

CASE NO.**VOL. NO.****PAGE**

C.J.C.

- and -

HER MAJESTY THE QUEEN

(Appellant)

(Respondent)

CAC 173003

Halifax, N.S.

Freeman, J.A.

[Cite as: **R. v. C.J.C., 2002 NSCA 45**]

Editorial Notice

Identifying information has been removed from this electronic version of the judgment.

APPEAL HEARD:

March 25, 2002

JUDGMENT DELIVERED:

April 3, 2002

SUBJECT: **Criminal Law - Appeals - Sexual interference - s. 151(a)
Criminal Code - Sentencing**

SUMMARY: The appellant was convicted of sexual interference with a 13 year-old girl contrary to s. 151(a) of the **Criminal Code** and sentenced to 21 months' incarceration plus a year's probation. At his appeal hearing, where he was unrepresented, he abandoned his appeal against conviction, acknowledged his guilt and expressed remorse. He continued with his application for leave to appeal his sentence, seeking to have it shortened by several months.

ISSUE: Whether his present change of heart could be accepted as fresh evidence of mitigation to reduce his sentence.

RESULT: Leave to appeal was granted but the appeal was dismissed. Even if his present remorse could be accepted in evidence, it would not justify interference with his sentence, which was in a fit range.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 4 pages.