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**1. Sentencing Appeal: CA**

In [R. v Sorensen](#), 2006 MBCA 38 the Manitoba Court of Appeal states that:

"Deterrence and denunciation must be balanced with rehabilitation.... Failure to explain why incarceration is more able to meet the objectives of denunciation and deterrence than a conditional sentence can constitute an error in principle."

In this case, the court grants the sentencing appeal by the accused and substitutes an 18 month conditional sentence for the period of incarceration plus probation imposed by the lower court.

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**2. Recent SCC cases**

Take a look at these recent decisions from the Supreme Court of Canada:

- [R. v. Rogers](#), 2006 SCC 15
- [R. v. Graveline](#), 2006 SCC 16
- [R. v. Gagnon](#), 2006 SCC 17

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**3. HTA Amendments re: Impaired Drivers**

Recent amendments to [The Highway Traffic Act](#) include provisions that deem a discharge to be a conviction for the purposes of that Act. A person who pleads or is found guilty of Category A or B offences as defined in [s. 264\(1\)](#) of that Act and receives a discharge is deemed to have been convicted of the offence for the purposes of s. 264. Also, a person who pleads or is found guilty of an offence under ss. [253\(a\), \(b\), 254\(5\), 255\(2\) or \(3\)](#) of the [Criminal Code](#) is deemed to have been convicted of the offence for the purposes of [s. 279.1](#) of *The Highway Traffic Act*. The amendments will take effect upon proclamation.

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**4. Changes to Federal Trial Assignment Court**

Effective June 1, 2006, the Federal trial assignment court in courtroom 409 will commence at 10:00 a.m. instead of at 9:30 a.m. as is the current practice. Read the complete details in the [March 1, 2006 notice from the Provincial Court](#).

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## **5. Domestic Violence Plea & Disposition Court**

For details on procedure in the Domestic Violence Plea & Disposition Court, [click here](#).

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## **6. Cross Border Issues: MBA CLE**

A CLE program entitled Advising Your Client Regarding Cross-Border Issues will be held at noon on Thursday, June 1, 2006 at The Law Society of Manitoba. The session is jointly sponsored by the Constitutional/Human Rights Section, Criminal Justice Section and Immigration Law Section of the Manitoba Bar Association. For registration details, contact the [Manitoba Bar Association](#).

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