

PROVINCE OF ONTARIO  
MINISTRY OF ATTORNEY GENERAL

## CROWN POLICY MANUAL

---

March 21, 2005

---

### THE CROWN POLICY MANUAL: ACCESS & STRUCTURE

---

#### PRINCIPLES

The Ministry of the Attorney General is committed to ensuring public access to the Crown Policy Manual. The Crown Policy Manual is a comprehensive compilation of all prosecution policies and memoranda that provide the Attorney General's instructions as to how Crown counsel are to perform their duties. A principle purpose of the Crown Policy Manual is to provide guidance to Crowns in the exercise of their independent prosecutorial discretion. As parts of the Manual are accessible to the public, it is a vehicle to provide a measure of transparency and thus, public accountability. The public is able to see the instructions that the Attorney General gives Crown counsel, thereby preventing any suggestion of secret or arbitrary direction.

#### STRUCTURE OF THE MANUAL

The Manual is divided into three components:

**Policies:** Policies are issued by the Attorney General. These policies provide brief, clear statements of principle and broad general guidance on important areas of Crown practice and discretion. They provide the overall vision and philosophy of the Attorney General as to how prosecutions are to be handled and systemic concerns dealt with. Policies are clarified, supplemented and kept current by detailed practice memoranda and confidential legal memoranda.

**Practice Memoranda:** Practice memoranda are issued by the Assistant Deputy Attorney General (Criminal Law Division). Practice memoranda provide specific policy direction and detailed legal and practical guidance to Crown counsel.

**Confidential Legal Memoranda:** Confidential legal memoranda are issued by the Assistant Deputy Attorney General (Criminal Law Division). These memoranda supplement policies and practice memoranda with detailed legal advice and guidance. Confidential legal memoranda are privileged.

## **ACCESS TO THE MANUAL**

**Policies and Practice Memoranda:** Policies and Practice Memoranda are not considered to be confidential. They can be shared with members of the public, the defence bar, judiciary and others as appropriate. These policies and memoranda are listed on the Ministry of the Attorney General website, and may be made available to the public in hard copy, upon request.

**Confidential Legal Memoranda:** As Confidential Legal Memoranda provide legal advice to Crown counsel, they are considered to be confidential and privileged. Confidential Legal Memoranda must not be distributed outside the Criminal Law Division without permission of the Assistant Deputy Attorney General (Criminal Law Division).