

Protocols for "A" Court in London

1. All out-of-custody matters not scheduled for trial or plea must appear in front of a Justice in Court "A". Matters will be assigned and returned based on the surname or age of the accused:
 - *Monday – Youth matters*
 - *Tuesday – A:E surnames*
 - *Wednesday – G:L surnames*
 - *Thursday – M:Z surnames*
 - *Friday - Federal Statute Charges*
 - *Domestic Matters (any day)*
 - Provincial Crowns office phone number: **519.660.3003**
 - Federal Crowns office phone number: **519.645.2650**
 - Prior to admittance into Court "A", unrepresented accused making their first appearance are being asked to signal their readiness by 'checking in' with the CSO **8.30am**.
 - Defence counsel may also instruct their clients to check in with the CSO near Court "A".
2. Court "A" begins at **9.30am sharply** for the accused who have retained defence counsel. For the accused who have are using duty counsel, their matters will be addressed at 11.30am or earlier, depending on the volume of the court. Unrepresented accused will be called upon completion of Duty Counsel matters.
3. First appearance (FA), Resolution Discussion (RD) and Set Date (SD) matters will be addressed as follows by the Section Crown and team:
 - For accused with FA files screened for Direct Accountability, they will be directed with their screening form and criminal records to the Duty Counsel.
 - For accused with FA files without counsel, they will be directed to the Duty Counsel with their initial disclosure package.
 - i. If Duty Counsel requires the entire disclosure package to provide advice, the accused will be sent to the Crown's office where they will be given a print copy of their disclosure. The accused will be instructed to return with the package to the Duty Counsel office.
 - For accused with FA files without counsel where the Crown Brief indicates a position of jail time, they will be directed to Duty Counsel.
 - i. Should duty counsel suggest that the accused require full disclosure, the accused will be directed to the Crown's office where the complete disclosure package will be printed for them.
 - For accused with RD/SD files with counsel, they will be directed to wait for their lawyer.
 - On first appearance where the accused intends to retain counsel and requires legal aid, the matter will be held down such that the application can be completed. Other requests for adjournments should reflect the guidance provided in the SUGGESTED ADJOURNMENT GUIDELINES document.
4. It is expected that in most situations, matters will only appear in Court "A" a maximum of *three* times prior to disposition (i.e. through withdrawal of charges, guilty plea or trial date) – **SEE REVERSE**. The crown shares responsibility with the judiciary and defence counsel to ensure that less complex matters are dealt with expediently.
 - More complex matters (i.e. those matters involving guns, large quantities of drugs, gangs, murder/attempted murder, fraud) will proceed under the direction of the crown or deputy crown.

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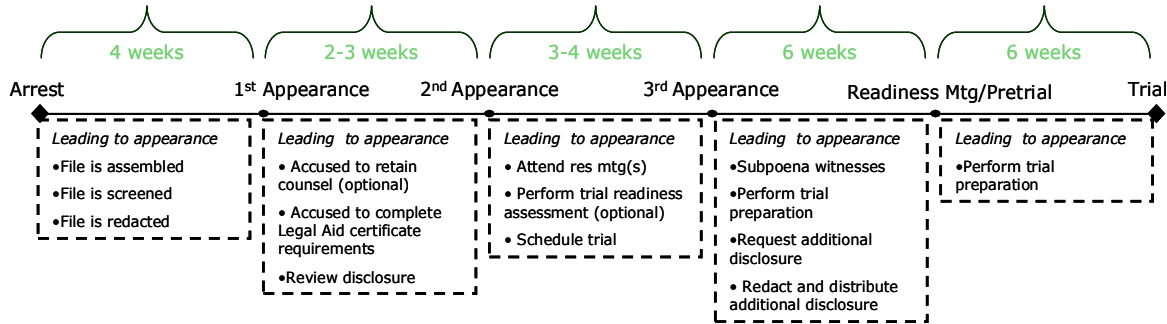
- The presiding Justice of the Peace may refer any matter to the Administrative Justice (or his/her designate) where the matter appears more than three times without sufficient reason OR continues to require adjournment for the same reason.
 - i. Once a matter is set for trial or referred to a judge for case management it shall remain before that judge unless that judge or the LAJ directs that it be assigned to another court.
- 5. On behalf of the Crown Attorney, a designated Section Crown must manage a file from inception until disposition OR the completion of the pretrial activities prior to transfer to a trial crown.
- 6. Section Crowns will be available for resolution discussions and trial-setting meetings with unrepresented accused persons. However, in the event that an unrepresented accused person
 - a) does not wish to plead guilty, and
 - b) does not wish to attend a trial-setting meeting with the Section Crown

that accused person shall notify the Crown of this no later than at the second "A" Court appearance. The Section Crown shall then complete the appropriate trial-readiness paperwork such that a date for trial may be set and confirmed at no later than the third "A" Court appearance.

