conduct and Records of Conviction

PROVINCIAL STATISTICS	2019-20	2020-21
Letters of Conduct	19,732	12,649
Records of Conviction	8,183	6,637
<b>TOTAL</b>	<b>27,915</b>	<b>19,286</b>

### Emergency Protection Orders (EPOs)

PROVINCIAL STATISTICS	2019-20	2020-21
Number of Applications Received	325	218
Number of EPOs Granted	243	158
Number of EPOs Denied	53	49
Number of EPOs Pending	0	2
Number of EPOs dealt with by <b>Other</b> means (e.g. withdrawn, dismissed wtc.)	29	9





## **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, 2020 – March 31, 2021

Mental Health Court							
INITIATED CASES		CASES REFERRED BACK TO REGULAR COURT SYSTEM		PENDING CASES March 31 <sup>1</sup>		COMPLETED PROGRAMMING	
2019/20	2020/21	2019/20	2020/21	2019/20	2020/21	2019/20	2020/21
38	30	7	2	10	10	15	18

Notes

<sup>1</sup> 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 2020-21 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	Not Interested/Not Eligible/Withdrawn	Pending Plea/RA	Completed Programming	Currently in Programming/Pending Sentencing	Opted Out/Did not Complete	Transfer to Stephenville FVIC
St. John's	135	89	4	25	14	2	1
Stephenville	55	41	5	5	3	0	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						
Total Applications Screened	Non-Eligible	Eligible	Pending	DTC Pleas entered (2020-21)	Active (Jan 2019-Mar 2021)	Graduated / Completed
15	4	11	3	8	20	4

## 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 18 days to complete a transcript in 2020-21 however; there was an increase in transcript completion time with the oldest transcript being 182 Days. The total transcripts requested and completed were less than the previous year.

2019-20			2020-21		
Total Transcripts Requested:	210		Total Transcripts Requested:	114	
Total Transcripts:	203		Total Transcripts:	107	
Turnaround			Turnaround		
Days	Transcripts	Percentages	Days	Transcripts	Percentages
0 – 30	154	76.00%	0 – 30	93	86.92%
31 – 60	30	15.00%	31 – 60	8	7.48%
61 – 90	13	6.00%	61 – 90	3	2.80%
91 – 120	5	2.00%	91 – 120	1	0.93%
121 – 150	0	0.00%	121 – 150	1	0.93%
Over 150	0	0.00%	Over 150	1	0.93%
Average: 20 Days			Average: 18 Days		
Oldest: 119 Days			Oldest: 182 Days		

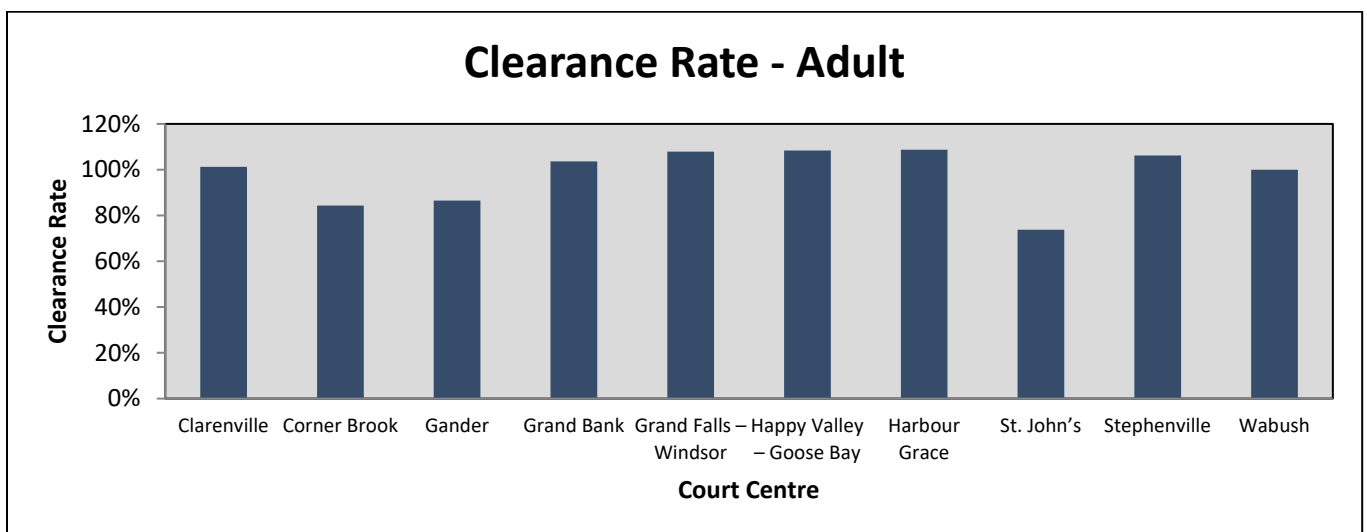
## Clearance Rates

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 1/20	INITIATED CASES 2020-21	CONCLUDED CASES 2020-21	PENDING CASES MARCH 31/21	CLEARANCE RATE
Clarenville	769	578	569	778	98.4%
Corner Brook	1,695	1,298	1,158	1,835	89.2%
Gander	1,167	773	970	973	125.5%
Grand Bank	323	529	548	304	103.6%
Grand Falls – Windsor	1,320	1,063	930	1,453	87.5%
Happy Valley – Goose Bay	2,154	2,072	1,707	2,519	82.4%
Harbour Grace	1,274	1,124	1,042	1,356	92.7%
St. John's	12,760	9,502	6,534	15,732	68.8%
Stephenville	1,388	895	753	1,530	84.1%
Wabush	492	287	83	496	98.6%
<b>TOTAL</b>	<b>23,342</b>	<b>18,121</b>	<b>14,494</b>	<b>26,976</b>	<b>80.0%</b>

