

Citation: *R. v. Kang*, 2005 YKTC 60

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Registry: Whitehorse

IN THE TERRITORIAL COURT OF YUKON

Before: Her Honour Judge Ruddy

REGINA

v.

LIAM HOGAN KANG

Appearances:
Edith Campbell
Elaine Cairns

Counsel for Crown
Counsel for Defence

REASONS FOR SENTENCING

[1] RUDDY T.C.J. (Oral): Liam Kang is before me having entered pleas of guilty in relation to eight separate offences. The most serious of these are two break and enters, one to a dwelling house and one to a small business. The remaining counts relate to a pattern of non-compliant behaviour, a pattern which is not entirely surprising given Mr. Kang's personal circumstances.

[2] Looking at the offences in chronological order the facts are as follows. On the 19th of December 2004, a member of the RCMP observed a fight between Mr. Kang and

another male individual on the corner of Third Avenue and Main Street. The officer intervened, Mr. Kang was arrested and taken to the RCMP detachment. He was noted to be extremely intoxicated. He became violent at the detachment, causing damage to one of the cells and requiring intervention to restrain him.

[3] At the time of the incident, Mr. Kang was bound by a probation order requiring him to keep the peace and be of good behaviour and to abstain absolutely from the consumption of alcohol and non-prescribed drugs. He has entered guilty pleas to two counts contrary to s. 733.1 of the *Criminal Code*.

[4] On the 16th of March 2005, Mr. Kang was scheduled to appear in court in relation to those breaches. He failed to do so. His counsel advises that Mr. Kang consistently attended his earlier appearances, but on this particular date his ongoing struggles with addiction issues resulted in his non-attendance. He has entered a guilty plea to one count of failing to appear.

[5] On the 18th of March 2005, the RCMP were contacted regarding a break and enter into a private residence. A description of the perpetrator was provided. The RCMP attended and located Mr. Kang, who matched the description provided, in the area of the break-in. When asked to identify himself, Mr. Kang provided a false name and then tried to run from the area. He was subsequently arrested.

[6] When searched, incident to arrest, the police found a camera and a set of keys in his possession which had been taken in a break and enter to the Whitehorse Motors body shop earlier that same evening.

[7] Through further investigation it was learned that entry was gained into the private residence by forcing the door. The resulting damage required repairs at a cost of \$321 to the homeowners. In mitigation it should be noted that Mr. Kang took a safety box from the residence and once he opened it, he discovered it to be full of personal items. The nature of the items seemed to have struck a chord of remorse in him and on his own initiative he contacted the homeowners to advise them where the box was located. The homeowners were able to retrieve the box and the personal items as a result.

[8] The RCMP subsequently learned of a third break and enter, this one at Up North Adventures, where entry had been gained by breaking a glass window in a door. The cash register, containing approximately \$200, had been removed from the premises. The cash register was later located in several pieces, minus the cash. Mr. Kang's fingerprints were located inside the till. In addition to the \$200 taken from the cash register, the owners of Up North Adventures had to replace the glass door at a cost of \$714.83 and the cash register itself at a cost of \$1,078.34. It should be noted that to replace the actual cash register which was taken would have cost upwards of \$1500, but due to the understandable cash flow issues associated with running a small business, the owners of Up North were only able to afford a less capable model.

[9] Mr. Kang has entered guilty pleas in relation to the break-ins to the private residence and to the premises of Up North Adventures and a guilty plea to obstructing a peace officer by providing a false name.

[10] Following his arrest, Mr. Kang was released on a number of strict conditions, including that he reside at the Ibex Valley residence of Larry Kwiat and abide by a

curfew and that he abstain from the purchase or consumption of alcohol or non-prescribed drugs.

[11] On the 10th of August, Mr. Kwiat and Mr. Kang went into downtown Whitehorse. Mr. Kang refused to return home with Mr. Kwiat. Mr. Kang then contacted Mr. Kwiat on the 12th of August seeking a ride home. When Mr. Kwiat picked up Mr. Kang he observed fresh track marks on him. Mr. Kwiat advised the bail supervisor, who made a demand for a urine test pursuant to the release conditions. Mr. Kang complied but tried to tamper with the test by attempting to add food colouring to the sample. Once caught, Mr. Kang admitted to using cocaine. He has entered guilty pleas for failing to abide by the curfew and abstain clauses of his release.

