

## Peace Bonds - Section 810 Criminal Code of Canada

A Peace Bond is a criminal procedure dealt with in Provincial Court. A person who fears that another person will cause them personal injury or death, cause their family personal injury; or cause damage to their property, may lay information before a justice of the peace. This application is made under the Criminal Code. A Judge will hold a hearing to determine if there is a reasonable concern for fear.

The person laying the information and the person about whom the complaint is laid will have to attend the hearing before the Judge of the Provincial Court to give evidence. The person about who the complaint is laid is entitled to have a lawyer represent him or her. Since there is no finding of innocence or guilt, there is also no conviction and no criminal record.

Once the Judge has found that there are grounds for fear, an order may be made for the defendant to enter into a recognizance, with or without sureties, to keep the peace. This recognizance may contain any reasonable condition. The Judge may also include a term that the defendant will go to prison if there is a violation of the recognizance. Failure to enter into a recognizance and breach of a condition of recognizance are criminal offences.

This procedure is very simple and economical from the victim's perspective because the Crown Prosecutor handles the case.

The best way to proceed in making an application for a peace bond is to contact your local RCMP detachment to determine if a peace bond may be applicable, and if, to ask for assistance in making this application before the courts.