

Pending Legal Aid Not Pending Legal Aid







Transcript Estimate Order Documents

Notice of Appeal or Prisoner/ Inmate's Own

Transcripts

Transcript of evidence

- 682 (2) A copy or transcript of
 - (a) the evidence taken at the trial,
 - **(b)** any charge to the jury and any objections that were made to a charge to the jury,
 - (c) the reasons for judgment, if any, and
 - (d) the addresses of the prosecutor and the accused, if a ground for the appeal is based on either of the addresses,

shall be furnished to the court of appeal, except in so far as it is dispensed with by order of a judge of that court.

Transcript of evidence

16(1) Subject to rule 17, where oral evidence was tendered in the court appealed from, the appellant shall file with the notice of appeal confirmation satisfactory to the registrar that a transcript of evidence has been ordered for the court, unless a judge otherwise orders.



1. TRANSCRIPT REQU	JEST DETAILS						
Type of Request:	Date of Request:	Type	of Serv	ice:	Transcript I	Format and Cop	oies:
Estimate			Regular	r (21 business days)	☐ Paper	copies	
☐ Transcript order			Expedit	ted (7 business days)	☐ Word	copies	
			Priority	(3 business days)	☐ PDF	copies	
Type of Transcript: Transcript – complet Transcript – excerpt Include excerpt specific		ons for judg ons for sent		Additional Request Send Word/PDF to Email: I-Drive (Monkol Additional instruct	ranscript via:	on only)	
Reason for Transcript Re	quest:						
☐ Bail review				Summary C	Convictions Ac	ct/Provincial Of	fences Act appeal
☐ Trial				Sentence			
Appeal to be heard	in Provincial Court			KB justice u	use only (Draft	t reasons will not	be reviewed.)
Appeal to be heard	in Court of King's Bench			Other (Plea	se specify reaso	on for transcript r	equest below.)
Appeal to be heard "Estimate can be provided by a submitted directly to the COA.	submitting this form to Veritext, but to	axecript orders mu	st be				
2. COURT PROCEEDIN	NG DETAILS						
Name of Accused/Offende	er:			Date(s) of Proceedings	to be Transcri	ibed:	
Court Location: (e.g., Winni	(peg) Courtroom:	Charge	and/or	Court File Number:	F	Presiding Judge	/Justice/JJP:
Is this a youth matter? Yes If yes, please spe	ecify the requestor's rela	tionship to t	he accus	sed/offender (e.g., counse	l, parent, guard	dian):	
3. REQUESTOR INFOR	RMATION						
Name:			Email A	ddress: (Contact purposes only.	. Word/PDF transcr	ripts will be delivered i	to email address listed in Section 1.)
Address:		·	City	, Province:	Posta	l Code:	Phone Number:
Are you a self-represented Yes	d litigant?	Name	e of Law	Firm or Organization: (L	eave blank if you	are a self-represent	ed litigant.)
Government User Account	t (PO) #:	Legal Aid Yes		No If yes, enter Legal A	id certificate i	number:	
Order Certification (Con	npleted by Veritext Lega	Solutions w		CE USE ONLY Court requires confirmat	tion of a trans	script order.)	
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Thereby certify that the	requestor has ordere	u a cianscri	pt. The	expected date of con	ibierion is _		

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INVOICING AND PAYMENT

Payment and/or deposit requirements are arranged between Veritest and the requestor. Payments are made directly to Veritext by credit card, e-transfer, certified cheque, or bank draft; cash payments are not accepted. Payments not received within 30 days of transcript completion may be subject to interest at the rate of 1.5% per month (19.56% per annum). For self-represented litigants, a deposit in full (leased on a page estimate) is required prior to any transcript production, and payment for any additional pages is required before a transcript is released. For further information regarding involving and payments, please contact Vertext at 204-36-9149.

ESTIMATED TRANSCRIPT COMPLETION DATES

Verifiest aims to provide transcripts within the requested timeline (regular, expedited, or priority); however, all reasons for decision, case conference, triage, and pre-trial transcripts must be reviewed by the presiding judge prior to release, so Verifiest cannot guarantee provision of these transcripts within the requested timeline. If transcripts are provided later than the estimated completion date for this reason, payment at the page rate for the requested service is still the requestor's responsibility.

ORDER CANCELLATIONS

Cancellation of an order is required in writing. The requestor will be responsible for payment of any portion of the transcript produced prior to cancellation.

