



Policy: <b>Perjury</b>		
Policy Code: <b>PER 1</b>	Effective Date: March 1, 2018	Cross-references:

Section 131 of the *Criminal Code* defines perjury and section 133 provides that no person shall be convicted of perjury on the evidence of only one witness, unless the evidence of that witness is corroborated.

Crown Counsel should consult a Regional Crown Counsel, Director, or their respective deputy:

- on all charge assessment decisions concerning perjury
- where, during the course of a criminal or *quasi*-criminal proceeding, a judge raises, or Crown Counsel becomes aware, that a witness may have committed perjury (prior to referring the matter to the police to consider whether to investigate)

Where, arising from a civil matter, police forward a Report to Crown Counsel containing an allegation of perjury, the factors to be considered in deciding whether a prosecution is in the public interest include:

- whether the outcome of the civil proceeding was materially affected by the alleged perjury
- whether the civil proceeding has been completed and all avenues of appeal, which would allow the allegation of perjury to be addressed within the confines of that litigation, have been explored
- whether the complaint of perjury was made at the earliest reasonable opportunity and whether there is any suggestion of bad faith in the making of the complaint