

SECTION 1 and 2 TO BE COMPLETED BY WORKER

SECTION 1 REQUESTOR INFORMATION

SR NUMBER

1-55711616315

REQUESTOR'S NAME

Patrick Fox

CASE NUMBER

1-55590850994

REQUESTOR'S ADDRESS

NFA, NFA

SECTION 2 DECISION TO BE RECONSIDERED

You are requesting a reconsideration of the ministry decision to deny income assistance benefits due to your status in Canada.

On 2019Jan07 you applied for income assistance. You submitted copies of your identification, including a Florida birth certificate and a BC driver's license.

On 2019Jan17 you completed an eligibility interview with a ministry worker. You stated you have no status in Canada but you cannot leave BC according to the conditions of your probation. You stated you are a US citizen, however your probation order specifies that you must not be within 100 metres of the US border. You stated you previously received income assistance under a different name. The ministry worker requested confirmation of your status in Canada from Immigration, Refugees and Citizenship Canada (IRCC).

On 2019Jan25 IRCC advised the ministry that they are unable to determine your current immigration status. IRCC stated "with the information provided, we have searched our records and have found no indication that this person has been granted or issued a certificate of Canadian Citizenship or naturalization."

On 2019Feb19 a ministry worker determined you are not eligible for income assistance as you have no status in Canada. You requested written confirmation of this decision.

Per the Employment and Assistance Act, Section 7, "for a family unit to be eligible for income assistance at least one applicant or recipient in the family unit must be

- (a) a Canadian citizen,
- (b) authorized under an enactment of Canada to take up permanent residence in Canada,
- (c) determined under the Immigration and Refugee Protection Act (Canada) or the Immigration Act (Canada) to be a Convention refugee,
- (d) in Canada under a temporary resident permit issued under the Immigration and Refugee Protection Act (Canada) or on a minister's permit issued under the Immigration Act (Canada),
- (e) in the process of having his or her claim for refugee protection, or application for protection, determined or decided under the Immigration and Refugee Protection Act (Canada), or
- (f) subject to a removal order under the Immigration and Refugee Protection Act (Canada) that cannot be executed."

No information has been submitted to indicate you meet any of the criteria above. You are not a Canadian citizen, an authorized permanent resident or a convention refugee. You are not in Canada with a temporary resident permit or a minister's permit and you are not having a claim or application for refugee status or protection heard under the Immigration and Refugee Protection Act. For this reason, you are not eligible for income assistance.

Attachments:

Relevant legislation
Signed application for assistance
Probation order
Reconsideration and Appeals brochure
List of local advocates
MYSS info sheet



EMPLOYMENT AND ASSISTANCE REQUEST FOR RECONSIDERATION

ADVOCATE

You have the right to an advocate to help you with your reconsideration. Attached is a list of advocates in your area.

DEADLINE

This Request for Reconsideration form must be signed and returned by the date in Section 2, "Date requestor must submit form by".

a. If you can provide reasons and/or evidence why the Ministry's decision should be changed by this deadline, do so.

OR

b. If you need more time to provide reasons or evidence, you may ask for an extension (more time).

EXTENSION

To ask for an extension, write on this form that you need an extension, then sign and return it to the Ministry by the date in Section 2, "Date requestor must submit form by". To maximize the amount of time you have to provide reasons or evidence, submit the form on or just before that date.

You may contact the reconsideration office to confirm the extension was approved, 778-698-7750.

WHEN TO EXPECT A DECISION

Once the Ministry receives your signed Request for Reconsideration form, it will write its reconsideration decision within 10 business days (if no extension is requested) or 20 business days (if an extension is requested).

The reconsideration decision will be mailed to you, sent by MySelfServe or available for pick up in a Ministry office.



