

ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

V.

CLAYTON ASTOFOROFF

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

BEFORE THE HONOURABLE MR. JUSTICE MAILLE  
On March 17, 2022, at HAILEYBURY, Ontario

APPEARANCES:

M. Warsi

Counsel for the Crown

M. Doupe

Counsel for Clayton Astoforoff

**ONTARIO COURT OF JUSTICE**  
**T A B L E O F C O N T E N T S**

5 Reasons for Sentence for R. v. Clayton Astoforoff Page 01  
- Maille, J. (Orally)

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1.  
R. v. Clayton Astoforoff and R. v. James Astoforoff  
Reasons for Sentence  
- Maille, J.

THURSDAY, MARCH 17, 2022

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

5 MAILLE, J. (ORALLY):

10 [1] Given the circumstances, I am satisfied that the joint submissions is within an appropriate range and I will accept it. I stress there are aggravating factors here, factors that make the offences more serious as pointed out by the Crown.

15 [2] The racial component is certainly an aggravating factor. It is one thing to be annoyed with respect to the behaviour of a dog, and it is another thing, a whole different matter to allow that frustration to lead to racially inappropriate comments that would be obviously very hurtful and concerning to the victim. The impact on the victim, as set out in her victim impact statement, is understandable and it is an aggravating factor as well.

25 [3] In mitigation, or in your favour, you have pled guilty, you have no prior record, that is particularly noteworthy given your age approaching 60.

30 [4] So as I said, given all of the factors, the joint submission strikes me as appropriate. I will accept it. I suspend the passing of

2.  
Reasons for Sentence  
- Maille, J.

sentence and place you on probation for a period of 24 months. The Crown outlined in detail the proposed terms of probation. Do you understand those terms, sir?

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CLAYTON ASTOFOROFF: Yes, I do.

THE COURT: Very well, those will be the terms of your probation order subject to one wrinkle that I am not sure was addressed directly.

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[REDACTED]

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Certification

Certificate of Transcript  
Evidence Act, Subsection 5(2)

5 I, Elaine Paquette, certify that this document is a true and  
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10 which has been certified in Form 1 by Jesee Menard.

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February 15, 2023

Date

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Elaine Paquette

Authorized Court Transcriptionist

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