



TERRITORIAL COURT COUR TERRITORIALE
of the des
NORTHWEST TERRITORIES TERRITOIRES DU NORD-OUEST

PRACTICE DIRECTION
SECTION 714.1 APPLICATION

[1] Pursuant to section 714.1 of the *Criminal Code*, a party may apply to have a witness give evidence by teleconference (either audioconference or videoconference). Such an application is made by way of a Notice of Motion and an affidavit. The affidavit should address, at a minimum, the circumstances listed in subsections (a) to (g) of section 714.1.

[2] In addition to the Notice of Motion and affidavit, the section 714.1 application must also include a Teleconference Test Form which confirms that the audio or video conference link has been successfully tested with or on behalf of the witness who wishes to testify remotely.

[3] The test must be conducted in accordance with procedures established by the Territorial Court Clerk's office. The Teleconference Test Form will be completed by the Crown or Defence as appropriate. This can be a lawyer, paralegal or Crown witness coordinator (the "Applicant").

[4] Upon a successful test, the Applicant will complete the Teleconference Test Form, which will be included as an exhibit to the affidavit which accompanies the Notice of Motion.

[5] At trial, the Clerk will use the information on the Teleconference Test Form to connect with the witness or the technical person responsible for the video connection at the proposed facility. It is the responsibility of the Applicant to advise the Clerk's office in advance of the hearing if there are any changes in how the witness will connect to the Telemerge platform. If the equipment or location changes, a new test must be conducted.

Dated this 14th day of April, 2022.

Chief Judge R. D. Gorin

Judge D. F. Molloy

Judge G. E. Malakoe

Judge J. E. Scott