



(GETTY IMAGES)

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A disgraced pedophile priest, sentenced in April to three years in penitentiary for sexually assaulting an adolescent Kingston boy in the late 1980s and early 1990s, was sentenced again on Wednesday for molesting an even younger boy here at the start of the new millennium, between 2000 and 2002.

Robin Quinton Gwyn, 69, pleaded guilty in October last year to a single count of sexually assaulting a subsequent victim, roughly three weeks after a Superior Court judge convicted him at trial of sexually assaulting a victim from decades earlier.

The later victim was about eight years old when Gwyn molested him.

Superior Court Justice Brian Abrams was told, however, that a resolution negotiated between Gwyn's lawyer, Clyde Smith, and assistant Crown attorney Gerard Laarhuis prior to that plea called for a joint recommendation for equivalent but concurrent sentencing -- which three months into Gwyn's prison sentence amounts to 33 months. In practical terms, however, the concurrent stipulation means that while the priest and former teacher's criminal record will reflect a prison term deemed fit for his crime, the additional sentence will not increase his time behind bars.

In presenting the joint recommendation, Laarhuis told the judge he felt compelled to explain what might at first appear to be unwarranted leniency.

Had the case gone to trial, he said, the Crown would have had to prove every element of the offence and "this as you have heard," he told Justice Abrams "was a case of recovered memory and there were some frailties in that regard."

Gwyn's second accuser -- unlike his first who was a reluctant but fully cognizant witness against the priest -- repressed memories of the abuse until 2014. In late May that year, he confided to a church deacon that he was having "flashbacks," however, and on the basis of his disclosure the deacon filed a complaint of historic sexual assault against Gwyn with Kingston Police. It was another two months before the actual victim provided police with a statement. And in September that year, when Gwyn was arrested at his home in Nova Scotia and brought back to Kingston to face charges, they initially related

In agreeing to resolve the case with concurrent sentencing, Laarhuis told Justice Abrams, "we strike a balance where we get certainty in the place of uncertainty."

Gwyn's guilty plea, he told the judge, transforms him in the eyes of the law into an admitted sex offender and his accuser "is transformed in the eyes of the law from a complainant to an undisputed victim."

Defence lawyer Clyde Smith told Justice Abrams that his client is currently housed in Joyceville Penitentiary and predicted that "he will be regarded as a pariah by large parts of the community."

But his client, he suggested, didn't set out to exploit his position as a priest. Smith conceded that Gwyn had already recognized his inclination for sex with young boys before entering the priesthood. But, "he was attracted, as I understand it, by the oath of celibacy."

Justice Abrams, in sentencing Gwyn, expressed some skepticism about his pursuit of abstinence.

Prior to entering the seminary in the mid-1980s, Gwyn had been a teacher for 10 years and admitted to therapists after he was, as he's described it, "de-parished" in 2004, that he'd had nine sexual relationships with teenage boys over the years, including four of his students.

"I'm not convinced," the judge told him, "that when you took up your vocation (as a priest) you did it with clean hands, so to speak."

He told Gwyn "that's something you're going to have to wrestle with for the rest of your years -- and perhaps beyond."

Gwyn, given an opportunity to speak, told his victim's mother "to just say 'I'm sorry' is not enough. I'm more than sorry. I pray that Jesus will heal you."

The judge said he was troubled by Gwyn's psychological and psycho-sexual assessment reports and read several passages aloud. "What I take from those passages," he told Gwyn, "is intellectually you get it. And you can say it ... but your intellectual insight is over-ridden by your sexually deviant predilections."

The question, Justice Abrams mused was whether a 33-month concurrent sentence was a fit response to his crime. The appeals courts discourage trial judges from rejecting joint sentencing recommendations unless they can be shown to be unfit. But Justice Abrams warned Gwyn when he first entered his plea that he's not obliged to accept the lawyers' negotiated resolution. He reminded Gwyn of that detail again.

Ultimately, he did accept their recommendation, finding it appropriate in the circumstances and considering the mitigating factors: "The primary mitigating factor being your guilty plea," he told Gwyn, "which meant that this young man did not have to endure a full trial."