COURT OF APPEAL TRANSCRIPT ORDERS AND REQUIREMENTS (CRIMINAL)

- Transcript estimates may be requested by completing and submitting a request form to Veritext. However, when placing a Court of Appeal
 (COA) transcript order, appellants must file transcript order requests directly with the COA registry when filing the Notice of Appeal; the
 COA will review the transcript request and forward it to Veritext, and Veritext will contact the appellant to move forward with processing
 the transcript order.
- · Proof that a transcript has been ordered is required to proceed with your appeal.
- Any transcript ordered for the Court of Appeal must be ordered in its entirety. Any transcript of an excerpt from proceedings must be preapproved by the Court of Appeal.
- The table below outlines the transcripts required by the COA. Additional optional copies may be ordered by the appellant, respondent, o
 requestor. For more information regarding transcript requirements for an appeal, contact the Court of Appeal at 204-945-2647.

Division/Type	Reason for Transcript	Type of Transcript	Required Paper	Required Electronic
			Copies	Copies
Criminal	Conviction and sentence	Complete transcript	1	1 PDF
Criminal	Conviction/acquittal only	Complete to conviction/acquittal	1	1 PDF
Criminal	Sentence only after guilty plea	Submissions and reasons	1	1 PDF
Criminal	Sentence only after trial	Reasons for conviction; submissions on sentence and reasons for sentence	1	1 PDF
Criminal	Decision/order	Reasons	1	1 PDF
Criminal - Motion	Leave to appeal	Provincial Court and King's Bench reasons	1	Not required
Criminal – Bail	Application – pending sentence	Reasons on sentence	1	Not required
Criminal – Bail	Pending conviction and sentencing	Reasons on sentencing and conviction	1	Not required

TRANSCRIPT REQUIREMENTS FOR BAIL REVIEWS AND SUMMARY CONVICTIONS ACT/PROVINCIAL OFFENCES ACT APPEALS

The requestor must order one paper copy for the Court and one Word copy for the Crown (if present); additional copies are optional.

Last revision: July 10, 2024



Transcripts

- Forms are found on Manitoba Courts and Veritext websites
- Email Transcription Manitoba
- transcription-mb@veritext.com

PROVINCIAL COURT - SERVICE REQUEST FORM



					Justice	
Date:		_				
Requestor:			_			
Law Firm:			F	Phone No.:		
Address:				Email:		
Please Note: Return the completed service For court locations and hou You will be contacted prior	rs of operation visit:	nttps://www.manitobac	ourts.mb.ca/pro			ct-info/location
Requestor to Complete (s	ee instructions on the fo	lowing page):				
File Information: If the Name of Accused, an	d the detail of the per	ding or disposed of m	atters are not pr	ovided below, a	a research fee will	apply.
Accused/Young Person:						
Include any aliases		st Name		First Name		Middle
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For Office Use Only:						
☐ Copies (4 pages or les	ss)	Minimum fee \$2.	50			\$
☐ Copies (5 pages or me	ore)	First page \$1.00	+ Subsequent	pages	x \$0.50/page	* \$
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CRT20345 (Rev 2022/10)

ORDERING DOCUMENTS PROVINCIAL COURT

- Access information through CCAIN
- Documents do not need to be certified



Disposition Sheet



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KING'S BENCH – SERVICE REQUEST FORM



Date:		
Requestor:	Phone No.:	
Law firm:	area code + ph. no no parenthesis o	r spaces
Address:	Email:	
For court locations and	service request form to the court office where the file is located. I hours of operation visit: https://www.manitobacourts.mb.ca/court-of-queens-bench/location-and-contact-ir-orior to the request being completed, and may be required to provide payment at that time.	<u>1fo/</u>
Requestor to Complet	te (see instructions on following page):	
	on go to www.manitobacourts.mb.ca , choose 'Registry' at the top of the home page, then from the menu pree file number, document number(s) and name(s) are not provided below, a research fee will apply.	ovided
File Number:		
Title of Proceedings:	vs	
Service(s) Requested: Copy of Document(s):		
	Indicate document number and document name as per Court Registry System	
Certified Copy:	Yes # of Certified Copies	
Requesting a:	Divorce Certificate Grant of Probate Other:	
Delivery Format:	Mail Pick up at Court Office Email (not available for certified copies)	
For Office Use Only		
	or less: \$2.50 min or more: \$1.00 for pg1 + \$0.50 subsequent pgs = Total Pages	\$ 0.00
# of Certified Copies	es, Divorce Certificate or Grant of Probate (\$30.00 each)	\$ 0.00
Research Fee (\$10.0	.00 plus copying fees)	\$ 0.00
Reasons for Judgme	nent (\$1.00 per page) = Total Pages	\$ 0.00
The following fees are not	t applicable to a party to a proceeding or counsel of record:	e o oo
Document Retrieval: file lo	located court office (\$5.00) not in court office (\$10.00)	\$ 0.00
Other:	TOTAL _	\$ 0.00
Request Taken by:	ID Reviewed: Type of ID Reviewed:	
Fees Paid On:	Receipt No. or LA Certificate No.:	
Completed By:	Date Completed:	

CRT20335 (2022/10)

