

Moose Jaw Saskatchewan Criminal Defence Lawyer

Moose Jaw Saskatchewan Criminal Defence Lawyer - In domestic dispute cases, it is important to know about the law. In situations of domestic disputes where the police are called, the police would lay criminal charges against the party implicated, normally a boyfriend or spouse. It is not uncommon for the complainant to attempt to have the charges withdrawn later on. Then again, after police have laid charges, the alleged victim has no control over the decision to continue with prosecution. The charges cannot be dropped. The prosecution will, in practically every case, oppose bail variations to allow for communication between the accused and the alleged victim. The person charged would not be permitted to go back to the home.

You must not try to argue with the prosecuting attorney or police regarding the charges, if you happen to be charged with Assault, Assault with a Weapon, Assault Causing Bodily Harm, Breach of Recognizance, Criminal Harassment or Threatening. Calling a lawyer should be carried out at once. Our knowledgeable criminal lawyers are well respected for their results representing the rights of their clients in the Courts. We would guide you all through the process and make sure that all your rights are upheld. We are discrete and would maintain your confidentiality.

There are some queries usually asked about assault cases. The following answers normally apply to most cases. However, a lawyer should review the factual basis of the allegations in order to arrive at an informed response. Make contact with us for a free consultation for answers to whichever questions you might have.

1. Can the victim withdraw the charges?

The answer is no. When a formal charge is made, the authority to withdraw a charge lies only with the prosecuting lawyer. In most cases, the prosecutor would not withdraw a domestic assault charge. Nonetheless, the Crown would consider the victim's view prior to deciding on the correct course of action to take.

2. Can I get bail?

The aspects that influence a bail hearing decision can differ somewhat considerably. Courts would take into consideration, the past criminal records, the nature of the allegations, and whichever history of violence between partners. If there is a surety obtainable, the court will like to know if the accused can live with the surety.

3. Can I communicate with my spouse and/or return home?

Communication is forbidden if the bail stipulates that there is to be no indirect or direct communication; which means that you must not telephone, text, facebook or e-mail your spouse. Even sending a message via a buddy will be considered a breach of the provision in your bail. Such a breach would result in you being sent back to jail for another bail hearing.

4. What occurs if the complainant contacts me?

Many times it is the complainant who tries to phone the accused to make amends. Nonetheless, if communications are not allowed by bail, whichever communication between the accused and victim is considered a breach.

5. Would my case result in a criminal record?

This depends on the facts of the case and can only be answered with a review of the particulars. In minor cases, the prosecution may consider a peace-bond. The more serious the allegations, the more significant the penalty.

6. How much money would I end up spending?

We give an initial free consultation wherein we would give you an estimate. Each case is unique. The cost depends upon an array of things, such as complexity and the time required. Assault cases demand careful attention and trial preparation. Within various situations, medical proof will be included and witnesses will be interviewed.