

SUPREME COURT OF NOVA SCOTIA

Citation: R. v. McAuley, 2005 NSSC 87

Date: 20050330
Docket: CR 234698
Registry: Halifax

Between:

Her Majesty the Queen

vs.

Scott A. McAuley

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Judge: The Honourable Justice Felix A. Cacchione

Heard: March 30th, 2005, in Halifax, Nova Scotia

Written Decision: April 20, 2005

Subject: Sentence for aggravated sexual assault

Summary: Accused grabbed young woman off the street early one morning and dragged her behind a building where he sexually assaulted her and beat her causing numerous facial fractures. Accused had no prior criminal record.

Issue: Length of sentence.

Result: Sentenced to seven years less one year credit for pre-trial custody for total sentence of six years. Primary consideration is deterrence and denunciation. Only a long federal term would give the accused access to federal sex offender programs.

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