

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

LORI ROBERTA HANSEN

Transcript of the Decision delivered (re: Bail Application)  
by The Honourable Justice L. A. Charbonneau, in Yellowknife,  
in the Northwest Territories, on July 6, 2015.

APPEARANCES:

Mr. M. Lecorre: Counsel on behalf of the Crown

Mr. C. Davison: Counsel on behalf of the Accused

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Charge under s. 235(1) C.C.

Ban on Publication of evidence, information given and  
representations made at Bail Hearing  
pursuant to Section 517 of the Criminal Code

1 THE COURT: As counsel have noted at the  
2 outset, even though this is not a contested bail  
3 application, it is still, ultimately, the Court's  
4 responsibility to ensure that any concerns  
5 regarding Ms. Hansen's release have been  
6 adequately addressed through the release plan.

7 The Crown has taken a fair position as far  
8 as acknowledging that there are triable issues in  
9 this case, and acknowledging the lack of criminal  
10 record.

11 Bearing in mind the general principles that  
12 govern bail, including the presumption of  
13 innocence and the right of every person charged  
14 with an offence not to be denied reasonable bail,  
15 I agree that the detailed release plan that is  
16 being proposed, which includes sureties and very  
17 detailed conditions, is adequate to meet the  
18 requirements to ensure that Ms. Hansen will  
19 attend court; that there will be no risk to the  
20 safety of the public stemming from her release;  
21 and that her detention is also not required on  
22 the tertiary ground.

23 I am going to release you, Ms. Hansen, on  
24 these conditions that have been talked about.  
25 You heard the Crown read them. I know you are  
26 aware of them. When you are asked to sign the

27 recognizance, it will be written down. The clerk

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1 will go over them with you so I am not going to  
2 repeat them all here now. It is very important  
3 that you comply with them of course.

4 THE ACCUSED: Yes.

5 THE COURT: I know you understand you are  
6 facing a serious charge and it could take a while  
7 before it makes its way through the system. As  
8 long as you comply with these conditions, you  
9 will be able to remain at large, not in custody.  
10 You can pursue your efforts if you want to try to  
11 get employment and if you want to try to access  
12 treatment.

13 If you are ever not sure about something to  
14 do with your release conditions, try to get a  
15 hold of Mr. Davison and do not hesitate to seek  
16 his advice if you are confused about something or  
17 not sure if you are permitted or not permitted to  
18 do something.

19 You have your two sureties. Their role is  
20 to help you, to remind you of your conditions and  
21 to make sure you comply with those conditions.  
22 By agreeing to be your surety, they are agreeing

23 to be sort of the eyes of the Court. And what  
24 that means is that if you do not follow the  
25 conditions, they are going to have to tell the  
26 police about it which, I am sure, for both of  
27 them would be a very difficult phone call to

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1 make. That is the responsibility they are both  
2 agreeing to take by signing on as surety for you.  
3 They trust that you will comply with your  
4 conditions.  
5 THE ACCUSED: I will.  
6 THE COURT: They are pledging amounts of  
7 money that I know are large amounts of money. So  
8 at this point it is really up to you to make sure  
9 that you do not let the Court down and you do not  
10 let them down.  
11 THE ACCUSED: I won't.  
12 THE COURT: Do you understand?  
13 THE ACCUSED: I understand. Thank you.  
14 THE COURT: I have the list here, Mr.  
15 Clerk, of the conditions that were read earlier  
16 in this hearing. I will give that back to you so  
17 that they can be written. I think you will have  
18 to write them again just to add the ones that we

19 now need to add following our discussion.  
20 I think the best place to add the condition  
21 to take into account the possibility of road  
22 closures due to the forest fires would be after  
23 number 7, because 6 and 7 talk about the back and  
24 forth between Hay River and Fort Resolution. So  
25 after condition 7, condition number 8 will be "in  
26 the event that you are unable to travel to Fort  
27 Resolution because of road closures, you will:

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- 1 (a) Continue to reside at your mother's  
2 residence;  
3 (b) Advise the RCMP in Hay River that you have  
4 had to remain in Hay River;  
5 (c) Advise your sister Patricia Alexandra Hansen  
6 of the situation.

7 Was that the three things you mentioned?

8 MR. DAVISON: I had suggested that there  
9 should be a term specifically requiring that  
10 Patricia Alexandra Hansen be given a copy of the  
11 recognizance just to make sure she has a copy of  
12 the list of conditions.

13 THE COURT: Yes. I am going to make that  
14 direction but I am not going to include it in the

15     recognizance because that is not something that  
16     Ms. Hansen is promising to do, it is just  
17     something I am directing.

18   MR. DAVISON:     Okay.

19   THE COURT:        So those three things. And  
20     then:

21     (d) Should the road reopen, notify the RCMP in  
22     Hay River that you are departing.

