

CANADA / JUDGMENT

R. v. Wilkinson

2021 BCSC 1186

COURT

Supreme Court of British Columbia

DECIDED

17 June 2021

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2021 BCSC 1186 R. v. Wilkinson IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: R. v. Wilkinson, 2021 BCSC 1186 Date: 20210617 Docket: 179263-3 Registry: Victoria Docket: 42009-2 Registry: Duncan Regina v. James Christopher Wilkinson Before: The Honourable Mr. Justice Steeves Supplementary Reasons for Sentence Counsel for the Provincial Crown: P. Cheeseman Counsel for the Federal Crown: B. Lansdowne Counsel for the Accused: C. Hodson Place and Date of Trial/Hearing: Victoria, B.C. March 29, 2021 and April 1, 2021 Place and Date of Judgment: Victoria, B.C. June 17, 2021

- [1] On November 26, 2020 I found the defendant, Mr. Wilkinson, guilty of three counts under the Controlled Drugs and Substances Act (Information 42009-2). He subsequently pled guilty to the unrelated charge of possession of a prohibited firearm under the Criminal Code (Information 179263-2).
- [2] On April 1, 2021 I sentenced Mr. Wilkinson under the two Informations. I sentenced him to four years' jail for the firearms offence and a total of four years concurrently for the drug offences. On the totality principle I reduced the sentence to three years for each information, for a total of six years. Mr. Wilkinson had been in custody since July 20, 2019.
- [3] Corrections has asked for clarification in my April 1, 2021 oral sentencing decision, 2021 BCSC 896. A video hearing was held with counsel on June 15, 2021; Mr. Wilkinson could not be reached for the hearing but his counsel appeared as his agent. All counsel agreed on the changes below. None of the changes are a material change. The time to be served from my sentencing decision is the same number of days as currently recorded in the Warrants of Committal.
- [4] The changes to the April 1, 2021 decision are: Paragraph 2: Mr. Wilkinson had been in custody since July 20, 2019 and it was agreed that he had been in custody for 933 days (not 929 or 930 days). Paragraph 35: The time in custody was 622 days (not 629 days). With a 1.5 multiplier the number of days is 933. The last sentence of paragraph 35 is amended as follows: For the purposes of dead time, I assess the dead time at 312 days, under Count 1 of the s. 95 conviction, 200 days under Count 1 of the drug trafficking indictment, 310 days under Count 2 of the drug indictment and zero days under Count 3 of the drug indictment. Paragraph 73: 933 days (not 961) of dead time is subtracted from the total sentence.

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- [5] Paragraph 75: Time left to serve is 1,257 days (not 1,229). That is consistent with the current records of Corrections.
- [6] I am sending a copy of these reasons to Corrections as well as to counsel. "J. J. Steeves, J." The Honourable Mr. Justice Steeves
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Prepared on 28 October 2026 · Esheria