

From: Carey Linde
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Subject: CD in jail for fighting for his trans child

To the Media and public

CD, father fighting state sanctioned laws which can remove Guardian rights from parents, is currently in jail pending his trial.

He is charged with criminal contempt of court.

Trial was initially set for April 12. It has now been reset to commence at 10 AM on April 13 at the Law Courts in Vancouver.

CD and the agent for David Eby, Atty. Gen. for the province of British Columbia, have reached a plea agreement.

CD will admit to willfully breaching certain orders of the Supreme Court. He will accept 18 months probation and one month for time spent in custody.

These terms are subject to the discretion of the judge. If they are granted, CD should be released from custody later on that day.

One point off disagreement remains:

Upon his admissions to the court CD will ask for a conditional discharge. This means that provided he fully obeys the terms of this probation order, he will have no criminal record.

The crown, on the other hand, objects to and will argue against giving CD a conditional discharge.

It is important to understand a finding of criminal contempt of court, arising as it does out of common law and it not being in the criminal code, results in a criminal record that is not quite the same as a conviction for a criminal court offense. Undoubtedly crown will emphasize this point.

Important note to media:

At the bail hearing last month a non-Canadian resident attending by phone illegally recorded the entire hearing and posted it on a Canadian website. This fact has been brought to the attention of our judge.

Pre COVID there never was a right for the media or anyone to attend by phone. I only mention this because our judge has the discretion to deny phone access.

Therefore, media may wish to more formally register with the Supreme Court. The judge still has the discretion to deny registered media by phone.

Alternatively and perhaps in any event, media – and the public - are advised to attend in person which is permitted. There will be an overflow room provided.

Thank you,
Carey Linde
Counsel for CD