

.Citation: *R. v. Cardinal*, 2026 YKTC 9

Date: 20260212
Docket: 24-00216
24-00216B
24-00216C
24-00378
Registry: Whitehorse

IN THE TERRITORIAL COURT OF YUKON

Before His Honour Chief Judge Phelps

REX

v.

COREY ROBERT CARDINAL

Appearances:
Andreas Kuntz
Corey Cardinal

Counsel for the Crown
Appearing on his own behalf

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 C.J.T.C. (Oral): We are here to address Informations 24-00216, 24-00216B, and 24-00216C, as well as 24-00378. All of these matters were before me for sentencing submissions previously and we are here for my reasons.

[2] Mr. Cardinal was found guilty after trial on two counts from April 1, 2024, for offences arising from one incident, contrary to s. 344(1)(b) of the *Criminal Code*, being

robbery of a convenience store while armed with a knife, and, contrary to s. 351(2) of *Criminal Code*, for having his face masked during the robbery.

[3] Mr. Cardinal has pled guilty to one count from October 31, 2024, contrary to s. 145(5)(a) of the *Criminal Code*, for failing to comply with the condition of his release order, requiring him to attend a 90-day treatment program. He has also pled guilty to one count from May 28, 2024, contrary to s. 129(a) of the *Criminal Code*, for fighting and resisting arrest.

[4] The facts regarding the s. 334(1)(b) and the s. 351(2) offences are that on April 1, 2024, Mr. Cardinal entered the Petro-Canada convenience store on 4th Avenue in downtown Whitehorse shortly after 6:00 a.m. He was wearing a mask when he entered the store, which remained on until after he left the store. The style of mask was that which was commonly worn during COVID-19 and was black in colour.

[5] There were two employees in the store, one male and one female. Mr. Cardinal approached the counter and purchased a candy bar from the male employee. The male employee left the counter area and moved towards the entrance. The female employee, 20 years old at the time, was left alone behind the counter.

[6] Mr. Cardinal pulled a large knife out of his backpack. The female employee estimated the blade to be 20 centimetres long. He held the knife straight out in front of him and up about the height of his eyes as he walked around the counter and towards the female. As he was approaching, he said, "Give me all the money or I will kill you." The female was visibly surprised and opened the cash register as Mr. Cardinal approached her. She handed him the money from the register as he stood next to her.

Mr. Cardinal then left the store with the money in his backpack. The total amount was under \$200.

[7] The facts in relation to the s. 129(a) offence are that Mr. Cardinal had been released on a release order on May 3, 2024. On May 28, 2024, RCMP received a call from a resident in downtown Whitehorse regarding a male in their yard causing a disturbance. The RCMP located Mr. Cardinal, who was talking to himself and not acknowledging the RCMP. He was ultimately placed under arrest and was uncooperative, stiffening his body, and was taken to the ground. He continued to struggle, tried to remove items from the officer's utility belt, and attempted to bite the officer.

[8] The facts on the s. 145(5)(a) offence are that the robbery trial that commenced October 15, 2024, was adjourned for continuation at a later date. Mr. Cardinal successfully applied for bail on October 29, 2024, and was placed on a release order that included the term:

You must attend and actively participate in the 90-day treatment program at The Red Road Ranch and complete it to the satisfaction of your Bail Supervisor. ...

[9] Mr. Cardinal's release required that he be transported from the Whitehorse Correctional Centre to the airport. On November 1, 2024, he was transported to the airport, with airline tickets to fly from Whitehorse to Vancouver, then Vancouver to Kelowna. Mr. Cardinal got off the airplane in Vancouver and did not attend the treatment centre in Kelowna. Mr. Cardinal remained at large until he surrendered himself on December 3, 2024.

[10] At the sentencing hearing on November 14, 2025, counsel agreed that Mr. Cardinal had accrued 543 days of pre-trial custody. The sentencing was adjourned several times to today's date for decision, adding 90 days, for a total of 633 days. At one and one-half to one, this amounts to 950 days credit, or two years and 220 days.