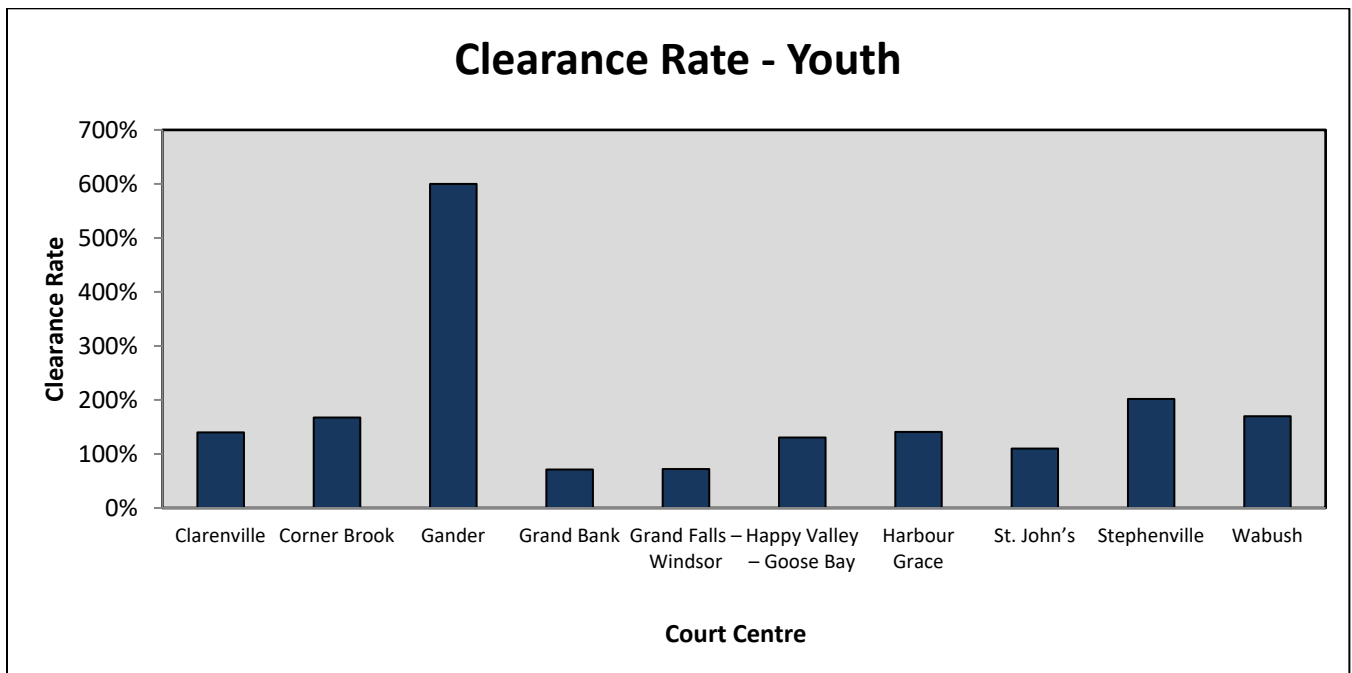
*Note: These figures do not include Applications and Peace Bonds.*



## Youth

YOUTH COURT					
COURT CENTRE	PENDING CASES April 1/20	INITIATED CASES 2020-21	CONCLUDED CASES 2020-21	PENDING CASES MARCH 31/21	CLEARANCE RATE
Clarenville	37	33	20	50	60.6%
Corner Brook	96	101	101	99	100.0%
Gander	15	35	24	26	68.6%
Grand Bank	53	33	73	13	221.2%
Grand Falls – Windsor	85	81	92	74	113.6%
Happy Valley – Goose Bay	151	86	101	136	117.4%
Harbour Grace	84	24	47	61	195.8%
St. John's	526	709	761	474	107.3%
Stephenville	79	23	37	65	160.9%
Wabush	15	5	7	13	140.0%
<b>TOTAL</b>	<b>1,141</b>	<b>1,130</b>	<b>1,263</b>	<b>1,011</b>	<b>111.8%</b>

