



**Manitoba
Department of Justice
Public Prosecutions**

Guideline No. 4:DRI:1.1

Policy Directive

**Subject: Drinking & Driving
Curative Treatment Provisions**

Date: October 10, 1990

POLICY STATEMENT:

Section 255(5) of the *Criminal Code*, which deals with curative treatment, has been proclaimed in Manitoba. This provision gives discretion to the Court in appropriate circumstances to discharge a person convicted of an offence under section 253 who is in need of curative treatment. The person is to be discharged on the conditions prescribed in a Probation Order, including a condition respecting the person's attendance for curative treatment in relation to the consumption of alcohol or drugs.

Before the Court orders such a discharge, it must hear medical or other evidence. The Court must also be satisfied that the discharged procured of treatment is not contrary to the public interest. Therefore, the Crown Attorney should be prepared to make the appropriate representation regarding the public interest.