

## YUKON COMMUNITY WELLNESS COURT WAIVER

I, \_\_\_\_\_, understand that I have been charged with offence(s) on the following Information(s):

I understand that I have a choice to plead guilty or not guilty to the offence(s).

I understand that I have a right to receive all the details of the Crown's case against me and to retain and instruct legal counsel to assist me with respect to these charges before I am required to enter a plea.

I understand that I may choose to plead guilty to this offence, or to some or all of the offences with which I am charged, and to participate in the Community Wellness Court Program ("CWC Program"). No one can force me to participate in the CWC Program and it is entirely up to me whether I choose to do so.

### **AS A RESULT OF MY CHOICE TO PARTICIPATE IN THE CWC PROGRAM:**

I will plead guilty and accept responsibility for each offence, subject to any plea negotiations.

I waive my right to be sentenced as soon as practicable.

Until such time as the above-listed Informations are dealt with or my participation in the CWC Program is finished, I waive my right under s. 8 of the *Canadian Charter of Rights and Freedoms* to be free from unreasonable search and seizure as follows:

1. If I am placed on an Undertaking to a Peace Officer or Officer in Charge, Undertaking to a Justice of the Peace or Judge, or a Recognizance that contains a term requiring me to abstain absolutely from the possession or consumption of alcohol and non-prescribed drugs, I consent:

a) to a further term that requires me to provide a breath sample and/or urine test to a Bail Supervisor or Treatment Team member on a random request or demand and/or to an RCMP officer on request or demand who has grounds to believe that I have consumed alcohol or non-prescribed drugs;

b) to submit to such a request or demand by a Bail Supervisor, Treatment Team member or RCMP officer;

c) to the results from any such breath or urine tests being reported to the Crown, CWC Judge, Bail Supervisor or Treatment Team member.

2. In providing this consent, I understand that the test results from any samples I provide will not be used by the Crown to prosecute me for breaching my terms of release on an Undertaking to a Peace Officer or Officer in Charge, Undertaking to a Justice of the Peace or Judge, or Recognizance.

- I have read this Waiver
- Someone else has read this Waiver to me.

In waiving my rights herein, I have had an opportunity to talk to a lawyer about the criminal charges I face, the Crown's evidence against me, and the meaning of the consents and waivers I have given.

By signing this Waiver I have voluntarily chosen to participate in the CWC Program and to waive my rights as set out above.

DATE:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Applicant