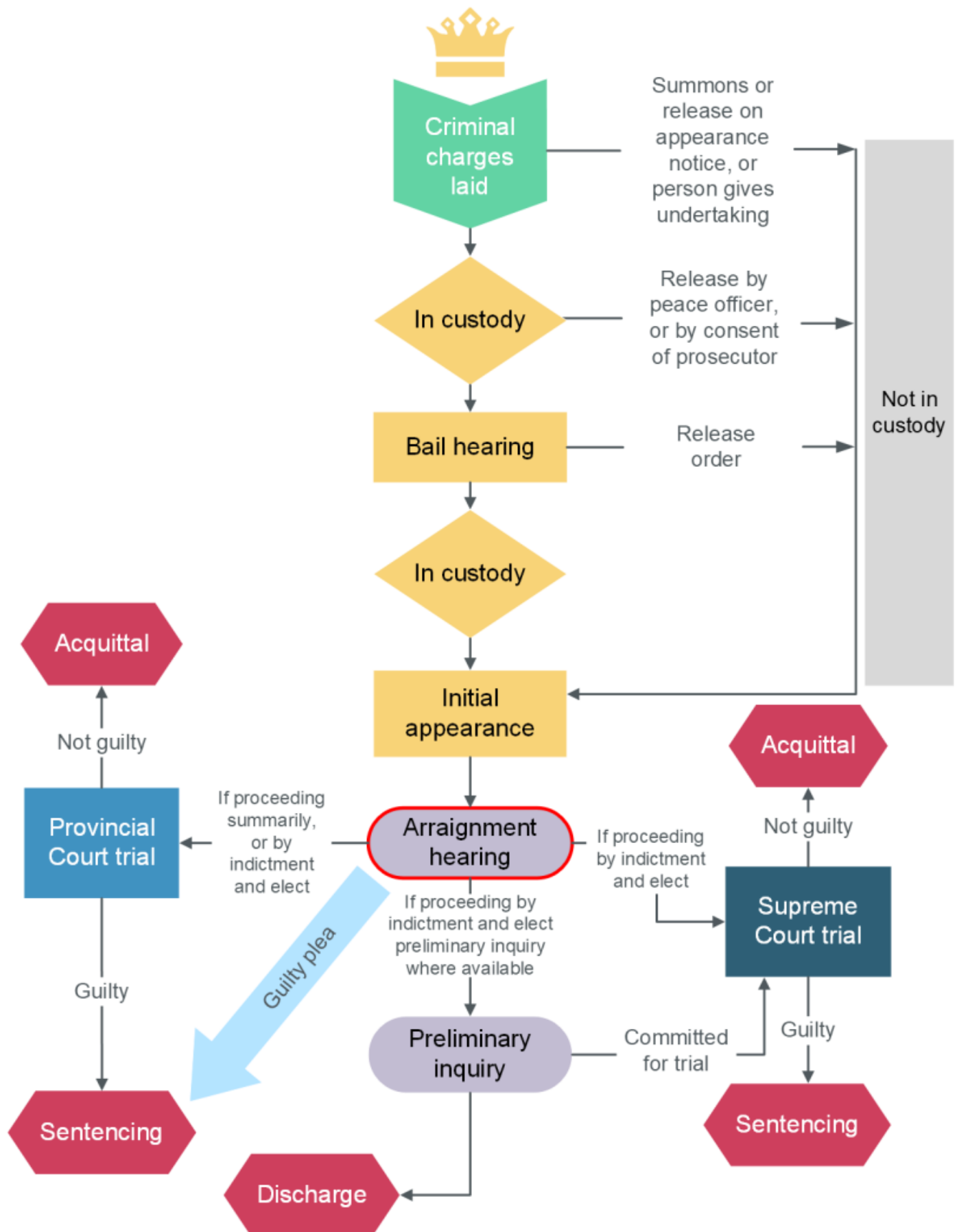




Provincial Court of British Columbia

An arraignment is usually the hearing where you plead guilty or not guilty to the criminal charge. You are asked to confirm your name and the charges will be read out before you are asked how you plead.



You can be arraigned at your initial appearance or any subsequent court appearance, or at the start of your trial. This means that arraignment does not always happen at a separate hearing. For a jury trial, you must be arraigned in front of the jurors.

If you plead guilty

If you elect to plead guilty, you will be asked:

- If you are making the plea voluntarily
- if you understand you are admitting to the essential elements of the offence
- If you understand the nature and consequences of your plea
- If you understand that the judge is not bound by any agreement you have with Crown counsel

If you plead guilty the case will go to a sentencing hearing instead of a trial.

If you plead not guilty

If you plead not guilty, a trial date will be set. If the offence you are charged with is a hybrid offence, the Crown will declare at the arraignment hearing whether they are proceeding summarily or by indictment.

[Charges and types of offences](#)

Electing how you will be tried

Depending on what you are charged with and whether the Crown is proceeding summarily or by indictment, you may be asked how you “elect” or choose to be tried.

[CRIM 02 Elections Under Section 536 Criminal Code of Canada](#)

Summary proceedings

If you are charged with a summary offence or the Crown proceeds summarily, your trial will take place in Provincial Court. You do not have a choice.

Proceedings by indictment

If you are charged with an indictable offence or the Crown proceeds by indictment, you will have 3 options:

- Trial in the Provincial Court in front of a judge
- Trial in the BC Supreme Court in front of a judge
- Trial in the BC Supreme Court in front of a judge and jury

For a few charges like murder, there is no choice, the trial must be held in the BC Supreme Court.

If your matter is set for a Supreme Court trial and the offence is punishable by at least 14 years or more in prison, you will also have the option of scheduling a preliminary inquiry. If you choose a jury trial, there will be a jury selection before the trial starts.

Other things discussed

Other things that are usually discussed at an arraignment hearing are:

- Whether the Crown counsel has made full disclosure (given you all of the evidence that they are required to give you about your case)
- The number of police, expert, and other witnesses that Crown counsel intends to call if your case goes to trial
- How much time Crown counsel will need to present their case
- Whether an interpreter is required

<https://main-bvx6a6i-t74dtfugroaqq.ca-1.platformsh.site/navigating-court-case/criminal-adult-and-youth/steps-criminal-case/arraignment-hearing>