

ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

V.

ROXANNE BONANY

R E A S O N S F O R S E N T E N C E

BEFORE THE HONOURABLE MR. JUSTICE BRADLEY

On May 14, 2021, at SUDBURY, Ontario

APPEARANCES:

L. Kim

Counsel for the Crown

J. Gauthier

Counsel for Roxanne Bonany

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1.
Reasons for Sentence
- Bradley, J.

FRIDAY, MAY 14, 2021

...

R E A S O N S F O R S E N T E N C E

5 BRADLEY, J. (ORALLY):

10 [1] Well, Ms. Bonany, under the circumstances we are dealing with a serious offence and I say this because there was not only threats made, but the threats were combined with racial slurs as w12 explained by the Crown. Under the circumstances, **Complainant** and her family have suffered psychologically and they have dealt with extra stress and anxiety. They are immigrants who came to Sudbury to live in peace. They did not need that extra stress.

20 [2] Defence and the Crown explained why I should consider their joint submission. I believe that both parties have found a balance between the principles that I must deal with whenever I sentence someone. I know that your lawyer has focussed on rehabilitation and the Crown is a bit more focussed on deterrence. I believe that both parties have made great effort to find the balance between those principles. As a result, I will accept the joint submission. I believe that the submission in question is not contrary to the public interest and would not bring the administration of justice into disrepute.

30 [3] With regards to the conditional discharge, I

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5 will agree to make such an order, taking into consideration that it would be in your best interest and it would not be contrary to the public interest or bring the administration of justice into disrepute.

10 [4] As a result I will suspend sentence and place you on probation. There are statutory conditions that you have to follow, they are as follows: Keep the peace and be of good behaviour, appear before the court when required to do so by the court, and notify the court or probation officer in advance of any change of name or address, and promptly notify the court or
15 the probation officer of any change in employment or occupation. You will report to the probation officer and I will give you - I think the Crown mentioned three working days if I am not mistaken?

20 MR. KIM: Yes.

THE COURT: So I will provide you with three working days in order to report and then you will report as directed by the probation officer.

25 [5] You will also have no communication, directly or indirectly, by any physical or electronic means, and that will be with [REDACTED] Complainant or her immediate family. You will also stay 50 meters away from her place of employment, or the family's residence, or where the children attend school, or where [REDACTED] complainant is working.
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[6] You will also attend and actively participate in all assessment, counselling or rehabilitative programs as directed by the probation officer and complete them to the satisfaction of the probation officer, and there is going to be a focus on counselling that deals with cultural sensitivity and racial diversity. You shall sign any release of information form as will enable your probation officer to monitor your attendance and completion of any assessment, counselling or rehabilitative programs as directed, and you shall provide proof of your attendance and completion of any assessment, counselling or rehabilitative programs as directed. You will also not possess any knives, except when consuming a meal. Now I believe I have gone through the conditions for which the Crown has asked for, am I correct, Mr. Kim?

MR. KIM: Yes.

THE COURT: I did not miss any conditions?

MR. KIM: No, I did note down the no contact and to remain away and counselling, yes, that I believe covers it all, Your Honour.



6.
Certification

Certificate of Transcript
Evidence Act, Subsection 5(2)

I, Elaine Paquette, certify that this document is a true and
5 accurate transcript of the recording of May 14, 2021, in the
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BRADLEPI which has been certified in Form 1 by J. Mackey.

October 6, 2021

Date

Elaine Paquette

Authorized Court Transcriptionist

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