



## COURT MARTIAL

**Citation:** *R. v. Ethier-Roy*, 2010 CM 2009

**Date:** 20100610

**Docket:** 201011

Standing Court Martial

Asticou Centre Courtroom  
Gatineau, Québec, Canada

**Between:**

**Her Majesty the Queen**

- and -

**Corporal V.C.M.P. Ethier-Roy, Offender**

**Before:** Commander Lamont, M.J.

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### REASONS FOR SENTENCE

(Orally)

[1] Corporal Ethier-Roy, having accepted and recorded your plea of guilty to the fourth charge in the charge sheet, a charge of neglect to the prejudice of good order and discipline, the court now finds you guilty with respect to the fourth charge.

[2] Having heard what counsel had to say in their submissions to me and having familiarized myself with the written material that was supplied to me in the course of this hearing, I am satisfied that what occurred on 17 July 2009 was but a momentary panic on your part and no doubt something that you would like to have the opportunity to correct if you had the opportunity to relive those few moments. I am also impressed with the material put before me that establishes that you are a valued member of the Canadian Forces with your developing and developed skills in the Medical Technician trade.

[3] As you know, there is very little room for panic when one is engaged in the important duties that you discharge as a professional in the Canadian Forces. I am confi-

dent that on the occasion of the offence your actions were entirely out of character and are most unlikely to be repeated.

[4] The Court Martial Appeal Court has made it abundantly clear in several cases, as have the courts of appeal across Canada, that where counsel before the court agree on a sentencing disposition, that disposition is to be seriously considered by the sentencing court and to be accepted by the court unless the sentence that is jointly proposed by counsel would bring the administration of justice into disrepute or is otherwise contrary to the public interest.

[5] On all the facts of this case, considering both the circumstances of the offences and the circumstances of the offender, I cannot say that the joint submission proposed by counsel would either bring the administration of justice into disrepute or is otherwise contrary to the public interest, and I therefore accept the joint submission of counsel.

[6] Corporal Ethier-Roy, you are sentenced to a reprimand and a fine in the amount \$1500. The fine is to be paid in monthly instalments of \$125 each commencing 1 July 2010 and continuing for the following 11 months.

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**Counsel:**

Lieutenant-Colonel M. Trudel and Captain D. Kerr, Canadian Military Prosecution Services

Counsel for Her Majesty the Queen

Commander J. McMunagle, Directorate of Defence Counsel Services

Counsel for Corporal Ethier-Roy