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

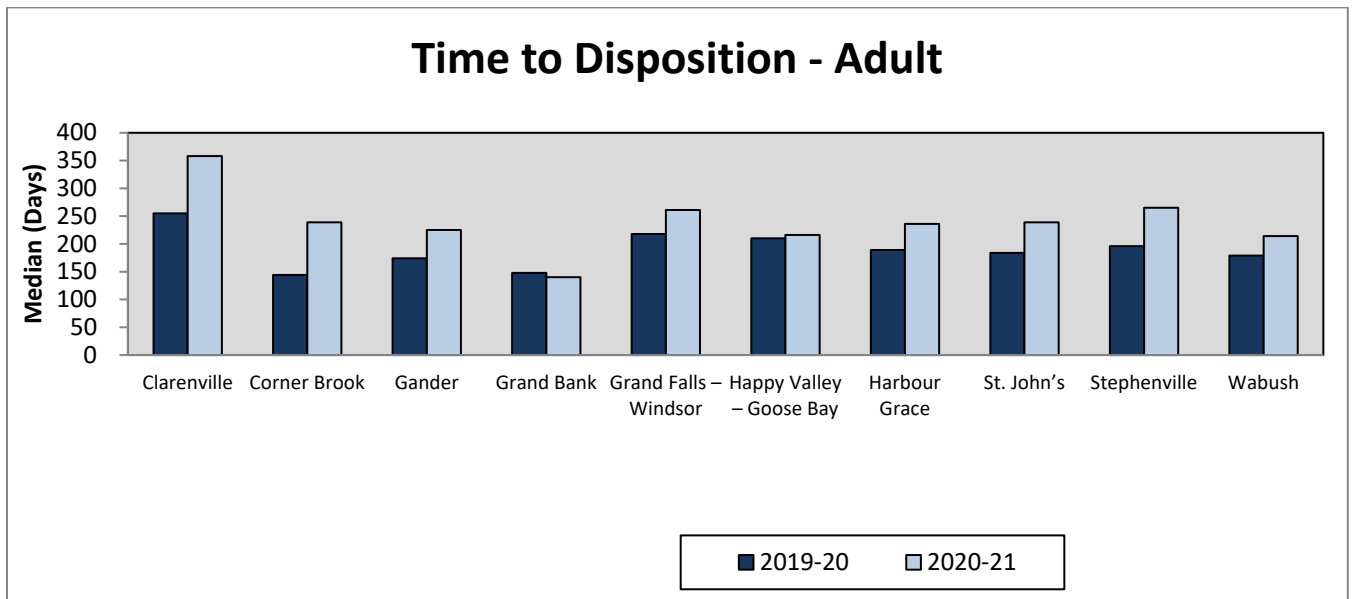


## Time to Disposition

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

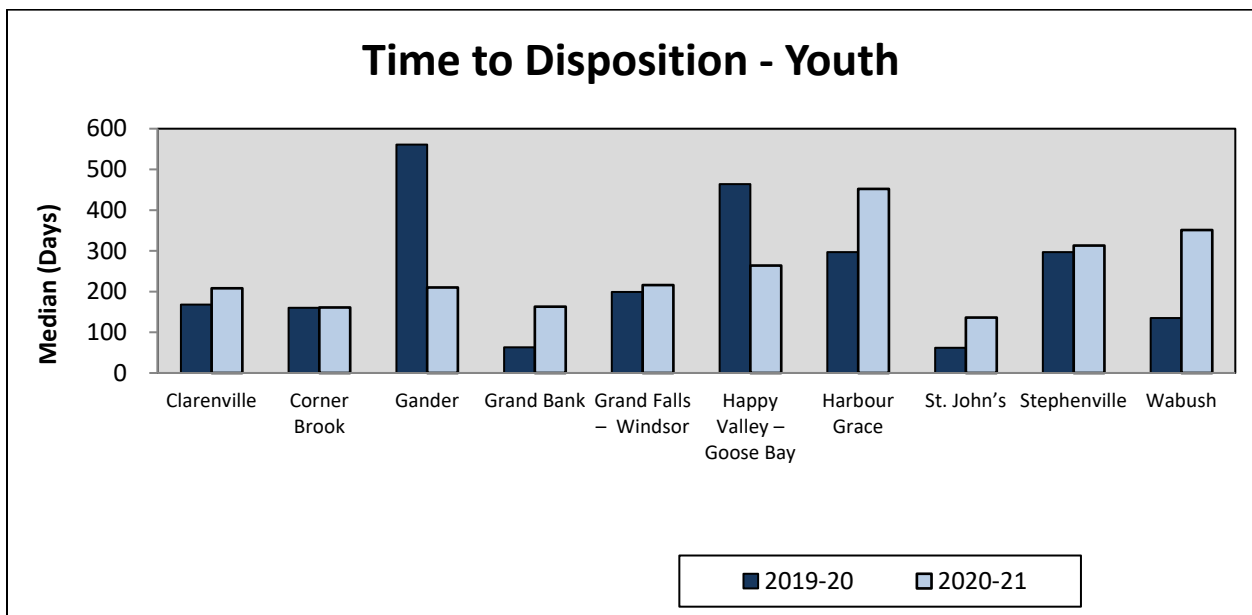
### Adult

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)	
	2019-20	2020-21
Clarenville	255	358
Corner Brook	144	239
Gander	174	225
Grand Bank	148	140
Grand Falls – Windsor	218	261
Happy Valley – Goose Bay	210	216
Harbour Grace	189	236
St. John's	184	239
Stephenville	196	265
Wabush	179	214
<b>MEDIAN</b>	<b>187</b>	<b>237.5</b>



## Youth

COURT CENTRE	MEDIAN TIME TO DISPOSITION (DAYS)	
	2019-20	2020-21
Clarenville	168	208
Corner Brook	160	161
Gander	561	210
Grand Bank	63	163
Grand Falls – Windsor	199	216
Happy Valley – Goose Bay	464	264
Harbour Grace	297	452
St. John's	62	136
Stephenville	297	313
Wabush	135	351
<b>MEDIAN</b>	<b>184</b>	<b>213</b>