[12] Mr. Kang comes before the Court with an extensive criminal record, dating back to 1995. It includes numerous related property and process offences. Of note, he received a sentence of six months for his last break and enter conviction in 2001. There are also a number of violent offences noted in his criminal history, though, fortunately, none in the past five years.

[13] The Crown submits that Mr. Kang is at high risk to re-offend and, accordingly, is seeking a substantial custodial sentence in the range of 18 to 21 months, less credit for the 41 days that Mr. Kang has served in remand.

[14] Defence submits that a further custodial term of 30 days followed by a conditional sentence of six months on very restrictive conditions is more appropriate in all of the circumstances.

[15] I have had the benefit of a very comprehensive pre-sentence report on Mr. Kang, completed by Ms. Casselman. In it he is described as a young man of 25 who was born and raised in the Ottawa area but who has been a resident of the Yukon off and on since 2003. He was raised in a single parent home, he has a grade ten education, his work history is somewhat sporadic and he has recently become the father of a baby girl.

[16] On their face, these factual circumstances are not exceptional. What is exceptional are the underlying circumstances. From an intellectual perspective, testing performed on Mr. Kang in grades four and seven indicated him to be extremely intellectually advanced for his age. Unfortunately, this positive attribute has been severely hampered by underlying mental health disorders, which have plagued him from a very early age. Indeed, much of his formative years were spent residing in and out of psychiatric facilities. Early on he was diagnosed as suffering from significant ADHD and a conduct disorder. There is also a later diagnosis of a bipolar disorder.

[17] It is clear that much of Mr. Kang's childhood involved numerous different assessments, treatments and drug therapies. It is also clear that he was extremely and increasingly resistant to efforts to assist him in addressing his mental health issues. At the age of 15 he refused to participate in any further assessments or treatment, relying instead on self medication, with first marijuana and later cocaine. Not surprisingly, his usage of intoxicating substances has developed into a significant substance abuse problem for him. His abusing substances, in turn, has driven much of his offending behaviour.

[18] Mr. Kang appears to harbour a significant degree of bitterness and resentment in relation to his youth, particularly towards his mother. I am advised that his most recent breach followed a visit from his mother to the Yukon. As Mr. Kwiat indicated, her visit appears to have triggered a number of negative behaviours in Mr. Kang.

[19] In short, Mr. Kang is an extremely intelligent individual who is currently unable to meet his potential due to underlying behavioural and emotional problems and his current struggles with drug addiction. He has been unable to form positive relationships to maintain employment on a long-term basis or to control his own behaviour sufficiently to keep him out of the criminal justice system.

[20] On a positive note, Mr. Kang has, for the first time in ten years, demonstrated a willingness to participate in further assessment and treatment relating to both his underlying mental disorders and his substance abuse problem.

[21] In May of 2005, he underwent an assessment at Mental Health Services. Unfortunately, Mental Health Services determined that he was too high functioning for their services and instead suggested that his treatment should include substance abuse counselling and life skills programming.

[22] I must say that I am both baffled and disturbed by this response. While I have often heard concerns raised about appropriate resources for individuals with significant cognitive impairments, this is the first time I have heard of an individual's advanced intellect as presenting a barrier to providing appropriate care. Fortunately, this has not deterred Mr. Kang in his willingness to explore treatment options. He has agreed to undergo a psychological assessment with forensic psychologist Craig Dempsey and it

appears that that process has commenced but was unfortunately not complete at the date of sentencing.

[23] Also on a positive note, Mr. Kang has demonstrated an interest in finally using his intellect to his advantage by returning to school to further his education. He has been accepted for enrolment into the pre-employment trades program at Yukon College in February of 2006.

[24] In a lengthy letter to the Court, Mr. Kang spoke eloquently about his desire to further his education to reach his career goal of becoming a plumber and to become a man that his infant daughter can look up to.

[25] A final positive to consider is the apparent community support available to Mr. Kang. From the beginning of April to mid-August of 2005, Mr. Kang resided with Mr. Kwiat in his Ibex Valley home. Mr. Kwiat has provided chaplain services to the Whitehorse Correctional Facility for the past four and a half years. He has also had a background working with emotionally disturbed children and appears to have a solid appreciation of the underlying factors which drive Mr. Kang's behaviour. He has exhibited an inordinate amount of patience with Mr. Kang's behaviour and remains committed to providing support and assistance to Mr. Kang, but in so doing he has been clear and firm with Mr. Kang, in terms of behavioural expectations, and has not hesitated to report incidents of non-compliance.