23         I think that works. So that's the new 8(a),  
24     (b), (c), and (d), Mr. Clerk, that you will not  
25     have written on this document. The rest of the  
26     numbers will change accordingly.

27         Not in the recognizance but as part of the

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1     clerk's notes, it should reflect that I am  
2     directing that Patricia Alexandra Hansen be  
3     provided a copy of the recognizance and  
4     conditions after it has been signed.

5         Now, who is able to make sure that the clerk  
6     has the contact information for Patricia  
7     Alexandra?

8   MR. DAVISON:     I can certainly get it and  
9     pass it on to Mr. Clerk.

10  THE COURT:        All right.

11 MR. DAVISON: I believe it's effectively the  
12 same as Jeanette Mandeville and Lori Hansen in  
13 Hay River, but I'll get it and make sure of that.

14 THE COURT: It does not really matter how  
15 this is done, but it would be important that she  
16 get a copy of this so that she knows what she is  
17 essentially, without being a surety, what role  
18 she has in all of this.

19 And the other difference, Mr. Clerk, as you  
20 heard the Crown say, that the first name that  
21 appears on the second last line of the condition  
22 that deals with the no contact with the  
23 witnesses, that name should not appear.

24 You have heard the names of the people you  
25 are not to have contact with, Ms. Hansen. Again  
26 I do not propose to read them to you, but they  
27 will all be listed on the conditions. Mr.

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1 Lecorre read them out loud.

2 THE ACCUSED: Yes.

3 THE COURT: You know who these people are,  
4 right?

5 THE ACCUSED: I don't know all of them.

6 THE COURT: You don't know all of them?

7 THE ACCUSED: There are people I don't know  
8 on this list.

9 THE COURT: Okay. If by some sort of  
10 coincidence you realize you are in contact with  
11 one of them --

12 THE ACCUSED: Yeah.

13 THE COURT: -- then you just need to  
14 remove yourself from the situation. And if  
15 something like that, it is very unlikely that it  
16 will happen, but I would suggest if something  
17 like that did happen, whether it is at a store or  
18 on the street or whatever, and you realize that  
19 you have now had contact with one of these  
20 people, I would strongly suggest that you make  
21 your lawyer aware of that right away so that  
22 people know that it was not a deliberate thing  
23 and so at least he is aware and he is prepared to  
24 talk to the Crown about it.

25 THE ACCUSED: Okay.

26 THE COURT: Understand?

27 THE ACCUSED: Yes.

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1 THE COURT: Mr. Clerk, I am going to give  
2 this back to you.



3 THE COURT CLERK: Thank you, Your Honour.

4 THE COURT: There is nothing further to do  
5 on this application. I do not know where the  
6 proceedings are in the Territorial Court but that  
7 is not something that I need to get involved  
8 with.

9 Is there anything further that is required  
10 on this?

11 MR. LECORRE: No. Just for Mr. Clerk's  
12 benefit, condition 13 will now read "you must  
13 continue to abide by terms 10 and 11" instead of  
14 "9 and 10" because the numbering changed. I just  
15 wanted to make Mr. Clerk aware of that. Other  
16 than that, nothing further from the Crown.

17 THE COURT: All right. Perhaps what we  
18 could do, Mr. Clerk, is once you have typed out  
19 all of this -- it is going to take a little bit  
20 of delay, Ms. Hansen, before you are actually  
21 released because this has to be prepared. If  
22 counsel expect to be reachable today I would  
23 suggest that Mr. Clerk send you each the revised  
24 conditions so that we take care of any problems  
25 with them before Ms. Hansen actually signs them.  
26 Are you around?

27 MR. DAVISON: I am. But what I was going to

1 propose to make Mr. Clerk's job a little bit  
2 easier is that I can send him an e-mail with all  
3 of this in electronic form and then he's not  
4 having to start from scratch. He can then add  
5 the conditions and change the conditions that  
6 need to be changed, send them back to my friend  
7 and myself, we'll make sure that they accord with  
8 our notes and then we can go from there. That  
9 will save him having to type out two pages.

10 THE COURT: All right. You could even  
11 maybe change the two numbers that Mr. Lecorre has  
12 referred to and let him add in the new numbering.

13 So Mr. Clerk, you will be getting that from  
14 Mr. Davison. Please send it in draft form to  
15 counsel. All I am trying to avoid here is the  
16 need for organizing a further court appearance to  
17 fix any problems that made its way into the  
18 document.

19 Thank you, counsel.

20 Ms. Hansen, as soon as the document is ready  
21 and as soon as you can sign it and your sureties  
22 can sign it, then you will be released.

23 THE ACCUSED: Thank you very much.

24 .....

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Certified to be a true and  
accurate transcript pursuant  
to Rule 723 and 724 of the  
Supreme Court Rules of Court.

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Annette Wright  
Court Reporter

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