EMPLOYMENT AND ASSISTANCE REQUEST FOR RECONSIDERATION

THE ACT AND / OR REGULATIONS THAT APPLY TO THIS DECISION ARE:

Employment and Assistance Act, Section 7

MONTH DECISION EFFECTIVE (MMMM YYYY)

February 2019

RELEVANT DATES:

DATE REQUESTOR INFORMED OF DECISION (EEEE, MMMM DD, YYYY)

Tuesday, February 19, 2019

DATE REQUESTOR MUST SUBMIT FORM BY (EEEE, MMMM DD, YYYY)

Wednesday, March 20, 2019



SECTION 3 REASON FOR REQUEST FOR RECONSIDERATION

(TO BE COMPLETED BY THE REQUESTOR ONLY AFTER SECTIONS 1 AND 2 HAVE BEEN COMPLETED BY WORKER)



**EMPLOYMENT AND ASSISTANCE
REQUEST FOR RECONSIDERATION****SECTION 4 NOTICE OF REQUEST FOR RECONSIDERATION**

(ATTACH ADDITIONAL PAGES IF REQUIRED)

(TO BE COMPLETED BY THE REQUESTOR)

IMPORTANT: The request to have the Ministry decision reconsidered must be submitted to your Employment and Assistance Office within 20 business days of when you receive the decision concerning eligibility. (see "Date Client Informed of Decision" box on page 1)

I hereby give notice that I am dissatisfied with the Ministry decision regarding my request for assistance or supplement and wish to exercise my right to request a reconsideration of this decision. I have attached all relevant documents I wish to have considered.

REQUESTOR'S SIGNATURE

DATE (YYYY-MM-DD)

TELEPHONE

FOR MINISTRY USE ONLY:

Personal information on this form is collected under the authority of the *Employment and Assistance Act* and the *Employment and Assistance for Persons with Disabilities Act* and the *Child Care Subsidy Act*. This information will be used to assess your request for a reconsideration of a decision. The disclosure of personal information is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. For more information about the collection, use and disclosure of this information, please contact your local Employment and Assistance Office.



EMPLOYMENT AND ASSISTANCE REQUEST FOR RECONSIDERATION

If you are dissatisfied with a ministry decision, you may request a reconsideration of the decision.

To notify the ministry that you want to have the decision reconsidered you must submit an *Employment and Assistance Request for Reconsideration* form. Your Employment and Assistance Worker will complete sections 1 and 2 of the form. Section 2 explains what the ministry decision is, states the month it is effective and the legislative authority on which it was based. You must complete sections 3 and 4 and return the form, along with all relevant documents you wish to have considered, to your Employment and Assistance Office within 20 business days of being notified of the ministry decision.

Upon submitting your Request for Reconsideration, the ministry will reconsider the decision. The reconsideration decision will be made within 10 business days from the date the ministry receives the completed *Employment and Assistance Request for Reconsideration* form. You will be informed in writing of the ministry's decision.

It is important that you submit all relevant documents relating to your request along with your *Employment and Assistance Request for Reconsideration* in order to ensure that all pertinent information is considered by the ministry. You are encouraged to attach a written submission with your request. If you need assistance in preparing your submission, you may contact your local Employment and Assistance Centre for a list of local community law offices or community advocacy groups.

The written submission should include:

- ☐ the issue (as you see it) that you are asking the Ministry to reconsider.
- ☐ reasons why you think the ministry decision is incorrect.
- ☐ any provision of an Act or regulation you feel is relevant to your request.
- ☐ copies of any documents supporting your request.

If you are dissatisfied with the outcome of the reconsideration, you may appeal to the Employment and Assistance Appeal Tribunal. The ministry will indicate on your Reconsideration Decision whether or not the decision may be appealed.

The ministry decision stands until a final decision is made. If the ministry decision is to reduce or discontinue your assistance, you may be eligible to receive a reconsideration/appeal supplement during the reconsideration/appeal. However, you must agree in writing to repay the amount if the final decision is in the ministry's favour. If the final decision is in your favour, you do not have to repay the reconsideration/appeal supplement.

Pursuant to subsection 22(4) of the *Employment and Assistance Act*, a tribunal panel may admit as evidence only:

- (a) the information and records that were before the minister when the decision being appealed was made, and**
- (b) oral or written testimony in support of the information and records referred to in paragraph (a).**

CONSEQUENTLY, IT IS IMPORTANT THAT YOU SUBMIT ALL RELEVANT INFORMATION WITH YOUR REQUEST FOR RECONSIDERATION.



