

### **ORAL RECALL - EXERCISE 3**

The victim, Caroline Taylor, told police that at 9 o'clock the night of October 21, 2009 she was walking on Front Road. She was 17 years old at the time. A truck pulled up next to her and she recognized the driver as Tim Seton. He offered her a ride in his vehicle. Since she knew Mr. Seton as someone who had once lived in the community, she accepted his offer and asked to be dropped off at the house of a friend, Christina Beverly. Instead of driving through town to Ms. Beverly's home, Mr. Seton turned the vehicle into the high school playground and parked. He moved closer to her and tried to grab her handbag. Ms. Taylor didn't understand what was happening. She said, "Don't" and moved away from him. Mr. Seton then leaned over and twisted her arm, trying to wrestle the bag away from Ms. Taylor. At that point, she managed to open the vehicle door and ran out. She reported this incident to the police that night and gave a statement to the officer. Mr. Seton was arrested the next day and released on a promise to appear for court.

Mr. Seton admits that he attempted to rob Ms. Taylor. He claims this wasn't pre-planned in the sense that he was driving around looking for somebody to rob; rather it was an instance of an opportunity that presented itself when she agreed to get in his truck. This is a very difficult time in Mr. Seton's life. He is 40 years old and has been out of work for three years. He used to work as a commercial fisherman as well as at the airport doing maintenance. Since he was fired from his last job, he has been unable to find employment and is desperate for money to feed his three children.

Mr. Seton has expressed remorse for his actions. He does not have a criminal record. Given his lack of record, there is a joint submission for a period of probation with a condition that he not contact or communicate with the complainant.

349 words