

Notice to the Profession and the Public re: Delay in Resuming Criminal Trials and Preliminary Inquiries in the Ontario Court of Justice at College Park and Guelph

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On June 17, 2020 the Ontario Court of Justice announced it would resume hearing criminal trials and preliminary inquiries on July 6, 2020 at certain locations: see [Notice to the Profession and the Public re: Resumption of Criminal Trials and Preliminary Hearings as of July 6, 2020](#). This resumption of hearings was the first phase (Phase One) of an incremental plan established by the Ministry of the Attorney General, which is responsible for courts administration and courthouse facilities, to facilitate the return to full court operations across Ontario.

As part of the return to operations plan, the Ministry has committed to implementing health and safety measures in each courthouse. For the Phase One locations, the Ministry undertook that site assessments would be completed, and that all necessary health and safety precautions, based on public health expert advice, would be implemented for the protection of all court users, including judicial officers, lawyers, litigants, witnesses, staff and members of the public.

More information about the precautionary health and safety measures at courthouses implemented by the Ministry is available on the following website: [COVID-19: Reopening courtrooms](#).

The Ministry advised that it would not re-open a Phase One site on July 6, 2020 unless it was satisfied that the health and safety of courthouse participants would be adequately protected.

The Ministry has advised that it is not satisfied that all of the necessary health and safety measures are in place in the following courthouses to allow in-person proceedings to resume as of July 6, 2020: College Park (Toronto) and Guelph. **As a result, the Court will not resume hearing in-person trials and preliminary inquiries in College Park and Guelph on July 6, 2020.**

This notice sets out the procedure that will apply until further notice to criminal trials and preliminary inquiries scheduled to be heard in the College Park and Guelph courthouses on or after July 6, 2020.

1) Trials and Preliminary Inquiries at College Park and Guelph

Trials and preliminary inquiries will not resume at College Park and Guelph on July 6, 2020 unless they are able to proceed using remote technology, as described in section 2.

a. Trials and preliminary inquiries scheduled for the week of July 6 –10

All cases scheduled for a trial or preliminary inquiry at College Park and Guelph the week of July 6 – July 10 will be addressed in their location's COVID-19 Trial Readiness Court on Monday July 6, 2020. All counsel and accused persons will appear by videoconference or audioconference.

Arrangements will be made for accused persons who are in custody to attend by audioconference or videoconference.

Accused persons who are out of custody and are represented by counsel do not need to be present for the Trial Readiness Court. If their matter is adjourned to a new date, a bench warrant with discretion, returnable on the new date, will be issued.

Accused persons who are not represented by counsel are to attend the Trial Readiness Court by audioconference, to speak to their matter.

Set out below are details about the COVID-19 Trial Readiness Court in College Park and Guelph:

Courthouse	Trial Readiness Court Details
College Park	Court Date: Monday Schedule: Tiered list based on date of trial / preliminary inquiry 9 am Monday 10 am Tuesday 11 am Wednesday 1 pm Thursday 2 pm Friday Audioconference: Local (416) 212-8013, Toll-free: 1-866-633-1033 Conference ID# 6293233
Guelph	Court date: Monday Court time: 1 pm Audioconference: 1-866-633-1033, Conference ID# 3763473

b. Trials and preliminary inquiries scheduled to commence on or after July 13

All cases scheduled for a trial or preliminary inquiry at College Park or Guelph commencing on or after July 13, 2020 will be addressed in the COVID-19 trial readiness court, in accordance with the procedure set out in section 1c of the [Notice to the Profession and the Public re: Resumption of Criminal Trials and Preliminary Hearings as of July 6, 2020](#). All counsel and accused persons will appear by videoconference or audioconference.

2) Trials and Preliminary Inquiries in College Park and Guelph may Proceed Using Remote Technology

The Court is prepared to hear trials or preliminary inquiries using remote technology (audioconference and videoconference) where the technology is available and subject to the discretion of the judge presiding over the hearing.

Counsel and parties are encouraged to consider and discuss with one another whether all or any portion of the hearing (including any witness testimony) can be conducted using remote technology. If counsel intend to propose that some or all of a hearing be conducted using remote technology, counsel should immediately advise the Court, so

that the Court can confirm if the necessary technology is available and so that the matter can be brought forward to be addressed, if necessary.

3) Plan for Resumption of Trials and Preliminary Inquiries in College Park and Guelph

Notice will be given advising when College Park and Guelph will be opening so that counsel and parties can prepare for the resumption of trials or preliminary inquiries. Please check back on the Ontario Court of Justice website for updates.

4) Other Court Proceedings will Continue to be Conducted as Remote Proceedings

All criminal proceedings other than trials and preliminary inquiries at College Park and Guelph will continue to be conducted by audioconference and/or videoconference, unless otherwise directed by a judicial official. This includes bail proceedings, resolutions (including guilty pleas) involving accused persons who are in and out of custody, remand (case management) appearances for accused persons who are in custody.