Employment and Assistance Regulation

Citizenship requirements

7 (1) For a family unit to be eligible for income assistance at least one applicant or recipient in the family unit must be

- (a) a Canadian citizen,
- (b) authorized under an enactment of Canada to take up permanent residence in Canada,
- (c) determined under the Immigration and Refugee Protection Act (Canada) or the Immigration Act (Canada) to be a Convention refugee,
- (d) in Canada under a temporary resident permit issued under the Immigration and Refugee Protection Act (Canada) or on a minister's permit issued under the Immigration Act (Canada),
- (e) in the process of having his or her claim for refugee protection, or application for protection, determined or decided under the Immigration and Refugee Protection Act (Canada), or
- (f) subject to a removal order under the Immigration and Refugee Protection Act (Canada) that cannot be executed.

(2) If a family unit satisfies the requirement under subsection (1), income assistance and supplements may be provided to or for the family unit on account of each person in the family unit who is

- (a) a Canadian citizen,
- (b) authorized under an enactment of Canada to take up permanent residence in Canada,
- (c) determined under the Immigration and Refugee Protection Act (Canada) or the Immigration Act (Canada) to be a Convention refugee,
- (d) in Canada under a temporary resident permit issued under the Immigration and Refugee Protection Act (Canada) or on a minister's permit issued under the Immigration Act (Canada),
- (e) in the process of having his or her claim for refugee protection, or application for protection, determined or decided under the Immigration and Refugee Protection Act (Canada),
- (f) subject to a removal order under the Immigration and Refugee Protection Act (Canada) that cannot be executed, or
- (g) a dependent child.

(3) If a family unit includes a person who is not described in subsection (2),

- (a) the person's income and assets must be included in the income and assets of the family unit for the purposes of determining whether the family unit is eligible for assistance, except as otherwise provided in this regulation, and
- (b) the family unit is not eligible for any income assistance under Schedule A, hardship assistance under Schedule D or supplements under Division 1, 2, 3 or 5 of Part 5 of this regulation on account of or for the use or benefit of that person.



APPLICATION FOR ASSISTANCE (PART 2)

The personal information requested on this form is collected by the Ministry of Social Development and Poverty Reduction pursuant to sections 26(c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the *Employment and Assistance Act* and *Employment and Assistance for Persons with Disabilities Act*. If you have any questions about the collection, use or disclosure of this information, please contact the Ministry of Social Development and Poverty Reduction at 1-866-866-0800.

Family Type

☒ Single Person ☐ Couple (married or common-law) ☐ Single Person with Dependents ☐ Couple (married or common-law) with Dependents

Primary Contact

Last Name Fox	First Name Patrick	Middle Name(s) Henry
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Contact Information

Apt NFA	Address 1 (living address) NFA	City NFA	Province	Postal Code		
Apt	Address 2 (mailing address if different from living address)	City	Province	Postal Code		
Phone (778) 951-8542	Type Mobile	Alt Phone	Type	Leave messages? Yes	Email	Address on Reserve
Communication Barrier? No	Communication Supports					
Preferred Contact Method	Preferred Language English	Interpreter Required				
Applicant Primary Identification Canadian driver's licence			Applicant Secondary Identification Birth Certificate (Florida, USA)			

Current Situation

Have you (or your spouse) been homeless in the last 12 months? No	Indicate city	Describe your current living arrangement Emergency Shelter		
Facility Type	Facility Name	Service Provider Id	Release Date	Future Living Situation
Are you fleeing an abusive spouse or relative? No	Did anyone assist you with completing this online application?			
Please tell us about any changes to your circumstances or income that have caused you to apply for income assistance. Applicant cannot work in Canada, released from jail on Dec 30/2018, has 3 year probation to serve, however is USA citizen and cannot get work permit at this time. AKA Richard Riess Currently living in Emergency Shelter. Urgent need for assistance to find long term accommodation.				