[26] Of concern is some of the behaviour that Mr. Kang has exhibited towards Mr. Kwiat. The probation officer has noted him to be completely disrespectful to Mr. Kwiat.

However, Mr. Kwiat appears to understand the source of such behaviour and has been able to stay firm in both his support and in his expectations for Mr. Kang.

[27] Additionally, despite his outbursts, Mr. Kang, on some level, appreciates the importance of the support that Mr. Kwiat has provided. This is evident in his following comments to the probation officer:

I know I say I hate Larry and call him names, but in a way he was my deprogrammer and it was the poorly programmed self that despised him. My intuitive self knows that I need him. Larry was the best thing that ever happened to me. I felt like I had someone to watch over me who actually cared, who actually knew how to help me, who never enabled me.

[28] Overall, this is a case in which there are a number of disturbing and conflicting elements which are difficult to balance and to reconcile in determining an appropriate sentence; in particular, in determining the appropriateness of a conditional sentence.

[29] On the one hand, there is no doubt that the offences, particularly the break and enters, are extremely serious in nature. This is clearly evidenced by the negative impact that the offences had on the complainants, as articulated in their victim impact statements. While Mr. Kang appears to have some recognition of the impact of the loss of the more personal items that he stole and for which he took some steps to ensure recovery, he does not appear to have fully grasped the overwhelming sense of violation, anxiety and frustration experienced by victims of break and enters, regardless of the location or what is taken.

[30] There is also no doubt that Mr. Kang's past behaviour, as seen in his criminal record, is highly suggestive of a risk to re-offend. This suggestion is corroborated in the

pre-sentence report in which his level of risk was rated using the LSI-R, placing Mr. Kang in the moderate to high risk category.

[31] Furthermore, the PSR indicates that Mr. Kang is not a good candidate for community supervision. Ms. Casselman notes:

Mr. Kang has repeatedly breached his current undertaking and only because the writer has had considerable discretionary powers has he been able to stay in the community. Granting a conditional sentence to Mr. Kang would be setting him up for failure, as the writer does not believe he can comply with the rigid conditions set out in such an order. This does not mean he will not try but that he would slip fairly often. Any breach would set off the self destructive pattern again and Mr. Kang would eventually just give up.

[32] Similarly, his attempts to cover up his breaches by tampering with his drug tests is of great concern to me in assessing his willingness and his ability to address his addiction. On the other hand, the pre-sentence report stresses that because of Mr. Kang's underlying circumstances, the focus of any sentence must be on rehabilitation rather than punitive measures.

[33] Mr. Kang is still a young man. He has accepted responsibility by entering guilty pleas and has demonstrated some remorse. More importantly, he is a man who is struggling with significant mental disabilities. Much has been written lately about the overrepresentation of individuals suffering from mental disorders in our correctional system. There are serious issues, in my view, simply around the appropriateness and efficacy of warehousing individuals with mental health issues in facilities ill-equipped to respond to their needs, let alone considering the constitutionality of such a response.

[34] Also of note, Mr. Kang has reached out for assistance for the first time in ten years. He has the invaluable support of Mr. Kwiat and has also been connected to a probation officer who has clearly gone to great lengths to build a rapport with Mr. Kang, such that he understands that she is there to support and assist him. In his letter to the Court, Mr. Kang indicated that this is the very first time in his life that he has ever trusted a probation officer. It is against this backdrop that I must determine whether a conditional sentence is appropriate in relation to the break and enters, as suggested by defence counsel.

[35] I must state here that I feel some further time in custody is needed to further stabilize Mr. Kang, to extend the period of enforced sobriety and to allow for comprehensive psychological testing and case management planning.

[36] But in addressing the issue of whether a conditional sentence should follow, I note that the first two pre-conditions are clearly satisfied; there are no minimum sentences which apply and no one is suggesting that a penitentiary term is warranted in this case.

[37] This leaves then the issue of whether I am satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the purpose and principles of sentencing. In addressing this precondition, I am mindful of the Supreme Court of Canada decision in *R. v. Proulx*, [2000] 1.S.C.R. 61.

