

**Statement of Patrick FOX**

Statement Date: 2016/06/16

Statement Time: 19:10 hours

HM: Cst. MONTAGLIANI

PF: Patrick FOX

**Corrected by Constable Montagliani on August 2<sup>nd</sup>, 2016.**

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1. HM: This is Cst. MONTAGLIANI reg number 60669 June 16<sup>th</sup> 2016, 19:10 hours Burnaby RCMP file 2016-25379 just doing the post access to counsel (inaudible). Alright come on out. Just ah hang tight right there.
2. PF: Mmm hmm.
3. HM: Okay so did you speak to a lawyer of your choice?
4. PF: I spoke to whoever it was that was on the phone. I didn't choose him.
5. HM: You didn't choose a lawyer?
6. PF: No just whoever came on the phone there.
7. HM: Okay so that was the legal aid counsel,
8. PF: Yeah okay sure.
9. HM: And prior to that you said that you wanted to talk to a public defender.
10. PF: Sure yes,
11. HM: So,
12. PF: I thought you meant like somebody that I chose by name somebody,
13. HM: Okay.
14. PF: That I explicitly requested.
15. HM: Yeah we can put you in touch with any lawyer you wish,
16. PF: Sure.
17. HM: But ah at this point did you speak to the lawyer that ah, you chose?
18. PF: I spoke yes to the legal aid person I suppose.
19. HM: Name of the lawyer?
20. PF: I'm sorry?
21. HM: Name of the lawyer?
22. PF: I have no idea.
23. HM: Okay he didn't tell you his name?
24. PF: I don't recall.
25. HM: Okay. So do you understand the legal advice that ah you receive?
26. PF: Yes I do.
27. HM: Okay.

28. PF: And I don't entirely agree with it.
29. HM: Okay.
30. PF: He urged me not to talk to the police.
31. HM: Okay.
32. PF: Which I understand in most cases that would be the right thing to do because the person doesn't really know much about the law and they could incriminate themselves but I think usually I'm okay talking to the police.
33. HM: Okay.
34. PF: Because I know what things not to say.
35. HM: Okay. Did your lawyer tell ya that they'd be coming down to the police station to provide you with any advice in person?
36. PF: No.
37. HM: Okay. Perfect. Okay so I'll take ya back to your cell. Now that we've done that okay?
38. PF: Sure.
39. HM: Okay head down this way.
40. PF: Um, but can you tell me ah, what is the (inaudible)
41. HM: Okay so well like I said you've been arrested so you're not detained you're now arrested (inaudible) police custody.
42. PF: Yes I understand.
43. HM: So I will be back, my partner's gonna come back and talk to you in a few minutes here okay?
44. PF: Okay.
45. HM: I just wanted to make sure you had a chance to access counsel.
46. PF: Sure.
47. HM: Okay? And then we'll go from there.
48. PF: Um do you (inaudible) at this point that (inaudible) probably be going (inaudible) the morning and see a judge or something?
49. HM: You have to be presented in front of a judge within 24 hours.
50. PF: Well I understand I have that right.
51. HM: Yes.
52. PF: But the police also have the discretion to do the um what's it called ah,
53. HM: We can do a bail hearing and that,
54. PF: (inaudible) ah own recognizance thing like that last time,
55. HM: Yeah.
56. PF: Back in July.

57. HM: When you're gonna be presented before a JP.

58. PF: Okay.

59. HM: So be back in a few minutes okay?

60. PF: Sure.

61. HM: Thanks. Concluded here.

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