

PROVINCE OF ONTARIO  
MINISTRY OF ATTORNEY GENERAL

## **CROWN POLICY MANUAL**

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March 21, 2005

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### **MEDIA CONTACT BY CROWN COUNSEL**

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#### **PRINCIPLES**

Public confidence in the administration of criminal justice is enhanced by the availability of appropriate and timely information concerning cases and the criminal process. Crown counsel have an important role to play in this regard. It must be recognized, however, that in their role as “Ministers of Justice”, Crown counsel have a responsibility to relate to the media and the public in a manner that differs from other lawyers and other citizens. Generally, when making public statements, Crown counsel should be courteous, dispassionate, free from provocative rhetoric, and measured in their responses.

Public statements by counsel should not compromise the perception of impartiality and the ability to function as public servants with quasi-judicial responsibilities. When speaking or writing as private citizens, counsel must be mindful of the oath of loyalty, confidentiality and the provisions of the Public Service Act relating to political comment. In particular,

- Any media inquiry may be referred directly to the Ministry of the Attorney General Communications Branch
- While it is appropriate for Crown counsel who are directly involved in a case to provide public information in response to inquiries from the media, Crown counsel must not compromise a police investigation or disclose confidential information, and must scrupulously avoid any possible interference with the right of an accused person to a fair trial
- While it is appropriate for Crown counsel to explain matters of criminal procedure and to relate prosecution policy, as it is found in the Crown Policy Manual, to their prosecutions, Crown counsel must refrain from making general policy statements that could compromise the Attorney General in executing his/her responsibilities in regard to policy development

- Crown counsel should refrain from expressing personal opinions on any aspect of a prosecution
- Crown counsel must not initiate contact with the media without having obtained the prior approval of the Crown Attorney for the jurisdiction. .