

# WHAT HAPPENS WHEN YOU ARE CRIMINALLY CHARGED?

If you qualify for legal aid, we may cover the cost of a lawyer to represent you. You can also visit one of our lawyers at court (duty counsel) who can provide advice and information.

## WHAT ARE YOUR RIGHTS?

- You're presumed innocent
- You have the right to remain silent
- You have the right to know what information the Crown has against you

### 1. ARREST

When you are charged with a crime, the police will handcuff you and take you to the police station. You might either be released to wait for your court date or held for a bail hearing, which has to happen within 24 hours.

### 2. BAIL

Bail is a court order that lets you stay in the community while your case is in the court system. A bail hearing is when a judge decides whether you should either be kept in jail or allowed to go back to the community while your case is in criminal court.

### 3. APPEARANCES IN COURT

During your first appearance in court, you will get your disclosure from the Crown Attorney, which is the information that the police and the Crown have about your case. For subsequent appearances, the court will want to know if you are hiring a lawyer or representing yourself.

If you don't have a lawyer and you're not sure about pleading guilty or going to trial, it might be a good idea to do a pre-trial in closed court (meaning only you, the judge and the Crown will be there).

### 4. PLEA AND SENTENCE

If you have decided to plead guilty, you will need to schedule your next appearance before a judge. If you have decided to plead not guilty, you move onto your trial date.

### 5. TRIAL

During trial, a judge decides if you are guilty or innocent. The Crown will first present evidence to try and prove that you are guilty of the charges. You have a right to present evidence as well, but you also have a right to remain silent throughout your trial.