Mr. Aldunate

Ensuring the Accused's Appearance in Court

The accused released as soon as possible unless there are reasonable grounds to believe that they should be detained in custody which include:

- in order to establish their identity,
- to secure or preserve evidence,
- to prevent the continuation or repetition of the offence or the commission of another offence,
- or to ensure the accused's attendance in court

The least common method of ensuring the accused's attendance at trial is incarceration

- Reflects commitment to the presumption of innocence – (How?)

Instead we make them "legally promise" to show up

Methods varies depending on nature of the crime, if there's a warrant, or possible reasons to detain the accused in custody

Legal documents that are used to ensure appearance in court:

- **Appearance Notice**

- **Summons**

- **Promise to appear (and /or recognizance)**

*Above applies only to less serious offences

People charged with a serious indictable crime are custody until bail hearing (held within 24 h or ASAP)

- Up to the crown to prove bail should be denied (flight risk, interfere with investigation or safety of the public)