

TERRITORIAL COURT OF YUKON
Before Her Honour Judge Ruddy

REGINA

v.

APRIL HANNA

Appearances:
Susan E. Bogle
Melissa D. Atkinson

Counsel for the Crown
Counsel for the Defence

REASONS FOR SENTENCING

[1] RUDDY T.C.J. (Oral): April Hanna is before me for sentencing with respect to a single count of spousal assault which occurred on April 24, 2013, involving an argument with her former spouse, in which she lost her temper and punched him one time on the left side of the face.

[2] She has no prior criminal record, accepted responsibility at an early opportunity, entered into the Domestic Violence Treatment Option program, and completed the Emotional Management program through one-to-one sessions with Kate Hart. She is described as being extremely motivated and taking full responsibility for her behaviour.

[3] She did all that was asked of her, did extremely well at what was asked of her, and the indication is that nothing further is required.

[4] In all of the circumstances, an absolute discharge is being suggested. That leaves you, should I grant it, Ms. Hanna, with no criminal record.

[5] You need to understand that, had you not done the programming that you did, quite frankly, you would have been looking at a criminal record, if not a short period of time in jail. So you have earned your way out of that. Lessons learned, I hope, that you will take with you down the road.

[6] The only thing that I would suggest, if you have not already given some thought to it, the children were in the home. There are impacts on them because of the behaviour; something you might want to give thought to in terms of whether or not they need any access to some programming or supports.

[7] But you have done extremely well in your own programming and, for that reason, I am satisfied that an absolute discharge is appropriate. It would not be contrary to the public interest because of your performance, and certainly would be in your best interest, so I am going to grant you an absolute discharge.

[8] You are done.

[9] Where does this fall in terms of the Victim Fine Surcharge?

[10] MS. BOGLE: It was prior to the amendment.

[11] THE COURT: Okay, I will waive it.

[12] MS. ATKINSON: Thank you.

[13] THE COURT: Good.

[14] Congratulations. Well done.

RUDDY T.C.J.