

Citation: *R. v. Abdullahi*, 2009 YKTC 79

Date: 20090625
Docket: T.C. 09-00237
Registry: Whitehorse

IN THE TERRITORIAL COURT OF YUKON
Before: His Worship Justice of the Peace Cameron

REGINA

v.

MOHAMED MOHAMED ABDULLAHI

Publication of information that could disclose the identity of the complainant has been prohibited by court order pursuant to section 486.4 of the *Criminal Code*.

Appearances:
Jennifer Grandy
Robert Dick

Counsel for Crown
Counsel for Defence

REASONS FOR JUDGMENT

[1] CAMERON J.P.T.C. (Oral): The Court's view is that the condition sought, although it's an unusual condition, is a condition that is a specifically relevant condition to the allegations that are before the Court. And just as in certain scenarios we may ban a person from attending certain public places, this one has connection to the alleged offence and as such, the Court is of the view that it would be appropriate to have that condition in there.

[2] Mr. Abdullahi, you will be released today upon signing a recognizance. When you sign the recognizance you are promising to the Court that you'll do what it says. Failure to abide by any of the conditions of your recognizance, you could find yourself

immediately owing \$1,000 to the Crown; you also could find yourself facing further serious criminal charges. Do you understand that?

[3] THE ACCUSED: Yes.

[4] THE COURT: Conditions of your release will be:

1. That you will keep the peace and be of good behaviour;
2. That you attend Court as required by the Court;
3. That you report immediately upon your release to a bail supervisor and thereafter as often and in the manner directed, and advise the bail supervisor in advance of any change in your name or address, or status of education or occupation;
4. You must remain within the Yukon Territory and not go outside Yukon Territory unless you have the prior written permission of the bail supervisor or permission of the Court to do so;
5. You are to have no contact, direct or indirect, or communicate in any way with K.L. This means you cannot phone her, you can't write her notes, you cannot tell somebody to tell her something, you can't fax her, e-mail her, leave messages on phone answering machines or pagers or other electronic communications devices;
6. You are to provide your bail supervisor with your residence and not change that residence without the approval of the bail supervisor; and
7. You are not to be found operating any taxis, limousines or other vehicles for hire for the duration of this recognizance.

Are there any of the conditions, then, that you do not understand, sir?

[5] THE ACCUSED: The last one.

[6] THE COURT: You don't understand the last one?

[7] THE ACCUSED: Mm-hmm.

[8] THE COURT: You don't understand what it means, or you don't understand why it's on there?

[9] THE ACCUSED: What it means.

[10] THE COURT: What it means? It means that you are not allowed to be the operator of any taxi, limousine or vehicle for hire. You can be a dispatcher, but you're not allowed to actually have the vehicle under your control. Do you understand that?

[11] THE ACCUSED: Mm-hmm.

CAMERON J.P.T.C.