

<b>TYPE OF DOCUMENT – TYPE DE DOCUMENT :</b> <b>Policy – Politique</b>	<b>EFFECTIVE DATE – ENTRÉE EN VIGEUR :</b> <b>September 1, 2015</b> <b>Le 1<sup>er</sup> septembre 2015</b>	<b>DOCUMENT ORDER – No. DU DOCUMENT:</b> <b>Policy – Politique 51</b>
<b>CHAPTER VII – CHAPITRE VII :</b> <b>Interjurisdictional and International Matters</b> <b>Questions intergouvernementales et internationales</b>	Readers are referred to the list of Related Documents at the end of this Policy for additional information. Les lecteurs peuvent se référer à la liste des documents connexes notés à la fin de cette politique pour information supplémentaire.	

## RETURN OF ACCUSED PERSONS

### 1. Introduction

A police agency may request that Public Prosecution Services pay for the return of an accused person to New Brunswick on an outstanding arrest warrant. In such circumstances, Public Prosecution Services will be responsible for the police officer’s and the accused person’s travel, accommodation, meal, and incidental expenses. The purpose of this Policy is to define the procedure for determining whether to pay for such return and the criteria to be considered in making such a determination.

### 2. Procedure

Where a police agency requests that Public Prosecution Services pay for the return of an accused person to New Brunswick, the Director of Public Prosecutions, or his or her designate, shall decide whether to approve or deny the request, taking into consideration the criteria set out in section 3 below. The Director of Public Prosecutions, or his or her designate, shall require a written estimate prior to making his or her decision, and shall provide to the police agency written confirmation of his or her decision.

Where the police agency requests that the Director of Public Prosecutions review a decision made by his or her designate, the Director of Public Prosecutions may do so.

### 3. Criteria

Where the Director of Public Prosecutions, or his or her designate, must decide whether to approve a request that Public Prosecution Services pay for the return of an accused person to New Brunswick on an outstanding arrest warrant, he or she shall consider the following factors:

- (a) the seriousness of the offence;
- (b) the criminal history of the accused;
- (c) the likelihood that the evidence against the accused is still available;
- (d) the likelihood that the accused will be detained in custody if returned;
- (e) the likelihood that the accused, if he or she is not in custody, will return if served with a proper process;
- (f) the alternative of a transfer of the charge to another province; and
- (g) whether paying for the accused person’s return is in the public interest given the cost to the public.

### 4. Related Documents

Policy 50      Transfer of Charges