

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** R. v. Laffin, 2013 NSSC 135

**Date:** 20130425

**Docket:** CRH376664

**Registry:** Halifax

**Between:**

Her Majesty the Queen

v.

Steven Elliott Laffin

**Judge:**

The Honourable Justice Felix A. Cacchione

**Heard:**

April 25, 2013, in Halifax, Nova Scotia

**Written Decision:**

April 30, 2013

**Counsel:**

Eric R. Woodburn and Susan MacKay, for the Crown  
Kevin A. Burke, Q.C., for Mr. Laffin

**By the Court:** (Orally)

[1] **THE COURT:** Mr. Laffin, is there anything you would like to say before I impose sentence?

[2] **MR. LAFFIN:** Your Honour, I would just like to first apologize to the families involved here. I can understand their sleeplessness and the nightmares and the pain that they feel from what I have done. I too suffer along the same lines, although I doubt to the extent that they do. I know saying I'm sorry won't do anything, and it won't bring Nadine back, but I am sorry for everything I have done and for the pain I have caused Your Honour. That's it.

[3] **THE COURT:** Thank you sir.

### **COURT'S DECISION**

[4] Mr. Laffin did enter a guilty plea to second degree murder on March 7<sup>th</sup> of this year. Today's hearing is to determine the period of parole ineligibility, that is the amount of time that Mr. Laffin must serve in a federal penitentiary before he can even apply for parole. It is not a given that parole will be granted after that period of time, but just that he can make formal application.

[5] The Court has heard from Nadine Taylor's mother who read her Victim Impact Statement into the record. It shows that she has suffered through the loss of her child. She has suffered by missing the special moments that they shared together and would have continued sharing together. She has been affected emotionally and suffers from post traumatic stress disorder, such that it has required psychological intervention.

[6] The Victim Impact Statement from Ms. Taylor's aunt, Bernadette Baker, also her godmother who described her as a kind and gentle person with a strong passion for life and all of its creatures, someone, that is Nadine, who had a big heart, always trying to help others who were in need. It would appear from the comments of Ms. Baker that Nadine was attempting to turn her life around. She

was planning on getting married. Unfortunately the death of Nadine has had repercussions for all, for her family, for her intended husband who I gather took his own life, the people that Nadine could have and would have helped had she lived. Ms. Baker has been affected by the brutality of the death of her niece. It has affected her emotionally and physically to the point of requiring medical intervention.

[7] The Pre-sentence Report prepared on Mr. Laffin for an offence for which he is to be sentenced this afternoon indicates that he is a 38 year old who has a Grade 12 education, has a limited prior record as an adult. He apparently, according to him, had a good relationship with his mother and his siblings. His father died when Mr. Laffin was 16 years of age.

[8] As pointed out by Mr. Woodburn, Mr. Laffin described himself as the good one in his household. He was fortunate, unlike many people who appear before the courts who have suffered physical or sexual abuse in the family home. Mr. Laffin did not suffer any of those.

[9] He left home at age 23 and since then has married twice. One of those weddings was shortly after he committed this horrendous crime. A child resulted from that union. Mr. Laffin, you should think about your child, your wife - former wife and what this has done to them. Your child will carry around the memory that his or her father was a murderer and a callous one to boot.

[10] The Pre-sentence Report notes that there was no problems while Mr. Laffin was in school. He apparently worked at the Casino in both Sydney and in Halifax and then as a carpenter for two years. His former employer described him as an excellent worker. Mr. Laffin told the probation officer who prepared this report that his "current problems are related to his gambling addiction". He also advised that he completed an anger management and self awareness course while incarcerated. That comment in the Pre-sentence Report seems to be inconsistent with the reason why he would take such courses if he describes himself as he did further on in the report, as having a "long fuse" and not losing control if angry. The probation officer described hm as being cooperative, of average maturity, pleasant and polite.

[11] Mr. Laffin indicated as well that he accepted responsibility for the offences, and I must note that the Pre-sentence Report was prepared in relation to the charges of aggravated assault for this afternoon, but is being used in this parole ineligibility hearing. His acceptance of responsibility had a caveat, and that is that it was all due to his gambling addiction.

[12] He had been on probation in the past. No problems while on probation. His record includes robbery in 2006, theft under, failure to attend and assault causing bodily harm committed after he was remanded on the charges before the Court.

[13] Mr. Laffin's comment to the author of the Pre-sentence Report in relation to having a long fuse and not losing control if angry, sound hollow in light of what he did to Nadine Taylor. Blaming his troubles on a gambling addiction is but an excuse for your behaviour Mr. Laffin. This speaks volumes about your lack of insight into your behaviour. You have shown through your actions in this case and in the file relating to Melissa Gazzard, that you are a predator and that you are a dangerous one. Your self description in the Pre-sentence Report as a "good one" belies the kind of person that you truly are. You have shown yourself to be someone who can commit the most serious of offences in the *Criminal Code* in the most violent fashion and not, despite your supposed remorse, really be remorseful.

[14] Your actions must be denounced. The public must be protected. There is nothing that this Court can do to bring back Nadine Taylor. There is nothing that this Court can do to erase the nightmares that you have caused Melissa Gazzard. Nothing at all. What this Court can do is to impose a sentence that will protect other members of society. As I have said, no sentence imposed will ever repair the harm that you have caused to these families.

[15] Mr. Laffin I am not a trained psychiatrist or a psychologist, but I have been in the criminal law business for almost 40 years and your actions in this case and in the one involving Melissa Gazzard just a few weeks after you killed Nadine Taylor, together with your lack of remorse and insight into your behaviour, leads me to conclude that you are either a psychopath or that you have psychopathic tendencies. Whatever that may be it is clear that you have some serious underlying psychological issues that must be addressed before you can ever safely be released back into society.

[16] I am reminded of the words of Dr. Samrau who testified in the *Shrubsall* (2001 NSSC 197) dangerous offender proceeding. His words were “the best prognosticator of future behaviour is past behaviour”. You have borne that true. Your actions in these two cases confirms Dr. Samrau’s statement.

[17] There are mitigating factors in this case, two as I see. One, your guilty plea, and the second one of disclosing to the police the location of Nadine Taylor’s body so that her family could finally have some closure. Your plea of guilty has spared the family of having to sit through a criminal trial where all of the disturbing evidence concerning the circumstances of her death would have been aired in public.

[18] There has been a joint recommendation regarding the period of parole ineligibility. That recommendation of 13 years is within the range of sentences imposed for this offence. I can tell you Mr. Laffin that if it were not for the fact that this recommendation was made by experienced counsel, if it were not for the fact that I am bound by precedent and case law, I would be inclined to impose a much harsher sentence. I am, however, prepared to accept the joint recommendation.

[19] In accepting that recommendation I would, however, also make a recommendation to Correctional Services Canada that you undergo a psychiatric assessment while you are incarcerated and that such assessment be provided to the Parole Board once you are eligible to apply for parole.

[20] I do hope, for the safety and protection of society, that you can in the years to come while incarcerated gain some sort of insight into the reasons for your behaviour. People just do not go around killing other people in a very violent fashion. This was not a situation of somebody having access to a gun being all drunked up and firing the gun. You obviously lured her, brought her to your house and in some fashion with some weapon, be it a hatchet or a hammer, killed Nadine Taylor. Think about it.

[21] If you would stand please Mr. Laffin.

[22] The sentence of this Court is that you be imprisoned for life. Further, that you not be eligible to apply for parole for a period of 13 years. Parole ineligibility

will begin as of the date of your arrest as mandated by the *Criminal Code*, that is October 19, 2010.

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Cacchione, J.