

**PROVINCE OF ONTARIO
MINISTRY OF THE ATTORNEY GENERAL**

CROWN POLICY MANUAL

March 21, 2005

IMPAIRED DRIVING AND ROAD SAFETY

PRINCIPLES

Impaired driving offences are matters of grave concern to the community and should be prosecuted as vigorously as any other criminal offence.

These offences require special sensitivity on the part of Crown counsel when dealing with cases where serious bodily harm or death has occurred. In these cases, Crown counsel should ensure that the victim or family members are aware of significant changes in the status of the case, including dates for trial, plea or sentence and that they have an opportunity to prepare a victim impact statement.

The dual charge screening standard of reasonable prospect of conviction and public interest applies to drinking and driving offences. As the commission of these offences poses a substantial threat to the safety of the public, it will almost always be in the public interest to proceed with the prosecution.

Provided that there is a reasonable prospect of conviction and it is in the public interest to prosecute, Crown counsel must not withdraw these charges, unless there are exceptional circumstances. Approval to discontinue the prosecution must be obtained from the local Crown Attorney or designated counsel.

Deterrence and denunciation are the primary sentencing principles in cases involving impaired driving offences.