

ONTARIO COURT OF JUSTICE

5  
HER MAJESTY THE QUEEN

V.

10  
STEVEN McEACHERN

15  
P R O C E E D I N G S

BEFORE THE HONOURABLE JUSTICE K. MULLIGAN

20  
ON APRIL 16, 2012, at OSHAWA, Ontario

*Received by me on this  
day 2013 April 15.*  


25  
**Dr. John Stewart**  
Medical Associates of Port Perry  
462 Paxton Street  
Port Perry, ON L9L 1L9  
905-985-2895 Fax: 905-985-8521

30 APPEARANCES:

M. McCormick  
Steven McEachern

Counsel for Crown  
Appearing Personally

MONDAY APRIL 16 2012

THE COURT: What is your name, sir?

STEVEN MCEACHERN: My name's Steven McEachern.  
I'm self-represented. I'm ready to go.

THE COURT: Okay, come on forward. So McLearen  
you said?

STEVEN MCEACHERN: Steven McEachern, last name  
M-C-E-A-C-H-E-R-N, Steven, initial R.

COURTROOM CLERK: Ninety-eight.

THE COURT: Okay, thank you.

MS. MCCORMICK: Thank you, madam clerk.

THE COURT: Just hold on one second. Okay, so  
is there a pre-trial note or anything somewhere?

MS. MCCORMICK: Your Honour, I don't think you  
have to look much further. I have instructions  
from my colleague, Ms. Turner, that the charge  
be withdrawn.

STEVEN MCEACHERN: Your Honour, I'd like to, the  
court's indulgence for my section 2(b) rights or  
that I may object to the withdraw of the charge.

THE COURT: You can't.

STEVEN MCEACHERN: May I have a few moments of  
the court's indulgence for my section 2(b)  
rights?

THE COURT: Yes, you may.

STEVEN MCEACHERN: Your Honour, this is the  
third time that I've been arrested since  
becoming the applicant in my Family Court  
process. The complainants in all these matters  
are all attached the alleged weapon. I've been  
charged with the - the - the charge that is to

## Proceedings

5  
10  
15  
20  
25  
30

be withdrawn is assault with a weapon. The alleged weapon is my Superior Court claim suing everybody for all the previous stuff including incredibly malicious prosecution. I will obviously bring - be bringing another malicious prosecution action. Now I am starting to get very frustrated. I have children that need to be supported. I have been arrested three times. I've spent more time since bringing my Family Court action three years ago with pending criminal charges than without. The first charges included accusations that I had accused my ex-wife and the Children's Aid Society employee, who was our maid of honour at our wedding, of having lesbian sex while my children were home. I was also charged with public mischief, the allegations being that I had falsely accused my wife of drinking and driving. That was withdrawn. The criminal harassment was withdrawn. I was then subsequently charged with criminal harassment again of the arresting police officer from the first offences. That has been withdrawn. I am growing very frustrated, my children need child support. I have Family Court orders that I'm not even to be paying child support because I'm now destroyed and on welfare. I had a \$70,000.00 job, three lines of income. I had a disc jockey service since 1983. I have letters from the Mayor that I employed youth in our community. I was a member of three Chambers of Commerce, two B.I.A.'s, two trade membership associations. I

3.  
Proceedings

5  
10  
15  
20  
25  
30

am growing increasingly frustrated. I just want this on the record. Now, unfortunately, my belief at this time is that you will see me in the criminal courts again because I do believe that these complainants will continue to conspire together to make these false allegations against me. Thank you, Your Honour for the indulgence.

THE COURT: You're welcome. Is there any way that this gentleman can meet with PHRED Crown today and see if there is any - I mean, if that is the history, I am not doubting you, sir, I just haven't heard from the other side, so I am just getting one side so far, but that there might be something that the community Crown could do. I mean, if he really has been charged five times and all charges have been withdrawn for no - I take it the charge you're withdrawing for no reasonable prospect of conviction?

