

---

CANADA / JUDGMENT

## R. v. Dawson

2014 BCSC 2198

---

COURT

Supreme Court of British Columbia

DECIDED

19 September 2014

Source: bccourts.ca · Research copy typeset by Esheria. Not court-issued or certified.

---

2014 BCSC 2198 R. v. Dawson

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation:

R. v. Dawson,

2014 BCSC 2198

Date: 20140919

Docket: 34649-2

Registry: Duncan

Regina

v.

Gregory Bruce Dawson

Ban on Publication: Pursuant to 486.4(1) C.C.C.

Restricted Access

Before: The Honourable Mr. Justice Baird

Oral Reasons for Sentence

Counsel for the Crown:

N. Barber

Counsel for the Accused:

J. Watt

Place and Date of Hearing:

Nanaimo, B.C.

September 19, 2014

Place and Date of Judgment:

Nanaimo, B.C.

September 19, 2014

- [1] THE COURT: All right, I am satisfied that the sentence being proposed here today, Mr. Dawson, is appropriate in the circumstances.
- [2] The accused has pleaded guilty to sexual assault causing bodily harm of D.T. on May 11, 2003, over eleven years ago. I have before me a joint submission on sentence of two years less one day's incarceration followed by a probationary term of three years.
- [3] You have probably heard it said, Mr. Dawson, and I will repeat it, that a far severer sentence might very well be imposed, because this was a major sexual assault, a sexual assault causing bodily harm. It was violent. It was protracted. The degree of victimization here, the force that you used on this young complainant, was severe.
- [4] As you can easily see from reading the complainant's victim impact statement, what you did to her has had a major impact on her life, a deleterious impact. On top of the physical pain and injury caused, which was serious, she has been impaired in her normal relations with men, she has a natural inclination to distrust men. It sounds, thank heaven, that she is healing and getting over it, but it has been a long time for her, this has been a long journey for her and a painful one, and it is a journey that you set her on. It is a serious case, this, and I have often sentenced offenders to far lengthier terms of imprisonment for doing much the same thing.
- [5] However I am persuaded in your case that the right thing to do is to endorse, to ratify, to accept this joint submission for a variety of reasons. First of all, you have entered a guilty plea and you have acknowledged your responsibility. There was a preliminary inquiry and D.T., the complainant, was put to the obligation of attending court and reliving an exceedingly painful, unpleasant and unhappy episode in her life. But having listened to her testimony and having consulted with your counsel, I accept that you are taking full responsibility for this offence, and I accept that you are genuinely remorseful.
- [6] You are an aboriginal person who was raised off reserve. You come from the background of residential schools, cultural deracination, and the sequelae therefrom that every person, every properly-informed and intelligent person in this country knows all too well. Your father, a person in the thrall of an addiction to alcohol, committed suicide. You and your brother found him hanging in your backyard.