Ordering Documents Court of King's Bench

Access information through the King's Bench Registry

https://web43.gov.mb.ca/ Registry/NameSearch



Court Offices in Manitoba

- BrandonCourtOffice@gov.mb.ca
- DauphinCourtOffice@gov.mb.ca
- MinnedosaCourtOffice@gov.mb.ca
- MordenCourtOffice@gov.mb.ca
- PortageCourtOffice@gov.mb.ca
- SelkirkCourtOffice@gov.mb.ca
- SteinbachCourtOffice@gov.mb.ca
- The Pas Court Office@gov.mb.ca
- ThompsonCourtOffice@gov.mb.ca



Right of Appeal



Right of appeal of person convicted

675 (1) A person who is convicted by a trial court in proceedings by indictment may appeal to the court of appeal

- (a) against his conviction
 - (i) on any ground of appeal that involves a question of law alone,
 - (ii) on any ground of appeal that involves a question of fact or a question of mixed law and fact, with leave of the court of appeal or a judge thereof or on the certificate of the trial judge that the case is a proper case for appeal, or (iii) on any ground of appeal not mentioned in subparagraph (i) or (ii) that appears to the court of appeal to be a sufficient ground of appeal, with leave of the court of appeal; or
- **(b)** against the sentence passed by the trial court, with leave of the court of appeal or a judge thereof unless that sentence is one fixed by law.

Summary conviction appeals

- **(1.1)** A person may appeal, pursuant to subsection (1), with leave of the court of appeal or a judge of that court, to that court in respect of a summary conviction or a sentence passed with respect to a summary conviction as if the summary conviction had been a conviction in proceedings by indictment if
 - (a) there has not been an appeal with respect to the summary conviction;
 - (b) the summary conviction offence was tried with an indictable offence; and
 - (c) there is an appeal in respect of the indictable offence.

Appeal against absolute term in excess of 10 years

(2) A person who has been convicted of second degree murder and sentenced to imprisonment for life without eligibility for parole for a specified number of years in excess of ten may appeal to the court of appeal against the number of years in excess of ten of his imprisonment without eligibility for parole.

Procedure on Appeals

Notice of appeal

678 (1) An appellant who proposes to appeal to the court of appeal or to obtain the leave of that court to appeal shall give notice of appeal or notice of his application for leave to appeal in such manner and within such period as may be directed by rules of court.



Powers of the Court of Appeal

Powers

- **686 (1)** On the hearing of an appeal against a conviction or against a verdict that the appellant is unfit to stand trial or not criminally responsible on account of mental disorder, the court of appeal
 - (a) may allow the appeal where it is of the opinion that (i) the verdict should be set aside on the ground that it is unreasonable or cannot be supported by the evidence,
 - (ii) the judgment of the trial court should be set aside on the ground of a wrong decision on a question of law, or
 - (iii) on any ground there was a miscarriage of justice;



Summary Conviction Appeals

813 Except where otherwise provided by law,

- (a) the defendant in proceedings under this Part may appeal to the appeal court
 - (i) from a conviction or order made against him,
 - (ii) against a sentence passed on him, or
 - (iii) against a verdict of unfit to stand trial or not criminally responsible on account of mental disorder; and
- **(b)** the informant, the Attorney General or his agent in proceedings under this Part may appeal to the appeal court
 - (i) from an order that stays proceedings on an information or dismisses an information,
 - (ii) against a sentence passed on a defendant, or
 - (iii) against a verdict of not criminally responsible on account of mental disorder or unfit to stand trial,

and the Attorney General of Canada or his agent has the same rights of appeal in proceedings instituted at the instance of the Government of Canada and conducted by or on behalf of that Government as the Attorney General of a province or his agent has under this paragraph. **830 (1)** A party to proceedings to which this Part applies or the Attorney General may appeal against a conviction, judgment, verdict of acquittal or verdict of not criminally responsible on account of mental disorder or of unfit to stand trial or other final order or determination of a summary conviction court on the ground that

- (a) it is erroneous in point of law;
- (b) it is in excess of jurisdiction; or
- (c) it constitutes a refusal or failure to exercise jurisdiction.

Form of appeal

(2) An appeal under this section shall be based on a transcript of the proceedings appealed from unless the appellant files with the appeal court, within fifteen days of the filing of the notice of appeal, a statement of facts agreed to in writing by the respondent.







Sentence Appeals

Powers of court on appeal against sentence

- **687 (1)** Where an appeal is taken against sentence, the court of appeal shall, unless the sentence is one fixed by law, consider the fitness of the sentence appealed against, and may on such evidence, if any, as it thinks fit to require or to receive,
 - (a) vary the sentence within the limits prescribed by law for the offence of which the accused was convicted; or
 - **(b)** dismiss the appeal.

