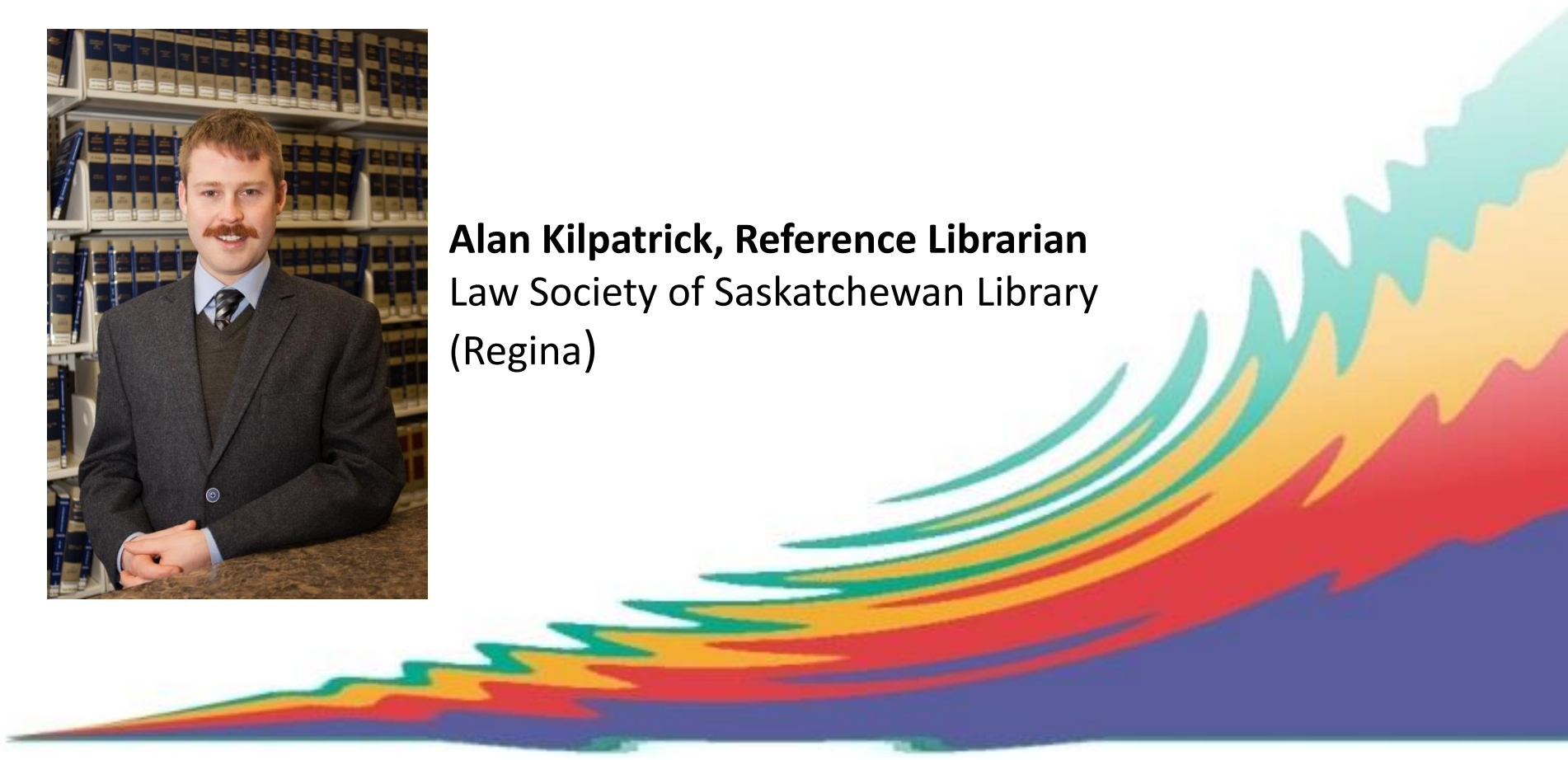


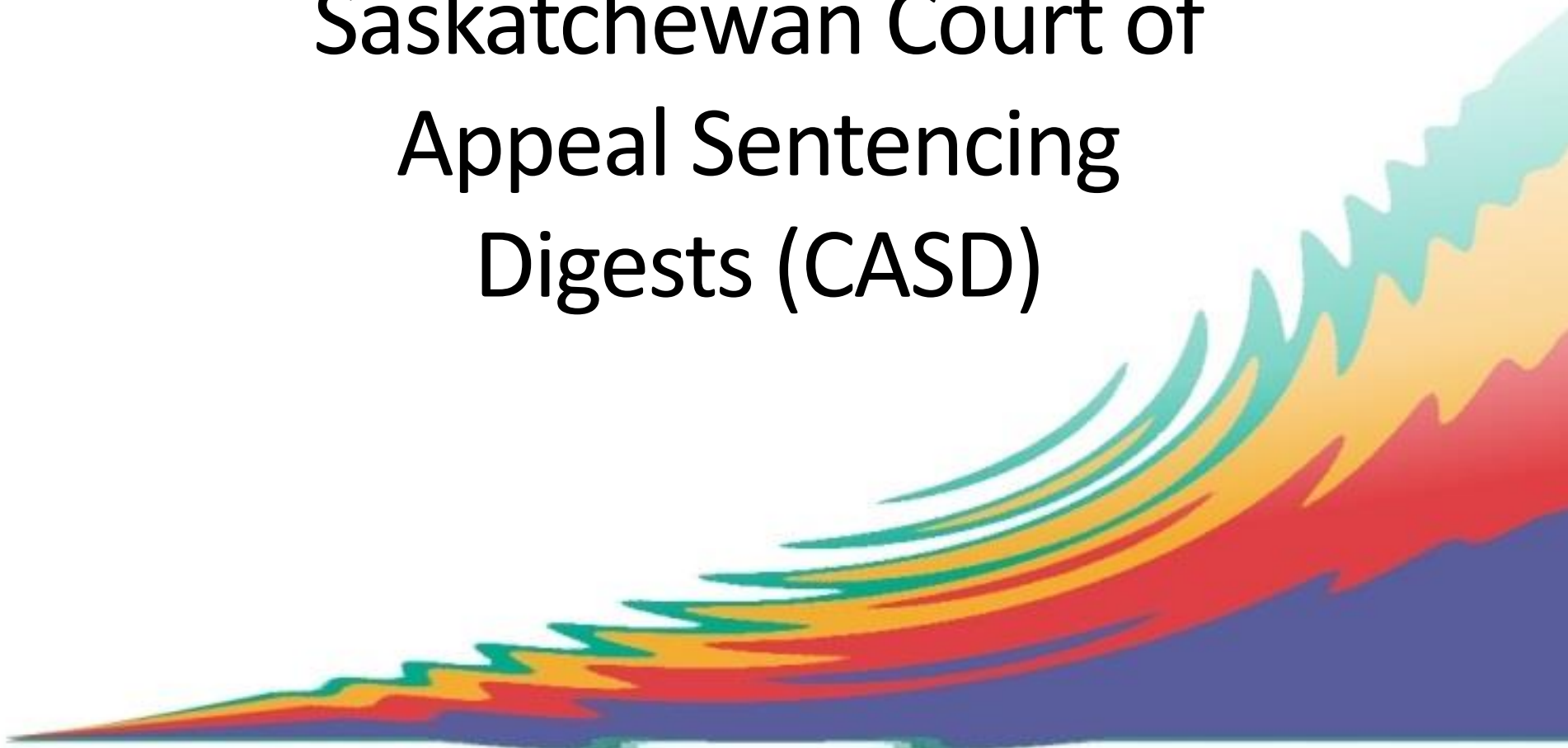
# Finding Sentencing Ranges with the Law Society of Saskatchewan