- [7] That, of course, is a dreadful background to attempt to emerge from whole and healthy. The sentencing laws of this country enjoin me to pay particular attention to the circumstances of aboriginal offenders, and this has been a major part of my thinking on this case. You were born in circumstances where the chips were stacked against you right from the beginning. You had that horrible, traumatic experience with your father when you were just a boy, and that set you on a spiral of addiction, lack of self-worth, reckless behaviour, and violence towards your loved ones.
- [8] You have two prior assaults. They are both against your female partner, which shows how far gone your behaviour became, as does this serious sexual assault. That is how far into addiction and recklessness you got, and look where it took your father. His despair became so great in the end, the level of his own self-loathing, his sense of helplessness, of desperation, led him to take his own life. What I hope for earnestly and devoutly is that you should escape such a fate.
- [9] It is also because it is clear to me that you are taking very serious steps in that direction that I think this disposition is appropriate. I have read with optimism the fact that you are turning yourself around. It is early days yet, but I am satisfied that you are struggling as hard as you can against the substance abuse problems that so clearly afflict you. I am satisfied that you are doing everything you can to remain clean. There will be relapses. There will be slips. That is more or less inevitable, and that is part of the recovery process, as anyone who is acquainted with these matters will know. The main thing is you have got to keep trying.
- [10] Why? For your partner and your children. You have very serious obligations. By bringing these children into the world, you have made a lifelong commitment to stay on the straight and narrow and to provide for them as best you can. I know you can do it. I have read the comments of your employer. You are obviously a valued employee. You are obviously a man of talent and application and discipline. You are capable of earning a good living and you are capable of providing for your children. I absolutely insist that you should do that. You cannot fail in this obligation.
- [11] I think it beyond dispute that, so long as you remain sober, you will be a productive member of our society. You will be a good partner and father to your four children. It is not going to be easy, but thankfully you have a lot of support. My courtroom, as I have said for the record, is full of Mr. Dawson's family and supporters and friends. That bodes extremely well for the future. With the assistance of these good people, you will succeed. You will not fail. It is going to take a lot of determination and discipline on your part, but there are clear indications in the materials before me that you are good for it, that you can do it.

- [12] I bear in mind, as well, and this is not anything that credits you particularly, Mr. Dawson, but this offence occurred a long time ago now. You were only 22 when you committed this offence. But consider that the complainant was only 15. She was a child, a child who was not much older than your eldest stepchild, right? As you have said yourself through your counsel, just imagine what you would think if one of your children came home to report such an attack. How would you react to that?
- [13] I am influenced, as well, by the fact that, although you have two prior assaults, there is no previous history of sexual offending. I conclude from all that I have heard, as I say, as long as you stay off substances, that you are a low risk to reoffend, and that is to be said very much in your favour.
- [14] Finally, I am very impressed with your statement to me. It was thoughtful, well considered, and highly articulate. It makes clear to me that, quite apart from all the other positive things that might be said about you, you are a highly intelligent person. You are capable of expressing yourself in very elegant language that shows an acuity of intellect that you should be proud of and that you should build on. The thing about substances is that they undermine the functioning of your mind. You have got a good mind. Do not poison it any more with alcohol and drugs.
- [15] You have got a bright future once you get this sentence behind you. Your family is clearly upset that you are going away for a time, but that is the way it is. This is what the law requires. You have committed a major sexual assault. It was a rape. You are going to have to pay your debt to society, the debt that you have agreed to pay through this joint submission. You are going to go to jail for two years less one day, and you are going to be on probation for three years. You are going to be under the court's supervision for getting on for five years.
- [16] That is the penalty for what you did to the complainant. Once you have done your time, you will still be a young man, still only in your mid-thirties. You will have most of your life left to live. You will have your partner and children to love and to cherish, and lots of time with your children while they are young.
- [17] So when you get out, do the right thing by them. Enjoy your family life. Revel in it. These are the best years of your life coming up. You are going to have to get through a rough patch now, but after that I want you to work hard, I want you to make money, I want you to be a good father and a solid influence on your kids. I want you to be the wedge that separates your family from its troubled past. I want the improvement to start with you. See to it that you are the last person in your family history who suffers from these demons. Let your children be free from it. Be part of the cure.
- [18] Stand up, please, Mr. Dawson.

