



# VIDEOCONFERENCING SYSTEM

A NEW TOOL FOR THE  
ITINERANT COURT  
SERVICING NORTHERN &  
REMOTE COMMUNITIES

# ITINERANT COURT

- A division of the « Cour du Québec ».
- Created under the James Bay and Northern Quebec Agreement.
- Servicing 23 northern communities, more specifically 14 Inuit communities located in the territory known as Nunavik and 9 Cree communities located in the territory known as Eeyou-Istchee.
- Total population approaches 30,000 persons.
- All Inuit communities are accessible by plane and as for the Cree communities, accessibility is by plane and by road.
- The frequency of court sessions in the communities is directly linked to the volume going from 2-3 times/years to 1 session/month, for an overall total of 75 to 85 weeks/years.
- The judge presiding the court sessions has jurisdiction in the Criminal and Penal chamber, Youth chamber and Civil chamber.

- Defence lawyers come from Abitibi, Montreal, Quebec, mainly.
- Head office of the Itinerant court is located in Abitibi (Amos.)
- Crown prosecutors, except for one residing in Kuujjuaq, reside in Amos.
- Legal aid services are, except for one residing in Kuujjuaq, located in Abitibi.
- The main detention facility is in Amos.
- Departure for Northern communities takes place at the Val-d'Or airport.
- A court session in a community can be for a day up to a week.

# IDENTIFICATION OF THE ISSUES AFFECTING EFFICIENCY OF THE COURT

## MAIN ISSUES

- Increase of the volume.
- Increase of judicial interim release hearings.
- Increase of alleged breach of a conditional sentence.
- Complexity and length of trials including Charter applications and Gladue reports.
- Urgent and provisional measures in Youth Protection.
- More contested cases.
- Departure and landing problems because of weather conditions, including mechanical problems.
- Impossibility to lodge all the detainees at the police station.

## CONSEQUENCES

- Nearly all the time of the court is or was dedicated to emergencies.
- No time to do trials, preliminary inquiries, complex settlements and often not even enough time to complete :
  - Youth protection urgent and provisional measures;
  - Judicial interim release hearings or alleged breaches of conditional sentence.
- Rescheduling of the files of detainees that had been transported in the community.
- Obligation the transport and lodge parents, children, social workers and interpreter for a hearing down south.

# OVER THE YEARS

- Immense backlog in many communities.
- Frustration, tension, anxiety for each person involved with the court at whatever level from the court clerk to the victim.
- The court criticized and not viewed as an institution capable of restoring or maintaining peace, order or harmony.
- Unacceptable delays, high costs with no positive outcome.

# SOLUTION

By the end of 2012, seeing that the situation was still deteriorating, Chief Justice Côté decided, after consultation with all parties, namely the Bar, Legal Aid Services, Association of Defence Lawyers, Directors of Youth Protection and local authorities of the Ministry of Justice, to implement videoconferencing for the following urgent matters :

- Judicial interim release hearings;
- Hearing for alleged breach of a condition of conditional sentence;
- Urgent and provisional measure hearing;
- Settlements of criminal files when no detention is sought or when the detention length would be longer, if the hearing took place in the community at the next court session;
- Disposition of Youth Protection file, when an agreement has been signed by the Director of Youth Protection and the parents;
- Demands for psychiatric evaluation and for confinement in an establishment.

# OBJECTIVES

## FIRST LEVEL

- Respond to constitutional delays;
- Respect formal delays specified in the Criminal Code in the Youth Protection Law and Civil Code;
- Increase accessibility to the lawyer for the person detained;
- Hold hearings on sentence, for the person detained, when there is a common suggestion and the necessity to proceed in the community is note at stake.

## SECOND LEVEL

- Recuperate all the time saved to preside trials, preliminary inquiries, settlements or disposition;
- Proceed to the hearing in Youth Protection matters;
- Allow more weeks for court sessions in communities with a high volume, until the situation stabilizes.