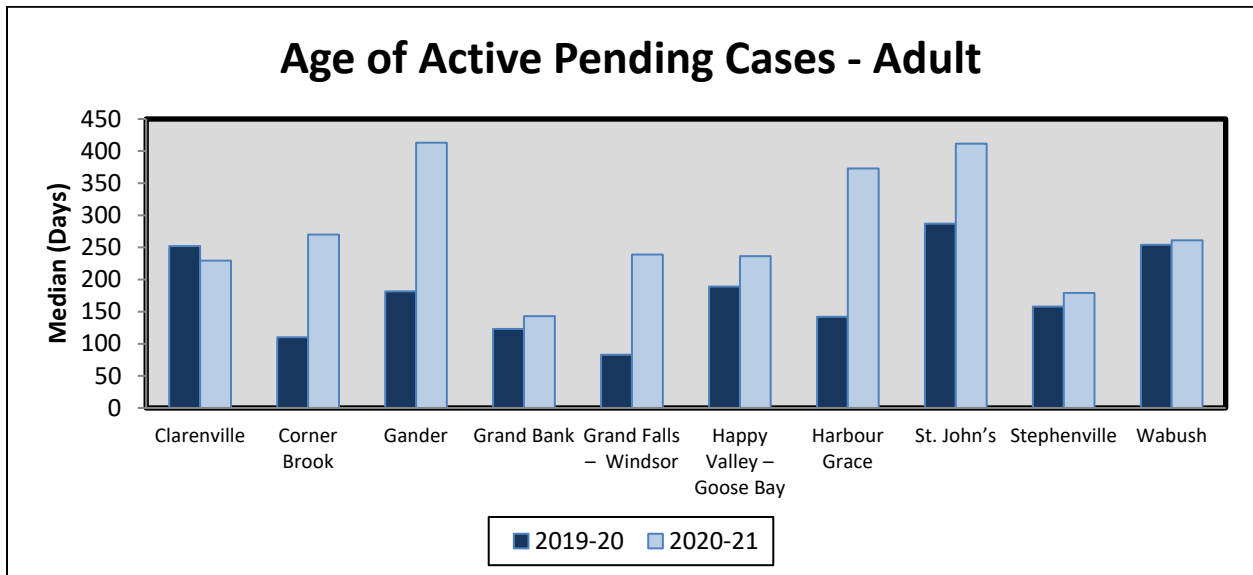


## Age of Active Pending Cases

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.

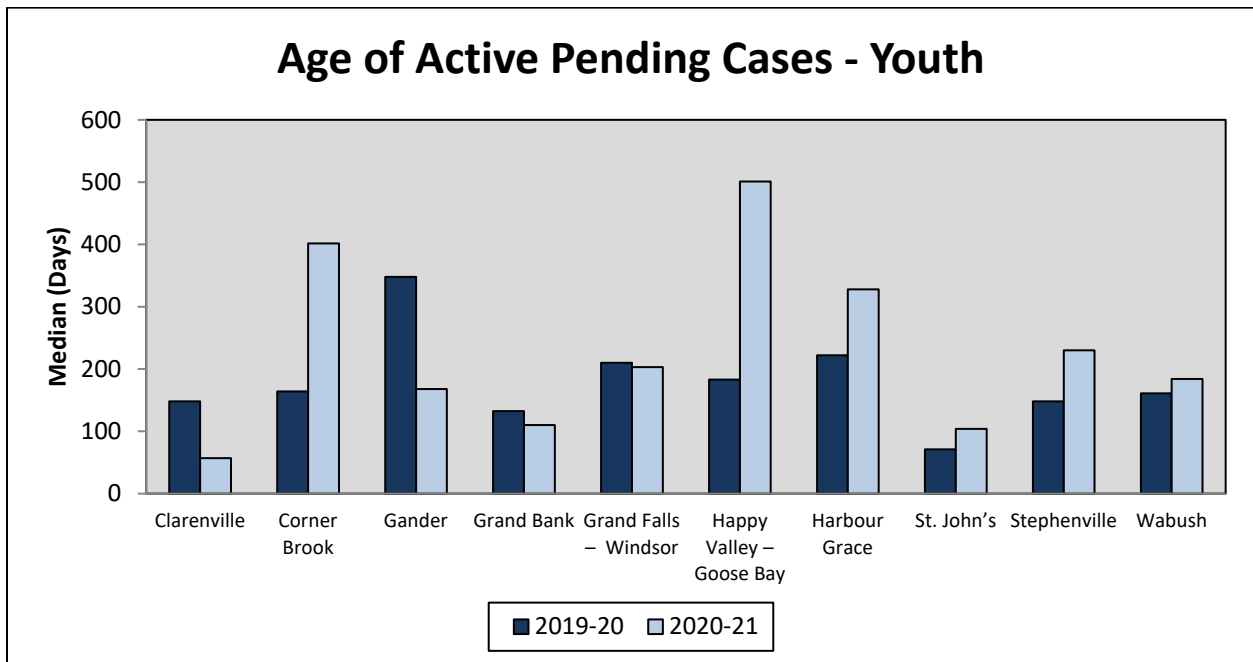
### Adult

COURT CENTRE	MEDIAN AGE (DAYS)	
	2019-20	2020-21
Clarenville	252	230
Corner Brook	110	270
Gander	182	413
Grand Bank	123	143
Grand Falls – Windsor	83	239
Happy Valley – Goose Bay	189	237
Harbour Grace	142	373
St. John's	287	412
Stephenville	158	179
Wabush	254	261
<b>Total</b>	<b>170</b>	<b>250</b>