[11] Mr. Cardinal comes before the Court with an extensive criminal record. He has 22 offences as a youth from the years 2000 to 2005, including robbery, contrary to s. 344(b) of the *Criminal Code* in the year 2000. He has 61 adult convictions, which include two robberies as an adult in 2008 and 2020; 28 breach offences; one prior resist arrest in 2014, and he also has numerous violent offences.

[12] In 2008, he received 21 months for robbery, consecutive to three months for breach of probation, and two years' probation.

[13] In 2020, he was before the Court for a robbery and a *Gladue* report was prepared, which is before the Court on this matter, and he received six months in addition to 14 months pre-sentence custody, and 18 months' probation.

[14] The *Gladue* report, prepared in 2020, was filed with the Court on the original sentencing date for these matters. The Pre-Sentence Report ("PSR"), dated March 28, 2025, was prepared for this sentencing and also filed with the Court.

[15] Crown is seeking a custodial sentence of 42 months for Mr. Cardinal for the April 1, 2024, offences. This position takes into account the *Gladue* factors. He is seeking concurrent sentences for the subsequent offences. He also seeks a lifetime s. 109 prohibition, which is mandatory given the prior conviction for robbery; a DNA

order, which is mandatory on the s. 344(1)(b) offence, pursuant to s. 487.051 of the *Criminal Code*, and he agrees that a probation order with protective and rehabilitative terms would be appropriate.

[16] The Crown filed three cases at the sentencing.

[17] One, *R. v. Anderson*, 2007 BCCA 462: Mr. Anderson committed a robbery at a convenience store with a steak knife. The employee refused to cooperate. There was a brief struggle, and he smashed the cash register on the floor, taking \$500 cash. He dropped the knife and fled. He was serving a conditional sentence at the time for two robberies. The decision confirms a range of two to nine years depending on the factors as stated in *R. v. Brogan*, 1999 BCCA 278, and set out in para. 6 of *Anderson*, and I quote:

...

The age of the offender, his previous criminal experience, the level of violence, the number of offences, the level of premeditation, whether the perpetrator was disguised or not, the type of weapon used and how it was used, the possibility of rehabilitation, the requirement for deterrence in a particular community, are some of the factors which served to distinguish one fact pattern from another. None of the cases drawn to our attention fits Mr. Brogan's situation exactly and none could.

[18] Mr. Anderson received a four-year sentence, determined to be within the range.

[19] The second case, *R. v. Linklater*, 2004 YKTC 30, involved two offences. First, attempted robbery of a small store by brandishing a hypodermic needle and stating,

“I have AIDS. Now give me all your money.” The clerk called out for a colleague to call 9-1-1, and Mr. Linklater fled empty-handed.

[20] The second being a robbery of an off sales store with a knife. He went behind the counter, held the knife close to the clerk’s stomach, and said, “Give me the money or I will stab you.”

[21] The accused was 22 years old, functionally illiterate, and suffered from low intellectual functioning. He was reported as being in the borderline to mild mental retardation range and possibly having Fetal Alcohol Spectrum Disorder (“FASD”). He had received a federal sentence for robbery and was on parole at the time of the offences. The Court reviewed several cases, including the following at para. 21:

[In] *R. v. Wagner*, [2003] Y.J. No. 92. This is a robbery and an attempted robbery, just as in the case at bar. It involved a gas station attendant. Wagner wore a balaclava, brandished a knife and demanded money. In another case, at the grocery store he demanded money and when refused, he left without the money. Mr. Wagner cooperated and provided an early guilty plea. He was a 26-year old drug addict. He had an extensive record with one prior robbery. His previous longest jail time was nine months. His sentence was three and a half years in total.

[22] The Court continued in *Linklater* to address the principles of sentencing at paras. 24 to 26 as follows, and I quote:

24 Clearly, protection of the public must be an objective of the sentence I impose today. The need to protect the public is not mitigated by Mr. Linklater’s aboriginal status, his difficult upbringing or his addiction to hard drugs. The public will not be protected from Mr. Linklater unless he learns to stay away from heroine and cocaine.

