



## COURT MARTIAL

**Date:** 20210512

**Docket:** 202035

General Court Martial

Asticou Centre  
Gatineau, Quebec, Canada

**Between:**

**Her Majesty the Queen**

- and -

**Master Sailor R.D. Machtmes, Offender**

**Before:** Commander S.M. Sukstorf, M.J.

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### **ABATEMENT ORDER**

(Orally)

WHEREAS on 25 March 2021, a General Court Martial found Master Sailor Machtmes guilty of three offences, being child luring contrary to paragraph 171.1(1)(b) of the *Criminal Code*, invitation to sexual touching contrary to section 152 of the *Criminal Code* and disgraceful conduct contrary to section 93 of the *National Defence Act*.

CONSIDERING that after the finding, but prior to the commencement of the sentencing hearing, Master Sailor Machtmes died;

WHEREAS after his death, on 12 May 2021, a hearing was held in order for counsel to provide submissions with respect to finalizing the proceedings;

CONSIDERING that there is no longer an offender to receive a sentence, the military judge confirmed that the guilty convictions shall remain on the record, but that a formal court order is required to conclude the proceedings against Master Sailor Machtmes;

IT IS ORDERED that pursuant to the court's powers under section 179 of the *National Defence Act*, and relying upon *R. v. R.J.C.*, 2020 NBQB 129, the proceedings against Master Sailor Machtmes are abated.

FURTHER with the abatement of proceedings, the Court confirms that the ban on publication imposed earlier in this matter remains in effect. Any information that could identify the victim or the victim's family shall not be published in any document or broadcast or transmitted in any way.

DATED this 12th day of May 2021 at Gatineau, Quebec.

"S. Sukstorf, Commander"  
Presiding Judge