

IN THE TERRITORIAL COURT OF YUKON
Before His Honour Chief Judge Phelps

REX

v.

PATRICK ALLEN PARKER

Appearances:

Neil Thomson
Mark Chandler

Counsel for the Crown
Counsel for the Defence

**This decision was delivered from the Bench in the form of Oral Reasons.
The Reasons have since been edited without changing the substance.**

REASONS FOR SENTENCE

[1] PHELPS T.C.J. (Oral): Patrick Parker is before the Court having entered guilty pleas to two offences: one contrary to s. 266; and one contrary to s. 733.1(1) of the *Criminal Code*.

[2] The facts are that Mr. Parker attended on October 5, 2025, at the Edgewater Hotel. He knocked on the door of Nicole Simard. She answered the door, was not expecting him, and he proceeded to assault her by punching her in the ribs and in the face. He then proceeded into the room and passed out.

[3] RCMP attended at the hotel and located Mr. Parker in the hotel room.

Ms. Simard suffered injuries including pain in her ribs and swelling in her face.

[4] While in custody on November 24, 2025, an inmate assaulted a corrections officer by punching the officer in the face. Mr. Parker tried to intervene by coming in between the assailant and the corrections officer. More officers attended. Both the assailant and Mr. Parker were handcuffed, shackled, and removed from the location.

[5] Mr. Parker, while being escorted away, complained about soreness to his shoulder. The corrections officer shouted at him not to look at the person trailing them holding the camera. When Mr. Parker did not comply, the corrections officer struck Mr. Parker in the back of the head, causing his face to hit a desk, after which he was then tackled to the ground. He suffered a strained wrist, swelling in his face, welts on his back, and a bloody nose.

[6] Counsel are before the Court indicating that Mr. Parker is 34 years old. He does have an extremely lengthy criminal record that has been filed as an exhibit with many entries in the last several years. However, they come before the Court with a joint submission, noting that the early guilty pleas with respect to this matter in the circumstances and foregoing the necessity of a *Charter* application with respect to the incident that occurred at the Whitehorse Correctional Centre.

[7] Counsel have indicated that Mr. Parker should receive significant mitigation as a result of his plea, which I agree with, and mitigation in relation to the assault that he suffered at the Whitehorse Correctional Centre.

[8] Mr. Parker is of Tahltan First Nation descent. He does not have a significant recent work history, and he is known to the Court to suffer with addiction-related issues.

[9] The submission before the Court, which I will adhere to, is as follows.

[10] With respect to the s. 266 *Criminal Code* offence, the assault on Nicole Simard from October 5, 2025, the sentence will be 113 days time served, followed by 12 months of probation.

[11] With respect to the offence contrary to s. 733.1(1) of the *Criminal Code*, 30 days concurrent, time served.

[12] The terms of your probation order will be as follows:

- (a) Keep the peace and be of good behaviour;
- (b) Appear before the court when required to do so by the court;
- (c) Notify the court in advance of any change of name or address and promptly of any change in employment or occupation;
- (d) Have no contact, directly or indirectly, or communication in any way with Nicole Simard and you are not to go to any known place of residence, employment or education of Nicole Simard;
- (e) Not go to or attend on the property of the Edgewater Hotel located at 101 Main Street, Whitehorse, Yukon; and

(f) For the first four months of this order, you are to abide by a curfew by being inside your residence or on your property between 11:00 p.m. and 6:00 a.m.

PHELPS T.C.J.