

CANADA / JUDGMENT

R. v. Yelle

2014 SCC 10

COURT

Supreme Court of Canada

DECIDED

22 January 2014

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R. v. Yelle Collection Supreme Court Judgments Date 2014-01-22 Neutral citation 2014 SCC 10 Report

[2014] 1 SCR 140 Case number 35361 Judges McLachlin, Beverley; Abella, Rosalie Silberman; Rothstein, Marshall; Cromwell, Thomas Albert; Moldaver, Michael J. On appeal from Northwest Territories Subjects Criminal law Notes SCC Case Information: 35361 Decision Content SUPREME COURT OF CANADA Citation: R. v. Yelle, 2014 SCC 10, [2014] 1 S.C.R. 140 Date: 20140122 Docket: 35361 Between: Gary Edward Yelle Appellant and Her Majesty The Queen Respondent Coram: McLachlin C.J. and Abella, Rothstein, Cromwell and Moldaver JJ. Reasons for Judgment: (para. 1) McLachlin C.J. (Abella, Rothstein, Cromwell and Moldaver JJ. concurring) R. v. Yelle, 2014 SCC 10, [2014] 1 S.C.R. 140 Gary Edward Yelle Appellant v. Her Majesty The Queen Respondent Indexed as: R. v. Yelle 2014 SCC 10 File No.: 35361. 2014: January 22. Present: McLachlin C.J. and Abella, Rothstein, Cromwell and Moldaver JJ. on appeal from the court of appeal for the northwest territories Criminal law — Reasonable verdict — Accused charged with sexual assault and uttering threats — Jury returning guilty verdict to lesser included offence of assault — Jury's verdict reasonable in light of photographic evidence establishing assault beyond a reasonable doubt — Trial judge not required in circumstances to give warning as to witness reliability — Trial judge's decision to instruct on lesser offence of assault entitled to deference having regard to totality of evidence. APPEAL from a judgment of the Northwest Territories Court of Appeal (Paperny, Martin and Charbonneau JJ.A.), 2013 NWTCA 2, [2013] N.W.T.J. No. 47 (QL), 2013 CarswellNWT 49, upholding the conviction for assault entered by Shaner J., 2012 NWTSC 46, [2012] N.W.T.J. No. 52 (QL), 2012 CarswellNWT 48. Appeal dismissed. Charles B. Davison, for the appellant. Susanne Boucher and François Lacasse, for the respondent. The judgment of the Court was delivered orally by

- [1] The Chief Justice — We agree with the majority of the Court of Appeal that the verdict was not unreasonable. The appeal is therefore dismissed. Judgment accordingly. Solicitors for the appellant: Somba K'e Law Office, Yellowknife. Solicitor for the respondent: Public Prosecution Service of Canada, Yellowknife.

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