Library



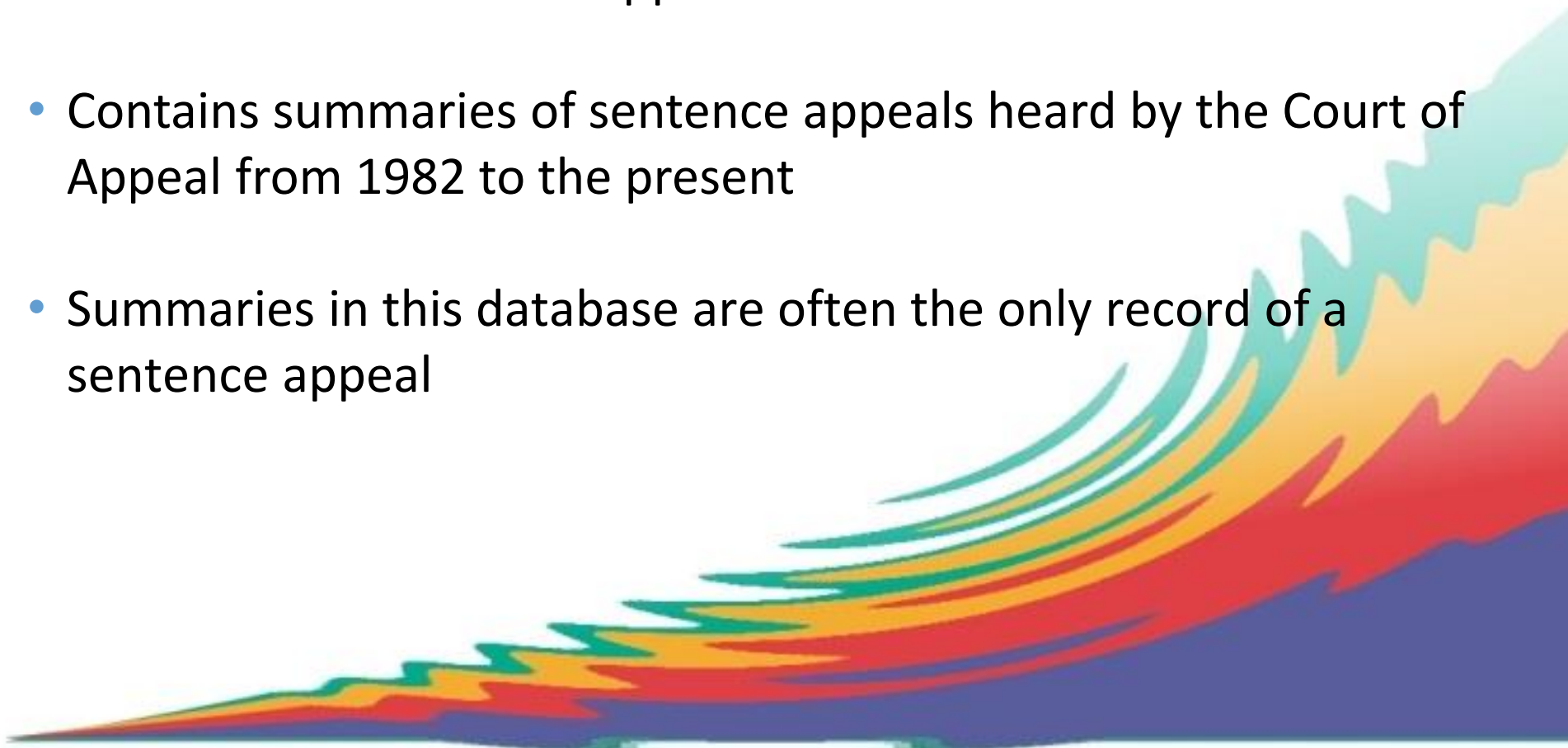
**Alan Kilpatrick, Reference Librarian**  
Law Society of Saskatchewan Library  
(Regina)



