



Prosecution Test Sheet

Region: _____ Date: _____

Investigating Officer: _____ ERA File: _____

Incident Description: _____

	Contravention Act/Reg	Brief Description of Contravention	Previous ERA files
1			
2			
3			

In contemplation of prosecution, the following 3 test criteria are to be considered as factors for each contravention.

1	❖	the investigator has reasonable grounds to believe that an offence has occurred against provincial legislation or the Criminal Code of Canada
and		
2	❖	past administrative remedies or Ministry efforts or cautions have not been effective/did not prevent this offence; or the action of the offender fell below the standard of due diligence that should have been met, or was wilful; or
	❖	there is more than minimal damage to the environment, there is potential for damage to the environment, or the property or safety of persons was endangered; or
	❖	there is a significant non-compliance with legislation or regulations and
	❖	there appears to be public interest in enforcing legislation in this case.
and		
3.	❖	the evidence available demonstrates a likelihood of conviction

Investigation Officer Rationale: (attach additional rationale if req'd)

	Yes	No
Recommend Administration	<input type="checkbox"/>	<input type="checkbox"/>
Recommend Prosecution	<input type="checkbox"/>	<input type="checkbox"/>
Review of Recommendation	<input type="checkbox"/>	<input type="checkbox"/>
Region Resources Available	<input type="checkbox"/>	<input type="checkbox"/>

Investigation Officer: _____

C&E Supervisor: _____

Regional Manager: _____

REGION USE ONLY:

Region Recommendations:

Investigation Resources Discussed:

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

(yy/mm/dd)

Reviewed by Regional Manager _____