

Citation: *R. v. Brown*, 2008 YKTC 81

Date: 20081024
Docket: 08-00220
Registry: Whitehorse

IN THE TERRITORIAL COURT OF YUKON

Before: His Honour Judge Faulkner

REGINA

v.

ROBERT JOHN BROWN

Appearances:
Kevin Komosky
Gordon Coffin

Counsel for Crown
Counsel for Defence

REASONS FOR SENTENCING

[1] FAULKNER T.C.J. (Oral): Following the trial on the five-count Information, Mr. Brown was also tried on a charge of assaulting Scott Worden. The evidence in that trial established that on June 20, 2008, Mr. Worden had just left a restaurant on Main Street in Whitehorse when he was, without warning, attacked from behind by Mr. Brown, who knocked Mr. Worden down and began punching him. As he did so, Mr. Brown kept yelling, "You know why, You know why." Eventually Mr. Worden was able to get up and Mr. Brown ran away.

[2] It should be noted that Mr. Worden and Mr. Brown are acquainted, but not particularly well, it appears. It should be added that there was no apparent motive for the attack on Mr. Worden.

[3] In this case there is no particular evidence that Mr. Brown believed Mr. Worden was allied with the Americans but the evidence is irrefutable that at this particular time, in late June of 2008, Mr. Brown was profoundly psychotic and continued to be so well after, and indeed to the present day.

[4] On balance, therefore, I find that this attack was also the product of delusionary and paranoid thinking and that Mr. Brown should be found to be not criminally responsible by reason of mental disorder on the charge of assault as well.

FAULKNER T.C.J.