25 Mr. Linklater did plead guilty, but not after the trial had started and the Court had ruled his statements admissible after a *voir dire*. Little, if any, credit should be given to him for this guilty plea. As a mitigating factor, I also consider his youthful age and his low intellectual functioning.

26 Robberies occur too frequently in this community. The use of a weapon, whether a gun or a knife, increases the possibility of escalating violence, particularly when the person wielding the weapon is grossly intoxicated by hard drugs.

[23] For the attempted robbery he received 12 months. For the robbery he received three years consecutive.

[24] The third case, *R. v. Cornell*, 2007 YKTC 41, was a case involving attempted robbery and being masked with intent to commit an indictable offence. The accused attempted to rob a gas station convenience store armed with a knife that had a two-inch blade and bear spray. He approached the counter and said to the clerk, "You know what to do. Give me the money and nobody gets hurt." The clerk managed to strike Mr. Cornell with a pool cue hidden under the counter and flee to an office to call 9-1-1. Mr. Cornell fled, having discharged the bear spray when hit.

[25] Mr. Cornell was 25 years old with a lengthy criminal record. The offences before the court being committed within days of being released on parole. He was sentenced to three years on the attempted robbery and one year consecutive on the charge of being masked.

[26] Defence counsel thoroughly reviewed the *Gladue* factors that apply to Mr. Cardinal. His mother attended residential school, one that had a particularly bad history of abuse. Her parents also attended residential school. She never learned how

to express love, and Mr. Cardinal was raised in an abusive home. Mr. Cardinal identifies as Inuvialuit and is also of Dene and Cree descent. He was in and out of care most of his life, and when home experienced an environment of alcohol abuse and violence with his mother.

[27] The *Gladue* report sets out the following at page 26:

Corey's childhood was characterized by physical and emotional abuse, violence and parental addiction, which caused a chaotic environment for him to grow up in. For the first three years of his life he lived with extended family. He lived with his mother and stepfather and siblings from the ages of three to 8. When he was four years old he was in a house fire in which several children died; some were his relatives. At the age of 4 he was diagnosed with Attention Deficit Disorder and Hyper active Disorder. His parents were physically and verbally abusive towards each other and to the children. Both parents singled out Corey for extreme abuse. His step-father was convicted of assault on Corey when he was 8 years old. Shortly thereafter Corey[s] mother placed him in the Treatment Care Facility (TTC) in Yellowknife because he was unmanageable and angry, (although she didn't understand why). Over the years Corey was in and out of group homes in NT, Alberta, and Saskatchewan and he continued being "disruptive, moody and extremely difficult to handle" in.

Several psychological and neurological assessments were done with Corey over the years. He was described as a youth with: "a childhood history of problematic attachment, family dysfunction (i.e. neglect, addiction, abuse and family violence) and unresolved trauma. He experienced ongoing abandonment and rejection due to his parents' addiction problems, the violence and abuse in his family of origin and his early behavioural problems. He has sought to escape his emotional pain through thrill seeking behaviour (delinquent and criminal behaviour) and substance abuse"...

[28] In 2020, Mr. Cardinal described his aspirations as set out at page 24 of the *Gladue* report as follows:

...He said, "I'm interested in a lot of things. I want to get my life back together. I want to have a job. I want to have my house. I want to stop using drugs, using alcohol. I've done it before -- I quit doing drugs. Drugs is why I'm in jail; drugs is why I committed my crimes. (It's all because of my drug addictions. (When I'm using), I need my next... that's why I committed my crimes. It just got worse. I know what I have to do to get on track. I know what I to have all those things in my life".

Corey wants to attend a treatment program. He believes that he needs to address his addictions in order to be prepared for possibly taking a trades course at the college. He said he was taking (Yukon) college courses before, but his addictions got in the way. Corey is emphatic that in order to achieve these goals he "will need to get help to get ready reintegration into the community after his sentence".

