



DATE: April 27, 2001

Memorandum

TO: ALL CROWN
ATTORNEYS (WINNIPEG
& RURAL)

FROM: Rob Finlayson
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SUBJECT: Graffiti (Mischief – Criminal Code of Canada)

As part of the Government's overall plan to address the problem of increased incidents of graffiti please note the following directive to all Crown Attorneys:

Where a guilty finding is entered against an offender, the Crown should request, in addition to any other sanction, a probation order with the following conditions:

1. Payment of restitution (if known);
2. An order that the offender perform at least 50 hours of community service work, including removal of the graffiti as soon as reasonably practical.

Offences Related to Gang Activity or Repeat Offenders

1. Where evidence demonstrates that the graffiti was part of gang activity or in the case of an accused who has a related conviction, a significant fine should be sought, unless there are highly unusual circumstances. This should be in addition to the order of restitution and community service work.

Rob Finlayson

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