Immediate Needs Assessment

Do you have an immediate need for food? Yes	Do you have an immediate need for shelter? Yes	Do you have an immediate medical need?
Applicant Life Threatening Health Need? No		





APPLICATION FOR ASSISTANCE (PART 2)

Applicant

Applying for PWD?	Approved for PWD INAC?	Prescribed Class Benefits	Youth with Intellectual Disability?	Outstanding warrant?
No	No			No

Legal Name

Last Name	First Name		Middle Name(s)	
Fox	Patrick		Henry	
Date of Birth (YYYY-MM-DD)	Gender	Aboriginal?	Aboriginal Identity	Status Indian?
1973-Nov-24	Male		No	

More Information

Previous Last Name	Previous First Name	Previous Middle Name(s)
Rless	Richard	Steven
Relationship Status		
Divorced		
Were you born in Canada?	Are you a Canadian citizen?	When did you move to Canada?
No	No	05/01/2013
When did you move to British Columbia?	Where did you move from?	
05/09/2013	Other Country	
Did you enter Canada under a sponsorship agreement?	Sponsorship Start Date	Sponsorship End Date
No		
What is your current immigration status?	What was your entry immigration type?	
Other		
Have you received financial assistance from a First Nation or Treaty First Nation in the past 60 days?	Have you received EI benefits within the past 60 days?	
	No	
Out of Province Assistance?	Location	Last Payment Date
No		
2 Year Independence?	Exemption reason	
Exempt		
Legal to work?	If not looking for work, why not?	Previous Employment
No	Has no legal status in Canada	Was moving back to USA, but was
In School?	School Type	Filed Income Tax?
No		No
	Highest Education Level	
	Bachelor's degree	

Applicant Financial

Monthly Incomes

Employment Wages	Investment	Canada Pension Plan	Canada Pension Plan Survivors	Canada Pension Plan Orphans
WorkSafe BC Benefits	Rental Property	Roomer and/or Boarder	Private Pension	Disability Pension
Old Age Security	GIS	Senior's Supplement	Spousal Support	Child Support
EI Regular	EI Sickness	EI Compassionate Care	EI Maternity	EI Parental
EI Critically Ill Child	Student Funding	Trust Income	Child Tax Benefit Amount	Tax Credits
Income Tax Refund	Band Assistance	Other Income		

Assets

Cash on hand or bank account	Retirement Savings Plan	Retirement Savings Value	Registered Owner	Locked in?
Life Insurance Policy cash value	Life Insurance Policy Name	Trust Fund Value	Trust Fund Name	
Other Asset Value	Other Asset Source			





APPLICATION FOR ASSISTANCE (PART 2)

Common Expenses

Monthly Expenses

Mortgage	Is the mortgage jointly owned?	Property Taxes	Property Insurance	Rent	Is the rent shared?
Room and Board	Room and Board paid to family?	Hydro	Heat	Gas	Phone
Strata	Joint Owner Name	Payment up to date?	Owner Sharing Accommodation?		

ADD OTHER OCCUPANTS

Last Name	First Name	Middle Name	Relationship
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ADD VEHICLES(S)

Year	Make	Model	Value	Owing	Owner	RV?
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ADD BANK ACCOUNTS

Account Balance	Bank Name	Account Holder Name	Joint Account?	Direct Deposit?	Institution Number	Transit Number	Account Number
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ADD POTENTIAL INCOME

Source	Amount	Owner
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ADD PROPERTY

Address	Value	Owner
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ADD DISPOSED ASSETS

Source	Disposed Asset Value	Owner
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DECLARATION: I declare that all the information I have provided in the application is true and complete. I understand the accuracy of the information I provide will be checked by comparing it against information held by other governments, public bodies, private agencies and individuals. The BC government may verify and obtain information to confirm my eligibility or the eligibility of my dependents.

