



HALIFAX

Administration of Justice Offences

The Halifax Board of Police Commissioners

May 16, 2022

Definition & Background

Administration of justice offences are a **specific type of violation of the law, mostly committed when pre-trial conditions or sentences from a previous conviction are disobeyed.**

The “Administration of justice offences” category includes but is not limited to:

- Failure to appear in court
- Breach of a probation order
- Failure to comply with an order
- Being unlawfully at large



Types of Releases Under the Canadian Criminal Code

- **Appearance Notice**
- **Undertaking**
- **Recognizance**



Crown Consultation

In all instances where the Halifax Regional Police are considering not releasing an accused:

- Crown prosecutor or on-call Crown prosecutor (after hours) must be contacted and consulted in relation to the accused being held.
- They must also agree to the accused being held.



Bail Hearing

- If an accused person is taken into custody and held until he or she appears in court, a bail hearing must be held within twenty-four hours or as soon as possible.
- The Court decides whether to detain the accused person before the case is dealt with in court.

Types of Warrants issued for Missing Court

- **Endorsed Warrant** - has been signed by a Judge or Justice of the Peace and a person arrested on such a warrant can be released from custody by the police.
- **Unendorsed Warrant** - has not been signed by a Judge or Justice of the Peace, indicating to the police that the person arrested must be held for court to be brought before a Judge.

Police Officer Considerations for Release (R.I.C.E.)

- Repetition of the offence (prevent)
- Identity of the accused
- Court (belief the accused will appear in Court)
- Evidence (will not interfere with collection of evidence)



Questions/Comments