[38] On the issue of community safety, the Supreme Court of Canada has said that I must consider the risk of Mr. Kang re-offending and the gravity of the damage that could

ensue. I must also consider whether the danger the offender might pose may be reduced to an acceptable level through the imposition of conditions. While I am of the view that there is a risk of Mr. Kang breaching any conditions imposed upon him by virtue of a conditional sentence as he struggles to address his mental health and addiction issues, I am not satisfied that he is at high risk to substantively re-offend during the term of a conditional sentence such that he would pose a danger to the community.

[39] I have come to this conclusion for two reasons. Firstly, the terms of any conditional sentence I would consider would require Mr. Kang to reside with Mr. Kwiat at his Ibex Valley home. This would ensure some degree of physical isolation. Secondly, while previously residing with Mr. Kwiat in the past pursuant to release conditions, Mr. Kang did commit procedural offences but did not commit substantive offences, and following those procedural breaches, he did reach out, again, to Mr. Kwiat to assist him.

[40] In all of the circumstances I am satisfied that strict conditions plus the use of the conditional sentence breach provisions of the *Code* can be used to effectively assist Mr. Kang in managing his behaviour.

[41] In determining whether a conditional is consistent with the principles of sentencing, I am persuaded that a lengthy period of custody would have absolutely no specific deterrent effect for Mr. Kang in light of his underlying mental health issues. Indeed, I think in light of those issues, an extended period of time in custody would be extremely damaging for him.

[42] Further, the Supreme Court of Canada in *R. v. Proulx, supra*, has held that a conditional sentence with sufficiently restrictive conditions can satisfy general deterrence and denunciation requirements.

[43] Lastly on this issue, I agree with Ms. Casselman that the focus of any sentence in this case must be rehabilitative in nature and I fail to see how that can be accomplished with a lengthy custodial term in this case, considering the current programming options available within the correctional facility.

[44] On balance, I am satisfied that at least a portion of Mr. Kang's sentence can and should be served conditionally.

[45] The sentences for the eight offences before the Court will be as follows: On the keep the peace breach of probation there will be a sentence of one day deemed served by his attendance in court. In doing so I am giving him credit for 11 days spent in remand at a credit of two to one, considering the lack of programming available to him during his brief stints in remand, for a total of 22 days credit.

[46] On the abstain probation breach there will be a sentence of one day deemed served, with credit for 15 days in remand at two to one for a total of 30 days credit.

[47] On the fail to appear there will be a sentence of one day deemed served, with credit for the remaining 15 days in remand at two to one for a total of 30 days credit.

[48] Next, as noted, I feel that there needs to be some additional time spent in custody to further stabilize Mr. Kang and to allow for appropriate assessment and case planning. I feel, in view of remission time, that this period needs to be somewhat longer

than that proposed by defence counsel. Accordingly, in relation to the two s. 145(3) charges for breaching his release conditions, there will be sentences of 30 days on each count, to be served concurrently.

[49] On the obstruction charge there will be a sentence of 30 days to be served consecutively, for a total of 60 additional days in custody. During this period, it is my strong recommendation that the psychological assessment by Mr. Dempsey be completed and if at all possible that it be done in conjunction with a psychiatric assessment by Dr. Heredia. Joint recommendations from both would be ideal in assisting with case planning.

[50] I would also recommend, if possible, that one-to-one addictions counselling be made available to Mr. Kang while still in custody.

[51] Lastly, I want to take the unusual step of asking that Mr. Kang be brought back before me in about 30 or 40 days, sometime just prior to his release, to review the status of the case planning required for his eventual release into the community on the conditional sentence to follow.

[52] This brings me to the remaining two counts, both for break and enters. There will be a sentence of six months on each, concurrent to each other but consecutive to the previous sentences.

[53] The six months will be served conditionally in the community on the following conditions:

1. There will be the statutory conditions that he keep the peace and be of good behaviour and appear before the Court when required to do so by the Court.
2. That he report to a supervisor within two working days of his release and thereafter when required by the supervisor and in a manner directed by the conditional sentence supervisor.
3. He is to remain in the jurisdiction of the Court unless written permission to go outside that jurisdiction is obtained from the Court or the conditional sentence supervisor.
4. He is to notify the supervisor in advance of any change of name or address and promptly notify the supervisor of any change of employment or occupation.

[54] Just before I continue, Ms. Cairns, I took from your submissions, and it factored significantly into my decision, that Mr. Kang is prepared to consent and agree to any treatment that might be ordered in relation to the mental health issues and the substance abuse issues. So I just want to confirm that for the record.