Signature of Applicant	Date (YYYY MM DD)
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2019-01-30



Probation Order

(Prison)

Canada: Province of British Columbia

Ban - See Attachment

Police File No.
704:16-25379

Court File No.
6011:27178-2
VLC
(244069-2-KC) Van

IND

Primary Enf. Agency:

D.O.B.: November 24, 1973

Proceeded: By Indictment

☐ Interpreter present

Whereas on June 28, 2017 at Vancouver, British Columbia,

Patrick Henry Fox

(the "offender") was convicted or found guilty, as the case may be, upon the following charge(s) and on November 10, 2017 the Court adjudged that the offender be imprisoned in the Province of British Columbia as follows:

Count 1, between January 11, 2015 and May 27, 2016, at or near Burnaby BC, did commit an offence of criminal harassment, contrary to section 264 Criminal Code.

SENTENCE: Jail: [Jail Term that would have been imposed before Credit Granted: 3 Year(s); Actual Pre-Sentence Time in Custody: 17 Month(s); Credited Pre-Sentence Time in Custody: 25.5 Month(s)]; Victim Surcharge: \$200.00 Due Date: October 10, 2019; DNA Order Secondary; Probation Order 3 Year(s); Prohibition, Firearms, Mandatory Lifetime;

I have read or have had read to me and understand a total of 1 Charge

and in addition thereto, that the said offender comply with the conditions hereinafter prescribed:

Now, therefore, the said offender shall for the period stated above, from the date of expiration of imprisonment, comply with the following conditions, namely, that the said offender shall:

I have read or have had read to me and understand a total of 17 Conditions on 2 Conditions Attachment Pages

Dated / Fait le November 10, 2017 at / à Vancouver, British Columbia / Colombie-Britannique

I, the undersigned offender, acknowledge that I have received:

- a copy of the Probation Order
- an explanation of the substance of the sections dealing with changes to the Probation Order and failing to comply with the Probation Order (Sec 732.2(3) and (5), and Sec 733.1), and
- an explanation of the procedures for applying for changes to the Probation Order,

and that I understand the terms of this Probation Order and the explanations which I have received.

DECLINED TO SIGN

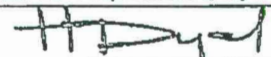
Offender / Contrevenant(e)
Address / Adresse :

203-3848 Sunset St
Burnaby, BC, Canada V5G 1T3

Phone Number / Numéro de téléphone :

Je, le(la) contrevenant(e) soussigné(e), reconnais que j'ai reçu :

- une copie de l'Ordonnance de probation
 - une explication du contenu des articles ayant trait aux changements apportés à l'Ordonnance de probation et au défaut de se conformer à l'Ordonnance de probation (Art. 732.2(3) et (5), et Art 733.1), et
 - une explication des procédures à suivre pour faire une demande de changements à l'Ordonnance de probation,
- et que je comprends les conditions de cette Ordonnance de probation et les explications que j'ai reçues.



A Clerk of the Court on behalf of / Un greffier du tribunal au nom du
The Honourable Mr./Madam Justice / Monsieur/Madame le(la) juge H
Holmes, in and for the Province of British Columbia / dans et pour la
province de la Colombie-Britannique

PCRO08DP

Prison
05/2016 HD16:12-10.11.2017

File, Police, Crown, POR, CFC, Sheriff

Page 1 of 5

Probation (Prison)

**Ordonnance de probation
(prison)**

Canada: Province de la Colombie-Britannique

☐ Interprète présent
Interdit -

Nu. de dossier de la police Nu. de dossier du greffe
704:16-25379 6011:27178-2 IND
VLC
(244069-2-KC) Van

Org. prim. d'app. de la loi :

D.D.N. : November 24, 1973
Procédé : par mise en accusation

Attendu que le June 28, 2017 à Vancouver, Colombie-Britannique,

Patrick Henry Fox

(le/la <<contrevenant(e)>>) a été condamné(e) ou reconnu(e) coupable, selon le cas, de l'(des) infraction(s) suivante(s) et le November 10, 2017 le tribunal a décidé que le/la contrevenant(e) soit incarcéré(e) dans la province de la Colombie-Britannique comme suit :

Count 1, between January 11, 2015 and May 27, 2016, at or near Burnaby BC, did commit an offence of criminal harassment, contrary to section 264 Criminal Code.