Effect of judgment

(2) A judgment of a court of appeal that varies the sentence of an accused who was convicted has the same force and effect as if it were a sentence passed by the trial court.

Certain sections applicable to appeals

822 (1) Where an appeal is taken under section 813 in respect of any conviction, acquittal, sentence, verdict or order, sections 683 to 689, with the exception of subsections 683(3) and 686(5), apply, with such modifications as the circumstances require.



	IN THE COURT OF APPEAL	
BETWEEN:		
	()
	-and-	
	()
	NOTICE OF APPEAL	
_		_

DATED this	day of		, 20
			Signature of accused or counsel for accused
TO:	The Registrar of The Court of Appeal Law Courts Building 100E - 408 York Avenue Winnipeg, MB R3C 0P9		
AND TO:	The Attorney General of Manitoba	OR	The Attorney General of Canada

NOTICE OF APPEAL

OR PRISONER/INMATE'S OWN



FORM 1

(Subrule 3(1)

Notice of Appeal/Notice of Application for Leave To Appeal by Accused

IN THE MATTER OF	
(name of accuse	
	e day of
(D.O.B. D/M/Y)	
of	before
(state the charge(s) in full)	(name of judge)
at the in	, and was sentenced on
(name of court) (court of	
the day of 20 before	at the
	(name of judge)
in, and now in custody	at or
(name of court) (court centre)	(name of institution or penitentiary)
whose last known address is:	
The accused intends to	to The Court of Appeal against the
(appeal or apply for leave to appeal)	
on the following ground	is:
(conviction and/or sentence)	
And such further grounds as counsel may advise and This Honourable Cou The accused wishes to present his/her case and argument	rt may permit.
The state of the s	n writing or by oral argument/
The accused to be prese (desires or does not desire)	ent in person at the hearing of the appeal.
WAS ORAL EVIDENCE TENDERED AT TRIAL? 8 YES	⊠ NO
HAS A TRANSCRIPT OF THE EVIDENCE WITH RESPECT TO CONVICTION TRANSCRIPTION SERVICES? ☑ YES	I AND/OR SENTENCE BEEN ORDERED FROM
HAS A COURT ORDER OR LEGISLATION IMPOSED A PUBLICATION BAN CEEDING THAT IS THE SUBJECT OF THE APPEAL?	IN RELATION TO THE TRIAL OR OTHER PRO-
⊠YES	N NO
IF YES, ATTACH A COPY OF THE ORDER IF AVAILABLE OR PROVIDE DETAIL	
HAS ACCESS TO THE COURT FILE BEEN RESTRICTED BY COURT ORDER C	DR LEGISLATION?
⊠ YES	⊗ NO
IF YES, ATTACH A COPY OF THE ORDER IF AVAILABLE OR PROVIDE DEFILE:	TAILS ON THE RESTRICTION TO THE COURT
Address for service for the accused is	
	ed or counsel for accused)

DATED this	day of		, 20
			Signature of accused or counsel for accused
TO:	The Registrar of The Court of Appeal Law Courts Building 100E - 408 York Avenue Winnipeg, MB R3C 0P9		
AND TO:	The Attorney General of Manitoba	OR	The Attorney General of Canada

Schedule C - Rule 112 - Page 1

IN THE COURT OF APPEAL Rule 112 Notice of Intent to Exercise Language Right

The attached document begins a proceeding in the Court of Appeal. Your rights may be affected in the course of the proceeding. You have a right to use either the English or the French language even where the attached document is in the other language, but in order to exercise your right you are required within 21 days of service of this document on you to file with the registrar of the court a notice of your intention to do so and to leave with the registrar an address for service. I you file such a notice, you will be notified, in the language indicated in your notice, of furthe stages in the proceeding by registered mail addressed to your address for service. If you do no file a notice of your intention to exercise your right, the appeal will continue in the language of the attached document. The time limited for your filing of a notice may be enlarged or abridged at any time by order of a judge made on application in either English or French.

Registrar Manitoba Court of Appeal Room 100E Law Courts Building 408 York Avenue Winnipeg, Manitoba R3C 0P9

COUR D'APPEL Règle 112 Avis relatif au droit d'utilisation d'une langue

Le document ci-joint constitue un document introductif d'instance devant la Cour d'appel. Les procédures dans l'instance pourront porter atteinte à vos droits. Vous avez le droit d'utilise l'anglais ou le français aux différentes étapes de l'instance même lorsque le document ci-joint es rédigé dans l'autre langue. Si vous désirez exercer votre droit d'utiliser l'une ou l'autre langue vous devez, dans les 21 jours de la signification qui vous est faite de ce document, dépose auprès du registraire de la Cour d'appel un avis à cette fin et lui indiquer un domicile élu aux fins de signification. Si vous déposez cet avis, vous seroz avisé(e) des procédures subséquentes pa lettre recommandée envoyée à votre domicile élu aux fins de signification, dans la langue que vous aurez indiquée dans l'avis. Si vous ne déposez pas un avis de votre intention d'exercer votre droit, toutes les procédures subséquentes en appel se dérouleront dans la même langue que celle du document ci-joint. Suite à une demande présentée en anglais ou en français, le juge peut, en tout temps, par ordonnance, proroger ou abréger le délai prescrit pour le dépôt de l'avis.

