



**Manitoba
Department of Justice**

Guideline No. 3:WIT:1

Public Prosecutions

Policy Directive

Subject: Witnesses - Cancellation

Date: October 10, 1990

POLICY STATEMENT:

The Department of Justice affirms its policy of recognizing the importance of witnesses in the administration of justice.

All Crown witnesses have the right to be treated with courtesy and consideration in their dealings with the Public Prosecutions Branch. As such, all attempts to maintain a minimal disruption of Crown witnesses' personal lives should be pursued as to cause the least inconvenience to civilian witnesses both financially and emotionally.

Prosecutors should ensure that as soon as it is known a case involving civilian witnesses under subpoena will not be proceeding, all reasonable attempts should be made to have those witnesses advised ahead of time as suggested below:

Involving Winnipeg Courts - All Levels:

Witnesses may be cancelled through the use of Victim/Witness Assistance

Involving Winnipeg Drive Out and Circuit and Regional Centre:

Arrangements should be made with the relevant police agencies who would be in possession of the knowledge of the location of the Crown witnesses.

Special attention should be paid to those witnesses who are subpoenaed from out of town and who as a result have made travel arrangements.

In order for the Prosecutions Branch not to be billed unnecessarily, all travel arrangements should be cancelled at the earliest opportunity.

Rationale:

The public perception of the legal system should be maintained as a positive one. Key to this, is the way in which Crown witnesses (many who are complainants) are dealt with by Prosecutors.