SENTENCE: Jail: [Jail Term that would have been imposed before Credit Granted: 3 Year(s); Actual Pre-Sentence Time in Custody: 17 Month(s); Credited Pre-Sentence Time in Custody: 25.5 Month(s)]; Victim Surcharge: \$200.00 Due Date: October 10, 2019; DNA Order Secondary; Probation Order 3 Year(s); Prohibition, Firearms, Mandatory Lifetime;

J'ai lu ou j'ai m'a lu et je comprends 1 inculpation

et, de plus, que ledit (ladite) contrevenant(e) se conforme aux conditions prescrites suivantes :
Pour ces motifs, ledit (ladite) contrevenant(e) devra pour la période ci-dessus prescrite à compter de la date d'expiration de la sentence d'emprisonnement, se conformer aux conditions suivantes, notamment que ledit (ladite) contrevenant(e) devra :

J'ai lu ou j'ai m'a lu et je comprends 17 conditions sur 2 pages de l'Annexe des conditions

**Probation Order/
Ordonnance de probation**

(Prison/ prison)
Canada: Province of British Columbia
Province de la Colombie-Britannique

Police File No./
Nu. de dossier de la police
704:16-25379

Court File No./
Nu. de dossier du greffe
6011:27178-2
VLC
(244069-2-KC) Van

D.O.B./ D.D.N. : November 24, 1973

Interdit -

Re/ Objet : Fox

**Conditions Attachment/
Annexe des conditions**

Condition 1: Keep the peace and be of good behaviour.

Condition 2: Appear before the Court when required to do so by the Court.

Condition 3: Notify the Court or the Probation Officer in advance of any change of name or address, and promptly notify the Court or the Probation Officer of any change of employment or occupation.

POR Condition 4: You must have no contact or communication, directly or indirectly, with Desirée Capuano, James Pendleton, or Sage Capuano, or any of their friends, relatives, employers, or co-workers. Except you may have contact with Gabriel Reiss.

Condition 5: You must report in person to a probation officer at 275 East Cordova ST., Vancouver, B.C., within 48 hours of your release from custody, and after that, you must report at least once every 4 days, in person, as directed by the probation officer.

Condition 6: You must attend, participate in and successfully complete any intake, assessment, counselling or program as directed by the probation officer, including but not limited to attendance at Forensic Psychiatric Services for assessment, counselling, or treatment, except that you should not be required to submit to any treatment or medication prescribed by the Psychiatric Services to which you do not consent. If you do not consent to the treatment or medication, you shall forthwith inform your probation officer as to why you do not consent. ...

Condition 7: When first reporting to the probation officer, you must inform him or her of your residential address and phone number. You must not change your residence or phone number without written permission from your probation officer given in advance.

Condition 8: You must provide your probation officer with the particulars of your employment including any self-employment. You must inform your probation officer within two business days of any change in your employment.

Condition 9: You must not leave British Columbia unless you have the written permission of the probation officer, and you must carry the permission when you are outside of the province. ~~and you must carry the permission when you are outside of the province.~~ HD

Condition 10: You must not be within 100 metres of the United States border.

Conditions continue on next Conditions Attachment Page/ Suite à la prochaine page de l'Annexe des conditions

**Probation Order/
Ordonnance de probation**

(Prison/ prison)
Canada: Province of British Columbia,
Province de la Colombie-Britannique

Police File No./
Nu. de dossier de la police
704:16-25379

Court File No./
Nu. de dossier du greffe
6011:27178-2
VLC
(244069-2-KC) Van

D.O.B./ D.D.N. : November 24, 1973

Interdit -

Ref/ Objet : Fox

**Conditions Attachment/
Annexe des conditions**

Conditions continued from previous Conditions Attachment Page/ Suite de la page précédente de l'Annexe des conditions

Condition 11: Immediately upon your release from custody, you must attend the Burnaby RCMP Detachment at 6355 Deer Lake Avenue. You must present a copy of this order to a peace officer there, and you must accompany a peace officer to the location of all travel documents in your possession, including any passport, Nexus card, travel visa, or enhanced driver's license. You must surrender all such items to the peace officer and thereafter not obtain any further travel documents.

