

SUPREME COURT OF YUKON

Citation: *R. v. Richards and Tuckey*, 2013 YKSC 114

Date: 20130918
S.C. No. 12-01506
12-00263
12-00264

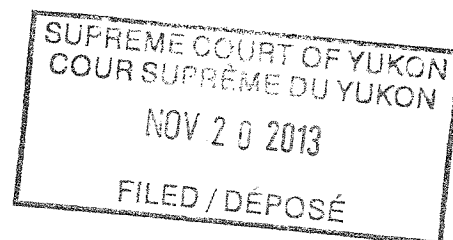
Registry: Whitehorse

BETWEEN:

HER MAJESTY THE QUEEN

AND:

JANET ROSE RICHARDS AND SYDNEY GARTH TUCKEY



Before: Mr. Justice L.F. Gower

Appearances:
Eric Marcoux
David Christie
Philip W. Cote

Counsel for the Crown
Counsel for Accused Richards
Counsel for Accused Tuckey
(via teleconference)

REASONS FOR SENTENCING DELIVERED FROM THE BENCH

[1] GOWER J. (Oral): Mr. Tuckey, it is good to hear you are making some positive moves in your life and I congratulate you for that and wish you all of the best in the future.

[2] I will accept the joint submission and impose a sentence of 30 days' time served for each of those Counts.

[3] Is there anything further?

[4] MR. MARCOUX: Yes, one matter remaining. Mr. Tuckey had some cash bail the last time he was in Court to ensure his release; \$3,000 was deposited by Mr. Tuckey. Usually, the Crown would seek to estreat that money, but I've got here an assignment letter where Mr. Tuckey is basically waiving that amount of money to his lawyer, Mr. Cote. So I will provide that with the Court. And with that letter, the Crown is no longer seeking to estreat the money.

[5] THE COURT: Okay.

[6] MR. MARCOUX: So the money could be released to Mr. Cote.

[7] THE COURT: What is the amount, again?

[8] MR. MARCOUX: Three thousand.

[9] THE COURT: All right. So, Madam Clerk, that is sufficient for you to arrange the transfer of the funds?

[10] THE CLERK: If you okay that, yes, Your Honour.

[11] THE COURT: I approve it.

[12] THE CLERK: Thank you. And the surcharges, Your Honour?

[13] THE COURT: Victim Fine Surcharge?

[14] MR. CHRISTIE: Your Honour, I'd ask - given my client's done some volunteer work and she has very limited means - I'm asking that it be waived in her case.

[15] THE COURT: Granted. Mr. Cote?

[16] MR. COTE: So, I'd also ask that it be waived, Your Honour.

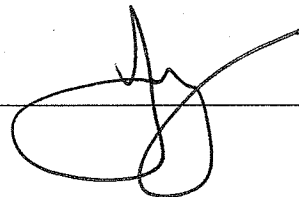
Mr. Tuckey has been under very restrictive conditions for the last year and a half and has been unable to engage in any type of employment. Quite fortunately, his mother has been assisting him in providing him with accommodations.

[17] THE COURT: Very well. I will grant the waiver as well for Mr. Tuckey.

[18] MR. MARCOUX: And I'll stay the proceedings on Count 1 of the two count Information against Mr. Tuckey. And I believe that covers all the matters before you this morning.

[19] THE COURT: Great. Thank you, counsel.

GOWER J.

A handwritten signature in black ink, appearing to be 'Gower J.', written over a horizontal line. The signature is stylized and cursive.