

PROVINCIAL COURT OF NOVA SCOTIA

Citation: *R. v. Mercer*, 2017 NSPC 20

Date: 20170424

Docket: Syd 2906851

Registry: Sydney

Between:

Her Majesty the Queen

v.

John Russell Mercer

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Judge: The Honourable Judge Brian Williston

Heard: April 10, 2017 in Sydney, Nova Scotia

Written Decision: April 24, 2017

Subject: Charter Application and Sentencing under Section 286.1(1) of the Criminal Code of Canada

Summary: **Sentencing of accused who plead guilty to offence of communication with a person for purpose of obtaining for consideration sexual services.**

Issues: Constitutional Law – Canadian Charter of Rights and Freedoms – Protection against cruel and unusual punishment - Mr. Mercer argued that the mandatory minimum fine of \$500 was grossly disproportionate and violated s.12 of the *Charter*.

Result:

The Court held that the minimum sentence provision in s.286.1(1) (b) was not grossly disproportionate and did not violate s.12 of the *Canadian Charter of Rights and Freedoms*. The mandatory minimum fine of \$500 was imposed.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***