[29] In the *Gladue* report there was a plan to get him engaged in counselling. Nothing before the Court today points to him following through with those opportunities in 2020.

[30] The PSR was prepared on March 28, 2025. It sets out Mr. Cardinal's various placements in care, including 1995 to 1999 in the Territorial Treatment Centre in the Northwest Territories; 2002 to 2003 in the Ranch Ehlro Homes in Saskatchewan; in 2003 to 2005, Bosco Homes in Edmonton. The PSR includes a statement from a counsellor working with Mr. Cardinal in custody, which states, on page 3 of the report:

I am writing to formally confirm that Mr. Corey Cardinal has been engaged in counselling services with me since May 3, 2024. Throughout the duration of his participation, Mr. Cardinal has attended 15 scheduled individual counselling sessions, demonstrating a range of engagement from moderate to high. On nine occasions I have been informed by staff at the Whitehorse Correctional Centre that Mr. Cardinal declined to attend his scheduled sessions.

[31] The PSR sets out a limited employment history. His last employment was in 2012. It also confirms a significant issue with alcohol and drug abuse. Under “Attitude and willingness to make amends”, the following was written on page 6:

...He said that he does take responsibility for his actions. He regrets that he may have upset the clerks he robbed the gas station knowing that his actions may have caused them to feel unsafe at work. I asked him why he robbed the gas station, and he said that he needed money to support his drug addiction. I asked him if he put any planning into the robbery, and he said that he acted in the spur of the moment. ...

[32] And then further down the page:

He said that he has been going to counselling and participating in programs at WCC. He said that he recognizes that he isn't getting any younger and said that he “needs to do something with himself.” I asked him what those things are that he wants to do with himself. He said that he wants to go to a residential treatment program to deal with his alcohol and drug addictions. He said that he wants to “be himself and learn to enjoy life free of alcohol and drug addictions.” He said that he wants to maintain a stable residence and earn an income, likely working in carpentry. He said that if he were given a sentence in the community, he would participate in programming offered at the Yukon Community Corrections office.

[33] Mr. Cardinal maintains the same goals that he had for himself in 2020, which he has unfortunately not been able to advance.

[34] Mr. Cardinal's counsel argued that little will be achieved in the form of specific deterrence by keeping Mr. Cardinal in jail. The robbery was unsophisticated and he managed to get less than \$200 to feed his drug addiction. He was not thinking of potential consequences at the time. He agrees that a lengthy probation focused on

rehabilitation is what Mr. Cardinal needs to get better and ultimately to protect society. He argued that a sentence in the range of 24 to 30 months is appropriate, effectively in the range of time served plus two years of probation.

[35] Defence counsel filed a number of cases in support of their position which show that sentencing is an individual process and jail terms vary.

[36] *R. v. Beguin*, 2019 BCCA 50: Mr. Beguin was 26 years old, with a low IQ, and had committed three bank robberies, progressing from no disguise to the use of a note, to being masked. The second time ultimately masked and using a knife, and the third time using pepper spray. He received a total of \$1,200. He is described as being diagnosed with attention-deficit/hyperactivity disorder (“ADHD”), FASD, mild mental retardation, antisocial personality disorder, polysubstance abuse, drug-induced psychosis, psychosis not otherwise specified, schizoaffective disorder, and schizophrenia. He was noted to have had a troubled, abusive, and chaotic childhood and was in foster care. He also had no interest in rehabilitation. Mr. Beguin had 32 prior convictions, and had served a three-year sentence previously for two robberies. He entered guilty pleas, and his low intellectual functioning reduced his moral blameworthiness. He was sentenced to three years and three months’ jail, plus two years of probation.

[37] *R. v. Cooper-Flaherty*, 2020 NUCJ 43: This case involves similar facts to those before this Court, but the individual received \$2,000 in cash. He was 24 years old, an Inuk, with significant *Gladue* factors. He had a limited criminal record but one which included a prior five-year sentence for five robberies. He received a two-year federal

sentence in addition to 248 days remand credit and two years' probation. On the masking offence, the Court stated, at para. 34:

As I consider the masking to be part of a single criminal enterprise, and as an aggravating factor to the robbery, I impose a one-year jail term to be served concurrently.

