



COURT OF KING'S BENCH FOR  
SASKATCHEWAN

## CRIMINAL PRACTICE DIRECTIVE #5

### RETENTION AND RELEASE OF CRIMINAL EXHIBITS

**REFERENCE:** CRIM-PD #5

**Effective:** April 1, 2017

**Revised:** November 1, 2023

1. Subject to the specific provisions of the *Criminal Code*, the *Controlled Drugs and Substances Act* and the mandatory retention of criminal exhibits described in paragraph 2, the trial judge, with the consent of the parties, may make an order for the release of exhibits at the expiry of all appeal periods.
2. No order should be made directing the return of exhibits, following any trial, hearing or stay of proceedings, in proceedings:
  - a) involving a homicide including offences such as murder, manslaughter, or any offence causing death;
  - b) involving dangerous offender and/or long-term offender designations;
  - c) resulting in a life sentence being imposed; or
  - d) involving exhibits that have potential DNA implications.
3. All exhibits as listed within 2(a) to (d), inclusive, shall be retained for a minimum of seventy-five (75) years from the date of commencement of the file. At the expiry of seventy-five (75) years, the exhibits are to be released only by order of the Chief Justice or his or her designate.

Chief Justice M.D. Popescul  
Court of King's Bench for Saskatchewan