Registraire Cour d'appel du Manitoba Palais de justice 408, avenue York, pièce 100E Winnipeg, Manitoba R3C OP9

Notice of Appeal (Or Prisoner/Inmate's Own)

https://web2.gov.mb.ca/laws/rules/regforms_e.php?set=appeal_crim



Notice of Appeal - Form 8 - page 1		File No.
	THE KING'S BENCH	
	Centre	
BETWEEN:		
	HIS MAJESTY THE KING	
		(applicant or respondent
	-and-	
		(applicant or respondent
	NOTICE OF APPEAL	
_		
_		
_		
	name, address, email address and telephon d fax numbers of the person filing the docum	

	THE KING'S	BENCH	
	THE KING S	Centre	
BETWEEN:			
	HIS MAJESTY	THE KING	
			(applicant or responder
	-and-		
			(applicant or responder
	NOTICE OF A	APPEAL	
TAKE NOTICE that the A	ppellant appeals from	the following:	
☐ ACQUIT	TAL CONVICTION	☐ SENTENCE	☐ ORDER
1 Place of conviction			
☐ 408 York Avenue, Wini	nipeg, Manitoba		
☐ 373 Broadway, Winnip	eg, Manitoba		
□ other:			
2 Court appealed from: _			
3 Offence(s) in question:			
4 Sentence imposed, if a	oplicable:		
5 Date of acquittal, convi	ction or order:		
6 Date of sentence:			
GROUNDS OF APPEAL (st			
(
Poliof cought:			
Relief sought:			

Notice of Appeal – Form 8 - page 3	File No
The address for service of the appellant is:	:
(address, email address and telephone and	d fax numbers of the appellant)
☐ No evidence recorded	
$\hfill \Box$ Evidence recorded — transcript ordered	
☐ Appellant seeks to proceed under section	on 830 of the Code on agreed facts
☐ Appellant will request a <i>de novo</i> hearing Motion is attached)	g under section 822 of the Code (Notice of
(date)	(signature of appellant or counse
(print name of appellant or counsel)	
(print name or appellant or counsel)	
(print hame or appellant or coursel)	
(print name or appenant or courser)	
(principality of course)	
(рин наше от аррепан от course)	
(рин наше от арренан от course)	
(рин наше от аррепан от Course)	
(рин наше о арреван от Course)	
(ринк наше от арреланк от Courser)	
µтк пате от аррепак от Coarser)	

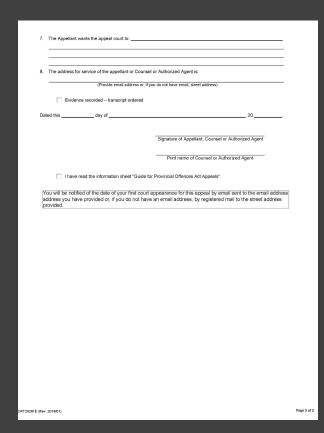
Notice of Appeal (or Prisoner/ Inmate's Own) The King's Bench



https://web2.gov.mb.ca/laws/rules/regforms_e.php?set=criminal

	Ticket / Information No				
	THE KING'S BENCH				
BETWEEN:	Centre				
	HIS MAJESTY THE KING				
	-and-				
	APPLICATION FOR LEAVE TO APPEAL / NOTICE OF APPEAL				
	name, address, email address and telephone				
	and fax numbers of the person filing the document				

	THE KING'S BENCH					
	Centre					
BE	TWEEN					
	HIS MAJESTY THE KING					
	AND					
	APPLICATION FOR LEAVE TO APPEAL / NOTICE OF APPEAL (Under <i>The Provincial Offences Act</i>)					
	KE NOTICE that the Appellant hereby					
•	HERE PROCEEDING WAS COMMENCED BY A TICKET]: applies for leave to appeal and if leave is granted, appeals the					
	CONVICTION DISMISSAL ORDER					
[W	HERE PROCEEDING WAS COMMENCED BY AN INFORMATION]:					
	appeals the					
	CONVICTION DISMISSAL SENTENCE ORDER					
	ade by a justice at:					
1.	Court Location of Conviction/Dismissal/Sentence/Order:					
	408 York Avenue, Winnipeg, Manitoba - Courtroom					
	(other Court Location)					
2.	Offence(s) in question :					
3.	Date of conviction, dismissal, or order:					
4.	Sentence imposed if applicable:					
5.	Date of sentence:					
6.	REASONS FOR APPEAL: (State concisely)					





