



**Manitoba
Department of Justice**

Guideline No. 4:SEN:1.4

Public Prosecutions

Policy Directive

Subject: Sentencing - General

Date: October 10, 1990

POLICY STATEMENT:

General

When making submissions to sentence, it is important that Crown Counsel present a clear, concise statement of facts to the Court. It is also advisable to read in portions of victim or witness statements, if aggravating features are relied on. If the charge is disposed of by way of guilty plea in Queen's Bench, it may be appropriate to file portions of evidence taken at the preliminary hearing. If this procedure is followed, a concise summary of that evidence should be orally placed on the record.

In the case of sentencing after a finding of guilt after trial, problems may be encountered on a sentence appeal only. The findings of fact relied on by the Court, in convicting, will rarely appear on the record of the sentencing proceedings. It is important in such a situation for the Crown Attorney to briefly summarize the facts as found by the Court, or (such as when the sentencing is postponed for material to be filed) to order a transcript of the reasons for decision, and file them as an exhibit on the record at the sentencing.

The above general guidelines will assist in a proper, and complete record in the event of an appeal.

*See also guidelines under topic APPEALS, and further SENTENCE sub-topics below.