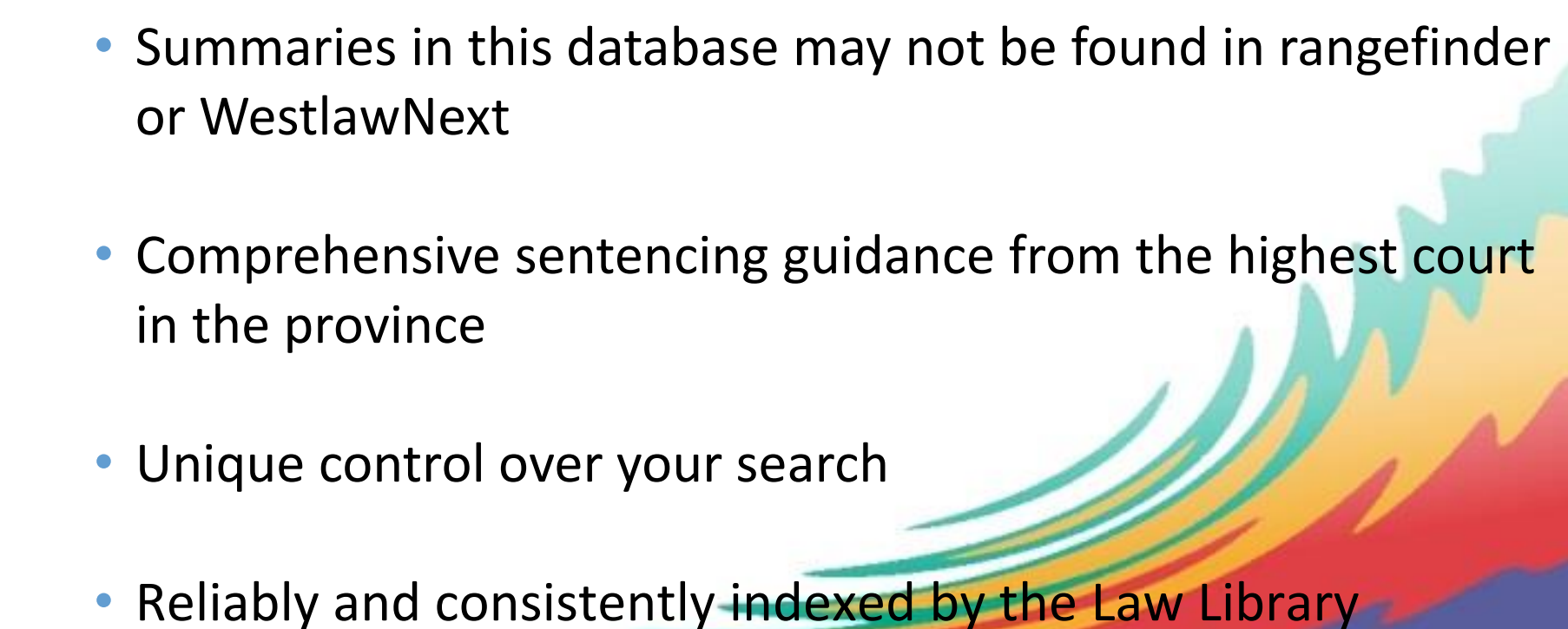
# Saskatchewan Court of Appeal Sentencing Digests (CASD)



# What is the CASD?

- Produced by the Law Society Library in collaboration with the Saskatchewan Court of Appeal
  - Contains summaries of sentence appeals heard by the Court of Appeal from 1982 to the present
  - Summaries in this database are often the only record of a sentence appeal
- 

# What is the CASD?

- How does the CASD compare to other sentencing resources?
    - Summaries in this database may not be found in rangefinder or WestlawNext
    - Comprehensive sentencing guidance from the highest court in the province
    - Unique control over your search
    - Reliably and consistently indexed by the Law Library
- 



Law Society of  
Saskatchewan

Find a Lawyer | Member Profile Login | Contact

Search this Site...

GO

Advanced Search

About  
Us

For the  
Public

Lawyer  
Regulation

For Lawyers  
and Students

Publications

Members'  
Section

Continuing Professional  
Development

Library

## News



Member Profile Login

### Bench Election 2015

October 2, 2015

The Hearing Committee of the Admissions and Education Committee for the Law Society of Saskatchewan has released a decision in the matter of [Mapa Mudiyansele Mahendra Mapagunaratne](#).

S  
T  
is

S

The Law Society of Saskatchewan has issued a notice of hearing in the [discipline matter of Karolee Ann Zawislak](#).

The Law Society of Saskatchewan Discipline Hearing Committee has issued a notice of hearing in the [discipline matter of Larry James Zawislak](#).

September 15, 2015

The Law Society of Saskatchewan Admissions & Education Committee has issued a notice of hearing in the matter of [Candace Guist](#).

Effective Oct. 5, 2015, evidence of legal name change will be required on Individual Change of Name applications submitted to ISC. Applications submitted without the required evidence will no longer be accepted as of Oct. 5, 2015. See [blog post on Legal Sourcery](#) for more details.

September 11, 2015

The Provincial Court of Saskatchewan is pleased to invite members to attend the Swearing-In Ceremony for Judge Vanessa Monar Enweani, which will take place at 3:00 p.m., Friday, September 25, 2015, at the Saskatoon Provincial Court House.

