

GRUCHY, J. (Orally):

[1] Before I pass sentence is there anything the accused wants to say on his own behalf?

MR. ZIMMER: My Lord, Mr. Murray doesn't have anything he wishes to add at this time.

[2] I do not know where the accused went wrong. He is an intelligent man with pretty good education. Some how things went afoul. I hope that they will improve.

[3] I am satisfied that sufficient facts have been agreed upon as between the Crown and the accused and I am satisfied that the recommended sentence is adequate and appropriate particularly in view of the provisions of s.718 of the Criminal Code.

[4] A three-year sentence in the circumstances is sufficient to denounce the unlawful conduct of the accused. I think that the three-year sentence is sufficient signal so as that the offender or any other person will be deterred from committing or attempting to commit a similar offence.

[5] The Appeal Courts have indicated in their decisions and it is necessary to separate an offender for this type of offence from society and I am bound by those decisions.

[6] I sincerely hope that the three-year sentence will be of assistance in rehabilitating the accused. I rather suspect it will be.

[7] This type of offence is not harmful in a specific sense but it is very harmful to the community as a whole and accordingly the sentence must be such to send a signal that the courts will not countenance the repeat of an offence. I sincerely hope that the sentence will promote a sense of responsibility in the accused and I am pleased to see that he has acknowledged that he has committed the offence and has, as far as I can see, been cooperative with the Crown in clearing these matters up.

[8] Accordingly, I sentence the accused to three years incarceration in a federal institution. I impose the mandatory weapons prohibition, 10 years for all weapons and a lifetime ban for restricted weapons. The Crown will present the order to me in due course. The order of forfeiture as requested by the Crown will be granted, that is, the vehicle used for the transportation of the drugs will be forfeited to the Crown.

J.