

# Information for Accused Persons

How the Downtown Community Court works

## What is Downtown Community Court?

- A new approach to addressing crime in our community
- A problem-solving court
- Part of the Provincial Court of British Columbia
- A partnership among justice and social and health care services

## What types of cases does the Downtown Community Court handle?

A person charged with all but the most serious offences that take place within the area outlined on the map will come to the Downtown Community Court. The community court receives:

- Provincial offences that are heard by Provincial Court judges (such as driving while prohibited, aggressive panhandling);
- all Criminal Code offences which are:
  - in the absolute jurisdiction of the Provincial Court
  - (for example, shoplifting);
  - summary conviction offences (such as causing a disturbance);
  - hybrid offences where the Crown proceeds summarily
  - (examples are assault causing bodily harm, impaired driving);
- Controlled Drug and Substances Act:
  - Simple possession of drugs;
- Offences relating to non-compliance with community court orders (for example, failing to appear in court or violating the terms of bail or probation).

## What will happen when you arrive at Community Court as an accused?

If you have been charged with an offence and have been told to appear at the Downtown Community Court, you may already have received a phone call from the community court defence lawyer. If you have not received a call, you are encouraged to visit the community court prior to your appearance to discuss your case, free of charge, with the community court defence lawyer.

When you come to court, the defence lawyer will be able to discuss your charge and the evidence against you, review your options, and tell you about the process at the Downtown Community Court. Interpreters are available if you need one; you can ask for one when you arrive at the courthouse.



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If you were in custody, someone has probably already talked to you about community court and you may have even already had an interview with the DCC defence lawyer. The information in this brochure will be helpful to you if you are still unsure about what options you have regarding your charge and community court.

After your meeting with the community court defence lawyer, you will be asked if you are willing to speak to a member of the community court staff. During this interview you will be asked about your personal situation and, in particular, about any problems you may be experiencing. Any admissions you make concerning the charge will not be used against you.

You and the staff member will work together to come up with a plan to try and deal with any problems you are having. Downtown Community Court partners may be able to help you, or you may be offered assistance to access other programs or agencies in the community. This is your chance to have some input in what is happening to you and ask for help if you need it.

If you want to hire your own lawyer or apply for legal aid you may do so.

If you wish to plead not guilty, and to have a trial on your charge, your matter will be sent to Vancouver Provincial Court at 222 Main Street for that trial.

### **Possible Outcomes**

If you agree that you are responsible for the criminal charge, you will be able to deal with your matter in the Downtown Community Court.

In some cases, the matter may be dealt with by what's called an "alternative measure." In that case, you do not have to enter a guilty plea, but you must still agree that you are responsible for the offence. You may be required to perform a certain number of hours of community service. This will give you a chance to give something back to the community for any harm done by your criminal actions. Examples of community service include working in community kitchens and dining rooms, cleaning up and maintaining roadways and community gardens, sidewalks and alleys.

Your plan may also include a requirement that you attend a program. Some examples of programs are sessions with the Ministry of Housing and Social Development to assess your eligibility for income assistance or employment programs, programs run by Vancouver Coastal Health to address physical or mental health needs including difficulties with drugs or alcohol, or culturally-appropriate programs for Aboriginal people involved in the community court process. This will give you a chance to get some help for yourself.

If you agree to such a plan, you will begin any community service or go to any program very soon after agreeing to the plan, if possible, the same day. Once you have completed the plan, the charge will be concluded.

If an alternative measure is not considered appropriate for you, and you wish to plead guilty, the judge will be able to sentence you to probation, a fine, jail, or a combination of these. The information obtained in your interview with community court staff may be taken into account by the court if you wish. Probation orders from



the community court may also include requirements that you attend a program or perform community service.

You will be able to speak to the judge on your own, or you may wish to have the community court defence lawyer, or your own lawyer, speak for you.

### **Downtown Community Court Agencies and Partners**

The Downtown Community Court has many partners working in the courthouse who may be able to assist you with problems that you are experiencing which could be leading you to commit criminal acts. The following is a list of agencies and partners at community court:

- Provincial Court of British Columbia
- Ministry of Attorney General
  - Crown counsel
  - Sheriffs
  - Court clerks
- Ministry of Public Safety and Solicitor General
  - Corrections
  - Victim Services
- Criminal Justice Reform Secretariat
- Ministry of Housing and Social Development
- Vancouver Coastal Health
- Forensic Psychiatric Services Commission
- Vancouver Police Department
- BC Housing
- Public Prosecution Service (Canada)
- Legal Services Society
- Native Courtworker and Counselling Association of British Columbia

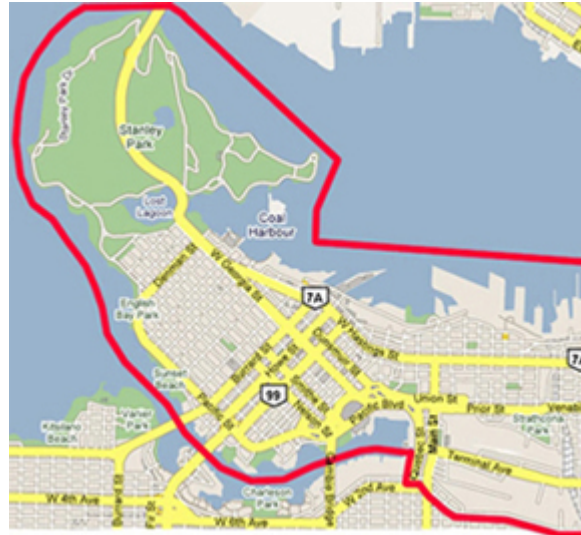
Downtown Community Court participants can access the services provided by the various partners and agencies. For example, you will be able to meet with an employment assistance worker and apply for income assistance or persons with disabilities assistance, learn about and apply for a range of housing options administered by BC Housing, benefit from assessment and referral to health services, or access culturally appropriate programs and referral options.

Victims of crime who visit the Downtown Community Court can receive support and services, including, victim safety notification services, referrals to community resources, and assistance with completing victim impact statements and applications for financial assistance and benefits.



## Jurisdiction - Neighbourhoods Served

- Central Business District  
(including entertainment district)
- Chinatown
- Coal Harbour
- Downtown Eastside
- Gastown
- Strathcona
- Yaletown
- West End  
(including Stanley Park)



The catchment area of the court is downtown Vancouver from Clark Drive on the east to Stanley Park on the west, with Great Northern Way as the southern boundary and the Inner Harbour and Coal Harbour of Burrard Inlet as the northern boundary.

## Downtown Community Court Contact Information

Vancouver's Downtown Community Court  
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