## Youth

COURT CENTRE	MEDIAN AGE (DAYS)	
	2019-20	2020-21
Clarenville	148	57
Corner Brook	164	402
Gander	348	168
Grand Bank	132.5	110
Grand Falls – Windsor	210	203
Happy Valley – Goose Bay	183	501
Harbour Grace	222	328
St. John's	71	104
Stephenville	148	230
Wabush	161	184
<b>Total</b>	<b>163</b>	<b>194</b>





## PART 5: FINANCIAL STATEMENTS

## FINANCIAL STATEMENTS

### Budget Expenditures 2020-21

CATEGORY	ORIGINAL BUDGET	ACTUAL	VARIANCE
Salaries	\$10,012,400	\$9,846,600	\$165,800
Employee Benefits	\$49,900	\$40,500	\$9,400
Transportation & Communication	\$273,600	\$199,700	\$73,900
Supplies	\$39,200	\$72,700	\$ (33,500)
Professional Services	\$104,800	\$3,800	\$101,000
Purchased Services	\$405,300	\$556,900	\$ (151,600)
Property, Furniture, & Equipment	\$23,300	\$37,200	\$ (13,900)
Grants & Subsidies	\$6,000	\$6,000	\$ -
<b>TOTAL</b>	<b>\$ 10,914,500</b>	<b>\$ 10,763,400</b>	<b>\$ 151,100</b>

#### Staff Overtime

Time Off in Lieu (TOIL)		
	Hours	Dollar Value
<b>Balance as of March 31, 2020</b>	1,025.39	\$ 29,779.93
<b>Balance as of March 31, 2021</b>	795.96	\$ 22,979.28

Paid Overtime	
Fiscal 2019-20	\$ 26,544.00
Fiscal 2020-21	\$ 11,521.10

#### Costs of Judicial Exchange\*

Fiscal 2019-20	\$1,882.00
Fiscal 2020-21	\$743.72

*\*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	2019-20	2020-21
Clarenville	Bonavista	\$483	\$233
	<b>TOTAL CLARENVILLE</b>	<b>\$ 483</b>	<b>\$ 233</b>
Corner Brook	Baie Verte	\$4,632	\$720
	Port aux Choix	\$6,323	\$4,717
	Rocky Harbour	\$2,845	\$318
	St. Anthony	\$7,002	\$3,032
	<b>TOTAL CORNER BROOK</b>	<b>\$20,802</b>	<b>\$8,787</b>
Grand Falls – Windsor	Conne River / Harbour Breton / Head of Bay D'Espoir	\$1,264	\$272
	<b>TOTAL GRAND FALLS–WINDSOR</b>	<b>\$1,264</b>	<b>\$272</b>
Happy Valley - Goose Bay	Makkovik / Postville / Rigolet	\$3,777	\$790
	Nain	\$36,979	\$35,119
	Natuashish	\$45,981	\$25,157
	<b>TOTAL HAPPY VALLEY–GOOSE BAY</b>	<b>\$86,737</b>	<b>\$61,066</b>
Wabush	Hopedale	\$21,696	\$25,915
	Port Hope Simpson	\$22,086	\$19
	<b>TOTAL WABUSH</b>	<b>\$43,782</b>	<b>\$25,934</b>
Harbour Grace	Placentia	\$484	\$172
	<b>TOTAL HARBOUR GRACE</b>	<b>\$484</b>	<b>\$172</b>
Stephenville	Port aux Basques	\$8,520	\$7,787
	<b>TOTAL STEPHENVILLE</b>	<b>\$8,520</b>	<b>\$7,787</b>
<b>TOTAL</b>	<b>ALL CIRCUITS</b>	<b>\$162,072</b>	<b>\$104,251</b>

## Frequency of Circuit Courts

COURT CENTRE AND CIRCUIT	SCHEDULED DAYS		ACTUAL DAYS *	
	2019-20	2020-21	2019-20	2020-21
<b>CLARENVILLE</b>				
Bonavista	4.00	4.00	4.00	2.00
<b>CORNER BROOK</b>				
Port aux Choix	14.00	10.50	8.50	3.00
Rocky Harbour	12.00	3.00	3.00	1.00
St. Anthony	12.00	6.00	9.50	4.00
<b>GRAND FALLS – WINDSOR</b>				
Baie Verte	12.00	12.00	6.00	1.00
Head of Bay D'Espoir	4.00	4.00	4.00	1.00
<b>HAPPY VALLEY – GOOSE BAY</b>				
Makkovik	4.00	4.00	0.00	0.00
Nain	54.00	48.00	33.50	28.00
Natuashish	52.00	31.00	37.00	14.00
Postville	2.00	2.00	0.00	0.00
Rigolet	4.00	3.00	2.00	0.00
<b>WABUSH</b>				
Hopedale	30.00	35.00	19.00	15.00
Port Hope Simpson	10.00	9.00	7.00	0.00
<b>HARBOUR GRACE</b>				
Placentia	6.00	6.00	5.00	2.00
<b>STEPHENVILLE</b>				
Port aux Basques	31.00	40.00	22.00	30.00
<b>TOTAL</b>	<b>251.00</b>	<b>217.50</b>	<b>160.50</b>	<b>101.00</b>

\*The count of actual days is influenced by factors such as inclement weather and travel as well as scheduled matters concluding prior to the date. The count of actual days includes partial/half days that the court traveled to site and may have concluded matters earlier than expected. The numbers may be different than previous years due to a lengthy storm and COVID-19.

