



COURT OF QUEEN'S BENCH FOR
SASKATCHEWAN

CRIMINAL PRACTICE DIRECTIVE #6

SUMMARY CONVICTION OR ABSOLUTE JURISDICTION OFFENCES

REFERENCE: CRIM-PD #6

Effective: May 1, 2017

No Summary Conviction or Absolute Jurisdiction Offences on Indictment

1. No summary conviction offences or absolute jurisdiction offences should be included on an indictment filed in the Court of Queen's Bench.

No Summary Conviction Offences will be tried in the Court of Queen's Bench

2. Since the Court of Queen's Bench is the summary conviction appeal court, the Court of Queen's Bench will not try a summary conviction offence, whether or not the facts underlying that offence are closely related to an indictment being tried in the Court of Queen's Bench.

When Provincial Court Informations may be spoken to in the Court of Queen's Bench ("Ride Along" Informations)

3. Provincial Court informations will only be spoken to or otherwise dealt with in the Court of Queen's Bench if:
 - a) the Crown and defence consent; and
 - b) defence counsel waives delay on the Provincial Court informations.

(It is expected that this will most commonly occur as part of the pre-trial process.)

Trial of Absolute Jurisdiction Offence in the Court of Queen's Bench

4. A judge of the Court of Queen's Bench trying an offence on an indictment may also try an absolute jurisdiction offence contained on a Provincial Court information if:

- a) the offence is an absolute jurisdiction offence on which the Crown has elected to proceed by indictment;
- b) the facts underlying the absolute jurisdiction offence are closely related to the facts underlying charges contained on the indictment before the Court in respect of the same accused person; and
- c) the trial of the absolute jurisdiction offence is heard at the same time by the same Queen's Bench judge.

Accepting a Guilty Plea on a Summary Conviction or Absolute Jurisdiction Offence

5. A judge of the Court of Queen's Bench may, at the same time as accepting an accused's guilty plea on an indictment, also accept the accused's guilty plea on a summary conviction offence and/or absolute jurisdiction offence contained on a Provincial Court information, even if the facts underlying the offence are not closely related to the charges contained on the indictment provided that the Crown and defence make a joint submission on sentence.

When Provincial Court informations are spoken to in the Court of Queen's Bench, the Court of Queen's Bench will attach a separate Queen's Bench endorsement sheet to the original Provincial Court Information and Provincial Court endorsements. The Court of Queen's Bench will record its endorsements relating to the information on this sheet. When the original information with Provincial Court endorsements are returned to Provincial Court, the Queen's Bench endorsement sheet will be attached. A copy will be retained on the Court of Queen's Bench file.

Chief Justice M.D. Popescul
Court of Queen's Bench for Saskatchewan