

R. v. Brown (C.R.) et al., 1992 CanLII 2829 (AB C.A.)

Each case involves what is often called spousal assault. We shall call it wife-assault, because it is almost always abusive behaviour by a man toward a woman, not by a woman toward a man.

R. v. Diep, 2005 ABQB 81 (CanLII)

This was a crime of domestic violence and, as noted by the Court of Appeal in *Umperville*, cases involving domestic violence are almost always perpetrated by men against women.

R. v. Sanderson, 2004 ONCJ 329 (CanLII)

There developed a better understanding of the socio-psychological dynamics of domestic violence, which is predominantly the male being the perpetrator and the female being the victim. As a result, police officers and Crown Attorneys received specialized training on domestic violence issues.

[62] There was a recognition that many women were vulnerable to control and undue influence from their male partners. There were women who would go back again and again to their male partners, in the face of a clear pattern and history of abuse. Women who fell into this category had to literally be protected from themselves

[64]

This type of victim must be recognized during the plea bargain process and the weight placed on such wishes should accordingly be greatly reduced.

[70]

The public interest demands that all victims be protected, even if there is a group of victims that have to be protected from themselves. The vulnerability and negative dynamics with the offender must be understood.

R. v. Edwards, 1996 CanLII 1522 (ON C.A.)

As well, the Crown asked the court to receive fresh evidence that had not been introduced at trial. This evidence was directed towards a Crown submission that as a matter of policy this court should announce a higher range of sentences for male persons convicted of the attempted murder of their wives, girl friends or other women with whom they have had an intimate relationship.

R. v. Scott, 2002 CanLII 41668 (ON C.A.)

1. [1] The appellant Hopeton Scott and his co-accused Elicia Bailey were charged with attempted murder, assault with a weapon and uttering a threat to cause death. The offences arose out of a fight that broke out at a party during which the complainant was attacked with broken beer bottles. She suffered extensive scarring on her face, arms, torso and legs as a result of her injuries. Following a trial by judge and jury, both accused were acquitted of attempted murder but were convicted of the included offence of aggravated assault. The

appellant was also convicted on the charge of assault with a weapon and his co-accused of the included offence of simple assault. Both accused were acquitted of the charge of uttering threats. The appellant was sentenced to four years' imprisonment on each count to be served concurrently. Ms. Bailey was sentenced to a 12-month conditional sentence

R. v. Tavenor, 2001 CanLII 24139 (ON C.A.)

[18] At trial, the jailhouse informant testified about conversations with Mr. Tavenor. According to the informant, Mr. Tavenor said he had confronted the deceased some time prior to her death about sleeping with other men. Ms. Taylor responded by threatening to call police if he gave her a hard time, and by saying that he would never see his son again. Mr. Tavenor said he "knew that [he] had to get her"

R. v. Brown
, 2005 CanLII 24762 (ON S.C.)

[7] Shortly after that exchange, the appellant followed the complainant out to the laundry room and Ms. Barnes heard a yell. She went to the laundry room and saw Megan on the garage floor, face down, but maybe a little bit to one side, right at the bottom of the steps. Ms. Barnes told the appellant he should call police, but he did not respond. She felt he was in shock. Megan then stood up, and walked quickly to call the police. She looked ruffled and upset, and was holding her arm. While on the phone with police, Megan she said something like, "You have had it now, buddy boy," to the appellant.

R. v. M.J.O.
, 2005 CanLII 50809 (ON S.C.)

[201.] Moreover, your pattern of offending discloses, what I am sad to say, is a cowardly side of your character. You pick on women who cannot physically resist you, or inflict much harm on you.

[217.] While the legal system is now by no means perfect, one can say with certainty that any woman involved with you, who called 911 today, would assuredly find that you would be arrested, imprisoned and held without bail.

[218.] The result of your most recent transgressions with Ms. A2. M., namely these proceedings, must be living and dramatic proof to you of Ontario's zero tolerance policy towards domestic abuse, and that it works.