## Monetary Amounts Collected and Distributed

TYPE	2019-20		2020-21	
	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	\$159,877	6	\$350,963	19.66
Federal Statutes	\$436,240	16	\$441,774	24.75
Liquor Control Act	\$825	0	\$550	0.03
Municipal Acts	\$23,200	1	\$1,650	0.09
Animal Protection Act (APA)	\$-	0	\$-	0.00
Summary Offence Tickets & Ticket Management System (SOT & TMS)	\$1,367,696	49	\$615,290	34.47
Fees and Costs	\$343,438	12	\$164,645	9.22
Victim Fine Surcharge	\$19,184	1	\$34,195	1.92
Provincial Victim Fine Surcharge	\$4,143	0	\$7,855	0.44
Maintenance/Compensation	\$36,533	1	\$63,290	3.55
Civil (Third Party)	\$126,738	5	\$24,570	1.38
Bail/Bonds Sureties	\$249,375	9	\$77,701	4.35
Judgment Enforcement Act	\$6,445	0	\$2,755	0.15
Other (Third Party)		0		0.00
<b>TOTAL</b>	<b>\$2,773,694</b>	<b>100</b>	<b>\$1,785,238</b>	<b>100</b>

## Fines Imposed Summary

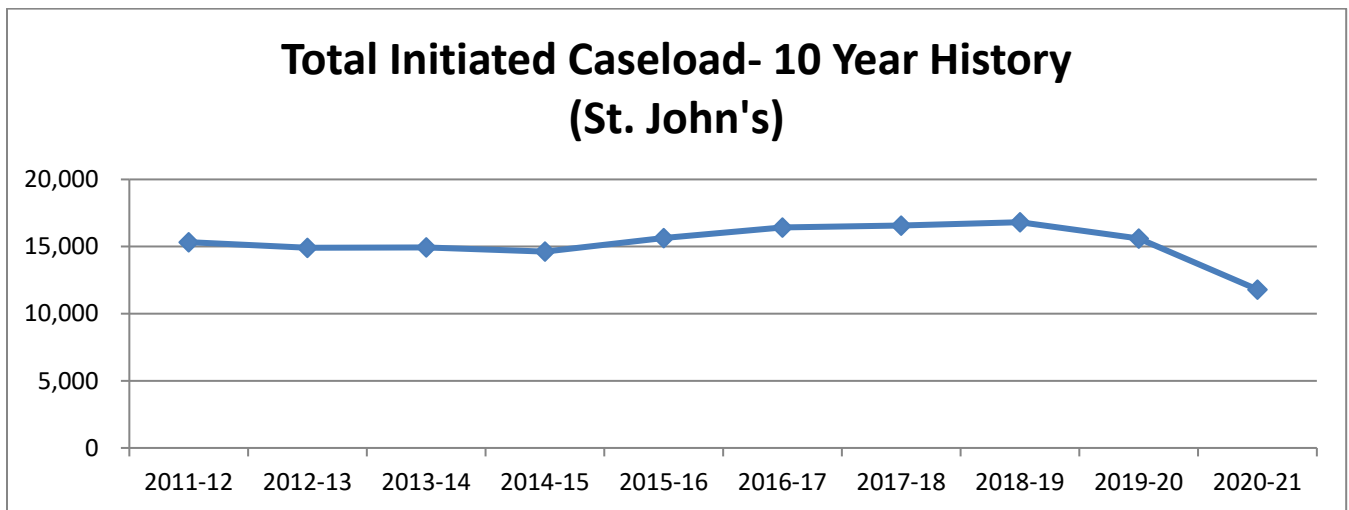
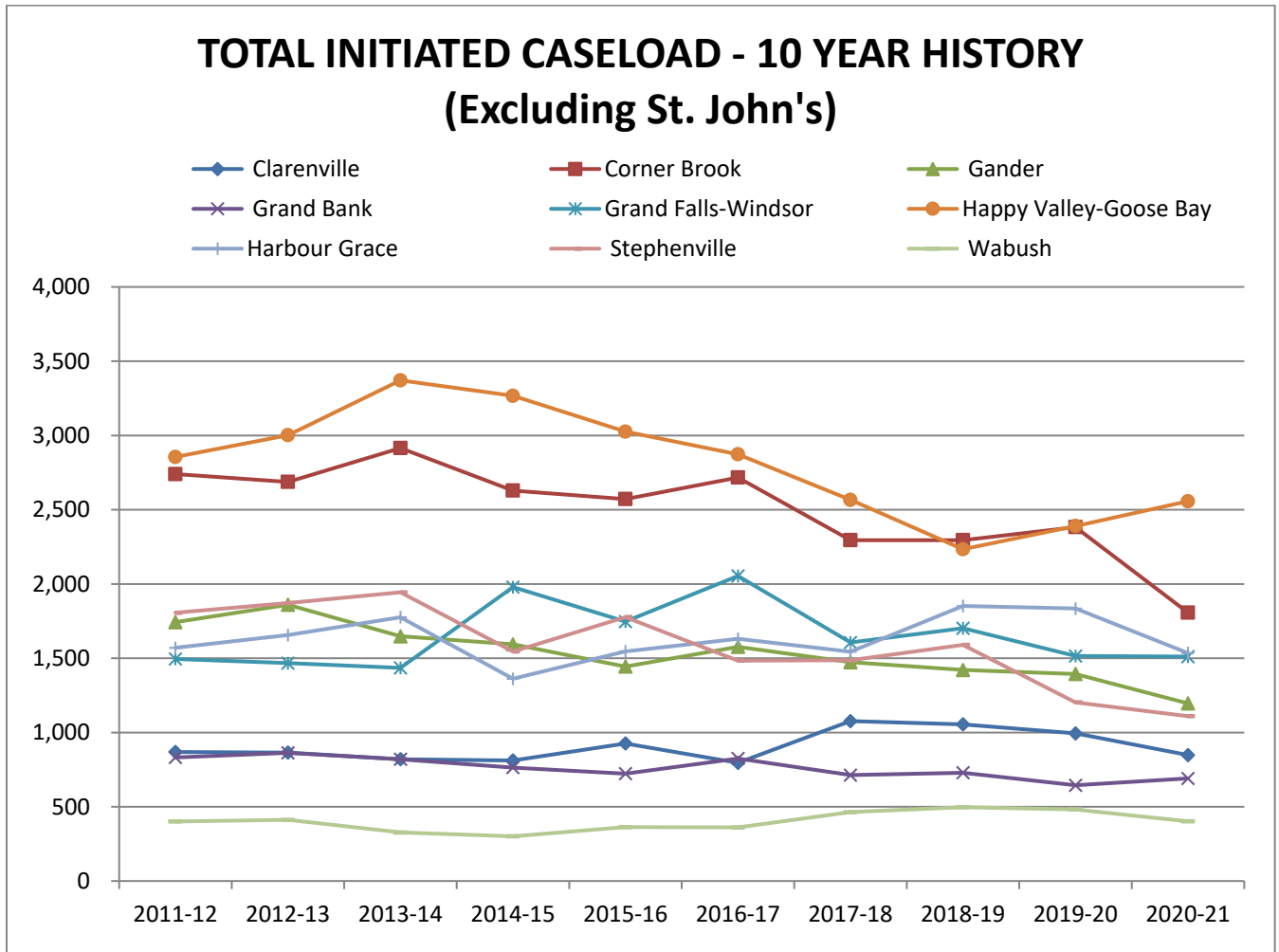
TYPE	2019-20		2020-21	
	Amount	Percent	Amount	Percent
Criminal Code & Provincial Statutes	\$588,105	28	\$852,401	49.63
Federal Statutes	\$1,254,126	59	\$639,520	37.24
Liquor Control Act	\$3,700	0	\$13,350	0.78
Animal Protection Act (APA)	\$ -	0	\$ -	0
Victim Fine Surcharge	\$21,623	1	\$77,600	4.52
Provincial Victim Fine Surcharge	\$17,824	1	\$28,203	1.64