## Calendar

October 7

College of Law Lecture "[Shameful Legacies of Injustice: Wrongful Convictions in Canada](#)", David Milgaard, 1:00-2:30 pm, Room 150, College of Law

October 13

College of Law Saskatchewan Law Review Lecture "[Checks and Balances in Constitutional Interpretation - Perspectives from a Recently Retired Supreme Court Justice](#)", Mr. Justice Marshall Rothstein, Supreme Court of Canada, 7:00 pm, Room 241, College of Law

October 14-16

Canadian Institute for the Administration of Justice Annual Conference "[Aboriginal Peoples and Law: We Are All Here to Stay](#)", Saskatoon - Delta Bessborough Hotel

October 15

Government of Saskatchewan Family Matters Program [Family Separation and Divorce Expo](#), 3:00 to 8:00 pm, Estevan Leisure Centre, Estevan, SK

October 16

Law Society Convocation - Saskatoon

October 21

CPD Webinar - "[Finding Sentencing Ranges with the Law Society of Saskatchewan Library](#)"

October 26

College of Law Lecture "[Millennials in Debt](#)", Professor Stephanie Ben-Ishai, Osgoode Hall Law School, 12:00 noon, Room 150, College of Law





- Library Services
  - Reference Services
  - Research Resources
  - Tutorials
    - Tutorials- CanLII
    - Tutorials - Saskatchewan Cases Database
- Locations
  - Library Staff
  - Access to the Law Policy
- Public Resources
  - Blog - Legal Sourcery
  - Court of Appeal Judgments
  - Queen's Bench Judgments
  - Provincial Court Judgments
  - Saskatchewan Bills
  - Saskatchewan Regulations
  - Saskatchewan Proclamations
  - Canada Proclamations
  - Legal Links
  - Library News Archive

## Library News

**Saskatoon Library** - As part of the Saskatoon Court House renovations, the Law Society Library in Saskatoon is temporarily closed. During the closure, Law Society members will have borrowing privileges at the University of Saskatchewan Law Library. Members are required to bring their Law Society member card for identification purposes. Please see the [Saskatoon Branch Temporary Closure Information Sheet](#) for more information on borrowing privileges at the University of Saskatchewan Law Library.

**Moose Jaw Library** - Due to damage at the Moose Jaw Court of Queen's Bench Court House, the Moose Jaw Law Society Library is temporarily closed. If you require materials or assistance, please contact the Regina Library at 306-569-8020, 1-877-989-4999 or by email at [reference@lawsociety.sk.ca](mailto:reference@lawsociety.sk.ca).

If you have any questions or concerns, please contact Melanie Hodges Neufeld, Director of Legal Resources, at 569-8020 or [melanie@lawsociety.sk.ca](mailto:melanie@lawsociety.sk.ca).

### October 5, 2015

The Pharmacy Amendment Act, 2015, [S.S. 2015, c. 17](#), is proclaimed into force October 5, 2015.

### September 22, 2015

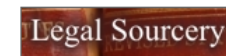
The following regulations were published in The Saskatchewan Gazette, Part II, Vol. 111 No. 38, September 18, 2015:

- SR77/2015 The Potash Production Tax Amendment Regulations, 2015
- SR78/2015 The Medical Care Insurance Beneficiary and Administration Amendment Regulations, 2015
- SR79/2015 The Saskatchewan Medical Care Insurance Payment Amendment Regulations, 2015
- SR80/2015 The Summary Offences Procedure (Certificate of Service) Amendment Regulations, 2015

### September 17, 2015

The following regulations were published in The Saskatchewan Gazette, Part II, Vol. 111 No. 37, September 11, 2015:

## Quick Links



[Research Resources](#)

[Court of Appeal Judgments](#)

[Court of Queen's Bench Judgments](#)

[Provincial Court Judgments](#)

[Saskatchewan Cases](#)

[Saskatchewan Court of Appeal Sentencing Digests](#)

[Saskatchewan Proclamations](#)

[Legal Links](#)



# Statute and Section Better Field

## Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO . . .

Reset Search

Charge (eg. assault & weapon)

AND ▼

Statute and Section (eg. criminal code & 249)

AND ▼

drugs & 4

Also Convicted of (eg. criminal code & 145)

OR ▼

Keywords from History, Circumstances, Original Sentence, Disposition, Summary Offences

AND ▼

Case Name (eg. daniels, or, f k m)

AND ▼

Citation (eg. 172 sask r 251, or, 2001 skca 77)

AND ▼

Make your search more specific by adding other search terms:

Date (eg. 1999:2000 or 2000)

Conditional Sentence

▼

Young Offender

Age (eg. 20:30)

Sex

▼

▼

Record of Accused (eg. theft)

Criminal Code Revision Year

AND ▼

▼

Reset Search

# Charge Field

## Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO

Charge (eg. assault & we) **AND** Breaking and entering

Statute and Section (eg. c) **AND**

Also Convicted of (eg. crim) **OR**

Keywords from History, C **AND**

Case Name (eg. daniels, c) **AND**

Citation (eg. 172 sask r 2) **AND**

Make your search more

**BREAKING AND ENTERING**

**348. (1) Every one who**

(a) breaks and enters a place with intent to commit an indictable offence therein,

(b) breaks and enters a place and commits an indictable offence therein, or

(c) breaks out of a place after

(i) committing an indictable offence therein, or

(ii) entering the place with intent to commit an indictable offence therein,

is guilty

(d) if the offence is committed in relation to a dwelling-house, of an indictable offence and liable to imprisonment for life, and

(e) if the offence is committed in relation to a place other than a dwelling-house, of an indictable offence and liable to imprisonment for a term not exceeding ten years or of an offence punishable on summary conviction.

