



December 16, 2021

PARTICULARS IN THE MATTER OF

REGINA v. FOX, Patrick Henry

COURT FILE NO. 244069-8B

TRIAL DATE: November 23, 2021

TO: THE ACCUSED PERSON AND THEIR LEGAL COUNSEL

As of the week of December 20, 2021 via courier to accused at North Fraser Pre-Trial – kg

One **laptop device** containing:

- ✓ Bail Hearing Transcript 2021-08-18 (18 pgs);
- ✓ All disclosure as listed below.

As December 15, 2021 via courier to accused at North Fraser Pre-trial – kg

One **laptop device** containing:

- ✓ Interview Transcript 2020-09-17 (52 pgs);
- ✓ Trial Transcript 2020-11-26 (45 pgs);
- ✓ Sentencing Transcript 2021-04-12 (11 pgs);
- ✓ All disclosure listed below.

As of November 10, 2021 via courier to accused at North Fraser Pre-trial – kg/edc

One **external storage device** containing:

- ✓ The below listed material current to October 20, 2021
- ✓ RTCC version 2 (79 pages total); and
- ✓ Forensic Acquisition Summary (26 pgs).

As of October 20, 2021 via courier to accused at North Fraser Pre-trial – edc

One **external storage device** containing:

- ✓ Initial Disclosure (as listed below);
- ✓ RTCC version 1 (as listed below); and
- ✓ Multimedia (as listed below).

As of September 15, 2021 via courier to accused at North Fraser Pre-trial – ns

One **external storage device** containing:

- ✓ Initial Disclosure (as listed below);
- ✓ RTCC version 1 (84 pages total); and
- ✓ Multimedia:
 - Surveillance Video 1;
 - Surveillance Video 2;
 - Surveillance Video 3;
 - Surveillance Video 4;
 - Recording of Arrest;
 - Recording of Escort;
 - FOX, Patrick Henry – Statement (Audio);
 - FOX, Patrick Henry – Statement (Video 1); and
 - FOX, Patrick Henry – Statement (Video 2).

Initial Disclosure August 31, 2021 via courier – edc

- ✓ Information #244069-8B (1 pg);
- ✓ Criminal Record (2 pgs);
- ✓ JUSTIN Conviction List (2 pgs);
- ✓ Arrest and Booking Report (1 pg);
- ✓ Report to Crown Counsel (6 pgs);
- ✓ Accused Information (1 pg); and
- ✓ Probation Order 244069-7B (5 pgs).

The above-noted material is contained on a **password protected external storage device, serial number # A25-3PL256-500** (the “Device”). The password to access the device will be provided in a separate letter.

The enclosed Device remains the property of the BC Prosecution Service and the Ministry of Attorney General and is provided to you on your undertaking to return it to this office forthwith upon the conclusion of this case or upon your ceasing to act for the accused.

Please note that subsequent disclosures will be provided to you on the same Device. Please transfer the disclosure package to your computer and contact Nicole or Elizabeth to arrange for the return of the Device to our office so that new disclosure material may be uploaded to the Device. As the entire contents of this Device will be erased and reloaded with each new disclosure set, do not save any work product or material onto the Device.

TO THE ACCUSED

TAKE NOTICE THAT this disclosure material is provided to you for the sole purpose of assisting you to make full answer and defence in this prosecution. You must not use the material for any other purpose or for any other case.

1. The material may contain private or confidential information. You must keep it secure and not copy it or provide to any other person, other than your legal counsel, without the prior written permission of Crown Counsel.
2. The conditions set out above also apply to any further or additional disclosure material provided to you in relation to this prosecution.
3. If you are unable or unwilling to comply with these conditions, please immediately return the material to Crown Counsel.
4. If it is your intention to apply to exclude evidence under the section 24(2) of The Canadian Charter of Rights and Freedoms, you must give the Crown timely notice of the evidence you intend to rely on to support your application as well as the specifics of your argument and any remedy you seek.

TO THE ACCUSED AND DEFENCE COUNSEL

TAKE NOTICE THAT the Crown intends to produce the documents and records contained in this disclosure material, and any related testimony, at the trial or preliminary inquiry, pursuant to the *Canada Evidence Act*, *BC Evidence Act*, *Controlled Drugs or Substances Act* or the *Criminal Code*.

TO DEFENCE COUNSEL

TAKE NOTICE THAT this disclosure material is provided to you for the sole purpose of assisting the accused to make full answer and defence in this prosecution and not for any other purpose or any other case and also on the following conditions:

- a) You must keep the material in a secure fashion.
- b) You may permit access to the material or copy it for the use of the accused or persons acting under your supervision (for example, articling students, associate counsel, paralegals) in the preparation and presentation of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- c) You must not copy or provide access to the material to any person or counsel who is not acting under your supervision. Notwithstanding the foregoing, you may copy the material and use it

in conducting the defence (for example, in cross-examining a witness, providing material to the court, or providing witnesses with copies of their own statements).

- d) You may permit access to the material or copy it for the use of any expert retained to assist in the preparation and conduct of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- e) You must not permit access to the material by or copy it for any person other than those referred to in conditions 2, 3, and 4, above, without the prior written consent of the Crown or a court order.

- f) If you are unable or unwilling to comply with any of these conditions, please immediately return this disclosure material to Crown Counsel.

VANCOUVER CROWN COUNSEL OFFICE

Enclosures