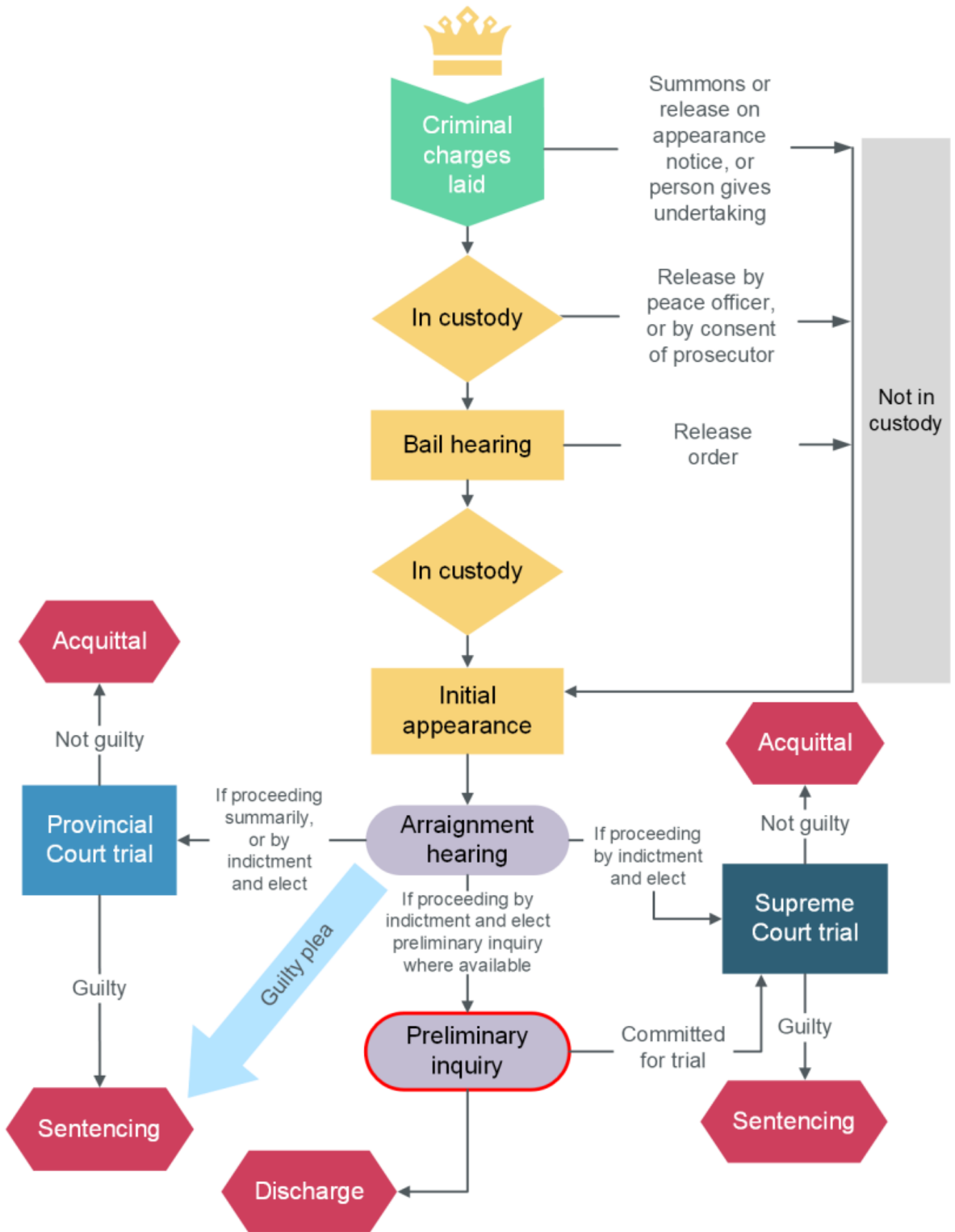




Provincial Court of British Columbia

A preliminary inquiry hearing can also be called a preliminary inquiry.



When preliminary inquiry hearings happen

If you are to be tried in the BC Supreme Court, either with or without a jury, and if the offence you are charged with has a potential sentence of 14 years or more in jail, you or Crown counsel may ask to have a preliminary inquiry hearing in Provincial Court.

[Charges and types of offences](#)

At the preliminary inquiry hearing

Crown counsel will present witnesses to testify about the events. Your lawyer or you, if you do not have a lawyer, will have a chance to cross-examine (question) each witness to test their truthfulness, reliability and memory.

Although you have the right to call defense witnesses, it is very rare for the defense to present witnesses at a preliminary inquiry hearing.

Sometimes an accused person will only want to hear the testimony of certain Crown witnesses. In that case they may “consent to committal” and the hearing will be limited to the witnesses they request.

Hearing results

At the end of the preliminary inquiry hearing, the judge will decide if there is enough evidence to have a trial in the BC Supreme Court. The test is whether a reasonable jury, properly instructed, could convict on the evidence provided in the preliminary hearing.

If the judge decides there is not enough evidence, you will be discharged and the case will be ended. If the judge decides there is enough evidence, your case will go to trial. Alternatively, where there are multiple charges, you can be discharged on some counts and go to trial on other counts. The test for committal is applied to each charge.

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