

PROVINCE OF ONTARIO
MINISTRY OF THE ATTORNEY GENERAL

CROWN POLICY MANUAL

March 21, 2005

POLICE: RELATIONSHIP WITH CROWN COUNSEL

PRINCIPLES

Crown counsel and police agencies have separate responsibilities in the criminal justice system. They are required to work in partnership to enforce criminal laws effectively. The working relationship between police and crown counsel should reflect mutual respect and professionalism. These are fostered by appropriate recognition of the boundaries between the investigative and prosecutorial functions.

Police have the sole responsibility for charging decisions except where the consent of the Attorney General is required by statute. Crown counsel are solely responsible for determining whether a charge is to proceed once it has been laid.

Police may seek advice from Crown counsel concerning legal issues arising in the investigation of offences. Crown counsel may ask the assistance of police in conducting further investigations and providing further information. Each agency has a role to play, independent of the other, and neither agency is subordinate. This independence is fundamental to the maintenance of their role as “Ministers of Justice”, and is essential to the proper administration of justice.