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ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

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v.

GEORGE BOTHWELL

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P R O C E E D I N G S

BEFORE JUSTICE OF THE PEACE D. STAFFORD
on June 26, 2009, at OWEN SOUND, Ontario.

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APPEARANCES:

M. Martin

Counsel for the Crown

G. Bothwell

In Person

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FRIDAY, JUNE 26, 2009

THE COURT: This is Mr. Bothwell, I recognize.

MR. BOTHWELL: I'm sorry, Your Honour, that is something false that you assume to be true. My identification, I believe the police have taken it on me, and I prefer to replace their identification with my identification. They have it in the property down below and maybe if you had an opportunity to look at it, it would just help clarify things.

THE COURT: Well, I'm content, Mr. Bothwell, I've dealt with you enough times that I know who you are.

MR. BOTHWELL: Well, the fact of the matter is that was before I knew who I was and now that I am born again and I know that I am one I am of the great I am and, uh, I choose to be called Geordie of the Family Bothwell. And this George Hugh Bothwell happens to be my property and I filed a statement of claim under 39(1) of the Criminal Code and I guess Mr. Kay's[sic] response to that statement of claim was to, um, to go and get a bench warrant. So I just, uh, trust that the justices have that statement of claim as well and are aware of it.

THE COURT: Mr. Martin, you're to speak on behalf of the crown here today. Regardless of what this man goes by, what's your request with respect to the charges that he faces?

MR. MARTIN: It is unfortunate, this gentleman who I have knowledge of and have prosecuted in

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the past, is a gentleman with property and with deep roots in this area, but unfortunately he has a repetitious demonstration of refusal, in my respectful view, to abide by the rules of court, so I'm concerned with releasing him as much, as I think he could be released. But right now, I would hope that he could get a lawyer or something so we could talk about whether or not if he was released he'd be able to follow the guidelines that he's supposed to. But given his recent, in the last six months, at least in my experience, refusal to recognize the legitimacy of the police and court functions in this Province, it leaves me with no choice but to ask for his detention on the primary and the secondary grounds, because he does not recognize the legitimacy of this court or of the police function or of the laws of Ontario. And that's an unfortunate thing, because he's a very intelligent man, he's a propertied man, he's an individual who has deep roots in the community, but given the wilful refusal to comply with court process, I'm left in no other circumstance but to ask for his detention.

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MR. BOTHWELL: I'd like to speak to that, Your Honour.

THE COURT: Just a minute. Mr. Deakin, you're one of the duty counsels here this morning.

Did you offer to assist Mr. Bothwell?

MR. DEAKIN: I did, Your Honour.

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THE COURT: And it was refused?

MR. DEAKIN: Yes.

MR. BOTHWELL: I declined. I asked him to get me some information, but I prefer to represent myself as Geordie of the Family Bothwell. You will find nothing on the record where I have not shown full respect for the court, but you will find on the record where either under the crown's direction or Mr. Kay's[sic] direction, they show disrespect for the court.

THE COURT: Well, Mr. Bothwell - because that's what I know you as, Sir, and have for, I don't know, 30, 35 years I suppose - you're making or you're attempting at least to make a legal statement and I think you need some assistance to do that. You are an accused party. It is always better, even when lawyers themselves get charged with an offence, and they do, it's always better for them to get a lawyer to speak on their behalf and that would be what I would suggest to you. That person can take their instructions from you and can do what you instruct them to do, but this needs to be settled I think before we do a bail hearing. And I heard what the crown said, the crown is indicating that this needs to be settled, because - well, first of all, I can tell you that you were arrested for breaching or for failing to appear for fingerprints, I believe, and you were arrested on the 25th of June. That was an information that was sworn out on the 12th of June by the Owen Sound City Police and then after - no - there was before that a