

The Court Process



DRCC
DURHAM RAPE
CRISIS CENTRE

Summary Offence

(a less serious charge)

Indictable Offence

(a more serious charge)

Initial Complaint

Most often a statement made to the police by a victim or witness

Police Investigation

Charges Laid - Arrest

Accused person is taken to police station and processed

Bail Hearing

A decision is made as to whether or not the accused person should be released - If accused is released, conditions are set on the accused person

First Appearance

Accused person receives disclosure

Set Date Appearance or To Be Spoken To

There may be more than one court date to enable the accused to receive time to retain counsel, etc.

Pre-Trial

The Crown, the Defence Counsel, and a Judge will meet to consider and decide which matters will promote a fair trial

Trial - Ontario Court of Justice

Hearing that takes place when the accused pleads "not guilty" - The Crown attorney must prove the guilt of the accused beyond a reasonable doubt, and the Judge makes the decision as to whether the accused is guilty or not guilty

Trial - Superior Court of Justice

Same as above (OCJ) with the exception that an accused person may be tried by a Judge or a Judge and a jury