[38] *R. v. J.L.H.*, 2012 BCCA 142: The accused was 23 years old and entered guilty pleas to two robberies, a late-night convenience store and a gas station. He had a limited prior record, a significant history of drug and alcohol abuse, and was noted to have suffered sexual abuse as a child by his sibling. He spent several years in foster care. The British Columbia Court of Appeal stated at para. 27:

Unfortunately, drug addiction is a factor that must all too often be addressed in crafting an appropriate sentence. In *R. v. Preston* (1990), 1990 CanLII 576 (BC CA), 47 B.C.L.R. (2d) 273 (C.A.), this Court emphasized the importance of considering whether there is a reasonable chance that the offender may succeed in an attempt to control his addiction in order to avoid imposing a sentence that addresses the protection of the public at the expense of rehabilitation.

[39] No treatment plan was presented to the Court that was workable and he was sentenced to four years, which was upheld by the Court of Appeal.

[40] *R. v. Lafferty*, 2020 NWTTC 6: The accused was 21 years old and an Indigenous mother of three. She committed robbery with a knife and is noted to have thrust the knife at the clerk during the robbery. She was masked during the robbery. She had only one adult conviction and several as a youth. There were significant *Gladue* factors presented. She was sentenced to 15 months' jail and two years' probation.

[41] *R. v. N.R.S.*, 2024 BCPC 174: The accused, a 50-year-old female, committed bank robbery with a firearm, receiving \$600. She was a fentanyl addict and had an adult daughter. She was Indigenous and transgender. She had a prior record for robbery and gun-related offences. She had spent two years on bail with strict conditions during which time she found a productive, pro-social, clean and sober lifestyle with stable housing. She had also completed a 90-day treatment program. She was sentenced to two years less a day in addition to time served of 13 months, plus three years' probation.

[42] *R. v. Pictin*, 2024 ABCJ 221: The accused was sentenced for six robberies using a can of bear spray during which he threatened the clerks. He was on release conditions at the time of the offences. He entered guilty pleas to the offences. The Court comments on the impact of drug addiction at paras. 17 and 18 as follows:

17 Court of Appeal decisions have cautioned against sentencing Judges treating drug addiction as a mitigating factor (*R v Fleming*, 1995 ABCA 513). However, there now seems to be increased flexibility and discretion afforded sentencing Judges regarding the impact of an offender's drug addiction upon findings of moral blameworthiness. A drug addiction may help contextualize and assess moral blameworthiness. ...

18 Ideally, there would have been early and more significant intervention, with Mr. Pictin pursuing drug-related treatment programs to the extent required to address his addictions. But as noted in *R v Phillips*, that is not always realistic, particularly with Mr. Pictin's struggles with homelessness, and as sobriety is not a linear process. While his drug addiction does not detract from the seriousness of his offences, I regard it as reducing somewhat his moral blameworthiness from that of one who commits crimes with a view of the world and an appreciation of the significance of their crimes unobscured by a drug addiction.

[43] He took significant steps towards rehabilitation between his arrest and sentencing. He was sentenced to 42 months, 39 of which were for the robberies, less time served, plus three years' probation.

[44] *R. v. Wolftail*, 2022 ABPC 102: The accused, 28 years old, committed three robberies in the course of slightly more than three hours. She used the threat of having a gun during the robberies and made away with goods valued at a combined \$1,600. She had a prior criminal record but no priors for robbery, and received minimal jail previously.

[45] Ms. Wolftail entered guilty pleas and had the benefit of a *Gladue* report and a pre-sentence report. She had taken counselling and numerous courses in custody, noted as extensive steps towards rehabilitation. The Court looked closely at the *Gladue* factors and noted the following approach to be taken at para. 68:

In *R v Okimaw*, 2016 ABCA 246, ("*Okimaw*"), the Alberta Court of Appeal described the two-step process that arises from the methodology identified in *Gladue/Ipeelee*. First, the sentencing judge is to consider whether *Gladue* factors bear on the offender's culpability. Second, the sentencing judge is to consider what types of sentencing sanctions are appropriate in the circumstances for the particular indigenous offender.

