

**RULES OF THE PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR  
IN CRIMINAL PROCEEDINGS, 2004**

**PRACTICE NOTE – DIRECTION**

**P.N. (PC) No. 2015–01**

DATE ISSUED: August 14, 2015

RULES AFFECTED: 10.01

EFFECTIVE DATE: Immediately

PREVIOUS PRACTICE NOTES REVISED: P.N. (PC) No. 2013-01

The following Practice Note was filed with the Director of Corporate Services and is published consistent with rule 7.01 of the Rules of the Provincial Court of Newfoundland and Labrador in Criminal Proceedings, 2004.

**VIDEO LINK TO PROVINCIAL CORRECTIONAL CENTRES**

It will be the practice of the Provincial Court to call by video link all cases involving remanded prisoners in the custody of the Provincial Correctional Centres identified in the attached Schedule A, in cases where it is contemplated that no evidence of a witness will be taken. Practically all of these cases will involve circumstances where persons who have been remanded in custody are in the process of retaining counsel or awaiting the scheduling of a trial or preliminary inquiry. It may also be possible to proceed with sentencing and other hearings which otherwise meet the requirement of s.650 (1.2) of the Criminal Code of Canada and preserve the rights of the parties.

**Rationale**

This capability provides a greater level of security for prisoners, correctional officers, sheriff's officers, counsel, witnesses and other members of the public. It minimizes time delays associated with moving prisoners to and through multiple venues and will save time for all involved in the court process. This procedure has been in effect in St. John's since November 1, 2010 and a similar procedure is followed throughout many parts of the country. Implementation of this procedure was recommended in the Task Force on Criminal Justice Efficiencies.

**Exceptions**

In cases where counsel wish to have a prisoner appear in person, an application should be made pursuant to Rule 10.01 of the Rules of the Court.

**PREFERRED PROCEDURE**

It is important that prison officials know on a daily basis which remanded prisoners will be appearing by video link and exactly when the cases will be called. Provincial Correctional Centre staff will be given a list in advance by the court clerk so that the prisoners for the day can be ready for prompt call. Each of the prisoners will be afforded quick and ready access to the prison video system to avoid delay. The prisoners will be given priority by the presiding judge in the applicable courtroom as soon as the court begins its daily session.

Authorized by:



D. Mark Pike

Chief Judge

Provincial Court of Newfoundland and Labrador



Shelley Organ

Director of Corporate Services

Provincial Court of Newfoundland and Labrador

## **SCHEDULE A**

1. Her Majesty's Penitentiary (HMP) – St. John's
2. West Coast Correctional Centre- Stephenville
3. Labrador Correctional Centre – Happy Valley-Goose Bay
4. Bishop Falls Correctional Centre – Bishop Falls
5. Newfoundland and Labrador Correctional Centre for Women – Clarenville
6. Newfoundland and Labrador Youth Centre - Whitbourne