



COVID-19: PROVINCIAL COURT PROCESS FOR INDIVIDUALS IN POLICE CUSTODY

Updated: Tuesday, July 7, 2020

Due to the ongoing situation with the COVID-19 pandemic, the Provincial Court has made changes to its processes for dealing with individuals in police custody and prisoners at correctional facilities to further limit in-person contact at courthouses and the Justice of the Peace Centre.

Effective immediately, releases and remands of all individuals in police custody are to be done through the Justice of the Peace Centre (JP Centre), unless otherwise ordered by the presiding judge.

Daytime Bail Matters

Matters will be heard between the hours of 8:30 a.m. to 4:30 p.m. at **902-424-8888**. Cells Crown and Duty Legal Aid, for each district/courthouse will assist as needed. In most instances, releases and remands will be handled by the police, although there may be cases where cells Crown and Defense Counsel will be involved with the JP Centre, rather than police.

Evening and Overnight Bail Matters

After 9 p.m., bail matters will be heard by calling **902-424-6317** via the tele-bail system used regularly on weekends. To accommodate this, an additional Presiding Justice of the Peace (PJP) will be available, as needed, after 9 p.m. to deal exclusively with bail matters, particularly releases.

Police are to engage after-hours Crowns or the JP Centre between 9 p.m. and 1 a.m. but should exercise restraint after 1 a.m., unless it is an emergency. After 1 a.m. release or remand of those charged persons can be done during regular business hours in the morning. All other after-hours emergency matters will be directed to the regular number at the Justice of the Peace Centre.

Follow Up Appearances in Provincial Court

Individuals who are released will be provided a return date to Provincial Court after May 31, 2020. Those who are remanded to a correctional facility will have their next court appearance via videoconferencing.

The Nova Scotia Public Prosecution Service has advised police departments across the province to use their new Bill C-75 release powers widely to release persons charged from their stations without involving the JP Centre.

There will be no need to call the bail number at the JP Centre prior to preparing documentation. In fact, this is discouraged. When the Information and draft warrant or release order are ready, a call should be placed and the bail PJP will advise what fax number should be used for sending the documentation, including the usual Request for Services. The hearing will proceed very shortly after the documentation has been reviewed.

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