Ticket Management System	\$216,905	10	\$95,746	5.57
Other (Third Party)	\$23,350	1	\$10,675	0.62
<b>TOTAL</b>	<b>\$2,125,633</b>	<b>100</b>	<b>\$ 1,717,495</b>	<b>100</b>



## **PART 7: 10 YEARS STATISTICS**



## Ten Year Statistical Data



COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Clarenville	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
	2020-21	727	33	32	56	848

SOT's PROCS'D	SOT TRIALS
1,500	6
1,515	27
853	4
1,133	6
1,716	6
1,652	8
1,234	18
818	51
709	11
770	0

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Corner Brook	2011-12	2,225	337	168	10	2,740
	2012-13	2,202	275	205	5	2,687
	2013-14	2,260	483	172	0	2,915
	2014-15	2,124	370	135	0	2,629
	2015-16	2,063	343	166	0	2,572
	2016-17	2,276	307	134	0	2,717
	2017-18	1,876	265	154	0	2,295
	2018-19	1,765	227	223	0	2,295
	2019-20	2,064	124	195	0	2,383
	2020-21	1,633	101	73	0	1,807

SOT's PROCS'D	SOT TRIALS
9,987	87
11,942	101
6,914	107
7,318	78
7,129	82
8,485	132
10,712	98
12,446	243
9,707	163
8,247	60

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Gander	2011-12	1,402	156	96	89	1,743
	2012-13	1,489	144	132	95	1,860
	2013-14	1,361	65	95	127	1,648
	2014-15	1,336	70	85	103	1,594
	2015-16	1,153	47	66	178	1,444
	2016-17	1,301	53	111	112	1,577
	2017-18	1,269	23	77	104	1,473
	2018-19	1,076	123	103	119	1,421
	2019-20	1,189	20	90	95	1,394
	2020-21	961	35	41	159	1,196