# HOW IT WORKS

- A judge is assigned to videoconferencing from Monday 9:00 to Friday 5:00. The judge can be in any of the 3 courthouses in Abitibi, either in a courtroom or in a room equipped with the system in a restricted area near his office.
- The defence lawyer can be in his office if equipped, or in a designated room in the nearest courthouse.
- The court clerk can be in any of the 3 courthouses of the district but usually he is at the head office in Amos where the Detention Center is beside the court building.
- The crown prosecutor is also, most of the time, in Amos for cases originating from the Cree or Inuit communities.
- In Youth Protection cases, the parents, the children and the social worker are in their community, in a building equipped with videoconferencing.
- The interpreter/translator can be in any Court building in province.

# SUMMARY OF PROCEDURE

- All time slots are for a duration of 45 minutes unless a party advises the court clerk that more than one time slot is necessary.
- The crown prosecutor must send by email all his documentary evidence the day before the hearing with a copy to the defence lawyer. The same applies for the defence lawyer.
- In Youth Protection files, documents are sent to the judge at least 3 hours before the hearing.
- Reservations are done through the court clerk and the administrative assistant of the judge fill in the court docket in a shared file accessible to the court clerk.
- When a party reserves a time slot, she must advise the court clerk if an interpreter/translator is necessary and if witnesses are going to be examined.
- Every participant is provided with a conference call number.

# EXAMPLE

## Judicial interim release

VAL-D'OR  
JUDGE

- In a courtroom
- In his office
- In another office fully equipped
- In another courthouse

MONTREAL  
DEFENCE LAWYER

- In his office
- In a courtroom
- In a room in the nearest courthouse (usually Montreal, Quebec, Abitibi)

CROWN

AMOS

COURT CLERK

- In the same courtroom as the court clerk is responsible of the file

GATINEAU

INTERPRETER/TRANSLATOR

- In a courthouse nearest to his residence

AMOS

DETAINEE

- Usually in the courthouse nearest to the Detention Centre (Amos)

PARENTS, CHILDREN AND  
SOCIAL WORKER

- In their community in a room fully equipped

# RESULTS

- Since the beginning of the videoconferencing system, court sessions are totally dedicated to trials, preliminary inquiries, hearings on sentence and Youth Protections cases on the security issue and measures applicable.
- The delays have been reduced and the volume of cases can be managed.
- Already, after 2 years, it is now possible to allocate more time for court sessions in some communities and reduce them in other communities where the volume has significantly decreased.
- Lawyers have more time to meet their clients and prepare their cases.
- Efficiency has increased, transportation and lodging costs have been dramatically reduced for the directors of Youth Protection and to some extent for Correctional Services.
- Less tension and frustration and less pressure.

## COMPILATION - CENTRALISATION DES URGENCES

14 janvier 2013 au 30 août 2013

Sommaire annuel 2012-2013

Mois	Nombre d'auditions	Sud		Cris		Inuits		Matière civile			Visioconférence		Temps d'audition
		CCP*	CJ*	CCP*	CJ*	CCP*	CJ*	Garde établi.	Permis restreint	Mainlev. saisie	Avec pont	Sans pont	
Janvier 2013	45	9	10	4	0	12	0	2	5	3	12	18	16:10:00
Février 2013	65	24	14	3	0	10	0	4	6	4	9	35	22:45:00
Mars 2013	68	21	15	6	1	18	0	4	2	1	15	38	28:40:00
Avril 2013	109	34	21	11	5	17	2	9	7	3	22	53	47:10:00
Mai 2013	78	22	20	2	1	22	1	3	7	0	19	30	30:45:00
Juin 2013	90	25	21	6	1	24	1	4	7	1	28	36	35:35:00
Juillet 2013	154	40	26	11	4	57	6	2	8	0	45	74	55:55:00
Août 2013	87	28	15	3	0	22	6	5	5	3	25	43	32:09:00
<b>TOTAL</b>	<b>696</b>	<b>203</b>	<b>142</b>	<b>46</b>	<b>12</b>	<b>182</b>	<b>16</b>	<b>33</b>	<b>47</b>	<b>15</b>	<b>175</b>	<b>327</b>	<b>269:09:00</b>