Conditional Sentence

Sex

Record of Accused (eg. theft) **AND**

Criminal Code Revision Year

Reset Search

Reset Search



# Keyword Field

Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO ...

Reset Search

Charge (eg. assault)

AND ▼

Statute and Section

AND ▼

Also Convicted of

OR ▼

Keywords from H

AND ▼

Case Name (eg. d

AND ▼

Citation (eg. 172

AND ▼

Search Commands:  
(Use symbols)

The Sentencing Digest database is current to **August 21, 2015**,  
[Search Sentencing Digest Database](#)

*wills act & 14*  
*not: wills act w10 14*

Make your search

Conditional Sentence

Young Offender

Age (eg. 20:30)

Sex

Record of Accused (eg. theft)

Criminal Code Revision Year

AND ▼

Reset Search

# Search Scenario 1

## Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO ...

Reset Search

Charge (eg. assault) AND Statute and Also Convicted Keywords from Case Name Citation (eg. R v. [Name])

AND 271 OR fetal alcohol

AND AND

Make your search

Date (eg. 1999:2000 or 2000) Conditional Sentence

Young Offender Age (eg. 20:30) Sex

Yes Yes No Accused (eg. theft) Criminal Code Revision Year

Reset Search

The accused youth, 16 at the time of the offence, was found guilty of sexual assault. The intoxicated victim was assaulted at a party. The accused youth experienced a dysfunctional and chaotic childhood and has been diagnosed with fetal alcohol syndrome.

Record number 1 of 2

**Offence:**  
Sexual assault

Mark Record ☐

**Statute Section:**  
Criminal Code RSC 1985, c. C-46, s. 271

Indexed as: B. (C.S.), 2006 SKCA 120

Reported at: (2006), 289 Sask. R. 28 / [Fulltext PDF](#)

Cite this digest as: 2006 SKCA (SentDig) 31

October 18, 2006 / File No. 1201

Original Trial Judge: Ferris, P.C.J. / Appeal by Accused

**History:**

The accused is a 16 year old male. He has experienced a chaotic and dysfunctional childhood and was exposed to alcohol, abuse and neglect. He was raised for the most part by his grandparents. The accused has been diagnosed with partial **fetal alcohol syndrome**. He uses substances, including alcohol and marijuana.

**Circumstances:**

The accused was at a party and was in breach of his recognizance conditions of curfew and alcohol. The victim was passed out on a couch at the party and awoke to find her underwear pulled down. She was later told what had happened by someone who had witnessed the assault. According to the witness, he was on his way to get a drink when he heard noises from the living room. He went into the living room and saw the accused having sex with the victim, who was "out like a rock." The witness grabbed the accused by the back of his shirt, pulled him off her and told him to leave the residence. After the accused left, the witness noticed a condom on the floor. He said the victim did not wake up at any time. Other charges came about because he breached his curfew and he consumed alcohol. Ten months later, the accused committed a break and enter, during which he stole some inexpensive jewellery. When he was arrested he was extremely uncooperative. Over the next 5 months, the accused was charged with various breaches of conditions and a break and enter. He pled guilty to the charges.

**Prior Record:**

2005 - 3 breaking and entering and committing  
10 failure to comply

**Also Convicted of:**

Youth Criminal Justice Act SC 2002, c. 1, s. 137  
Criminal Code RSC 1985, c. C-46, s. 145(3) - 9 charges  
Criminal Code RSC 1985, c. C-46, s. 145(2)(b)  
Criminal Code RSC 1985, c. C-46, s. 348(1)(b)  
Breaking and entering with intent, committing offence  
Escape and being at large without excuse  
Failure to comply with sentence or disposition

**Original Sentence:**

16 months closed custody  
8 months community supervision  
1 year probation  
10 year firearms prohibition  
DNA order

**Conditional Sentence:**

No

**Summary Offences:**

Criminal Code RSC 1985, c. C-46, s. 145(3)

**Disposition:**

The sentence is set aside and a new sentence of 12 months closed custody, 6 months community supervision and 1 year probation is imposed. The firearms prohibition and the DNA order remain.

**Offence:**

Sexual assault

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 271 - 4 charges

**Indexed as:** W. (L.)

Reported at: [1996] TWL CA96134

Cite this digest as: 1996 SKCA (SentDig) 63

May 9, 1996 / File No. 6866

Original Trial Judge: Lewchuk, P.C.J. / Appeal by Crown

**History:**

The young offender is a 15-year-old male who became a foster child at the age of two because of parental neglect, substance abuse and violence. He feels very close to his foster mother. He is attending Grade 9 classes and his behaviour is exemplary. However, at Dale's House, he has angry outbursts and has difficulty taking directions but is unwilling to take an anger management course. His mother said he was difficult to parent. There has been drug and alcohol use in the past. He may suffer from **fetal alcohol syndrome** and is assessed at a high risk to re-offend. Other sexual offending behaviours have come to light.

**Circumstances:**

The victims of the offences are the granddaughters of the accused's foster mother. They were between three and eleven years of age when the offences occurred which would happen when they visited their grandmother. The accused attempted to and/or was successful in touching their genital areas, performing oral sex on them and vaginal intercourse. The victims would be involved in a game or the accused would take measures to ensure that he was alone with them and not interrupted by adults. The threatening offence occurred at Dale's House. The accused became angry after a verbal altercation and threatened to stab a staff person. He spent 7 days on remand and pleaded guilty.