[55] THE ACCUSED: Well, I spoke with Dr. Heredia and in his professional opinion I suffered from, this was five months ago, from cocaine intoxication and as a result perception disturbances. However, I spoke with him in the past couple of days to get some medication to help me to sleep. He seems to think that I'm relatively levelled out.

[56] THE COURT: You are doing better?

[57] THE ACCUSED: Yeah, but I would be amenable to speaking with him.

[58] THE COURT: Okay. What I am asking you, I am asking you to confirm, which I understood your counsel to be telling me earlier, I am asking you to confirm that if something is ordered, you are prepared to comply.

[59] MS. CAIRNS: I think the only concern might be with respect to medications.

[60] THE ACCUSED: Yeah.

[61] MS. CAIRNS: That he would want to be able to discuss that.

[62] THE COURT: I am not intending to actively include that he comply with drug treatments. I do not believe that that is within my purview, quite frankly.

[63] MS. CAIRNS: That is my only concern.

[64] THE ACCUSED: I don't have a problem --

[65] THE COURT: No, I am --

[66] MS. CAIRNS: Otherwise, not at all.

[67] THE COURT: I am talking about other types of treatments, not drugs.

[68] THE ACCUSED: Yeah, sure.

[69] THE COURT: All right.

[70] MS. CAIRNS: There's no concern with that?

[71] THE ACCUSED: No.

[72] THE COURT: Okay. So you are confirming for me and for the record that you are prepared to consent to treatment that is ordered?

[73] THE ACCUSED: Yeah.

[74] THE COURT: Okay. Then, the remaining conditions will be as follows. I am going to make a reside condition:

5. Reside as directed.

[75] My expectation is that that is going to be with Mr. Kwiat, but in the event that Mr. Kwiat is unable to continue for some reason, I want to make sure that the conditional sentence supervisor has the opportunity to direct an alternate placement, but it is my expectation that is where he is going to be.

6. He is to abide by a curfew by remaining within his place of residence between the hours of 9:00 p.m. and 7:00 a.m. except with the prior written permission of the conditional sentence supervisor.

7. He is to answer the telephone or present himself at the door for the purposes of curfew checks. Failure to do so will be considered a presumptive breach of this condition.

8. He is to abstain absolutely from the possession, consumption or purchase of alcohol, non-prescribed drugs and other intoxicating

substances and he is to submit to a breathalyzer or other bodily fluids test upon demand by a peace officer or a conditional sentence supervisor and I am going to order that such demands can be made on a random basis.

9. He is to take such alcohol and drug assessment, counselling, programming and treatment as and when directed by the conditional sentence supervisor.
10. He is to take such psychological assessment, counselling, programming and treatment as and when directed by the conditional sentence supervisor.
11. He is to take such other assessment counselling and programming as directed by the conditional sentence supervisor.
12. He is to make reasonable efforts to find and maintain suitable employment or full-time education and he is to provide the conditional sentence supervisor with all necessary details concerning his efforts.
13. He is to attend before this Court for regular reviews and I am going to direct that those reviews be, insofar as it is possible, on roughly a monthly basis.

[76] This is unusual, but in this particular case, I think we are dealing with quite unusual and unique circumstances. The conditional sentence itself, in these circumstances, is intended to reflect those unique and unusual circumstances and I think, because of that, it is important that this one be a conditional sentence that is

extremely closely monitored. I am going to leave it to the conditional sentence supervisor to arrange the timing of those reviews.

[77] In addition, the conditional sentence is to be followed by a period of 12 months on probation. In making this order, while probation was not raised by either side, I am mindful of the fact that the work that lays before Mr. Kang and his supports will be neither easy nor brief and it is my hope that the follow-up probation order will provide Mr. Kang with ongoing support and guidance.

[78] The conditions of the probation order will mirror those that are in the conditional sentence order but the curfew will be removed.

[79] Finally, with a view to promoting responsibility and an acknowledgement of the harm done, there will be a stand-alone restitution order pursuant to s. 738 as follows, an order in the amount of \$321 to be paid into Court in trust to Sue Langevin and Louis Julien and there will be an order in the amount of \$1993.17 to be paid into Court in trust for Up North Adventures.

[80] Mr. Kang, you do have educational and career goals. You will be employable at some point and so long as you accept the support that is offered to you, I expect that you will be in a position at some point to pay, and once you are, you need to take steps to ensure that you make reparations to the victims of your offences. It is the very least that you can do to demonstrate to them that you feel remorse for what you have done. They suffered greatly, emotionally and financially, as a result, and you need to try and take steps to make that up to them, okay.

