

Notice to the Profession and the Public – In-Person Criminal Hearings Temporarily Suspended at Guelph (36 Wyndham Street South) (Published October 21, 2020)

The Ministry of the Attorney General, which is responsible for courts administration and courthouse facilities, has advised that the Guelph courthouse located at 36 Wyndham Street South will be closed effective October 21, 2020 until further notice for an HVAC assessment and remediation.

As a result, in-person criminal hearings of the Ontario Court of Justice at the Guelph courthouse (36 Wyndham Street South) are suspended until further notice. Remote proceedings, including bail, plea court, judicial pre-trials, and criminal case management court, will proceed as scheduled.

This notice sets out the procedure that will apply until further notice to in-person criminal hearings (including criminal trials and preliminary inquiries) of the Ontario Court of Justice scheduled to be heard in the Guelph courthouse (36 Wyndham Street South) on or after October 21, 2020.

Please note that, because family proceedings are conducted at a different courthouse (74 Woolwich Street), they have not been affected and will proceed as scheduled.

1) Criminal Trials and Preliminary Inquiries at Guelph

Criminal trials and preliminary inquiries will not proceed in person at the Guelph Courthouse until further notice.

Where appropriate, trials and preliminary inquiries may proceed using remote technology (videoconference or audioconference) or may be relocated to another courthouse.

a) Trials and preliminary inquiries scheduled for the weeks of October 21 – 23, 2020 and October 26 – 30, 2020

For trials and preliminary inquiries scheduled the week of October 21 – 23 and the week of October 26 – 30, counsel will be contacted and provided with details about how their matter will proceed.

b) Trials and preliminary inquiries scheduled to commence on or after November 2, 2020

All criminal cases scheduled for a trial or preliminary inquiry at Guelph commencing on or after Monday November 2, 2020 be addressed in the COVID-19 trial readiness court, in accordance with the procedure set out in section 1c of the [Notice to the Profession and the Public re: Resumption of Criminal Trials and Preliminary Hearings as of July 6, 2020](#). All counsel and accused persons will appear by videoconference or audioconference.

Details regarding the COVID-19 trial readiness court in Guelph as follows:

Court date: Monday of the week before

Court time: 1 pm (all matters)

Audioconference: 1-866-633-1033, Conference ID# 3763473

c) Criminal Trials and Preliminary Inquiries in Guelph may Proceed Using Remote Technology

The Court is prepared to hear trials or preliminary inquiries using remote technology (audioconference and videoconference) where the technology is available and subject to the discretion of the judge presiding over the hearing.

Counsel and parties are encouraged to consider and discuss with one another whether all or any portion of the hearing (including any witness testimony) can be conducted using remote technology. If counsel intend to propose that some or all of a hearing be conducted using remote technology, counsel should immediately advise the Court, so that the Court can confirm if the necessary technology is available and so that the matter can be brought forward to be addressed, if necessary.

2) Other Court Proceedings Will Continue to be Conducted as Remote Proceedings

All criminal proceedings other than criminal trials and preliminary inquiries will continue to be conducted by audioconference and/or videoconference, unless otherwise directed by a judicial official. This includes bail proceedings, resolutions (including guilty pleas) involving accused persons who are in and out of custody and case management (set date) appearances for accused persons who are in custody or out of custody.

3) Resumption of In-person Criminal Hearings in Guelph

Notice will be given advising when the Guelph courthouse is ready to resume in-person hearings. Please check back on the Ontario Court of Justice website for updates.