**Prior Record:**

1995 - 1 sexual interference - probation for 2 years

**Also Convicted of:**

**Original Sentence:**

8 months closed custody on each charge concurrent

1 year probation

**Conditional Sentence:**

No

**Summary Offences:**

No

**Disposition:**

The Crown's appeal was allowed and the disposition increased to 16 months closed custody. The probation order stands. The Court agreed that the concern is the need for treatment which will best serve both the young offender's and society's interests. The increase in the disposition will allow time for sex offender treatment.

# Search Scenario 2

## Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO ...

Reset Search

Charge (eg. assault) AND Statute and Regulation (eg. s. 253) Also Convicted (eg. s. 480) OR Keywords from Case Name Citation (eg. [2000] 1 S.C.R. 1103)

Make your search

Date (eg. 1999:2000 or 2000) Conditional Sentence

Young Offender Age (eg. 20:30) Sex

Record of Accused (eg. theft) AND driving while disqualified Criminal Code Revision Year

Reset Search

The accused, an adult male, was found guilty of impaired driving. The accused ran his vehicle off the road and struck a tree. His prior record includes driving while disqualified.

**Offence:**

Impaired driving  
Operating while impaired

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 253(1)(a)

**Indexed as:** Ewenin, A.R.

**Reported at:** No written reasons

**Cite this digest as:** 2014 SKCA (SentDig) 12

June 19, 2014 / File No. CACR 2396

**Original Trial Judge:** Plemel, J. / Appeal by Accused

**History:**

The accused is a 76 year old male. He quit school at an early age and believes the highest level of education he completed was grade eight. After quitting school, he spent twelve years in the Canadian Army. Following his Army service, he worked for eighteen years in the oilfield. The accused has a long history of alcohol abuse. Between February and March, 2013, he completed alcoholism treatment. A program worker has been providing home visits to help the accused remain sober. His wife died five years ago, although they had been separated for about 10 years prior to her death. He is assessed as a medium risk to reoffend, with alcohol abuse being a major risk factor. The accused is in poor health. He is currently being treated for prostate cancer. He also suffers from arthritis.

**Circumstances:**

The accused was driving a pickup truck erratically on the highway. A witness stated that the vehicle was swerving all over the highway and almost hit him. Police located the accused at a nearby gas station. When he opened his car door, a strong odour of liquor was detected, and the accused slurred his words when he spoke. When asked how much he had to drink, he replied, "too much". He had difficulty exiting the vehicle and needed assistance from the officers to stop him from falling. A guilty plea was entered to the charge.

**Prior Record:**

1957 - 1 intoxicated  
1 unlawfully & fraudulently obtain food  
2 driving while intoxicated  
1 common assault  
1 breaking, entering & theft  
1 trespassing at night  
5 theft related  
1 possession of a narcotic  
4 driving while over .08  
1 possession of stolen property  
3 driving while impaired  
2 unlawfully in dwelling house  
1 mischief  
2 failure to attend  
2 driving while disqualified  
Break in record from 2007 to current charge.



**Also Convicted of:**

**Original Sentence:**

20 months  
4 year driving prohibition  
1 year probation

**Conditional Sentence:**

No

**Summary Offences:**

No

**Disposition:**

The sentence of 20 months is set aside, and a sentence of 15 months is imposed. The driving prohibition and probation order remain.



# Search Scenario 2

## Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO . . .

Reset Search

Charge (eg. assault & weapon)

AND ▼

Statute and Section (eg. criminal code & 249)

AND ▼

Also Convicted of (eg. criminal code & 145)

OR ▼

Keywords from History, Circumstances, Original Sentence, Disposition, Summary Offences

AND ▼

Case Name (eg. daniels, or, f k m)

AND ▼

Citation (eg. 172 sask r 251, or, 2001 skca 77)

AND ▼

Make your search more specific by adding other search terms:

Date (eg. 1999:2000 or 2000)



Conditional Sentence

Young Offender

Age (eg. 20:30)

Sex

Record of Accused (eg. theft)

Criminal Code Revision Year

AND ▼

Reset Search

**Offence:**

Impaired driving  
Operating while impaired

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 253(1)(a)

**Indexed as:** Ewenin, A.R.

**Reported at:** No written reasons

**Cite this digest as:** 2014 SKCA (SentDig) 12

**June 19, 2014** / File No. CACR 2396

**Original Trial Judge:** Plemel, J. / Appeal by Accused

**History:**

The accused is a 76 year old male. He quit school at an early age and believes the highest level of education he completed was grade eight. After quitting school, he spent twelve years in the Canadian Army. Following his Army service, he worked for eighteen years in the oilfield. The accused has a long history of alcohol abuse. Between February and March, 2013, he completed alcoholism treatment. A program worker has been providing home visits to help the accused remain sober. His wife died five years ago, although they had been separated for about 10 years prior to her death. He is assessed as a medium risk to reoffend, with alcohol abuse being a major risk factor. The accused is in poor health. He is currently being treated for prostate cancer. He also suffers from arthritis.

**Circumstances:**

The accused was driving a pickup truck erratically on the highway. A witness stated that the vehicle was swerving all over the highway and almost hit him. Police located the accused at a nearby gas station. When he opened his car door, a strong odour of liquor was detected, and the accused slurred his words when he spoke. When asked how much he had to drink, he replied, "too much". He had difficulty exiting the vehicle and needed assistance from the officers to stop him from falling. A guilty plea was entered to the charge.

**Prior Record:**

1957 - 1 intoxicated

1 unlawfully & fraudulently obtain food

2 driving while intoxicated

1 common assault

1 breaking, entering & theft

1 trespassing at night

5 theft related

1 possession of a narcotic

4 driving while over .08

1 possession of stolen property

3 driving while impaired

2 unlawfully in dwelling house

1 mischief

2 failure to attend

2 **driving while disqualified**

Break in record from 2007 to current charge.

