

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Garnett*, 2017 NSCA 33

Date: 20170428

Docket: CAC 455475

Registry: Halifax

Between:

Her Majesty the Queen

Appellant

v.

Jacqueline Christine Garnett

Respondent

Judge: The Honourable Justice J.E. (Ted) Scanlan

Appeal Heard: April 7, 2017, in Halifax, Nova Scotia

Subject: **Crown Appeal of Sentence.**

Summary: The respondent was convicted of money laundering and possession of proceeds of crime. Her life partner was a high-level drug dealer. Between them they had accumulated substantial assets and enjoyed a lifestyle that was well beyond what could have been afforded through their legitimate sources of income. Forensic accounting revealed several hundreds of thousands of dollars had gone to the couple. The respondent was directly linked to money laundering, depositing the cash proceeds into the couple's bank accounts. For her involvement in these crimes she was sentenced to a period of probation and conditional discharge.

Issues: Was the sentence manifestly unfit?

Result: The sentence was determined to be manifestly unfit. There was no evidence as to what impact a criminal record would have on the respondent. The level of involvement and the

seriousness of the primary crimes required general deterrence and denunciation. The sentence imposed by the trial judge was manifestly unfit in terms of expressing denunciation of the crimes and providing general deterrence. The original sentence was set aside and a conditional sentence of 2 years less one day was imposed. The sentence is to be served in the community, and it included curfew and reporting provisions.

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 9 pages.