- [19] I will endorse the joint submission that has been made by these two lawyers. They have obviously spent a lot of time on it. They have obviously given it a great deal of thought. I think it is fit. I think it is appropriate. I am going to sentence you to serve a reformatory sentence of two years less one day.
- [20] As a matter of classification, Mr. Dawson, you will simply be sent to whatever custodial facility has the counselling services that you need. It may be that they are available on the Island through Guthrie House. I will make a recommendation that, if possible, you be kept on our Island, near your family, near your folks. I will make that recommendation. Corrections are not bound by it, but I want you to be close to home, if possible, so your family can come and see you, and so you can keep your relationships going in the interval.
- [21] I want you to be a model prisoner. If you behave while you are in custody, you will be released in good time and you can start on your probationary term. I will get to the conditions in a minute. But get in there, jump in with both feet, take the benefit of whatever counselling is on offer. You have got to combat your inclination to abuse substances. Your addictions have led to violence and suffering. The cycle has got to be broken or else you will be lost.
- [22] When you are granted provincial parole, you will be bound by a probation order which is going to be of three years' duration. Mr. Watt, if there are any additional submissions you might care to make about conditions, I did not hear from you about that specifically, but if there are submissions that you wish to make, you must feel free to do so.
- [23] You are to report within 24 hours of your release to the probation office nearest to the correctional facility from which you are released. Okay, so once you get out, you go straight to the nearest probation office, and you report. You have got a good relationship with your PO up in Comox, who is obviously in your corner. You have got a supporter there. She says you always report. You always do what you are asked to do. You always take things seriously. You always pursue and successfully complete all of your counselling. That is promising. That is another reason why I think this sentence is fit, because you are a disciplined, orderly guy who can get stuff done. But if you are released on the mainland, for example, go to the nearest PO, report there, and she will direct you to report in Comox.
- [24] You are to reside where directed by your probation officer and you are not to change your place of residence without the prior written consent of your probation officer.
- [25] You are not to consume alcohol at all, period. Sobriety means total abstinence. That is all there is to it. No booze.
- [26] You must not attend any establishment, any liquor store, pub, or night club where the primary business is the sale of alcohol. I want you to stay as far away from all of these kinds of influences as you can possibly get.

- [27] You are not to possess or use illegal drugs as defined by the Controlled Drugs and Substances Act of this country, or any other medications that are not prescribed for you by a licensed physician in our province.
- [28] You are to attend for and to successfully complete any course of counselling that may be directed by your probation officer, including, if directed, residential counselling and treatment.
- [29] You will attend for and participate in psychiatric or psychological assessments and/or counselling as directed by your probation officer, including the forensic sex offender program and sex offender management program. I do not know if that is going to be necessary in your case, Mr. Dawson. I suspect that it is not, but if they tell you to go to counselling, psych counselling, you do it and you do what you are told and you complete it successfully.
- [30] You are not to have any contact, directly or indirectly, with the complainant D.T. You must not go to her residence, place of employment, or any educational institute she may attend. Well, she has moved away from the country and you will probably never see her again, but if you do, then you are to make yourself scarce. Get out of her way.
- [31] You are not to possess any firearms, imitation firearms, ammunition, explosives, or weapons.
- [32] I am ordering you to provide a sample of your DNA by the least intrusive means possible, and your DNA will be included in the National DNA Bank.
- [33] I will make a SOIRA order in the usual form. Your lawyer will explain that to you, if he has not already. That is the Sex Offenders' Registry.
- [34] I am prohibiting you, under s. 109 of the Criminal Code, for a period of 10 years, from possessing any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition, and explosive substances. Do you understand that? All right.
- [35] Mr. Dawson, I see a solid and a bright future for you, if only you have the will and self-discipline to get over your addiction problems. I wish you the very best of luck in doing so. Take advantage of the support of these good people here. Trust in them. They will help you. Together with the whole group, the whole family, the extended family, you can do it.
- [36] Anything else counsel?
- [37] MR. WATT: No, thank you very much, My Lord.
- [38] THE COURT: All right, and members of the family and friends, thank you very much for coming and showing your support today. It is very fortifying to me to know that you will be there to help this young man.

[39] MR. BARBER: Crown directs a stay of proceedings on Counts 1 and 2.

[40] THE COURT: Stays will be entered on Counts 1 and 2.

"Baird J."

---

### Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE      <https://www.bccourts.ca/jdb-txt/SC/14/21/2014BCSC2198.htm>

CASE PAGE              <https://chat.esheria.ai/case-law/canada/r-v-dawson-2014>

Prepared on 29 October 2026 · Esheria