

SUBJECT: WITNESSES – ABSCONDING WITNESSES

POLICY

Generally, when a witness who has been properly subpoenaed to attend court fails to appear **without reasonable justification or excuse**, Crown prosecutors should request the court issue a warrant for the arrest of the witness. The warrant can be held until such time as the witness is located and the reason(s) for failing to attend court are ascertained. Crown prosecutors can also proceed with a contempt of court charge under s. 708 of the *Criminal Code*.