

Date: 19980622

Docket: CMAC-416

**CORAM: CHIEF JUSTICE STRAYER
HEWAK J.A.
ROTHSTEIN J.A.**

BETWEEN:

CAPTAIN C.J.C. BERTRAND

Appellant,

--and--

HER MAJESTY THE QUEEN

Respondent

Heard in Ottawa, Ontario, Monday, June 22, 1998.

JUDGMENT DELIVERED from the Bench at Ottawa, Ontario, on Monday, June 22, 1998.

REASONS FOR JUDGMENT BY:

STRAYER C.J.

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REASONS FOR JUDGMENT

**(Delivered from the Bench at Ottawa, Ontario
on Monday, June 22, 1998)**

STRAYER C.J.

[1] After considering the written submissions and the oral submissions of counsel for the appellant, we are not persuaded that we should interfere with the sentence imposed by the President of the Standing Court Martial. It appears to us that he did not ignore any relevant considerations in sentencing the appellant. In our view it is not possible to say that the sentence of dismissal from Her Majesty's Service was clearly unfit or unreasonable.

[2] Therefore while leave to appeal sentence is granted, the appeal itself will be dismissed.

“B.L. Strayer.

Chief Justice

COURT MARTIAL APPEAL COURT OF CANADA

SOLICITORS OF RECORD

DOCKET: CMAC-416

STYLE OF CAUSE: CAPTAIN C.J.C. BERTRAND v. HER MAJESTY
THE QUEEN

PLACE OF HEARING: Ottawa, Ontario

DATE OF HEARING: June 22, 1998

REASONS FOR JUDGMENT OF THE COURT: (Chief Justice Strayer, Hwak, J.A.,
Rothstein J.A.)

RENDERED ON THE BENCH BY: Strayer C.J.

APPEARANCES:

Mr. Jean-Pierre Sharpe FOR THE APPELLANT

Major Mario Léveillé FOR THE RESPONDENT

SOLICITORS OF RECORD:

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