

ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

V.

MATT MACMILLAN

P R O C E E D I N G S D U R I N G
P L E A O F G U I L T

BEFORE THE HONOURABLE MADAM JUSTICE PRINGLE

On January 25, 2022, at 1000 Finch Avenue West, TORONTO, Ontario

APPEARANCES:

J. Tupper

J. Griffiths

Counsel for the Crown

Counsel for Matt MacMillan

ONTARIO COURT OF JUSTICE
T A B L E O F C O N T E N T S

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[REDACTED]

5 [REDACTED]

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[REDACTED]

20 [REDACTED]

[REDACTED]

25 [REDACTED]

30 MR. TUPPER: Okay. So that we are going to deal with the second set of allegations now, Your Honour, and Mr. MacMillan. The accused in this matter, Mr. MacMillan, was a client in the O'Neil Program. That runs out of the Seaton House men's

shelter and it's a program which is directed towards recovering alcoholics. Mr. MacMillan was banned from the program at some point due to having assaulted a member of staff, and he was ultimately expelled from both the O'Neil Program and banned from attending at the Seaton House men's residence which is located at 339 George Street in the City of Toronto, Ontario.

On Wednesday, August 5th, 2020 at about 11:30 p.m., Mr. MacMillan and the complainant, whose name is Dion Myers, were both located at the Seaton House at 339 George Street in Toronto. This is the location of the Seaton House, the adult men's shelter. The complainant is a frontline employee with the Seaton House staff. And it's alleged as you heard that Mr. MacMillan was a client that had been banned from the property for 13 days. At the time that this incident occurred he was not legally allowed back on the property of the Seaton House.

It's alleged that Mr. MacMillan had been drinking and he was on scene in the lobby of the Seaton House trying to re-enter the O'Neil Program. Mr. MacMillan was escorted off the property by Mr. Myers and other staff members. As he was being escorted off the property, it's alleged Mr. MacMillan singled out Mr. Myers, who is a black gentleman, and stated the following: "You're a fucking nigger. I'm going to wait for you in the parking lot and I'm going to kill you."

5 The complainant was in fear for his safety and contacted the police. The police attended. An investigation was begun. Mr. MacMillan was subsequently arrested and taken to 51 Division where he was charged at that time with the offence before the court, and he was released on an undertaking in relation to these offences. So that's the facts on the second set of allegations.

10 THE COURT: Are those facts basically correct, Mr. MacMillan?

MATT MACMILLAN: Yes.

15 THE COURT: So I am going to make a finding of guilt on that matter relating to uttering a death threat.

MR. TUPPER: All right, this is the third and final set of allegations, Your Honour. June 8th of '21, these are the North York allegations.

20 THE COURT: Yes.

[REDACTED]

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Certification

FORM 3

Electronic Certificate of Transcript

Evidence Act, Subsection 5(2)

5 I, Elaine Paquette, certify that this document is a true and
accurate transcript of the recording of R. v. Matt MacMillan in
the Ontario Court of Justice held at 1000 Finch Avenue West,
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10 6-PRINGLL, which has been certified in Form 1.

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April 21, 2023

Date

Elaine Paquette

ACT 8164250397

Ontario, Canada