Notice of Appeal (or Prisoner'/Inmate's Own) The King's Bench

https://web2.gov.mb.ca/laws/rules/regforms_e.php?set=criminal

Publication Ban

Exclusion of public

486 (1) Any proceedings against an accused shall be held in open court, but the presiding judge or justice may, on application of the prosecutor or a witness or on his or her own motion, order the exclusion of all or any members of the public from the court room for all or part of the proceedings, or order that the witness testify behind a screen or other device that would allow the witness not to be seen by members of the public, if the judge or justice is of the opinion that such an order is in the interest of public morals, the maintenance of order or the proper administration of justice or is necessary to prevent injury to international relations or national defence or national security.

Publication Ban



CITATION: R. v. S.M., 2016 MBPC 7

IN THE PROVINCIAL COURT OF MANITOBA

BEI WEEN:		
Her Majesty the Queen)	Wendy Friesen and Ainslie Schroeder for the Crown
and)	
S.M.)))	William Marks for the Accused
)))	
)	Reasons for Decision delivered: February 4, 2016
	/	

RESTRICTION ON PUBLICATION

Pursuant to the Criminal Code of Canada and/or the Youth Criminal Justice Act, there is a restriction on publication regarding this matter.

CORRIN, P.J.

DESCRIPTION

THE CHARGES

- [1] S.M. has previously entered guilty pleas to a number of charges. He is currently eighteen (18) years of age but was sixteen (16) at the time of the offences. The charges to which he entered pleas are:
 - Two counts of robbery with respect to an incident that took place on June 29, 2014;

Mandatory Bans

If requested, it must be ordered. These bans apply to:

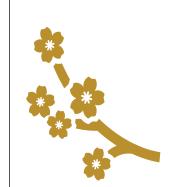
- victims of sexual offences
- witnesses of sexual offences that are under 18
- all victims who are under 18 (regardless of the offence)

Discretionary Bans

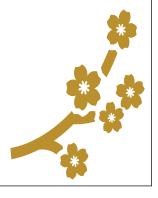
Anyone who wishes to have a publication ban can ask for one. If requested, a judge or justice will decide if a publication ban is in the best interest of justice.

These bans apply to:

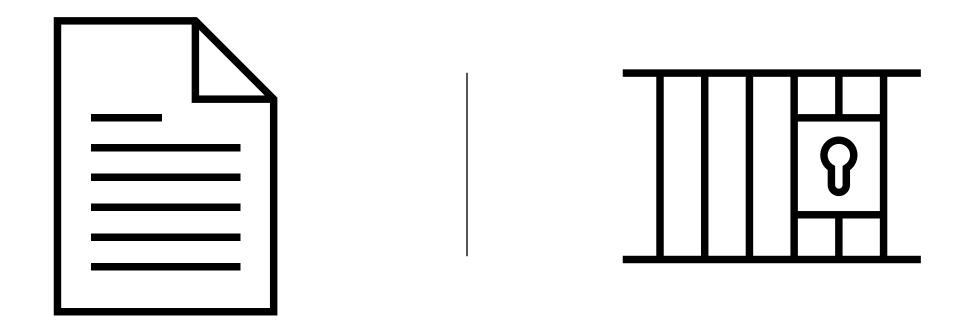
- any victim above the age of 18
- any victim or witness not covered by a mandatory ban
- in certain cases, justice system participants (such as jurors, judges, prosecutors)



Is there a Publication Ban?



https://justice.canada.ca/eng/cj-jp/victims-victimes/factsheets-fiches/bans-interdictions.html



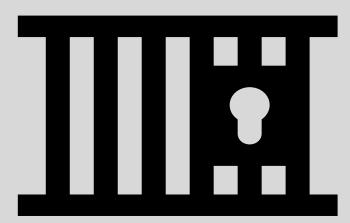
Prisoner/Inmate's Own Appeal



Brandon Correctional Centre (BCC)

- Lawyers may schedule an in-person visit. Lawyers do not require facility access clearance.
- Legal assistants may schedule an in-person visit <u>after</u> receiving facility access clearance.
- Visitation at BCC operates 7 days a week with available times from 9am to 9pm.



