

APPEARANCES BY VIDEO LINK

On 20 June 2006 Chief Judge Vickery sent a Practice Note to the profession entitled “Use of Video Conference in Criminal Proceedings”.

The essence of the Practice Note which will now be followed in Calgary Provincial Criminal Court is as follows (verbatim from the Practice Note):

The court shall (subject to the Court directing otherwise) require all persons in custody to appear in these locations by video link for:

- a. judicial interim release hearings
- b. adjournment applications
- c. entry of elections and/or not guilty pleas and the scheduling of a preliminary hearing or trial.

At this time, persons in custody will not be required to appear by video link where:

- a. the evidence of a witness will be taken at the hearing, or
- b. the Court is unable to conclude that the accused understands the proceedings and can make voluntary decisions during the proceedings, or
- c. the accused has filed a designation within the court (subject to other Court direction).
- d. offenders that require an interview with the doctor for forensic assessments

Guilty pleas may be entered and sentencing hearings conducted by video link with the consent of the court and the parties.

1. Video Capacity – Calgary Remand Centre

The Calgary Remand Centre is equipped with four Video Courts and three lawyer interview rooms that have the capacity to link with any video equipment in the province. It is the intention to use the Video Courts at the Calgary Remand Centre to allow accused persons to link into courtrooms in the Calgary Courts Centre; Calgary Regional Circuit Court locations; other court locations within the province; and other agencies or organizations that require offenders in custody to appear by video link.

The three prisoner interview rooms located at the Calgary Remand Centre have the capacity to link to any of the six video interview rooms located in the Barristers Lounge on the 4th floor, North Tower of the Calgary Courts Centre; all video interview rooms at the Calgary Regional Circuit Court locations; any video interview rooms in any of the other court locations within the province; and any other organization that has video link capability.

Furthermore, the six lawyer interview rooms that are located in the Barristers Lounge at the Calgary Courts Centre have the capability of linking to any of the prisoner interview rooms at the Calgary Remand Centre, Calgary Young Offender Centre, Edmonton Remand Centre and any other correctional facility that has video interview capability. Therefore, lawyers are able to interview their clients in custody from any correctional facility providing the facility is capable of video link up.

2. **Calgary Remand Centre Video Courts**

The four video courts that are located at the Calgary Remand Centre will be utilized ensuring the most efficient allocation of prisoner appearances in accordance with the volumes of prisoners per courtroom and other court locations based on historical and current statistical data.

For consistency and ease of practice for all stakeholders, the normal procedure will be to have each of the courtrooms/court locations link into the following C.R.C. video courts. However, whenever required the C.R.C. C.C.T.V. unit have the ability to reassign any video court venues in accordance with workload and priorities to ensure the most efficient and effective use of the equipment and facilitate the movement of prisoners for court appearances. When that happens, the C.R.C. C.C.T.V. team will be required to immediately notify the clerk in the respective courtroom location of the change in venue.

- ❖ CRC Video Court #4 - 305 all day
- ❖ CRC Video Court #3 - 306 (all day) ; and
308 (p.m. – if used as a disposition court)
- ❖ CRC Video Court #2 - 505 (a.m.); and
508 (a.m. or possibly all day)
- ❖ CRC Video Court #1 - Calgary Circuits / Other Courts / Agencies
(Immigration)