[46] Noting the significant efforts towards rehabilitation, Ms. Wolftail was sentenced to two years less a day, plus three years' probation.

[47] *R. v. Wollmann*, 2017 BCPC 130: Mr. Wollmann, 22 years old, pled guilty to two robberies in one night for drug money. He had significant addictions issues. He had no prior criminal record and had taken steps towards rehabilitation, which was ongoing. He

was on strict bail conditions at a facility called VisionQuest. The Court outlined exceptional circumstances in the case and sentenced him to eight months jail, plus two years probation.

[48] In sentencing Mr. Cardinal, I am mindful of the *Criminal Code*, which sets out the purpose and principles of sentencing in s. 718 as follows:

The fundamental purpose of sentencing is to protect society and to contribute, along with crime prevention initiatives, to respect for the law and the maintenance of a just, peaceful and safe society by imposing just sanctions that have one or more of the following objectives:

- (a) to denounce unlawful conduct and the harm done to victims or to the community that is caused by unlawful conduct;
- (b) to deter the offender and other persons from committing offences;
- (c) to separate offenders from society where necessary;
- (d) to assist in rehabilitating offenders;
- (e) to provide reparations for harm done to victims or to the community; and
- (f) to promote a sense of responsibility in offenders and acknowledgement of the harm done to victims or the community.

[49] I am also mindful of s. 718.1 of the *Criminal Code* that states:

A sentence must be proportionate to the gravity of the offence and the degree of responsibility ...

[50] Finally, I have looked at s. 718.2, which states:

A court that imposes a sentence shall also take into consideration the following principles:

...

- (b) a sentence should be similar to sentences imposed on similar offenders for similar offences committed in similar circumstances;
- (c) where consecutive sentences are imposed, the combined sentence should not be unduly long or harsh;
- (d) an offender should not be deprived of liberty, if less restrictive sanctions may be appropriate in the circumstances; and
- (e) all available sanctions, other than imprisonment, that are reasonable in the circumstances and consistent with the harm done to victims or to the community should be considered for all offenders, with particular attention to the circumstances of Aboriginal offenders.

[51] Mr. Cardinal does not have the benefit of mitigation that comes from a guilty plea on the robbery or being masked during the commission of the robbery. Those matters proceeded to trial. It is mitigating on the s. 129(a) offence and the s. 145(5)(a) offence that he pled guilty.

[52] Also mitigating is his reduced moral blameworthiness resulting from the impact of the *Gladue* factors on his upbringing; his reduced moral blameworthiness due to his addiction to illicit drugs; his attendance at 15 scheduled individual counselling sessions while in custody; and his remorse for the impact of the offence on the young clerk at the store he robbed.

[53] The aggravating factors include:

- his lengthy and continuous criminal record that includes three prior convictions for robbery;

- the use of a knife in the robbery in a menacing manner and uttering a death threat if the clerk resisted;
- the age and vulnerability of the store clerk; and
- wearing a mask during the commission of the offence to hide his identity.

[54] Mr. Cardinal is also described by the author of the PSR as having a history of very poor reporting on court conditions. He is described as having a history of refusing to participate in criminogenic programming. It is recommended in the PSR that his chances of success would be improved if he was released to a supervised housing program or directed to a treatment program.

[55] Mr. Cardinal argues that his sentence should be focused on rehabilitation, but he has put forward little by way of a plan. That said, he has expressed his continued desire to change, which is an important step to be recognized. It is unfortunate that he chose not to take advantage of the opportunity to attend The Red Road Ranch as arranged in October 2024.