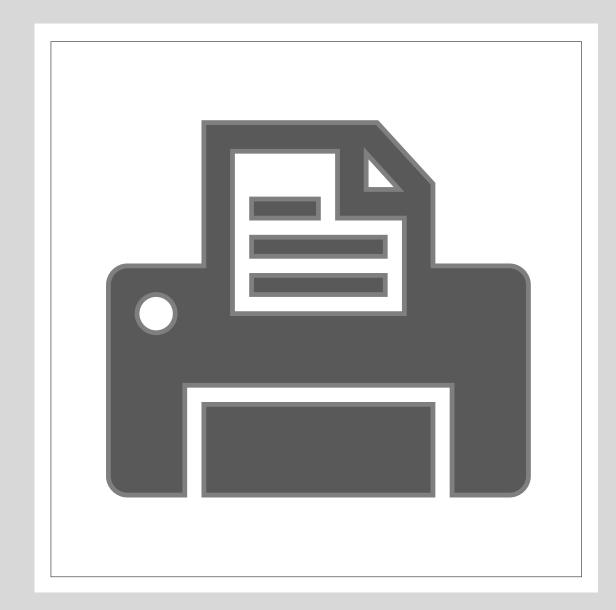


Headingley Correctional Centre (HCC)



- Send it directly to the unit your client is in.
- Or fax to Admissions this will take longer.
- On the fax cover sheet write ...

 "Attention: Client Name" with instructions.
- If you have problems completing in a timely manner phone HCC at 204-837-1351.



HCC Fax Numbers

• HCC 204-889-3033

• Govt. Services 204-888-2850

Duty Office 204-831-4664

• Medical 204-885-1642

• Trades 204-888-2825

• DNU 204-888-2749

Winding River 1 204-831-4686

Main Unit

Winding River 2 204-889-3872

Admissions

• ATC

004 000 0070

204-889-4035

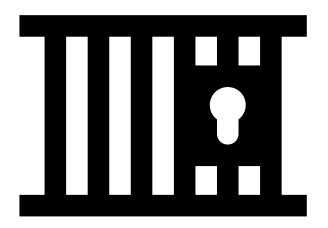
204-885-0965

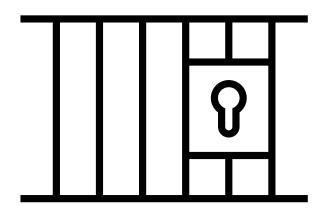
004 004 4//0

204-831-4662

Milner Ridge Correctional Centre (MRCC)

- If a Lawyer reaches out and needs a signature, this is most often facilitated with a Correctional Officer a Senior Unit Officer meeting with the client and presenting them with the document.
- Lawyer may book an appointment through the visiting department at 204-268-4011.
- Lawyer's booth has a tray where you may pass paperwork from one side of the booth to the other (bypassing the protective glass barrier).



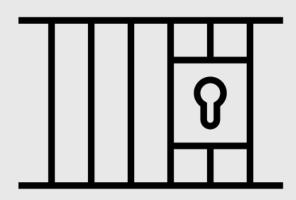


Manitoba Youth Centre (MYC)

- MYC can assist with getting in custody client's signatures.
- The lawyer will need to ensure the client is aware of the document and what it means and the reason they are signing.
- MYC will not be responsible for that explanation.
- MYC will do an affidavit of service.

The Pas Correctional Centre (TPCC)

- For signatures, The Pas Correctional Centre can assist having clients sign documents.
- Paperwork would be returned via email.
- Admissions Supervisor can assist if needing further information.

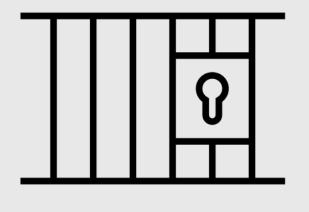


Winnipeg Remand Centre (WRC)

- WRC does have a general email that is monitored 24 hours a day/7 days a week.
- If a document was sent to wrcinmatepaperwork@gov.mb.ca it would be actioned by an Admissions officer within a few hours.



Women's Correctional Centre (WCC)



- If the document can be faxed then have the legal assistant call WCC reception at 204-948-8806 and ask for the fax # to be sent in that day. We will have the client sign and we will fax back the document.
- If the document needs to be an original, then someone will have to attend WCC. If it is a lawyer or articling student they will be required to have their law card present as ID. If it is the legal assistant they will require their ID and a letter stating they are from the law firm and the lawyer they are working with.
- The lawyers and articling students will be granted a contact meeting and the legal assistants will be granted a noncontact meeting to have the document signed.