[81] Counsel, any submissions as they relate to the conditions?

[82] MS. CAMPBELL: No, Your Honour.

[83] MS. CAIRNS: No, Your Honour.

[84] THE COURT: Okay. Mr. Dempsey, I am assuming you are filling in for Ms. Casselman?

[85] MR. DEMPSEY: I am.

[86] THE COURT: Do you have any submissions or concerns as they relate to the conditions on the order she will be supervising?

[87] MR. DEMPSEY: No, Your Honour.

[88] THE COURT: Thank you very much.

[89] MS. CAMPBELL: Mr. Brown just reminded me that there is a victim surcharge, unless the Court waives that.

[90] THE COURT: Having made the restitution orders and in view of the fact that he is not working at the moment, I am going to waive the victim fine surcharges. It is more important to me that he make direct payment back to the particular victims.

[91] MS. CAMPBELL: The Crown directs a stay of proceedings on the remaining charges.

[92] THE COURT: Thank you. And Mr. Kwiat, I would like to extend my thanks to you once again for all of your hard work and for attending before the Court.

[93] MR. KWIAT: If I could make one very small clarification. If Mr. Kang is going to reside at my residence, can it read that he also consider and obey the house rules?

[94] THE COURT: Abide by the rules of the house.

[95] MR. KWIAT: Thank you.

[96] THE COURT: Okay, what I am going to do is change that condition on the conditional to read as follows:

That he reside at the Ibex Valley home of Larry Kwiat.

[97] THE ACCUSED: No. I mean, I'd like to stay there and everything, but I mean, seeing my life circumstances change.

[98] THE COURT: Okay, you know what, I am going to tell you right now --

[99] THE ACCUSED: Okay, I'm sorry, yeah.

[100] THE COURT: I am going to tell you right now that a lot of what I have done here was based on what you told your counsel to submit to me the other day.

[101] THE ACCUSED: Well, just --

[102] THE COURT: And if you are going to change that, then I am telling you that a large part of my willingness to even consider a conditional sentence in this

particular case is based on Mr. Kwiat and what he is prepared to do. If you are going to suggest to me that you are not interested in doing that and want to reside somewhere else, this is not going to be the sentence you are walking out of this door with; do you understand that?

[103] THE ACCUSED: That's not what I'm suggesting; what I'm suggesting is that -- I just don't want to feel like I'm trapped there. However, I would like to stay there and continue doing the treatment and all of that. I would just like it to be up to Dahn perhaps.

[104] THE COURT: Okay, let me finish the way that it is going to be worded.

[105] THE ACCUSED: Okay.

[106] THE COURT: You are to reside at the Ibex Valley home of Mr. Larry Kwiat and abide by the rules of the home or such other place as directed by the conditional sentence supervisor.

[107] THE ACCUSED: Okay.

[108] THE COURT: Okay. You have a lot of people going out on a limb here. You need to seriously start working closely with them to address the issues that have brought you before me. I am not suggesting and I do not think anybody here thinks this is going to be easy, but you have a lot of people that are stepping up to the plate to help you out. You need to consider the degree to which you are going to cooperate because that is going to have a big impact on whether or not you are going to

be able to continue serving this sentence out of the community or whether you are going to find yourself serving the rest of it in custody. Okay?

[109] THE ACCUSED: Yeah.

[110] THE COURT: Okay. Thank you, Mr. Kwiat. I am going to make that change on the conditional sentence. On the probation order it will be a reside as directed. Okay, anything further?

(No audible response)

[111] THE COURT: No, okay.

[112] THE CLERK: Sorry, Your Worship (sic), I have one question, just for clarification on the two 145 breaches, they were 30 days concurrent?

[113] THE COURT: Concurrent to each other, yes.

[114] THE CLERK: Thank you.

[115] THE COURT: So there is a total of an additional 60 days with the obstruction because that one is consecutive.

[116] THE CLERK: Yes, thank you.

[117] THE COURT: Mr. Kang, I wish you good luck. You have got a lot of hard work in front of you.

[118] THE ACCUSED: Thanks.

[119] THE COURT: Thank you, Ms. Cairns. Thank you, as well, Ms. Campbell.

RUDDY T.C.J.