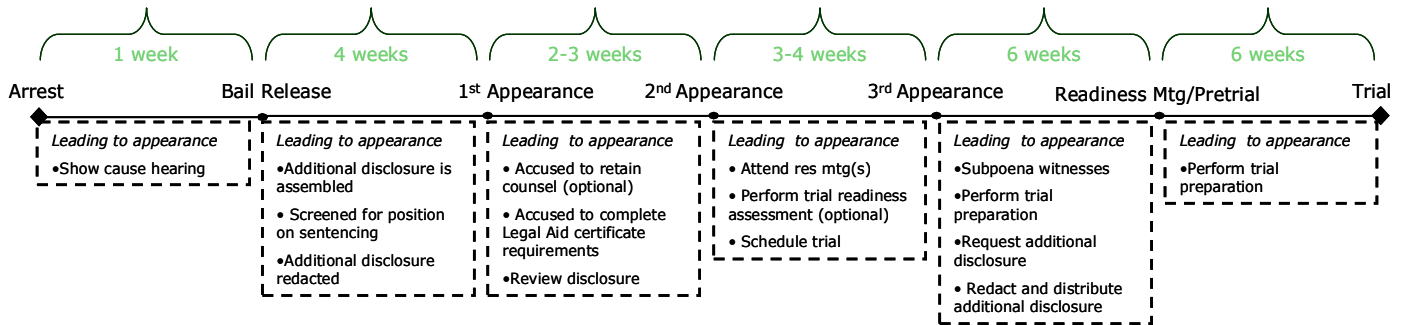
- 7. Trial times are expected to be set *in advance* of the next court date. A trial date cannot be set without having first engaged in resolution discussions. When a plea/resolution cannot be reached during the resolution meeting/Crown Pre-Trial, Crown and Defence counsel are expected to discuss the trial issues, evidence, witnesses and other matters, concluding with agreement on the expected length of the trial.
 - Where resolution discussions result in a decision to go to trial, a proof of resolution discussions/trial readiness will be provided to the Trial Coordinator prior to receiving a trial time.
 - i. Trials will continue to be booked in Court #3 at 8.30 am.
- 8. Should a Crown, Defence Counsel or a Judge wish, a judicial pre-trial (JPT) may be initiated upon their request through the Assistant Trial Coordinator in advance of a trial.
 - The purpose of a JPT is to narrow the number of issues, consent to selected admissions, review evidence, sentence preview and streamline the number of victims/witnesses/experts testifying.
 - Focus hearings will also be initiated, where required, upon the request of the Crown, Defence Counsel or Judge.

Protocols for "A" Court in London

Out of custody



In custody – out of custody



Expectations of Justice Participants by Appearance

STAGE	ACTION
A. Arrest/Bail Release	<ul style="list-style-type: none"> Police to set court appearance notice four weeks forward based on the timing in the DISCLOSURE PROTOCOL Police to provide preliminary disclosure ~14 days prior to remand date Section crown to screen file for position ~7 days prior to remand date Crown staff to redact by day over the final week
B. Prior to First Appearance	<ul style="list-style-type: none"> Accused to pick up preliminary print disclosure at Court "3" at 8.30am Accused to speak to duty counsel (if required) Accused to speak to LAO officer for legal aid (if requested)
C. At First Appearance	<ul style="list-style-type: none"> Section crown to make election –OR– Section crown to identify direct accountability –OR– Section crown to withdraw Accused to identify decision to retain counsel
D. Before Second Appearance	<ul style="list-style-type: none"> Accused to retain counsel (if not already retained) Defence to review disclosure
E. At Second Appearance	<ul style="list-style-type: none"> Defence counsel to appear on behalf of accused Defence to identify how they intend to proceed Defence to schedule resolution meeting Defence to request additional disclosure
F. Before Third Appearance	<ul style="list-style-type: none"> Defence to have resolution meeting Crown & Defence to complete Trial Readiness Certificate (if required) Trial coordinator to confirm trial dates
G. At Third Appearance	<ul style="list-style-type: none"> Crown to confirm trial date Defence and Crown to acknowledge commitments (e.g. additional disclosure) prior to trial
H. Pre-trial	<ul style="list-style-type: none"> Section Crown to attend other pre-trial hearings as required
I. Trial	<ul style="list-style-type: none"> Trial crown responsibility