Condition 12: You must not disseminate, distribute, publish or make publicly available in any manner whatsoever, directly or indirectly, information, statements, comments, videos, or photographs which refer to or depict, by name or description, Desiree Capuano, James Pendleton, Sage Capuano, or any of their friends, relatives, employers, or co-workers.

Condition 13: Within 24 hours of your release from custody you will take all necessary steps to ensure that any website, social media page, or other publication, which you have authored, created, maintained or contributed to, which contains any information, statements, comments, videos, pictures which refer to or depict, by name or description, Desiree Capuano, James Pendleton, or Sage Capuano, or any of their friends, relatives, employers, or co-workers, including the website published under the domain www.desireecapuano.com, is no longer accessible via the internet or by any other means.

Condition 14: You must not use the internet or any computer or cellular network except as required to fulfill condition 13, for the purpose of employment, or for sending personal emails.

Condition 15: Provide any email address you use, and a list of any email addresses you correspond with to your probation officer.

CFC Condition 16: You must not possess, either personally or through another person, any firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, ammunition or explosive substance, anything that resembles a weapon or firearm, any weapon as defined in section 2 of the Criminal Code, or any related authorizations, licences or registration certificates.

CFC Condition 17: Immediately upon your release from custody, you must attend the Burnaby RCMP Detachment at 6355 Deer Lake Avenue, you must present a copy of this order to a peace officer there, and you must accompany a peace officer to the location in Canada of all firearms, crossbows, prohibited weapons, restricted weapons, prohibited devices, ammunition or explosive substances and all weapons, imitation weapons including imitation firearms possessed by you or through another person, and any related authorizations, licences, or registration certificates. You must surrender all such items to the peace officer. You are also to advise the peace officer of the location outside of Canada of any of the items described in this condition.

I have read or have had read to me and understand a total of 17 Conditions on 2 Conditions Attachment Pages/ J'ai lu ou j'ai m'a lu et je comprends 17 conditions sur 2 pages de l'Annexe des conditions

**Probation Order/
Ordonnance de probation**

(Prison/ prison)

Canada: Province of British Columbia
Province de la Colombie-Britannique

☒ Ban

D.O.B./ D.D.N. : November 24, 1973

Re/ Objet : Fox

**Related File/Ban Attachment/
Annexe de dossiers connexes/interdit**

Police File/ Dossier de la police	Court File/ Dossier du greffe	Proceeded/ Procédé	Ban/Interdit
704:16-25379	6011:27178-2	IND	Publication CCC 517(1) Publication CCC 486.5(1) Publication CCC 539(1) Inherent Jurisdiction Other
	VLC (244069-2-KC) Van		

Important Information for a Person Placed on Probation

1. Changes to a Probation Order

Criminal Code Section 732.2(3)

You may apply to change or cancel a condition of your *Probation Order*, or reduce the time you will be on probation. Ask the Court Registry for an *Application to a Judge* form, to make this request.

The probation officer or the prosecutor may also ask to change or cancel a condition of your *Probation Order*, or to reduce the time you will be on probation.

You may have to appear in court, and the Court may issue a *Warrant* or *Summons* to make you appear.

If any changes are made, you will have to sign the changed *Probation Order* and you will receive a copy.

Criminal Code Section 732.2(5) and Section 730(4)

The prosecutor may ask to have you come back to court if you are convicted of another offence, including breach of probation, as long as:

- you have not appealed that conviction, or
- you are out of time to appeal it, or
- your appeal was dismissed, or
- you do not intend to appeal.

The Court may then:

- revoke a *Suspended Sentence* or a *Conditional Discharge* and give you a different sentence, or
- change the additional conditions, or
- extend your probation by up to one more year.