**Also Convicted of:**

**Original Sentence:**

20 months

4 year driving prohibition

1 year probation

**Conditional Sentence:**

No

**Summary Offences:**

No

**Disposition:**

The sentence of 20 months is set aside, and a sentence of 15 months is imposed. The driving prohibition and probation order remain.


# Search Scenario 3

## Saskatchewan Court of Appeal Sentencing Digests

THIS DATABASE IS CURRENT TO ...

Reset Search

Charge (eg. assault) AND

Statute and Regulation (eg. s. 348(1)(b)) 

Also Convicted OR

Keywords from Case Name AND

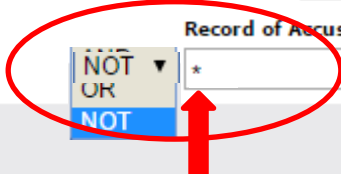
Citation (eg. [2000] 1 S.C.R. 3

Make your search

Date (eg. 1999:2000 or 2000) Conditional Sentence

Young Offender Age (eg. 20:30) Sex

Record of Accused (eg. theft) Criminal Code Revision Year

NOT OR NOT 

Reset Search

The accused, a 19-year-old male, was found guilty of breaking and entering. When drunk, the accused broke into a home. The accused comes from a stable family and plans to marry his common law spouse. The accused has no prior record.

Mark All Records

View Marked List

Clear Marked List

[Modify Search](#) | [New Search](#)

[Print All Results](#)

To print selection of records, use [View Marked List](#)

For assistance in searching, please call:

**Regina:**

569-8020 | 1-877-989-4999

**Saskatoon:**

933-5141 | 1-888-989-7499

[Home](#)

Record number 1 of 16

**Offence:**

Breaking and entering with intent, committing offence  
Break, enter and theft

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 348(1)(b)

**Indexed as:** [Anderson, N.Z.](#) , 2010 SKCA 9

**Reported at:** (2010) 359 Sask. R. 1 / [Fulltext PDF](#)

**Cite this digest as:** 2010 SKCA (SentDig) 6

January 21, 2010 / File No. 1763

Original Trial Judge: Koskie, P.C.J. / Appeal by Crown

**History:**

The accused is a 19 year old male. He is a member of the Air Cadets squadron. He has won three medals and several scholarships. The accused serves as a role model for other young aboriginals who join the squadron, often working with those who got into trouble to attempt to dissuade them from the path they were going down. He currently works for his grandfather training horses.

**Circumstances:**

When he was drunk, the accused broke into a home and stole, among other things, an Xbox and some games, an iPod, air soft BBs, coins, and some clothing. There was some indication of damage to a bed, possibly urine on it, and a used condom was found. A window was broken and the house was found to be in considerable disarray. The victims were paid out an insurance claim of \$9,800. The accused claims not to remember committing the offence. He had been drinking beer and vodka at a party and had fallen down on numerous occasions. When he woke up, he found that he had a laundry bag with the stolen items inside. He told his co-accused, and they went back to the house. The two were in the house for five minutes on the second occasion, but left because the co-accused was afraid. Two weeks after the offence, the police were looking for the accused after others had given statements. When the police contacted the accused, he went into the station and gave a voluntary statement. He also checked himself into a dry out centre on the reserve and completed a 28 day alcohol treatment course.

**Prior Record:**

**Also Convicted of:**

**Original Sentence:**

18 months probation  
DNA order  
\$500 restitution

**Conditional Sentence:**

No

**Summary Offences:**

No

**Disposition:**

There will be an order imposing a suspended sentence. The Probation Order reduced from 18 months to 14 months on the same conditions.

[Back to top](#)

[Modify Search](#) | [New Search](#)

[Print All Results](#)

To print selection of records, use [View Marked List](#)

For assistance in searching, please call:

**Regina:**

569-8020 | 1-877-989-4999

**Saskatoon:**

933-5141 | 1-888-989-7499

[Home](#)

Record number 2 of 16

**Offence:**

Breaking and entering with intent, committing offence  
Break, enter & theft (19 charges)

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 348(1)(b) - 19 charges

**Indexed as:** [N. \(J.C.\)](#) , 2005 SKCA 64

**Reported at:** (2005) 269 Sask. R. 183 , 197 C.C.C. (3d) 381 / [Fulltext PDF](#)

**Cite this digest as:** 2005 SKCA (SentDig) 46

May 5, 2005 / File No. 963

Original Trial Judge: Matsalla, P.C.J. / Appeal by Accused

**History:**

The accused is an 18-year-old male. His father left the family when the accused was 5 months old. His mother remarried, but divorced when he was 5 years old. His attendance at school prior to the offences is described as "sketchy." He was taking a mix of grade 11 and 12 courses. The accused rarely drinks and has not used marijuana in over 2 years.

**Circumstances:**

Numerous break and enters were committed by a group of approximately 15 individuals. The accused was one of the ringleaders. There was a certain amount of planning involved in each offence. Cigarettes, cash, computer equipment and confectionary items were taken. The total loss, including damage to doors and windows was estimated at \$15,000.

**Prior Record:**

**Also Convicted of:**

Criminal Code RSC 1985, c. C-46, s. 348(1)(a) - 2 charges.