\* CCP : Chambre criminelle et pénale

\* CJ : Chambre de la jeunesse

- Nombre de dossiers : plus de 1000
- Chambre de la jeunesse : nombre de situations et non le nombre de requêtes
- Nombre d'heures : inférieur au nombre d'heures qui seraient monopolisées dans un terme avec le changement de greffières, l'enregistrement, l'entrée et sortie des personnes dans la salle d'audience
- Depuis septembre : nombre de situations à la chambre de la jeunesse plus élevé que le total inuit, depuis janvier 2013, car complètement intégré

## COMPILATION - CENTRALISATION DES URGENCES

1er septembre 2013 au 31 août 2014

Sommaire annuel 2013-2014

Mois	Nombre d'auditions	Sud		Cris		Inuits		Matière civile			Visioconférence		Temps d'audition
		CCP	CJ	CCP	CJ	CCP	CJ	Garde établi.	Permis restreint	Main lev. saisie	Avec pont	Sans pont	
Septembre 2013	94	32	17	4	5	17	11	2	6	0	16	67	43:53:00
Octobre 2013	111	33	17	6	2	32	14	2	2	3	34	61	52:32:00
Novembre 2013	128	40	20	8	3	25	14	5	8	5	33	74	55:59:00
Décembre 2013	124	26	20	7	3	45	8	6	8	1	28	63	66:17:00
Janvier 2014	116	37	17	5	1	36	9	5	3	3	25	79	53:21:00
Février 2014	99	29	27	1	1	27	4	2	8	0	17	70	43:31:00
Mars 2014	131	25	31	0	2	39	18	4	10	2	30	88	66:52:00
Avril 2014	141	37	24	7	4	40	17	6	5	1	37	93	63:12:00
Mai 2014	163	53	24	5	17	44	7	5	8	0	32	126	63:19:00
Juin 2014	138	54	27	6	2	27	10	3	9	0	26	102	72:27:00
Juillet 2014	170	44	16	5	3	68	11	9	8	6	17	123	63:09:00
Août 2014	136	41	21	7	8	40	10	3	6	0	27	96	47:55:00
<b>TOTAL</b>	<b>1551</b>	<b>451</b>	<b>261</b>	<b>61</b>	<b>51</b>	<b>440</b>	<b>133</b>	<b>52</b>	<b>81</b>	<b>21</b>	<b>322</b>	<b>1042</b>	<b>692:27:00</b>

\*CCP : Chambre criminelle et pénale

\*CJ : Chambre de la jeunesse

## COMPILATION - CENTRALISATION DES URGENCES

1er septembre 2014 au 27 février 2015

Sommaire annuel 2014-2015

Mois	Nombre d'auditions	Sud		Cris		Inuits		Matière civile			Visioconférence		Temps d'audition
		CCP	CJ	CCP	CJ	CCP	CJ	Garde étab.	Permis restreint	Main lev. saisie	Avec pont	Sans pont	
Septembre 2014	137	41	14	8	3	40	10	12	7	2	66	39	56:38:00
Octobre 2014	131	41	17	2	11	32	14	4	7	3	68	33	48:42:00
Novembre 2014	136	34	23	6	4	39	18	4	8	0	67	39	60:55:00
Décembre 2014	134	52	26	9	2	28	6	0	10	1	43	50	54:00:00
Janvier 2015	106	44	7	7	0	39	2	4	3	0	51	26	42:25:00
Février 2015	117	43	12	10	1	36	2	2	10	1	52	31	48:51:00
Mars 2015	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00
Avril 2015	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00
Mai 2015	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00
Juin 2015	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00
Juillet 2015	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00
Août 2015	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00
<b>TOTAL</b>	<b>761</b>	<b>255</b>	<b>99</b>	<b>42</b>	<b>21</b>	<b>214</b>	<b>52</b>	<b>26</b>	<b>45</b>	<b>7</b>	<b>347</b>	<b>218</b>	<b>311:31:00</b>

