



## SUPREME COURT OF NEWFOUNDLAND AND LABRADOR

### PRACTICE DIRECTIVE P.D. No. 2018-01

EFFECTIVE DATE: July 9, 2018

RULES AFFECTED: N/A

PREVIOUS PRACTICE  
NOTES REVISED: N/A

The following Practice Directive is published pursuant to Rule 1.04 of the *Criminal Proceedings Rules of the Supreme Court of Newfoundland and Labrador*.

### REQUESTS FOR PRE-SENTENCE REPORTS

#### Background and Purpose

1. In an effort to further improve efficiency at the Supreme Court, accused persons requesting a Pre-Sentence Report (PSR) will now be required to fill out a “Request for Pre-Sentence Report” form (sample attached). This form will accompany the Judicial Requisition for Pre-Sentence Report, not replace it.
2. It is anticipated that reviewing and signing a “Request for Pre-Sentence Report” form will afford the accused an opportunity to discuss the PSR process and the possible contents of the report with their counsel so that they might understand the purpose of the PSR and the obligations which must be fulfilled to properly facilitate the process. This should help avoid unproductive and unnecessary appearances resulting from difficulties faced by probation officers in the completion of the PSRs (such as the failure of an accused to attend at an agreed upon time).

#### Practice Note:

3. A person found guilty of an offence or pleading guilty to an offence, who requests a PSR under s. 721(1) will be required to fill out and sign a “Request for Pre-Sentence Report”. A copy of this form is attached. Where the person requesting

the report does not attend at the necessary times with the probation officer to complete the PSR, the court may rescind the requisition and proceed to impose the sentence without a report.

**Authorized by:**

Raymond P. Whalen  
CHIEF JUSTICE OF THE SUPREME COURT  
OF NEWFOUNDLAND AND LABRADOR

Ethel Chaulk  
REGISTRAR



**SUPREME COURT OF NEWFOUNDLAND AND LABRADOR  
REQUEST FOR PRE-SENTENCE REPORT**

Defence: \_\_\_\_\_ Crown: \_\_\_\_\_

Accused: \_\_\_\_\_ DOB: \_\_\_\_\_  
(yyyy/mm/dd)

On remand: \_\_\_\_\_  
(Name of institution)

**OR**

Address: \_\_\_\_\_  
\_\_\_\_\_ Postal Code: \_\_\_\_\_

Offences: \_\_\_\_\_

Pursuant to s. 721(1) of the **Criminal Code of Canada** the accused herein requests that a Pre-Sentence Report be prepared on the following:

Risk Assessment only

Risk Assessment and (check all that apply)

**Suitability for:**

Probation

Community Supervision

Community Service Order

**History:**

Criminal

Social

Educational/Employment

**Summary of:**

Financial/social circumstances

Available treatment services

Other \_\_\_\_\_

I, \_\_\_\_\_ (name of accused), acknowledge that I am requesting the within Report and I further acknowledge that I do so with the full understanding that the information contained in this report can/will be used by the Court in determining a fit and just sentence. I have been advised that **should I fail to keep appointments with the Report's author or otherwise fail to cooperate in the preparation of the Report, the Court may rescind the requisition for the Report and proceed to impose my sentence without any Report.**

Dated at \_\_\_\_\_ (city/town), this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Accused signature)

\_\_\_\_\_  
(Witness signature)