



CRIMINAL JUSTICE BRANCH, MINISTRY OF ATTORNEY GENERAL
CROWN COUNSEL POLICY MANUAL

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POLICY

Crown Counsel may respond directly to media enquiries on questions about the status of a prosecution or appeal. Crown Counsel may also provide general information to the media about the operation of the criminal justice process, such as the correct terminology for the various stages of that process, in order to enhance the public's level of understanding. However, where an enquiry concerns the handling of a prosecution, the evidence adduced, or other significant issues, Crown Counsel should consult with Regional Crown Counsel and the Communications Council so that an appropriate response may be prepared.

When Crown Counsel becomes aware that a case is likely to attract significant media attention, Crown Counsel should advise Regional Crown Counsel and the Communications Council as far in advance as possible.

If there is a media enquiry concerning an acquittal or sentence, Crown Counsel should indicate that decisions concerning whether to appeal are made following a complete review of the case. Crown Counsel should not outline their recommendation regarding appeal or make any public pronouncement regarding the likelihood of a Crown appeal being taken from an acquittal or sentence.

All requests to Crown Counsel for comment or enquiries relating to substantive issues involving Branch policies or law reform, including the implications of court decisions which have broad ramifications for the Branch, should be referred to the Communications Council who will prepare a response in consultation with the appropriate member of Branch Management Committee.

DISCUSSION

Section 2(f) of the *Crown Counsel Act* states that the Criminal Justice Branch has the responsibility "to provide liaison with the media and affected members of the public on all matters respecting approval and conduct of prosecutions of offences or related appeals".

The obligation of the justice system to inform the public is an essential ingredient of a fair and equitable justice system. Public confidence in the administration of justice depends on access to full and accurate information on court proceedings. By providing appropriate information, the Branch can help ensure that citizens have a fair opportunity to determine whether the justice system is functioning effectively.

The Branch Communications Counsel is responsible for establishing the Branch's media and public information priorities and is available to assist Crown Counsel in dealing with media issues. The Communication Counsel acts as the Branch's spokesperson in appropriate cases and develops communications plans for major cases, including the preparation of briefing notes and media statements.