



## **SUPREME COURT OF NEWFOUNDLAND AND LABRADOR**

### **PRACTICE DIRECTIVE P.D. (Crim.) No. 2024-01**

**RULES AFFECTED:** *Criminal Proceedings Rules of the Supreme Court of Newfoundland and Labrador*, Rules 11.12 and 14.05

**EFFECTIVE DATE:** January 12, 2024

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

### **VARIATIONS OF RELEASE ORDERS**

#### **BACKGROUND AND PURPOSE**

1. The *Criminal Code* provides that parties may vary a release order upon the written consent of the accused, prosecutor and any sureties, pursuant to s. 519.1; consent applications may also be made under s. 523.
2. This Practice Directive sets out how variations of release orders are to be completed in the absence of consent, whether they follow an application for variation or other hearing, under the following sections.

#### **PRACTICE DIRECTIVE**

3. An application to vary the terms of a release order issued by a judge should be made in CR Form 11.02.
4. Where the judge, at the hearing, agrees that a Release Order should be granted, subject to the agreed upon financial obligations and conditions, the Registry clerk shall use the information contained in the Form to draft a Release Order in Form 11, prescribed by the *Criminal Code*.

***Where a Judge grants Judicial Interim Release***

5. Where a judge, following a hearing, grants a Release Order pursuant to s. 520, 521, 522, 523, 523.1, 524, or 525 of the *Criminal Code*, the prosecutor shall, at the conclusion of the hearing or as soon as is reasonably practicable, complete the Form in the appendix to this Practice Directive setting out the financial obligations and conditions that have been ordered by the Court.
6. The Registry clerk shall use the information contained in the Form to draft a Release Order in Form 11, prescribed by the *Criminal Code*.

Authorized by:

**Raymond P. Whalen**  
**CHIEF JUSTICE OF THE SUPREME COURT**

**Susan Foss**  
**REGISTRAR OF THE SUPREME COURT**