



IN THE TERRITORIAL COURT OF YUKON

PRACTICE DIRECTION
DOC-5

*Filing of Community and
Victim Impact Statements*

All Community and Victim Impact Statements will be reviewed by the sentencing judge, and counsel only after a finding of guilt has been made. The judge shall review an unvetted copy (in accordance with s. 722(8) of the *Criminal Code*). Concerns with the admissibility of parts or all of the content may be raised by counsel before the judge for a determination. Counsel shall, where feasible to do so, provide the judge with copies of vetting that they have agreed to, or that are in dispute, highlighted in yellow. The judge will make a determination as to what, if any, vetting, is to occur, prior to the Community or Victim Impact Statement being admitted, and before, where applicable, it being read into the court record.

In cases where there is an adjournment of a matter prior to sentencing (e.g. for the preparation of a *Gladue* Report, Pre-Sentence Report, or for any other reason), where feasible, sufficient facts should be provided, on the record and in advance, to the judge who will preside over the sentencing hearing, in order for a finding of guilt to be made. This allows for any Community or Victim Impact Statements to be distributed in advance of the sentencing date, and for any issues with respect to the contents of the Community or Victim Impact Statements to be resolved before the date set for the sentencing hearing to occur. In these circumstances, every effort should be made to have any Community or Victim Impact Statements filed with the court at least one week prior to the date of the sentencing hearing, in order to avoid the possibility of the sentencing hearing needing to be adjourned.

Chief Judge M. Cozens
February 19, 2024