MS. McCORMICK: That's right, Your Honour. We have reviewed the file and Ms. Turner has determined there is no reasonable prospect of conviction.

THE COURT: As a Crown is there anything that he can do in terms of trying?

MS. McCORMICK: If he'd like to speak to the resolution Crown, Mr. Slessor is here today and he's welcome to do that or perhaps make an appointment with a community Crown.

STEVEN MCEACHERN: I have a big issue with Mr. Slessor, unfortunately.

THE COURT: Okay.

5  
10  
STEVEN MCEACHERN: He had - when they charged me with public mischief and forgive me, Your Honour, I know this is going to sound very bizarre, but charging me with public mischief for falsely accusing me of believing that my wife is drinking and driving based upon her sex life, no quantum of sex would affect a woman's alcohol, blood alcohol level, it was ridiculous. Again, how much sex does a woman need to have to blow over .08? It was absolutely ridiculous.

THE COURT: Right.

15  
20  
25  
STEVEN MCEACHERN: Mr. Slessor was involved in that, I'd rather not talk to him. I do understand that my options include that I may see a Justice of the Peace to pursue a public mischief charge against the complainants with regards of this. I am looking forward to maybe doing that, maybe with regards to obstruction given the fact that it's my position that this was meant to obstruct my civil action with regards to the last offences, or the last allegations, and I understand that I do have the right to proceed in, I guess, another Superior Court civil action suing them all. So I guess I'll just take that. Thank you very much.

30  
THE COURT: Okay, so, and I understand that. I can tell how you could be frustrated. I just was - if you want you can make - I understand how you don't want to speak with Mr. Slessor and the reasons for that. If you want you can make

5.  
Proceedings

a pre-trial, it's called a community Crown pre-trial meeting.

STEVEN MCEACHERN: May I?

THE COURT: Yes.

STEVEN MCEACHERN: Sorry, I, have done my best to educate myself.

THE COURT: Yes.

STEVEN MCEACHERN: I have even invested in a Martin's of my own at this point now and I've got it well tabbed, so a judicial pre-trial?

THE COURT: No, it's called a community Crown pre-trial. And you call the Crown Attorneys' office, which I imagine given the history you have their number already.

STEVEN MCEACHERN: No, they have actually issued me a letter saying that I am no longer to contact their office.

THE COURT: Oh, okay then.

STEVEN MCEACHERN: They don't like me as much as I don't like them, I think, at this point.

THE COURT: Okay then never mind, I don't want you - I don't know the history.

STEVEN MCEACHERN: I am not to have contact with their office except for in writing. I have become quite vocal in these circumstances.

THE COURT: Yes, I can imagine. Well if you want to do it by writing, and maybe this is just sending you on a goose chase here, a wild goose chase, but there is a community Crown that you can meet with on the phone and I just thought that maybe if you relayed your history to them

6.  
Proceedings

5  
and they looked up and saw how all these charges were withdrawn, they might be able to give you some idea of who to speak to or put some flag on your file in terms of, if the Crown's office thought you were being abused by the complainant, then they might be able to flag the file. I am not sure, so I just thought it was an avenue you could explore.

10  
STEVEN McEACHERN: May I ask one thing of yourself, Your Honour?

THE COURT: Sure.

15  
STEVEN McEACHERN: Justice Devlin has been wonderful enough on occasion to issue an order granting me the transcript of my proceedings at, unfortunately, the taxpayers' expense. I'm destroyed and I am on welfare. I have \$199 a month to feed myself and I can't even support my children anymore. The Courts of Justice Act section 136(2)(b), I believe, allows a self-represented to record their own proceedings.

20  
THE COURT: Right.

25  
STEVEN McEACHERN: Now, I didn't come in here to do that today because I didn't want Your Honour to be offended for one, but would you maybe, possibly, give me the transcript at taxpayers' expense?

THE COURT: Of today's proceedings?

STEVEN McEACHERN: Of today's proceedings.

THE COURT: Sure.

