

R. v. Alkarim Nasser, Nova Scotia Provincial Court, September 9, 2005

Mr. Nasser was charged with two counts of possession of counterfeit money. He and 2 university friends had traveled from Hamilton to Halifax with the intent to pass counterfeits. They were arrested in a bar, after the bartender noticed a counterfeit bill, asked the accused some questions and notified the police.

The Crown recommended a period of 18 to 24 months of incarceration because of a number of aggravating circumstances including:

- the accused was on probation for a offence committed while he was a minor;
- the crime was motivated by greed and required premeditation;
- the amount of counterfeit money was significant;
- the pre-sentence report was negative.

Defence counsel argued in favour of a 10 month conditional sentence in light of the accused's young age (19) and the absence of previous adult convictions.

The judge imposed a conditional sentence of two years less one day with conditions including:

- 150 hours of community work; and
- restitution to the stores where purchases were made.

The judge took into consideration Mr. Nasser's young age, the absence of danger to society and the testimony of his father. The Court considered that the sentence imposed was not significantly more lenient than what the Crown had recommended. The judge stated:

“It is clear that in every case offences of counterfeiting have been, and no doubt will continue to be, regarded as serious offences. These are cases where deterrence is regarded as the paramount consideration in determining the appropriate sentence. These are not cases where fines or suspended sentences are routinely imposed. Far from it. These are serious offences warranting custodial terms in most instances. The Crown submits, quite accurately from my reading of the cases, that real jail time is most often imposed for offences of this nature.”