



Policy Name:	REPORT TO CROWN COUNSEL		
Policy #:	OP 8.6	Last Updated:	2022-03-03
Issued By:	SUPPORT SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

AD 9.9 Legal Advice to SPS Members

OP 8.4 Occurrence Reports

1. PURPOSE

- 1.1. To provide guidelines to ensure that Surrey Police Service (SPS) Members complete accurate and detailed Reports to Crown Counsel (RTCC).
- 1.2. It is through the RTCC that the Lead Investigator outlines the details of the incident, articulates their reasonable grounds to believe an offence has occurred, and presents the essential elements of the offence to Crown Counsel so that Crown Counsel may have all the evidence available to consider for charge assessment.

2. SCOPE

- 2.1. This policy applies to all SPS Members.
- 2.2. This policy applies to RTCC's directed to Provincial Crown Counsel and to Federal Crown Counsel.

3. POLICY

- 3.1. RTCC's prepared by Members must provide full details of the results of their investigations. The RTCC must provide an accurate and complete description of the available evidence in support of the charges recommended.
- 3.2. In form and content, the RTCC and its attachments must comply with the terms and conditions of any agreement or understanding governing the transfer of disclosure materials between the BC

Prosecution Service and SPS, and between the Public Prosecution Service of Canada (PPSC) and SPS.

- 3.3. The quality and content of the RTCC will have a significant impact on whether Crown Counsel decides to approve charges. Therefore, the highest standard of investigation and reporting is required to provide Crown Counsel with all the evidence available to consider for charge assessment.

4. PROCEDURE

Member Responsibilities:

- 4.1. Where advice or information is required for a charge, a Member must initially consult their immediate Supervisor.
- 4.2. Whenever the assistance of Crown Counsel is required, the Member must obtain authorization from their Supervisor to contact the Crown Counsel office. After-hours lists of Crown Counsel personnel, who may be used for consultation purposes, are available from the Duty Officer. Prior to contacting Crown Counsel, Members must first consider consulting SPS Legal Services (see AD 9.9 *Legal Advice to SPS Members*).
- 4.3. On receiving information from Crown Counsel, Members will indicate on their reports the name of the prosecutor consulted along with the particulars obtained.
- 4.4. When an accused is arrested and lodged in Cells, the assigned Member must ensure the RTCC is submitted as soon as practicable, or in any event before the Member completes their shift. If there will be any delay in submitting the RTCC, the Member must contact the Cell Block Duty Sergeant and advise of the particulars of the arrest and anticipated delay.
- 4.5. The Member assigned to the file is the Lead Investigator and will remain so for the entire investigation and any necessary follow-up unless the role of Lead Investigator is taken over by an assigned investigative unit. The Lead Investigator will generally be the Member who completes the Occurrence Report (OR) narrative (see OP 8.4 *Occurrence Reports*). The Lead Investigator must identify themselves in the Police Will Say (PW) portion of the RTCC as the Lead Investigator.
- 4.6. The Lead Investigator must ensure that:
 - i. all required text pages have been completed in the RTCC;
 - ii. each Member mentioned in the report has submitted their Police Will Say (PW) and Police Statement (PS); and
 - iii. a Civilian Will Say (CW) is completed for each civilian witness mentioned in the RTCC.
- 4.7. Each RTCC must contain the following PRIME text pages for it to be approved and passed through the Justice Information System (JUSTIN) interface:

- i. AT – Accused Template
- ii. AL – Attachment List
- iii. BA – Bail Comments/Recommendations
- iv. CR – Concluding Remarks
- v. CP – CPIC information
- vi. OR – Occurrence Report
- vii. PW – Police Will Say
- viii. SY – Synopsis

- 4.8. Before submitting an RTCC to Crown Counsel for any traffic offence, Members are required to order certified copies of all case-relevant motor vehicle records from the Insurance Corporation of British Columbia (ICBC). Once the certified documents arrive, Members must scan them into the police report and then submit them with the RTCC to Crown Counsel.
- 4.9. List all supporting documents and police notes in the PRIME Attachments List (AL). If no police notes exist for a Member, indicate a “0” for the number of pages and “*No notes for CST. XXX #123*” in the description.
- 4.10. Submit one (1) set of the original supporting documents and a photocopy of police officer notes to the Member’s NCO, or if the accused is being held in custody, the supporting documents and police officer notes must be submitted to the Cell Block Duty Sergeant. If required, submit one (1) DVD copy of audio/video interviews in the “Attachments Envelope”. Once reviewed and approved by the NCO, the envelope should be dropped off at the Crown Liaison Unit (CLU) in the appropriate basket outside their office.
- 4.11. All Members involved in the investigation resulting in the RTCC must ensure they have a complete and up to date AD-2501 Member Conduct Disclosure Form on file with the Professional Standards Section (PSS).
- 4.12. Crown Counsel is responsible for vetting documents prior to disclosing them to Defence Counsel. However, Members will electronically edit or black out any sensitive information from the copy submitted, including:
- i. any other case information visible on pages submitted;
 - ii. identification of informants;
 - iii. information that could reasonably put the safety of witnesses or others at risk (e.g., home/work address, cellphone numbers, etc.); and
 - iv. any information that might adversely affect an ongoing investigation.
- 4.13. The Lead Investigator is responsible for all Crown Counsel requests and must complete any requests in the time period set by Crown unless the Lead Investigator has requested an extension and Crown Counsel has granted the extension. When further information is required from other

Members or witnesses, the Lead Investigator is responsible to contact these parties and ensure the information is provided.

4.14. When a Crown Counsel request must be redirected to another Member, the Member must notify CLU through a PRIME follow-up (FU) text page to whom the request needs to be redirected and submit the follow-up. Crown Counsel must not be asked to redirect requests. Members are responsible for advising CLU who is responsible to respond to the Crown Counsel request.

4.15. Members assigned to specialty investigative unit must follow the direction of the Officer in Charge (OIC) of that specific unit regarding RTCC approval and submission requirements.

Frontline Supervisor Duties:

4.16. Frontline Supervisors are responsible for the approval of RTCCs written by their Members and the Supervisor must ensure that all in-custody RTCCs are completed by the end of the Member's shift.

4.17. A Supervisor must not approve an incomplete report but will return it to the Lead Investigator for additional investigation and/or information.

Crown Liaison Unit Duties:

4.18. The CLU is responsible for ensuring that the RTCC and requested charges are presented to Crown Counsel and the necessary disclosure package has been provided.

APPENDIX A: DEFINITIONS

“Duty Officer” means the Frontline Policing Inspector on duty.

“GO” means General Occurrence Report submitted in the PRIME records management system.

“Lead Investigator” means the Member assigned to a specific file.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“NCO” means non-commissioned officer and includes the rank of Sergeant and Staff Sergeant or a Member acting in that role.

“Officer” means the rank of Inspector, Superintendent, Deputy Chief Constable, and Chief Constable.

“PRIME” means the Police Records Information Management Environment, the provincial police records management system.

“RTCC” means an investigational file with multiple reports, pages and notes sent through Police Crown Liaison to Crown Counsel for charge approval.

“Supervisor” means Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

British Columbia Prosecution Service, *Crown Counsel Policy Manual*

<https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bc-prosecution-service/crown-counsel-policy-manual>

Public Prosecution Service of Canada – *Deskbook*

<https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/d-g-eng.pdf>