

RULES OF THE PROVINCIAL COURT OF NEWFOUNDLAND AND
LABRADOR

IN CRIMINAL PROCEEDINGS, 2004

PRACTICE NOTE – DIRECTION

P.N. (PC) No. 2026-01

DATE ISSUED: February 27, 2026

RULES AFFECTED: None

EFFECTIVE DATE: March 2, 2026

PREVIOUS PRACTICE NOTES REVISED: N/A

The following Practice Note was filed with the Director of Court Services and is published in accordance with rule 7.01 of the Rules of the Provincial Court of Newfoundland and Labrador in Criminal Proceedings, 2004.

BAIL COURT (St. John's, Grand Falls-Windsor and Stephenville)

The purpose of this Practice Note is to ensure that Judicial Interim Release Hearings (commonly referred to as Bail Hearings) occur as soon as possible, while giving the parties the opportunity to prepare. This practice is intended to make available, without delay, the necessary court time for a Bail Hearing for those who are ready to proceed.

To ensure that Bail Hearings are conducted as soon as possible at the Provincial Court, the following changes will be applied to Bail Court in St. John's, Grand Falls-Windsor and Stephenville:

1. As per section 503 of the *Criminal Code*, any individual arrested by a peace officer who is not released by them shall be taken before a justice within 24 hours (or as soon as possible where a justice is not available). The arresting peace officer shall file their paperwork at the court centre nearest to which the arrest occurred.
2. All in-custody individuals who would normally appear in St. John's, Grand Falls-Windsor and Stephenville Courts shall appear at the Provincial Court of Newfoundland and Labrador, St. John's. Individuals not physically located in St. John's shall appear virtually.
3. All individuals who are in-custody will be given the opportunity to speak with duty counsel provided by the Newfoundland and Labrador Legal Aid Commission or with private counsel.
4. On first appearance in Bail Court and pursuant to section 515 of the Criminal Code of Canada where the Accused is not released with the consent of the Crown, the Accused may set their matter for one status appearance, or set a Bail Hearing, or Consent to remand until a later date at which time their matter will be called in their respective plea court.

Status

1. At initial appearance in Bail Court in St. John's, should the Accused require time to assess their course of action, they may request to enlarge their matter to be called one further time in Bail Court in St. John's for status.

Bail Court

1. Bail Hearing slots will be set each day in Bail Court in St. John's.
2. Accused persons will be given a specific time slot for their Bail Hearing to ensure that any potential sureties or witnesses will know the specific time that they are required to attend court.
3. An Accused who is not prepared to proceed with a Bail Hearing at their scheduled time will be remanded and given an appearance date in their respective plea court.

4. An Accused may request through counsel (or directly to the Registry where an Accused is unrepresented) to schedule a Bail Hearing at any point during their proceedings.

Plea Court

1. An individual who is in-custody and who has been directed to plea court will have their information move forward in accordance with the timelines set forth in *R. v. Jordan*.
2. The individual may schedule a Bail Hearing at any point during the proceedings and an appearance in plea court will not interfere with that right.
3. Individuals who are in plea court and request a Bail Hearing, will have two dates: one for their Bail Hearing and one for their next appearance in plea court. Bail hearings will not delay their criminal charges from moving forward in Provincial Court.

This Practice Note does not impact Weekend and Statutory Holiday (WASH) Court.

Authorized by:

Chief Judge Robin Fowler
Provincial Court of Newfoundland and Labrador

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