

THE TRIAL PROCESS

What happens at the trial stage?

At the trial stage, the accused will be rearraigned (the charge will be read out to him or her). If the accused maintains the position of not guilty, the trial will begin with the Crown putting all its evidence, in the case, before the judge/jury [\[link to jury information\]](#) by calling witnesses. At the end, the Crown closes its case.

What happens after the Crown closes its case?

The Defence opens its case. The judge will then put the accused to his election. The defence can call witnesses at this stage. At the end of the defence, the trial stage is concluded.

What does it mean to put the accused to its election?

It refers to the choice the accused makes on whether he decides to remain silent, give an unsworn statement or give sworn evidence in the trial.

What happens after the trial is completed?

After the trial stage is completed, the trial judge gives its decision after hearing all the evidence. If the accused is found not guilty, he is acquitted and he is free to leave without any further charges in relation to that charge.

If the accused is found guilty, he is convicted and his bail comes at an end. The court may then consider bail pending sentence.

What occurs after the accused is convicted?

After the verdict is given, the court will then adjourn for a mitigation hearing and pass the sentence on the accused. Once sentence has been passed, the case concludes.

What is a mitigation hearing?

The accused is given the opportunity to call witnesses on his behalf to speak about his character which the judge will take into account when determining the sentence.

How can the impact of the incident on the victim be brought before the court for consideration?

The prosecutor may provide to the Court a victim impact statement which details the impact that the crime had on the victim. The Court also takes the victim impact statement into account when determining the sentence.