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Sentencing reserved in gun-stash case

Court hears of young man's troubled past, his positive changes since arrest

By PATRICIA BROOKS ARENBURG Staff Reporter
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Alexander Stuart Lindsay enters Halifax Provincial Court in May 2008. Mr. Lindsay has been under house arrest. (Tim Krochak / Staff)

A judge is mulling over the punishment for a Halifax man caught with a startling collection of submachine-guns and assault rifles 18 months ago.

Alexander Stuart Lindsay, 22, appeared in Nova Scotia Supreme Court in Halifax on Thursday for sentencing on seven charges to which he pleaded guilty in June.

Justice Kevin Coady reserved his decision until Dec. 18.

In May 2008, police and officers from the Canada Border Services Agency searched Mr. Lindsay's Willett Street apartment and a Clifton Street storage unit. The agency had been tracking suspicious packages coming into Canada since 2006, leading to the raids that turned up a stash of submachine-guns, assault rifles, handguns, gun parts, empty ammunition magazines, bulletproof vests, crossbows and arrows, and cans of pepper spray.

THE CHARGES:

Alexander Stuart Lindsay pleaded guilty in June to seven charges:

Criminal Code charges:

- Possessing Mac-10 and Uzi machine-guns and AR-15 assault rifles without registration or licences

- Careless storage of those weapons

- Possessing a switchblade and pepper spray without a licence

- Possessing an overcapacity magazine, a prohibited device

- Failing to comply with a court order

Customs Act charges:

- Trying to import prohibited or restricted weapons

- Smuggling and trying to smuggle weapons into Canada

Federal Crown attorney Suhanya Edwards recommended that Mr. Lindsay be sentenced to a jail term of six to 10 months.

"He amassed quite a large collection of weapons and he put society at risk," she argued.

But both provincial Crown attorney Rick Miller and defence lawyer Joel Pink asked Justice Coady to consider an 18-month sentence to be served in the community, with strict conditions, followed by a period of probation.

"I recognize that this is a serious offence, but in regards to Mr. Lindsay, there's no evidence that he planned to use them (weapons) for any purpose," Mr. Miller said. Neither Crown attorney called any evidence at the hearing.

Mr. Lindsay has been under house arrest since late May 2008 on a \$10,000 surety put up by his father, John Lindsay Jr.

The father testified Thursday that his son began having trouble in school in about Grade 5 after he and his wife divorced. The boy, who had lived with him since the separation, was eventually sent to King's-Edgehill School in Windsor for grades 9 and 10 but disliked the school's rules and discipline. He moved in with his mother full time and went to Dartmouth High for Grade 11.

The father began getting reports from the school that his son was "associating with the wrong people." At one point, the teenager was assaulted and his head was split open. He was later expelled after a "significant altercation" with another student, his father told the court.

Alex Lindsay enrolled in Grade 12 at Armbrae Academy, a private school in Halifax. He got off to a good start but began skipping school, became frustrated with his courses and quit, his father said.

The teenager went to work for his grandfather's construction company, J.W. Lindsay Enterprises, but his family saw him only sporadically, the court heard.

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His father told the court that he had heard Alex express his views about the national gun registry but he passed it off as right-wing conservatism. Some of his son's friends with similar views had joined the Conservative party, he said.

He said it wasn't until Alex was arrested that he understood the extent of his son's obsession with guns.

The arrest has led to positive changes, court was told.

His father said Alex was insulting and dismissive of him at the time and was "shocked" when he laid down the law. Alex went for counselling and has continued to abide by the conditions of his release, which include Halifax Regional Police making random visits to the family home on Bloomingdale Terrace.

Alex has completed Grade 12 and is now taking engineering at Dalhousie University.

"It has been a tremendous thing for myself because it has provided the opportunity for me to completely reconnect with my son," John Lindsay Jr. said.

Forensic psychiatrist Dr. Stephen Hucker first interviewed Alex Lindsay and his family in June 2008 and was initially pessimistic about the young man's chances, the court heard.

Alex was socially isolated, living on his own in an apartment and obsessed with guns. He had a history of substance abuse and suffered from deep-seated fear and anxiety.

The Ontario psychiatrist concluded that Alex had anti-social personality disorder and was oversensitive. He admitted that some might have called Alex paranoid. He said Alex was preoccupied with the potential breakdown of society and his need to protect himself.

Alex "knew at the time that what he'd been doing was illegal . . . but he rationalized it," Dr. Hucker said.

Alex told the psychiatrist he had no intention of using or selling the weapons and had no ammunition for them.

"It was about putting them together and about being cleverer than the authorities," Dr. Hucker told the court.

But he said Alex has made dramatic changes — going back to school, continuing with counselling and regularly attending Alcoholics Anonymous meetings — and has a better overall view of the world.

When Mr. Pink asked if his client is a danger to the community, Dr. Hucker replied: "Not at all."

Alex Lindsay is to remain under house arrest until his sentencing next month, although he is allowed to attend classes at Dal.

With Christina Copp

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'(Alex Lindsay) knew at the time that what he'd been doing was illegal . . . but he rationalized it.'

DR. STEPHEN HUCKERforensic psychiatrist

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