SOT's PROCS'D	SOT TRIALS
3,149	131
4,345	81
3,109	78
3,566	84
3,344	71
3,422	54
3,193	77
2,021	64
3,034	73
2,354	44

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Grand Bank	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
	2020-21	617	33	16	25	691

SOT's PROCS'D	SOT TRIALS
2,390	37
1,895	25
961	16
1,027	1
803	3
336	2
374	2
440	21
724	11
617	3

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Grand Falls-Windsor	2011-12	1,111	145	74	165	1,495
	2012-13	1,061	168	92	146	1,467
	2013-14	1,054	160	81	140	1,435
	2014-15	1,526	175	67	211	1,979
	2015-16	1,273	189	101	184	1,747
	2016-17	1,532	268	91	163	2,054
	2017-18	1,308	97	65	136	1,606
	2018-19	1,325	68	72	237	1,702
	2019-20	1,221	60	90	144	1,515
	2020-21	1,331	81	29	70	1,511

SOTS PROCS'D	SOTS TRIALS
2,480	61
2,786	61
1,886	70
2,299	51
2,680	61
2,591	82
2,367	62
2,126	39
1,442	51
1,477	38

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Happy Valley-Goose Bay	2011-12	2,498	205	29	123	2,855
	2012-13	2,622	203	33	144	3,002
	2013-14	2,974	179	39	179	3,371
	2014-15	2,830	142	35	260	3,267
	2015-16	2,552	210	47	217	3,026
	2016-17	2,422	252	28	171	2,873
	2017-18	2,201	247	18	100	2,566
	2018-19	1,931	114	20	169	2,234
	2019-20	2,099	113	30	148	2,390
	2020-21	2,349	86	17	105	2,557

SOT's PROCS'D	SOT TRIALS
1,093	6
907	8
426	5
878	3
1,163	19
772	18
1,174	2
1,298	65
1,497	53
1,256	5

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Harbour Grace	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
	2020-21	1,394	24	32	85	1,535

SOT's PROCS'D	SOT TRIALS
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
1,509	2

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
St. John's	2011-12	13,379	1,249	699	0	15,327
	2012-13	13,102	1,079	727	0	14,908
	2013-14	12,968	1,237	732	0	14,937
	2014-15	12,871	975	781	0	14,627
	2015-16	13,341	1,410	881	0	15,632
	2016-17	14,515	1,065	842	0	16,422
	2017-18	14,505	1,094	965	0	16,564
	2018-19	14,366	1,540	907	0	16,813
	2019-20	13,398	1,507	691	0	15,596
	2020-21	10,725	709	366	0	11,800

SOT's PROCS'D	SOT TRIALS
133,801	655
128,633	410
121,252	510
133,383	587
112,416	458
122,031	525
114,797	845
104,126	2,893
84,255	579
38,146	25

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Stephenville	2011-12	1,601	161	44	0	1,806
	2012-13	1,638	176	58	0	1,872
	2013-14	1,659	212	73	0	1,944
	2014-15	1,378	96	71	0	1,545
	2015-16	1,594	90	93	0	1,777
	2016-17	1,338	80	66	0	1,484
	2017-18	1,285	154	48	0	1,487
	2018-19	1,353	140	97	0	1,590
	2019-20	1,095	58	50	0	1,203
	2020-21	1,056	23	31	0	1,110

SOT's PROCS'D	SOT TRIALS
3,734	67
3,262	74
2,929	41
1,869	14
2,526	17
2,169	14
701	18
799	45
798	42
624	0

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
Wabush	2011-12	327	32	16	26	401
	2012-13	341	20	21	30	412
	2013-14	229	33	25	40	327
	2014-15	224	2	25	50	301
	2015-16	261	19	21	62	363
	2016-17	269	19	22	51	361
	2017-18	366	41	30	27	464
	2018-19	377	32	16	72	497
	2019-20	376	17	18	71	482
	2020-21	352	5	17	28	402

SOT's PROCS'D	SOT TRIALS
1,745	14
2,734	12
2,751	8
3,028	17
2,341	12
2,219	11
2,503	16
2,268	59
2,088	17
1,026	4

COURT CENTRE	FISCAL YEAR	INITIATED ADULT	INITIATED YOUTH	INITIATED CIVIL	INITIATED FAMILY	TOTAL
OVERALL	2011-12	25,083	2,618	1,377	560	29,638
	2012-13	25,106	2,335	1,563	588	29,592
	2013-14	25,158	2,655	1,508	672	29,993
	2014-15	24,604	1,990	1,470	816	28,880
	2015-16	24,787	2,476	1,676	817	29,756
	2016-17	26,265	2,250	1,562	663	30,740
	2017-18	25,545	2,051	1,682	511	29,789
	2018-19	25,024	2,483	1,735	866	30,108
	2019-20	24,305	2,077	1,386	669	28,437
	2020-21	21,145	1,130	654	528	23,457

SOTS PROCS'D	SOTS TRIALS
161,384	1,105
159,619	819
142,285	866
155,916	859
135,587	751
144,656	876
138,922	1,145
128,581	3,581
106,599	1,062
56,026	181

**\*\*\*Please Note:**

**Old Re-Activated and New Family files transferred from HV-GB to Wabush in 2020-21: 8**

**Old Re-Activated and New Family files transferred from GFW to Gander in 2020-21: 8**