

CANADA / JUDGMENT

R. v. Narwal

2006 BCSC 654

COURT

Supreme Court of British Columbia

DECIDED

28 March 2006

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2006 BCSC 654 R. v. Narwal IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: R. v. Narwal, 2006 BCSC 654 Date: 20060328 Docket: 23482 Registry: Vancouver Regina v. Jethinder Singh Narwal Before: The Honourable Madam Justice Stromberg-Stein Oral Ruling on Admissibility of Evidence of Melanie Boudreau on Voir Dire March 28, 2006 Counsel for the Crown: J.C. Bellows, Q.C. and M.A. Huot Counsel for the Defendant: M.A. Nathanson Place of Trial: Vancouver, B.C.

- [1] THE COURT: At this sentencing hearing, the Crown seeks to tender evidence from Melanie Boudreau, a crime analyst with the Surrey RCMP, with respect to whether there has been an increase in kidnapping and extortion cases in the Lower Mainland between 2004 and 2005. Her evidence would be that there has been a 100% increase in such crimes in that time frame.
- [2] In addition, the Crown seeks to tender a fact sheet prepared by Superintendent John Robin and Inspector Kash Heed concerning the South Asian community's response to violence within the South Asian community.
- [3] The Crown's stated purpose for tendering such evidence is that it could assist the court in relation to assessing the principle of general deterrence in sentencing Mr. Narwal, given the prevalence of such offences in the Lower Mainland.
- [4] The evidence the Crown seeks to tender, based as it is on unknown and unproven assumptions, would be entitled to little weight. In any event, I conclude that it is unnecessary for the purpose it is tendered; that is, to assess general deterrence.
- [5] Therefore, I conclude that the evidence the Crown seeks to tender at this sentencing hearing is inadmissible. "S.S. Stromberg-Stein, J." The Honourable Madam Justice S.S. Stromberg-Stein

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