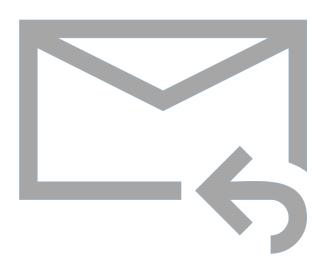
Stony Mountain Institution (SMI)

- With respect to facilitating a client's signature on a Notice of Appeal document (or any legal document for that matter), SMI requests that the legal representative or counsel contact our Visits and Correspondence Department with a minimum of 24 hours notice; (however, more notice the better), to schedule a visit with your client to obtain the signature or share other documentation.
- SMI currently has a high population count, which in-turn increases the number of visitation requests from both legal representatives and family members. For urgent matters, contact the Visits and Correspondence Department and inform Visits and Correspondence Officers of the urgent nature of the request, and SMI will accommodate pressing or unexpected important matters to the best of their ability against competing request/priorities.
- PRA-STI.V&C@CSC-SCC.GC.CA



Inmate Paperwork Email

- BCCinmatepaperwork@gov.mb.ca
- HCCinmatepaperwork@gov.mb.ca
- MRCCinmatepaperwork@gov.mb.ca
- MYCinmatepaperwork@gov.mb.ca
- TPCCinmatepaperwork@gov.mb.ca
- WCCinmatepaperwork@gov.mb.ca
- WRCinmatepaperwork@gov.mb.ca



LIST OF CASES THAT MAY BE REFERRED TO IN FACTA WITHOUT BEING INCLUDED IN CASE BOOKS

Criminal:

Palmer v. The Queen, [1980] 1 S.C.R. 759

R. v. Biniaris, 2000 SCC 15, [2000] 1 S.C.R. 381

R. v. C.A.M., [1996] 1 S.C.R. 500; [1996] S.C.J. No. 28 (QL)

R. v. Khan, [1990] 2 S.C.R. 531; [1990] S.C.J. No. 81 (QL)

R. v. McDonnell, [1997] 1 S.C.R. 948; [1997] S.C.J. No. 42 (QL)

R. v. Proulx, 2000 SCC 5, [2000] 1 S.C.R. 61

R. v. Sheppard, 2002 SCC 26, [2002] 1 S.C.R. 869

R. v. Shropshire, [1995] 4 S.C.R. 227; [1995] S.C.J. No. 52 (QL)

R. v. Stinchcombe, [1991] 3 S.C.R. 326; [1991] S.C.J. No. 83 (QL)

R. v. W. (D.) [D.W.], [1991] 1 S.C.R. 742; [1991] S.C.J. No. 26 (QL)

R. v. Yebes, [1987] 2 S.C.R. 168; [1987] S.C.J. No. 51 (QL)

Civil:

Dr. Q v. The College of Physicians and Surgeons of British Columbia, 2003 SCC 19, [2003] 1 S.C.R. 226

Dunsmuir v. New Brunswick, 2008 SCC 9, [2008] S.C.J. No. 9 (QL)

Elsom v. Elsom, [1989] 1 S.C.R. 1367

Housen v. Nikolaisen, 2002 SCC 33, [2002] 2 S.C.R. 235

Law Society of New Brunswick v. Ryan, 2003 SCC 20, [2003] 1 S.C.R. 247

Pushpanathan v. Canada (Minister of Citizenship and Immigration), [1998] 1 S.C.R. 982; [1998] S.C.J. No. 46 (QL)

Family:

Bracklow v. Bracklow, [1999] 1 S.C.R. 420; [1999] S.C.J. No. 14 (QL)

Hickey v. Hickey, [1999] 2 S.C.R. 518; [1999] S.C.J. No. 9 (QL)

Miglin v. Miglin, 2003 SCC 24, [2003] 1 S.C.R. 303

Moge v. Moge, [1992] 3 S.C.R. 813; [1992] S.C.J. No. 107 (QL)

Pelech v. Pelech, [1987] 1 S.C.R. 801; [1987] S.C.J. No. 31 (QL)

Pettkus v. Becker, [1980] 2 S.C.R. 834

Van de Perre v. Edwards, 2001 SCC 60, [2001] 2 S.C.R. 1014

Willick v. Willick, [1994] 3 S.C.R. 670; [1994] S.C.J. No. 94 (QL)

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Judge's Book of Authorities

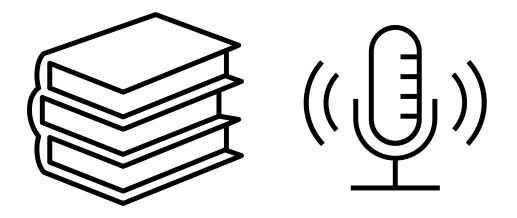
Colour of covers

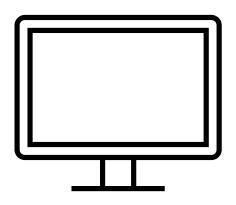
- the appeal book should have grey covers
- the appellant's factum blue covers
- the respondent's factum beige covers
- the joint book of authorities' green covers
- other materials white or off-white covers

Factum

- Font 14
- 26 lines per page
- Double spaced
- Single sided
- 30 pages maximum







Resources

- Community Legal Education Association (CLEA)
- Courthouse Libraries BC
- Emond Publishing
- Manitoba Law Library
 - library@lawsociety.mb.ca
- Professor Sankoff





Thank you!

heather@wmarkslaw.com