30  
STEVEN McEACHERN: Thank you.

THE COURT: All right, so, the only issue would

7.  
Proceedings

5  
be how to get them to you, so if you want to, what I'll do is I will direct madam reporter to prepare a transcript of today's proceedings and if you want to provide - maybe if you write down your address, I will have my assistant mail them out to you. How long do you think that will take madam reporter?

COURT REPORTER: Your Honour, I'm not sure because I'm not...

10  
THE COURT: Okay.

COURTROOM CLERK: It is usually 30 days.

THE COURT: Okay.

15  
MR. McEACHERN: Thank you, Your Honour. Your Honour, may I submit one last final piece of information that's relevant to this?

THE COURT: Sure.

MR. McEACHERN: Again, the alleged weapon is my statement of claim for my Superior Court order action.

20  
THE COURT: I saw that.

MR. McEACHERN: Okay.

THE COURT: Well, it's alleged on the information to be a bag of paper.

25  
MR. McEACHERN: A one inch stack of paper. It's the commencing documents from my own Superior Court action, in which I am the plaintiff. I am of intelligence as a civilian and I would expect that the criminal justice system also has the awareness that anyone who serves, and again my -  
30  
unfortunately it was my identical twin brother that served my Superior Court claim. The

5  
10  
15  
20  
25  
30

defendants actually being the Ministry of Attorney General, the Children's Aid Society and my ex-wife's parents. But when you serve commencing documents, you have to then go to the court the next day and sign - you have to then file an affidavit of service. I am of intelligence and so is my identical twin brother, that we wouldn't assault somebody with my own commencing documents when we have to go to the court the next day and sign an affidavit of service that would suggest that we were at the scene of the alleged offence. So from a *mens rea* standpoint, the *actus reus* was fabricated in itself and from a *mens rea* standpoint this thing has been absolutely a joke. I apologize and I don't mean any disrespect to this court, but it has been a severe inconvenience to myself and my children.

THE COURT: You know, I can appreciate that and a lot of - the Supreme Court of Canada calls being up on charges pending exquisite agony because you're in limbo, so you know that all to well.

STEVEN McEACHERN: I do have a three page letter from Mr. O'Driscoll and Mr. John Scott had met with me and I have a three page letter from them. It's very nice. I do appreciate having received that letter from them. They also did inform me that I had unfortunately suffered the full weight of the criminal justice system the last time. Anyway this is my address, may I?

5  
10  
15  
THE COURT: Okay, so if you pass that over to the Crown she'll pass it up to me. I will give it to my assistant and we will get the transcript to you. Just on the last point, in criminal trials we often hear evidence that would make me say to you that not everybody acts in a purely rational manner, so when you say that why would I hit my wife with my bag of papers when I had to go file the next - maybe that's the case and I'm not deciding any facts now, but sometimes I hear things and you wouldn't believe them and you think, wow, I never would have guessed that in a million years. So not everyone acts rationally or the way that we think they would or should, so I hear you, but that's not always the case. Okay?

MR. McEACHERN: I appreciate the court's indulgence, thank you Your Honour.

20  
THE COURT: Okay. You're welcome. Charge withdrawn.

M A T T E R   A D J O U R N E D

25  
\*\*\*\*\*

30

FORM 2

CERTIFICATE OF TRANSCRIPT (SUBSECTION 5(2))  
Evidence Act

5  
I, Joan McLaughlin, certify that this document is a true and  
accurate transcript of the recording of R. v. STEVEN  
McEACHERN, in the Ontario Court of Justice, held at Oshawa,  
Ontario, on April 16, 2012, taken from Recording No. 2811-107-  
10 400762-20120416-090404, which has been certified in Form 1.

15 May 18, 2012

Joan McLaughlin  
Joan McLaughlin Records  
Management Clerk

20  
TRANSCRIPT ORDERED: April 16, 2012  
TRANSCRIPT COMPLETED: May 18, 2012  
25 ORDERING PARTY NOTIFIED: May 18, 2012