



COURT OF KING'S BENCH FOR  
SASKATCHEWAN

## **CRIMINAL PRACTICE DIRECTIVE #6**

### **SUMMARY CONVICTION OR ABSOLUTE JURISDICTION OFFENCES**

#### **REFERENCE: CRIM-PD #6**

Effective: May 1, 2017

Revised: November 1, 2023

#### **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 King's Bench.

#### **No Summary Conviction Offences will be tried in the Court of King's Bench**

2. Since the Court of King's Bench is the summary conviction appeal court, the Court of King'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 King's Bench.

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

3. Provincial Court informations will only be spoken to or otherwise dealt with in the Court of King'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 King's Bench**

4. A judge of the Court of King'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 King's Bench judge.

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

- 5. A judge of the Court of King'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 King's Bench, the Court of King's Bench will attach a separate King's Bench endorsement sheet to the original Provincial Court Information and Provincial Court endorsements. The Court of King'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 King's Bench endorsement sheet will be attached. A copy will be retained on the Court of King's Bench file.

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