

# **Crown Attorney Manual: Prosecution and Administrative Policies for the PPS**

## **Introduction**

- Preface
- Word & Phrases

## **Core Policies**

- Introduction to Core Policies

## **Principles Governing Crown Counsel's Conduct**

- Advising the Police
- Disclosure
- Media Inquiries and Public Statements
- Police Misconduct – Disclosure (R. v. McNeil)
- Pre-charge Advice re Investigation / Prosecution of Police
- Staying Proceedings and Recommending Proceedings
- The Decision to Prosecute

## **Procedural Issues and Trial/Appeal Practice**

- Alternative Measures – Adult Diversion
- Appeals to the Court of Appeal
- Arrest Warrants – Common Protocol
- “Bail Reviews” – Protocol re Section 525 of the Criminal Code
- Consent by the Prosecutor to Re-Electing Mode of Trial
- Direct Indictments
- Extradition of Fugitives to Canada
- In-custody Informers
- Interviewing Witnesses (Other than Experts or the Police) – Practice Note

- Investigation – Additional Investigation and Reinvestigation
- Jurors – Background Checks
- Parental Support – Young Victims / Witnesses
- Police Misconduct – Reporting Fabrication of Evidence
- Remands to Federal Institutions
- Resolution Discussions and Agreements
- Restorative Justice Program – Referrals at Crown Entry Point
- Review Board Hearings
- Transfer (“Pick-up”) Orders – Practice Note
- Victims of Crime / Witnesses – Publicity – Practice Note
- YCJA ‘Bail’ Hearings
- YCJA Extrajudicial Sanctions
- YCJA Guilty Pleas-Practice Note

### **Specific Types of Prosecutions**

- Aboriginal Cases
- Assault Prosecutions
- Cases involving the death of a child less than five years old
- Environmental Prosecutions – Disclosure to Crown
- Firearms Registration Offences
- Home Invasions
- Impaired Driving – Resolution of Charges
- Impaired Driving – Section 258(1)
- Nudity – Public [Section 174 of the Criminal Code]
- Occupational Health and Safety Act – Disclosure to the Crown
- Private Prosecutions - Intervention by the Attorney General
- Risk Assessments in Spousal-Partner Violence Cases ODARA
- Sexting / Child Pornography Offences
- Sexual Offences – Practice Note
- Special Communications Needs – Investigation and Prosecution of Persons with Special Communication Needs
- Spousal /Partner Violence
- Violent Crimes
- YCJA Prosecutions – Nunn Recommendations

## **Sentencing Matters**

- Conditional Sentences
- DNA Identification Act Sampling Authorizations
- Impaired Driving – Sentencing Repeat Offenders
- Minimum Penalties
- Probation Orders
- Revocation of Driver's License
- Sentencing – Supreme Court
- Sexual Offender Treatment Program (ECFPH)
- SOIRA Policy

## **Administrative Policies**

- Case Bulletins
- Complaints – Bar Society
- Complaints – Public
- Conflicts of Interest
- Freedom of Information and Protection of Privacy (FOIPOP) Act – Procedure re Applications for Records
- French Language Communications Policy
- Inmates – Requests to Attend Funerals
- Major Case Contingency Protocol
- National Flagging System for High Risk, Violent Offenders
- Provincial Forensic Psychiatric Service Sexual Assault Program – Provision of Information
- Records – Routine Access (without FOIPOP Application)
- Sign Language Interpreter Services
- Special Prosecutions Section – Referrals
- Vacancy Publicity – Chief Crown Attorney Positions
- Witness Fees

## Forms

- Advising Police
- Application for Transfer of Charges (Outside Nova Scotia)
- Application for Transfer of Charges (Within Nova Scotia)
- Case Bulletin Form
- Crown Inter-office Request to Obtain a Transfer Order
- Recommendation for Appeal
- Request for Referral to Special Prosecutions Section
- SOIRA Form 52
- SOIRA Order Application
- SOIRA Order Worksheet
- Spousal/Partner Violence Checklist
- Spousal/Partner Violence Notice of Discontinuance
- Undertaking re Videotaped Statements
- Witness Fee Claim Form – W1
- Witness Fee Reimbursement – W1A
- Witness Fee – Special Reimbursement – W2
- Witness – Air Transportation Approval Form – W3