R. v. D.
, 2004 CanLII 39037 (ON C.A.)

[1] The appellant was convicted of sexually assaulting his wife and was sentenced to fourteen

months custody and probation for two years. As well, an order with a ten year duration was imposed under s. 110 of the *Criminal Code*. The appellant appeals his conviction, having served the custodial portion of his sentence.

[1] The appellant and his wife were married for less than a year when they separated. They had been separated for approximately a month and a half when the appellant went to the wife's apartment and asked to be admitted in order to return a pair of jeans he said belonged to the wife. The wife let him in. The appellant had sex with his wife. The wife went to work and, some twelve hours later, went to the police station and alleged that she had been sexually assaulted. The appellant admitted having sex with his wife but said that the sex was consensual. He was convicted at trial and the summary conviction appeal judge (SCAJ) dismissed his appeal

R. v. S., C.L., 1999 CanLII 2984 (ON C.A.)

On or about December 1993 and January 1994, while in custody in Sudbury awaiting trial upon charges of which he was ultimately acquitted, the respondent attempted to hire K.S. and then L.H., to murder his ex-wife C.S. [who was the complainant on a charge of sexual assault for which the respondent was acquitted in June of 1994].

R. v. Renzi, 2003 CanLII 21652 (ON C.A.)

[5] The other aggravating factors here are the deliberate, calculating and callous conduct of the respondent which continued over an extended period of time; the fact that the counselling to kidnap and murder his wife a second time and to extend the crime to the Crown Attorney and his wife was carried out while the appellant was in custody after being arrested for his first attempt to have his wife kidnapped; the fact that there were three intended victims; and the fact that the plan included gratuitous violence.

R. v. Lieug, 1995 CanLII 1393 (ON C.A.)

At trial, there was a conflict of testimony as to whether the victim in this case was the wife of the appellant. The victim denied that she had been married to the appellant.

The appellant knocked down the door to the bathroom and while there spread sulphuric acid of high intensity across the victim's body, resulting in third-degree burns over 25 per cent of her body. The extent of the third-degree burns was, in itself, life threatening.

The trial judge was satisfied that the victim would still be in danger if the appellant were ever freed, and recommended his deportation.

R. v. V.D.F.

, 2006 CanLII 40676 (ON S.C.)

The crimes before the Court are the result of a history of domestic violence

It is recommended that V.D.F. be deported to Jamaica if, and when, he is paroled, and not before any such point in time.

R. v. E. E.

, 2003 CanLII 1926 (ON S.C.)

[7] The offences of which E. was convicted were acts of violence and sexual aggression against his wife, PE, over a period of 48 months, especially the first 27 months, from 1992 to 1994.

[21] The jury acquitted E. of five counts and found verdicts of lesser and included offences in six counts. Quite simply the jury was not persuaded beyond a reasonable doubt of the element of "bodily harm" in the absence of some medical or other such evidence, concerning five counts

It must be remembered that all of this evidence came from a single witness, and that witness, like so many in this type of a case, has far from a perfect memory. No-one was busily making notes.

[63] It is the finding of this court that E.E. is a dangerous offender. E.E. is sentenced to the mandatory sentence of indefinite imprisonment in a penitentiary.

R. v. Spurway, 1996 CanLII 701 (ON C.A.)

The victim, the wife of the appellant, testified that the appellant broke into her home and that, in the course of an ongoing, brutal, unprovoked attack, the appellant placed a loaded 22 calibre revolver, which he had brought with him, against her forehead.

The victim said that she heard a click which she reasonably assumed came from the revolver which was, as noted, pressed against her forehead, between her eyes. The victim also said that as the appellant pressed the revolver against her forehead and just before she heard the click sound to which we have referred, the appellant said "you fucking bitch, you're going to die". Fortunately, the revolver was defective

R. v. Ho, 1999 CanLII 3823 (ON C.A.)

Their engagement was terminated in December 1994 after a serious argument. Mr. Sergautis tried to kick down Ms. Tchoudakova's apartment door, eventually using a sledgehammer, to recover the engagement ring he had given her