[56] I do agree that society would benefit from Mr. Cardinal addressing his addiction and trauma issues. This has to be balanced against his record of committing the offence of robbery, along with the escalation of his behaviour. Again, he brought a knife concealed in a backpack to the store to use in the robbery. He held the knife in a menacing and threatening manner while uttering a death threat to the employee, and he

wore the mask to disguise his identity. He also has an extensive and continuous criminal record.

[57] Mr. Cardinal, I impose the following sentence on you today: On Information 24-00378, Count 3, for the offence contrary to s. 129(a) of the *Criminal Code*, I sentence you to a period of custody of 60 days time served.

[58] On Information 24-00216(b), Count 2, for an offence contrary to s. 145(5)(a) of the *Criminal Code*, I sentence you to a period of custody of 30 days consecutive time served.

[59] On Information 24-00216, for the offence contrary to s. 344(1)(b), being the robbery, a period of custody of 36 months consecutive, less time served. Madam Clerk, the time served would be two years and 130 days, and on that offence to be followed by 24 months of probation.

[60] For the offence contrary to s. 351(2) of the *Criminal Code*, also on Information 24-00216, being Count 2, given that I have already considered the aggravating factor of this offence on the s. 344(1)(b) sentence, I sentence you to 12 months' custody concurrent.

[61] In addition, for ancillary orders I impose on the s. 344(1)(b) offence – Madam Clerk, also on Information 24-00216 – a DNA order pursuant to s. 487.05(1), and a lifetime prohibition pursuant to s. 109 of the *Criminal Code*.

[62] For the probation order, Mr. Cardinal, the terms will be as follows:

[DISCUSSIONS]

[63] The terms will be as follows:

1. Keep the peace and be of good behaviour;
2. Appear before the court when required to do so by the court;
3. Notify your Probation Officer in advance of any change of name or address, and promptly of any change in employment or occupation;
4. Have no contact, directly or indirectly, or communication in any way with Amandeep Kaur, and to not go to any known place of residence, employment or education of Amandeep Kaur;
5. Remain within the Yukon unless you obtain the written permission from your Probation Officer;
6. Report to a Probation Officer immediately upon your release from custody, and thereafter, when and in the manner directed by your Probation Officer;
7. Reside at the Connective Supervised Housing and Reintegration Program or as otherwise directed by your Probation Officer, and not change that residence without the prior written permission of your Probation Officer;
8. Not possess or consume alcohol or illegal drugs that have not been prescribed for you by a medical doctor;

9. Not attend any premises whose primary purpose is to the sale of alcohol, including any liquor store, off sales, bar, pub, tavern, lounge, and nightclub;
10. Attend and actively participate in all assessment and counselling programs as directed by your Probation Officer and complete them to the satisfaction of your Probation Officer for the following issues: substance abuse; alcohol abuse, psychological issues, and any other issues identified by your Probation Officer, and provide consent to release information to your Probation Officer regarding your participation in any programs you have been directed to do pursuant to this condition;
11. Perform 75 hours of community service as directed by your Probation Officer or such other person as your Probation Officer may designate.
This community service is to be completed as follows:
 - 10 hours are to be completed within the first three months of this order, and 5 hours are to be completed in the fourth month of this order, with five hours to be completed in every month following until the full 75 hours are completed;
 - any hours spent in programming may be applied to your community service at the discretion of your Probation Officer.

12. Make reasonable efforts to find and maintain suitable employment, and provide your Probation Officer with all necessary details concerning your efforts;
13. Not to possess any firearm, ammunition, explosive substance, or any weapon as defined by the *Criminal Code*; and
14. Not to attend on the property of the Whitehorse Emergency Shelter located at 405 Alexander Street, Whitehorse, Yukon, except with the prior written permission of your Probation Officer for the purpose of accessing services specified in the permission at the times set out in the permission.

[64] Those terms will be provided for you in a probation order after we are completed today.

[65] The victim surcharges in all the offences he has been sentenced on today will be waived.

[66] And the remaining counts?

[67] MR. KUNTZ: Can be withdrawn, Your Honour.

[68] THE COURT: They will be noted as withdrawn.

PHELPS C.J.T.C.