



**Manitoba
Department of Justice
Public Prosecutions**

Guideline No. 4:REV:1

Policy Directive

Subject: Review of Custody

Date: October 10, 1990

POLICY STATEMENT:

Section 525 of the Code provides for a mandatory review of detention of a person being held pending trial. In summary proceedings, the review must take place within 30 days, and, in indictable proceedings, within 90 days, of being detained. This procedure does not apply to a person whose detention has been upheld on a review in Queen's Bench, or to a person whose detention is in relation to a s.469 offence.

On the returnable date, the Presiding Judge:

- (a) sets a date for the review of detention;
- (b) directs an expedited trial.

Crown Attorneys are responsible for keeping track of all persons detained pending trial, and setting down those cases expeditiously.

Crown Attorneys are further responsible for arranging for timely reviews of persons detained.

Correction authorities are providing a weekly list of persons detained, and the length of detention.

It is the responsibility of the Senior Crown Attorneys to ensure that detainees currently under their jurisdiction are noted, and review applications arranged within the periods set out in the Code.

Additionally, the Crown Attorney appearing on the first appearance of a detained accused shall affix to the front of the file a conspicuous note setting out the person's date of arrest, in all cases in which bail is denied.