

NOTICE

PROVINCIAL COURT OF MANITOBA

RE: MENTAL HEALTH COURT

Effective Thursday, May 10, 2012, Mental Health Court (MHC) will sit weekly on Thursdays at 1:00 p.m. in Courtroom 408, 408 York Avenue, Winnipeg, Manitoba. This problem-solving court will hear matters where the accused's involvement with the criminal justice system is a result of mental health issues, and where the particulars of the incident(s) fall within the sets of criteria established by the Crown and the Winnipeg Regional Health Authority's Forensic Assertive Community Treatment (FACT) team.

Process:

Persons with mental health issues who have been or are about to be charged with an offence may be identified to the Crown by police, Courts or Corrections staff, or counsel. In these cases, the Crown will review the file and may refer an accused to the FACT team for a suitability and amenability assessment. Counsel may assist the accused in filing an application form and the required waiver form. Provided the accused is a suitable candidate for MHC and willing to participate, the FACT team will prepare a report to the MHC judge which will include a treatment plan. This process constitutes application to Mental Health Court.

Until an accused applies for MHC, the charges will be remanded on the Pre-Trial Coordinator's dockets. Upon application, the accused will appear for the first time on the MHC docket as arranged by counsel with court staff. The accused will enter guilty pleas, file application and waiver forms, and enter into a bail as agreed upon by all parties. The charges will then be remanded week to week while the accused's mental health is addressed during the treatment plan.

Each Thursday at 12:00 p.m., the MHC judge will meet with the FACT team and counsel in Judges Chambers to discuss the treatment progress of each person on the docket. During the court sitting, as the Crown calls each matter the MHC judge will address the named accused directly to encourage ongoing commitment.

As each accused's mental health improves, appearances may become less frequent. Upon the treatment plan being completed, the accused will make a final appearance before the MHC judge either to be sentenced to a community-based disposition or for the Crown to stay the charges. The entire process is expected to take 18-24 months from referral to disposition.

Information Session:

An information session for counsel and other stakeholders will take place on May 1, 2012 at 9:00 a.m., in room 413, 408 York Avenue.

Contact Person:

Ginette Rooswinkel, Provincial Court Project Manager, (204) 232-0043

ISSUED BY:

"Original signed by:"

Chief Judge Ken Champagne
Provincial Court of Manitoba

DATE: April 2, 2012