\*CCP : Chambre criminelle et pénale

\*CJ : Chambre de la jeunesse

# SOMMAIRE DES DOSSIER INUITS ET CREES

## TOTAL DES DOSSIERS CHAMBRE CRIMINELLE ET PÉNALE TOTAL OF FILES AT THE CRIMINAL AND PENAL CHAMBER

JURIDICTIONS	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
CRIMINELLE (01)	1117	1141	1313	1148	1168	1654	2133	3058	3628	3396	3120
CRIMINELLE (01)	748	887	699	811	782	979	1197	1287	917	755	648
STAT. PROV. (27-61)	12	2	1	0	0	0	0	0	0	0	0
STAT. PROV. (27-61)	48	47	142	107	71	186	88	67	151	121	253
DROIT DU TRAV. (63)	0	0	0	5	0	0	0	2	3	4	0
DROIT DU TRAV. (63)	0	0	0	12	1	0	6	5	0	2	4
STAT. FÉD. (72)	2	0	1	1	0	7	2	8	0	60	3
STAT. FÉD. (72)	25	88	55	107	53	45	76	55	0	305	222
Règlements Inuit (61)	116	0	0	123	446	339	527	311	63	318	268
Règlements cris (72)	705	287	502	333	343	345	615	336	244	314	395
PÉNALE FÉD. (73)	0	0	0	12	0	0	1	0	0	0	0
PÉNALE FÉD. (73)	0	0	0	0	0	1	0	0	0	0	0
DIVERS (38)	3	23	23	66	23	1	43	43	51	104	8
DIVERS (38)	2	6	12	16	1	0	12	52	14	13	2
<b>SOUS-TOTAL</b>	<b>2778</b>	<b>2481</b>	<b>2748</b>	<b>2741</b>	<b>2888</b>	<b>3557</b>	<b>4700</b>	<b>5222</b>	<b>5071</b>	<b>5392</b>	<b>4923</b>

Total dossiers crim. pén. inuits

3399

Total dossiers crim. pén. cris

1524

4923

## TOTAL DES DOSSIERS CHAMBRE DE LA JEUNESSE TOTAL OF FILES AT THE YOUTH CHAMBER

JURIDICTIONS	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
CONTREVENANTS (03)	93	76	101	102	130	91	201	231	270	305	290
CONTREVENANTS (03)	224	197	175	129	123	104	127	89	94	64	50
PROTECTION (41)	74	69	80	99	79	66	168	111	100	111	136
PROTECTION (41)	45	51	62	24	24	35	26	38	25	61	69
ADOPTION (43)	3	3	10	4	3	0	7	4	3	2	2
ADOPTION (43)	1	7	3	0	5	5	2	3	2	2	2
STATUTAIRE (62)	0	0	0	4	3	0	0	0	0	0	0
STATUTAIRE (62)	0	0	0	1	0	1	0	3	2	0	3
BY-LAW (62)	0	0	0	0	15	6	56	8	18	32	1
BY-LAW (62)	0	0	0	0	0	0	0	0	0	0	0
MESURES D'URGENCE (49)	0	3	0	0	0	0	0	0	0	0	0
MESURES D'URGENCE (49)	0	0	0	0	0	0	0	0	0	0	0
PÉNAL FÉDÉRAL (71)									0	0	0
PÉNAL FÉDÉRAL (71)							53	41	33	34	34
<b>SOUS-TOTAL</b>	<b>440</b>	<b>406</b>	<b>431</b>	<b>363</b>	<b>382</b>	<b>308</b>	<b>640</b>	<b>528</b>	<b>547</b>	<b>611</b>	<b>587</b>

<b>TOTAL</b>	<b>3218</b>	<b>2887</b>	<b>3179</b>	<b>3104</b>	<b>3270</b>	<b>3865</b>	<b>5340</b>	<b>5750</b>	<b>5618</b>	<b>6003</b>	<b>5510</b>
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Inuit

Total dossiers chambre jeunesse inuits

429

cri

Total dossiers chambre jeunesse cris

158

587