



The Provincial Court of Saskatchewan

PRACTICE DIRECTIVE IV

Appearance of Witnesses via Telephone or Video

1. Counsel or a self-represented accused may apply pursuant to sections 714.1, 714.2, 714.3, or 714.4 of the *Criminal Code* to tender a witness' evidence by means of technology that permits the witness to testify in the virtual presence of the parties and the Court, or by means of a telephone, or other technology, that permits the parties and the Court to hear and examine the witness.
2. This application shall be made in writing 14 days before the proceeding in question.

A copy of the written application shall be provided to the Court and to all parties to the proceeding. While the application need not be before the trial judge, this will be the case unless otherwise ordered by the Court.

3. The application shall include an explanation of:
 - why it is necessary to receive a witness' evidence in this fashion;
 - whether it is a consent or contested application;
 - the cost to the witness of personally attending the court proceeding;
 - the distance the witness must travel; and
 - the nature of the anticipated evidence.
4. The Court shall set a date for oral submissions on the application.
5. If the Court grants the order, on the date the evidence is to be heard the party requesting to tender evidence by means of video or audio link shall ensure that:
 - the witness is on a clear land line (no mobile phones);
 - the witness' location is conducive to both binding their conscience and providing evidence, including being quiet and free from distraction; and
 - the witness is available at the specified time for testifying.

January 8, 2019