2. Failure to Comply with a Probation Order

Criminal Code Section 733.1

If you are on probation and fail to comply with the order, you can be charged with "breach of probation". If the Court finds you guilty of a breach of probation, you can be sentenced to:

- a jail term for up to four years, if the Crown proceeds by indictment, or
- a jail term for up to eighteen months, or a fine of up to \$5,000.00, or both if the Crown proceeds by summary conviction.

Your court appearance for a breach charge does not have to be where your *Probation Order* was made. You may appear in the court closest to where the offence happened, or where you were found, arrested, or in custody.

3. Changes to Personal Information

If you change your name or address, you must notify the Court or your probation officer of any change in advance. Any changes to other personal information, including your employment or occupation must be reported to the Court or your probation officer. To report any changes, you should ask the Court Registry or your probation officer for a *Notice of Change of Personal Information* form.

This is an information sheet. In the event of any conflict between this information and any Act(s) or law, the provisions of the Act(s) apply.

Renseignements importants à l'intention d'une personne mise en probation

1. Modification d'une ordonnance de probation

Article 732.2(3) du *Code criminel*

Vous pouvez faire une demande de modification ou d'annulation d'une condition de votre *ordonnance de probation* ou de réduction de la durée de votre mise en probation. Pour ce faire, demandez un formulaire de Demande à un Juge au greffe de la cour.

L'agent de probation ou le(la) poursuivant(e) peut également demander de modifier ou d'annuler une condition de votre ordonnance de probation, ou de réduire la durée votre mise en probation.

Vous devrez peut-être comparaître devant un tribunal et le tribunal peut émettre un *mandat* ou une *somation* pour vous obliger à comparaître.

En cas de changement, vous devrez signer l'*ordonnance de probation* modifiée et vous en recevrez une copie.

Articles 732.2(5) et 730(4) du *Code criminel*

Le(la) poursuivant(e) peut demander votre comparution devant le tribunal si vous êtes déclaré(e) coupable d'une autre infraction, y compris un manquement aux conditions de la probation, pourvu que :

- vous n'avez pas interjeté appel de cette déclaration de culpabilité, ou
- le délai d'appel soit expiré, ou
- votre appel ait été rejeté, ou
- vous n'avez pas l'intention d'interjeter appel.

Le tribunal peut alors :

- révoquer une *condamnation* avec sursis ou une *libération conditionnelle* et vous infliger une peine différente, ou
- modifier les conditions supplémentaires, ou
- prolonger la durée de votre probation d'au plus un an.

2. Défaut de se conformer à une ordonnance de probation

Article 733.1 du *Code criminel*

Si vous avez été mis(e) en probation et que vous omettez de vous conformer à l'ordonnance, vous pouvez être inculpé(e) d'un manquement aux conditions de la probation. Si le tribunal vous reconnaît coupable d'un manquement aux conditions de la probation, vous pouvez être condamné(e) à :

- une peine d'emprisonnement d'au plus quatre ans, si la Couronne procède par mise en accusation, ou
- une peine d'emprisonnement d'au plus dix-huit mois, ou une amende d'au plus 5 000 \$, ou les deux, si la Couronne procède par déclaration sommaire de culpabilité.

Votre comparution devant le tribunal pour manquement aux conditions de l'ordonnance ne doit pas nécessairement se faire au lieu où l'ordonnance de probation a été rendue. Vous pouvez comparaître devant le tribunal le plus près du lieu où l'infraction a été commise, ou du lieu où vous avez été trouvé(e), arrêté(e) et mis(e) sous garde.

3. Changements de renseignements personnels

Si vous changez de nom ou d'adresse, vous devez en aviser le tribunal ou votre agent de probation à l'avance. Vous devez également informer le tribunal ou votre agent de probation de tout autre changement de renseignements personnels, y compris un changement d'emploi ou de métier ou profession. Afin de signaler un changement quelconque, vous devriez demander le formulaire *Avis de changement de renseignements personnels* au greffe de la cour ou à votre agent de probation.

La présente est une feuille de renseignements. En cas de conflit entre ces renseignements et une ou plusieurs lois, les dispositions de la (des) loi(s) s'appliquent.