

**CROWN LAW CRIMINAL PROCEDURES
(CASE FILE MANAGEMENT SYSTEM)**

OVERVIEW

- I Preliminary
- II Arraignment
- III Pre-Trial Conference
- IV Trial
- V Sentencing
- VI Appeal
- VII Archives

I PELIMINARY

- (1) Committal Papers are received from the Supreme Court Registry
- (2) Committal Papers and case number are registered, and given a file
- (3) Referred to Solicitor General for Allocation
- (4) Solicitor General Allocates File
- (5) File given to Filing Registrar to record allocation
- (6) Filing Registrar refers file to Allocated Counsel (by Day 2)
- (7) Allocated Counsel records Date of Receipt, Fills in Checklist, Requests police File (if required)
- (8) Police File is received, and referred to Allocated Counsel to Prepare Brief, Summary of Facts, obtain Previous Convictions and prepare Draft indictment (based on evidence, not Police summons)
- (9) Indictment must be approved by SCC or SG before filing. (CONE (AG approval), Plea Bargaining (SCC/SG approval)).
- (10) Indictment is Filed, copy to Accused and Court
- (11) Counsel must ensure disclosure of all appropriate documents and has been made to Accused.

II Arraignment

- (12) Filing Registrar receives notice of Hearing/ Arraignment from Supreme Court
- (13) Filing Registrar records arraignment date, Trial Judge, and then refers Notice to Allocated Counsel
- (14) Allocated Counsel appears on Arraignment, sets Pre-Trial Conference and Trial dates.

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- (15) If accused pleads “Not Guilty”, Allocated Counsel notes PTC and Trial dates in diary and file, then returns file to Filing Registrar for filing.
- (16) If accused pleads “Guilty”, then Allocated Counsel records guilty plea and sentencing date on file and in diary, and then returns the file to the Filing Registrar for filing and referral for sentencing. **(Go to Part V below)**.
- (17) If Crown Offers No Evidence, Allocated Counsel records Court Order and refers to Filing Registrar for CLD Archives **(Go to Part VII below)**.

III PRE_TRIAL CONFERENCE

- (18) Two weeks before PTC, Filing Registrar returns file to Allocated Counsel
- (19) Allocated Counsel reviews file and prepares for PTC (Confirm Availability of Witnesses; Subpoena Witnesses)
- (20) Allocated Counsel appears in PTC and confirms continued criminal prosecution
- (21) Allocated Counsel returns file to Filing Registrar

IV TRIAL

- (22) At least two weeks before trial, Allocated Counsel retrieves file from Filing Registrar for trial preparation (Prep Closing, Opining, Exhibits, Photocopy)
- (23) Allocated Counsel conducts trial.
- (24) After trial, Allocated Counsel records result and reports result to Solicitor General.
- (25) If there is an acquittal, Allocated Counsel reports to Police, and the file is returned to Filing Registrar for recording result and filing in Closed Files.

V SENTENCING

- (26) If the accused is convicted, the file is prepared for sentencing by Allocated Counsel, and returned to Filing Registrar for filing.
- (27) One week before the sentencing date, the file is referred by the Filing Registrar to Allocated Counsel, or to the Solicitor General for allocation for sentencing.
- (28) Solicitor General allocates file to Sentencing Counsel.

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- (29) File referred to Sentencing Counsel who ensures file is ready for sentencing (Information where there is Suspended Sentence).
- (30) Sentencing Counsel appears in sentencing.
- (31) Sentencing Counsel records sentence on file, reports to Solicitor General and Police, closes file and returns to Filing Registrar to record sentence and file in Closed Files.

VI APPEALS

- (32) If there is a appeal against conviction and/or sentence, the Solicitor General calls for the file for allocation.
- (33) Solicitor General allocates the Appeal file to Appeal Court.
- (34) Filing Registrar refers file to Appeal Counsel.
- (35) Appeal Counsel reviews appeal and prepares file for appeal.
- (36) Appeal Counsel returns file to Filing Registrar for next Court of Appeal session
- (37) At least two weeks before Court of Appeal Callover the Filing Registrar returns file to Appeals Counsel to prepare for Callover (Transcript required, estimate time, focus issues on appeal).
- (38) Appeal Counsel prepares file for appeal (Synopsis).
- (39) Appeal Counsel appears in appeal.
- (40) Appeal Counsel receives Appeal judgment.
- (41) Appeal Counsel reports result to Police and Solicitor General, closes file, and returns the file to Filing Registrar.
- (42) Filing Registrar files the file in Closed Files.

VII ARCHIVES

- (43) One year after filing in Closed Files, file is filed in CLD Archives.