

244069-10-BC
Vancouver Registry

In the Provincial Court of British Columbia
(BEFORE THE HONOURABLE JUDGE ST. PIERRE)

Vancouver, B.C.
March 21, 2023

REX

v.

PATRICK HENRY FOX

PROCEEDINGS (Confirm Trial Date)

BAN ON PUBLICATION 486.5(1) CCC

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**Crown Counsel appearing by
videoconference:**

R. Elias

**Appearing on his own behalf by
videoconference:**

P. Fox

Proceedings**BAN ON PUBLICATION 486.5(1) CCC**

1 Vancouver, B.C.
2 March 21, 2023
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4 (VIDEOCONFERENCE COMMENCES)
5 (CSL R. ELIAS FROM REMOTE LOCATION)
6 (ACCUSED FROM REMOTE LOCATION)
7
8 CNSL R. ELIAS: Yes, thank you, Your Honour, number 21,
9 please.
10 And Your Honour, for the record, it's Elias,
11 E-l-i-a-s, first initial R. I use he and him
12 pronouns and I'm here for the Provincial Crown.
13 I see Mr . Fox in the video room there.
14 THE COURT: Yes. Mr. Fox, you can hear us okay?
15 THE ACCUSED: Yes, I can hear you.
16 THE COURT: Thank you. All right.
17 CNSL R. ELIAS: And Your Honour, we are mid-trial with
18 Mr. Fox right now. There was a -- our last trial
19 date was March 27th and there was an adjournment
20 for -- for a disclosure request that Mr. Fox has
21 made. Today was just the second check-in to see
22 how that was progressing and confirm that our next
23 trial date, March 28th, can proceed and, in my
24 view, it can. We received Mr. Fox's request last
25 week.
26 THE COURT: You said you were last in court -- I'm -- I
27 thought you said --
28 CNSL R. ELIAS: March 7th.
29 THE COURT: March 7th. I thought you said 27th. Okay.
30 March 7th.
31 CNSL R. ELIAS: I probably misspoke, Your Honour, I
32 apologize.
33 THE COURT: And who's -- who's the judge who's seized?
34 CNSL R. ELIAS: Judge Oulton.
35 THE COURT: Judge Oulton. Okay. There was a --
36 there's a -- Mr. Fox's disclosure request.
37 Mr. Fox, are you receiving anything?
38 THE ACCUSED: I have not received any response or
39 further information regarding the recent
40 disclosure.
41 THE COURT: Okay. And so, you haven't received any
42 mail or word from the Crown with respect to --
43 CNSL R. ELIAS: That's correct, Your Honour .
44 THE COURT: All right. Yes.
45 CNSL R. ELIAS: Oh , sorry, I apologize for
46 interrupting.
47 THE COURT: Yes, Mr. Elias.

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1 CNSL R. ELIAS: We've received -- we've received his --
2 his request. We're working on it. I got an
3 update from the VPD yesterday with a preview of
4 some of the material they're gathering.

5 THE COURT: Yes.

6 CNSL R. ELIAS: And I hope to have that ready to go to
7 Mr. Fox in the next day or two. So, it's cutting
8 it a little tight --

9 THE COURT: Mm-hmm.

10 CNSL R. ELIAS: -- given that it takes one or two days
11 to get the material to him.

12 Other elements of his request, the Crown is
13 going to take the position that it's not relevant.
14 So, regardless, in my -- in my view, we should
15 return before Judge Oulton on the 28th to discuss
16 the disclosure matters and see if we can proceed
17 with the trial. I hope that we can.

18 THE COURT: Okay. All right. Mr. Fox, I guess the
19 upshot of that is you're either going to be
20 satisfied or not. But on the 28th, you can bring
21 those concerns to Judge Oulton and deal with it on
22 the record in front of the trial judge; okay?

23 So, I'll -- I'll maintain the 28th date,
24 then.

25 You're coming in person on that date.

26 THE ACCUSED: Yes.

27 THE COURT: Yes, okay. Thanks, Mr. Fox.

28 THE ACCUSED: Thank you.

29 CNSL R. ELIAS: Thank you, Your Honour. And that's my
30 only matter before you today.

31 THE COURT: Okay. Thanks, Mr. Elias.

32

33 (VIDEOCONFERENCE CONCLUDED)

34

35 (PROCEEDINGS ADJOURNED TO MARCH 28, 2023, AT
36 9:30 A.M.)

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39 Transcriber: P. Moore

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I hereby certify the foregoing to
be a true and accurate transcript
of the evidence recorded on a sound
recording apparatus, transcribed to
the best of my skill and ability.

A handwritten signature in blue ink, appearing to read "P. Moore". The signature is fluid and cursive, with a large initial "P" and a stylized "M" followed by "ore".

P. Moore
Court Transcriber