



**PRACTICE DIRECTION**  
**Prince George - Cariboo Northeast District**

February 4, 2008

**Criminal Caseflow Management Rules ("CCFM")**  
**Compliance Court Sitings**

The objective of this Practice Direction is to provide a simplified and efficient means of scheduling breach allegations in order to secure their timely and fair determination.

Summary conviction prosecutions for alleged contravention of terms of judicial interim release, or alleged failure to attend court, failure to appear and failure to comply with probation, as well as allegations of breach of Conditional Sentence (collectively, "breach allegations") may be distinguished from prosecutions of substantive criminal allegations. It is the Court's experience that where breach allegations proceed to trial, the issues and the process are relatively simple. This experience, and the public interest in enforcing lawful compliance with Court Orders, commend procedural priority and expedited processes being applied to breach allegations.

Nothing in this Practice Direction limits or abrogates the authority of a Provincial Court Judge to deal with matters under the CCFM.

I make this Practice Direction under Rule 3 of the Criminal Caseflow Management Rules and pursuant to s. 11 of the *Provincial Court Act*.

This Court is piloting a project within its Prince George Registry whereby the Court will conduct specific sittings for the limited purpose of hearing breach allegations which are to be prosecuted in the Prince George Registry. All prosecutions of breach allegations in the Prince George Registry in which one or more breach allegations are the only charges included in an Information are subject to this Direction. These sittings will be referred to as "Compliance Court".

In this Practice Direction "Administrative Judge" means the Administrative Judge of the Cariboo Northeast Judicial District, or another judge assigned by the Administrative Judge.

The key characteristics of this pilot project and the assignments of which counsel should be aware are as follows:

1. The Administrative Judge will assign dates for Compliance Court sittings.
2. When any information contains one or more stand alone breach allegations, and the allegation(s) are not resolved by a plea or stay of proceedings within 30 days of the initial appearance, the Judicial Case Manager ("JCM") will complete the arraignment process, record a plea, and adjourn the breach allegation for trial to a date and time

designated for a Compliance Court sitting.

3. Any applications for exemption or dispensation from this Direction will be made to the Administrative Judge.
4. Breach allegations will be exempt from the CCFM with respect to arraignment reports, arraignment hearings, trial readiness reports and trial confirmation hearings unless otherwise ordered by the Administrative Judge.

#### **The Court's Expectations of Counsel**

1. Counsel will be canvassed by the JCM as to admissions and time required for hearing.
2. When an unrepresented accused has entered a not guilty plea and the matter has been set for trial, counsel who are thereafter retained will make themselves available for the existing trial date.

Hugh C. Stansfield  
Chief Judge