**Original Sentence:**

6 months secure custody  
3 months community supervision  
1 year probation including 22 hours community service

**Conditional Sentence:**

No

**Summary Offences:**

Mark Record



Saskatchewan Court of Appeal Sentencing Digests

Record number 1 of 2

**Offence:**

Breaking and entering with intent, committing offence  
Break, enter and theft

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 348(1)(b)

[Previous screen](#) | [Print ALL results](#)

Indexed as: Anderson, N.Z. , 2010 SKCA 9

Reported at: (2010) 359 Sask. R. 1 / [Fulltext PDF](#)

Cite this digest as: 2010 SKCA (SentDig) 6

January 21, 2010 / File No. 1763

Original Trial Judge: Koskie, P.C.J. / Appeal by Crown

**History:**

The accused is a 19 year old male. He is a member of the Air Cadets squadron. He has won three medals and several scholarships. The accused serves as a role model for other young aboriginals who join the squadron, often working with those who got into trouble to attempt to dissuade them from the path they were going down. He currently works for his grandfather training horses.

**Circumstances:**

When he was drunk, the accused broke into a home and stole, among other things, an Xbox and some games, an iPod, air soft BBs, coins, and some clothing. There was some indication of damage to a bed, possibly urine on it, and a used condom was found. A window was broken and the house was found to be in considerable disarray. The victims were paid out an insurance claim of \$9,800. The accused claims not to remember committing the offence. He had been drinking beer and vodka at a party and had fallen down on numerous occasions. When he woke up, he found that he had a laundry bag with the stolen items inside. He told his co-accused, and they went back to the house. The two were in the house for five minutes on the second occasion, but left because the co-accused was afraid. Two weeks after the offence, the police were looking for the accused after others had given statements. When the police contacted the accused, he went into the station and gave a voluntary statement. He also checked himself into a dry out centre on the reserve and completed a 28 day alcohol treatment course.

**Prior Record:**

**Also Convicted of:**

**Original Sentence:**

18 months probation  
DNA order  
\$500 restitution

**Conditional Sentence:**

No

**Summary Offences:**

No

**Disposition:**

There will be an order imposing a suspended sentence. The Probation Order reduced from 18 months to 14 months on the same conditions.

Record number 2 of 2

**Offence:**

Breaking and entering with intent, committing offence  
Break, enter & theft (19 charges)

**Statute Section:**

Criminal Code RSC 1985, c. C-46, s. 348(1)(b) - 19 charges

[Previous screen](#) | [Print ALL results](#)

Indexed as: N. (J.C.) , 2005 SKCA 64

Reported at: (2005) 269 Sask. R. 183 , 197 C.C.C. (3d) 381 / [Fulltext PDF](#)

Cite this digest as: 2005 SKCA (SentDig) 46

May 5, 2005 / File No. 963

Original Trial Judge: Matsalla, P.C.J. / Appeal by Accused

**History:**

The accused is an 18-year-old male. His father left the family when the accused was 5 months old. His mother remarried, but divorced when he was 5 years old. His attendance at school prior to the offences is described as "sketchy." He was taking a mix of grade 11 and 12 courses. The accused rarely drinks and has not used marijuana in over 2 years.

**Circumstances:**

Numerous break and enters were committed by a group of approximately 15 individuals. The accused was one of the ringleaders. There was a certain amount of planning involved in each offence. Cigarettes, cash, computer equipment and confectionary items were taken. The total loss, including damage to doors and windows was estimated at \$15,000.

# Questions? Ask a Librarian!

- Phone: 306-569-8020
- Email: [reference@lawsociety.sk.ca](mailto:reference@lawsociety.sk.ca)
- Website: <http://www.lawsociety.sk.ca/library>
- In person: Law Society Library  
Court House, 2<sup>nd</sup> Floor  
2425 Victoria Avenue  
Regina



## Monday Pick-Me-Up

POSTED ON SEPTEMBER 14, 2015

By Sarah Roussel-Lewis

Some interesting reads to help you ease into your week:

- Judge denies bail to Winnipeg man accused of sending letter bombs (FindLaw Canada)
- “My son did not pull that trigger,” says mother of teen involved in fatal Saskatoon shooting (CBC)
- Police investigate fatal Saskatoon shooting Monday night (CBC)
- Teen leads police on chase following home invasion (Global News)
- Vicarious liability claim provides warning to employers regarding staff parties – employers must ensure supervision and control (FIR)
- What kinds of things “shock the court?”

Share this:



★ Like

Be the first to like this.

This entry was posted in [Monday Pick-Me-Up](#).

## What Do You Do When You Find What You’ve Been Looking For? (Tip of the Week)

POSTED ON SEPTEMBER 11, 2015

By Ivan Moganov, Executive Director  
Lexum

It sounds like a silly question, right? First you wanted to know something, you transformed that question into a research statement; you were looking for something, you found it, you have your answer, you act accordingly, period, you move on to your next task. Not really, actually, at least in the sphere of professional research, such as legal research. After you

Search



## Recent Posts

[Monday Pick-Me-Up](#) SEPTEMBER 14, 2015

[What Do You Do When You Find What You’ve Been Looking For? \(Tip of the Week\)](#) SEPTEMBER 11, 2015

[The Magna Carta in 1215 \(Magna Carta Week Thursday\)](#) SEPTEMBER 10, 2015

[Magna Carta Weekly](#) SEPTEMBER 10, 2015

[Magna Carta Tour](#) SEPTEMBER 9, 2015

## Recent Comments

Ivan Moganov on [What Do You Do When You Find What You’ve Been Looking For? \(Tip of the Week\)](#)

Ivan Moganov on [What Do You Do When You Find What You’ve Been Looking For? \(Tip of the Week\)](#)

Pierre-Paul Lemyre on [What Do You Do When You Find What You’ve Been Looking For? \(Tip of the Week\)](#)

Lisa Marr on [What Do You Do When You Find What You’ve Been Looking For? \(Tip of the Week\)](#)

Judge Earl Kalenith on [Some Thoughts on the Visibility of Law Librarians](#)

lsslib.wordpress.com