ONTARIO COURT OF JUSTICE

CITATION: *R. v. Wang*, 2026 ONCJ 513
DATE: 2026 08 07
COURT FILE No.: BRAMPTON 25-31104220

2026 ONCJ 513 (CanLII)

B E T W E E N :

HIS MAJESTY THE KING

— AND —

JIONG WANG

Before Justice P.T. O'Marra
Heard on July 22, 2026
Reasons for Sentence released on August 7, 2026

Paul Erskine.....counsel for the Crown
Luba Szkambara..... counsel for the accused Jiong Wang

P.T. O'MARRA J.:

OVERVIEW

[1] Jiong Wang appears for sentence after pleading guilty to four indictable animal-cruelty offences. The offences arose from his acquisition and treatment of four puppies between December 2024 and March 2025. The puppies were approximately eight to ten weeks old. One was found dead and covered in blood. The other three were abandoned alive after parts of their noses, and in two cases parts of their tongues, had been removed.

[2] These were repeated and deliberate offences against exceptionally vulnerable animals. The puppies were acquired from sellers who reasonably believed that they were placing them in a safe home. Instead, the puppies were taken into Mr. Wang's custody.

[3] The Crown seeks a global sentence of four years' imprisonment, less credit for presentence custody. The Defence submits that a sentence of time served is appropriate. The principal issues are the length of the custodial sentence, the mitigating effect of Mr. Wang's presentence custody conditions, and the appropriate credit for presentence custody.

[4] The Court must also determine whether to make a lifetime animal prohibition order, a restitution order for the veterinary and related care expenses, and a DNA order.

THE OFFENCES

[5] Mr. Wang pleaded guilty by indictment to Counts 2, 5, 8 and 10 on the Information:

(a) Count 2: On or about March 28, 2025, at Mississauga, he wilfully and without lawful cause maimed a puppy, his property, which was kept for a lawful purpose, contrary to s. 445(1)(a) of the *Criminal Code*.

(b) Count 5: Between January 31 and February 3, 2025, at Mississauga, he wilfully and without lawful cause maimed a puppy, his property, which was kept for a lawful purpose, contrary to s. 445(1)(a) of the *Criminal Code*.

(c) Count 8: Between January 10 and January 16, 2025, at Mississauga, he wilfully and without lawful cause maimed a puppy, his property, which was kept for a lawful purpose, contrary to s. 445(1)(a) of the *Criminal Code*.

(d) Count 10: Between December 17 and December 20, 2024, at Mississauga, he wilfully caused unnecessary suffering to a puppy, contrary to s. 445.1(1)(a) of the *Criminal Code*.

[6] The sentences on the four counts will be concurrent. The sentence is a global one that reflects the entire course of conduct while respecting the totality principle.

THE AGREED FACTS

[7] On December 20, 2024, a witness found a dead Husky-mix puppy near 439 Fairview Road West in Mississauga. The puppy was covered in blood. No external mutilation was noted. This puppy is identified in the agreed statement of facts as Puppy 1.

[8] On January 16, 2025, a Pug-mix puppy was found alive near 345 Fairview Road West in Mississauga. The tip of its nose had been cut off. This was Puppy 2.

[9] On February 3, 2025, a Cocker Spaniel-mix puppy was found alive near 465 Fairview Road West in Mississauga. The tip of its nose and part of its tongue had been cut off. This was Puppy 3.

[10] On March 28, 2025, a police officer found a Border Collie-mix puppy alive at Huron Park, near 830 Paisley Boulevard West. Parts of its nose and tongue had been cut off. This was Puppy 4.

[11] All four puppies were approximately eight to ten weeks old when they were found. They were entirely dependent upon their owner for food, shelter, safety and care.

[12] Dr. Jupinder Somal reviewed the injuries to the three surviving puppies. Dr. Somal concluded that the injuries to their noses and tongues had not been caused by another animal.

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[13] Dr. Shane Bateman, a consultant in veterinary forensic science, also reviewed the injuries. He concluded that the injuries to the three surviving puppies were identical in their pattern, severity and age, suggesting a common cause.

[14] On March 30, 2025, an employee of the City of Mississauga Animal Services contacted the police. She advised that Puppy 4 appeared similar to a puppy depicted in a Kijiji advertisement.

[15] The police obtained a production order for the correspondence and profile information associated with the purchase of Puppy 4. Kijiji provided information concerning two email addresses linked to the same internet protocol address and telephone number.

[16] The police investigation identified Mr. Wang as the person who had used these accounts to acquire the four puppies from sellers in different parts of Ontario. The evidence established that he communicated with at least nine puppy sellers.

[17] The police searched Mr. Wang's residence and vehicle. Non-human blood was located in his home and in the trunk of his vehicle. Veterinary examination and DNA analysis linked the puppies to their respective sellers. The blood samples matched one puppy, and the remaining puppies could not be excluded as sources of the blood found in the residence.

[18] Surveillance footage from Mr. Wang's residence on March 28, 2025, showed him leaving the parking garage at approximately 7:30 p.m. carrying a red tote bag. He returned approximately 30 minutes later without it.

[19] Surveillance footage from Huron Park showed a white Toyota Prius entering the parking lot at approximately 7:45 p.m. The driver walked onto the field, disappeared from view, returned approximately five minutes later and drove away.

[20] Puppy 4 appeared on the surveillance recording at approximately 8:30 p.m. A police officer found the puppy at approximately 10:00 p.m.

[21] The agreed facts establish that Mr. Wang corresponded with multiple puppy sellers, acquired the four puppies before the Court, possessed them at his home, and abandoned Puppy 4 at Huron Park after it had been mutilated.

MR. WANG'S BACKGROUND

[22] Mr. Wang was born on November 11, 1981. He was born in China and came to Canada when he was 16 years old. At times, he was separated from his mother during childhood and was cared for by his grandmother.

[23] Mr. Wang later obtained a university degree and worked for Research in Motion. He returned to China after the birth of his first child and came back to Canada in 2018. He then experienced difficulty obtaining stable employment.

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[24] Mr. Wang was married for approximately 14 years and has three children. The marriage deteriorated amid financial and personal stress. The period during the COVID-19 pandemic was especially difficult for the family.

[25] The presentence report and letters from Mr. Wang's parents and son describe continuing family support and Mr. Wang's wish to return to productive employment.

[26] Mr. Wang had no criminal record at the time these offences were committed. He pleaded guilty at an early stage, thereby avoiding what would have been a lengthy trial involving expert, veterinary, police and civilian witnesses.

[27] Mr. Wang has expressed shame and remorse. He addressed the Court and accepted responsibility for his conduct. The victim impact statements assisted him in understanding the permanent consequences of his actions.

[28] Mr. Wang has remained in custody at Maplehurst Correctional Complex. The institutional materials record no misconduct. He was assaulted by another inmate, suffered an orbital fracture and scarring, and reported continuing vertigo.

[29] The medical records also document other illnesses and difficulties obtaining timely care. These matters do not diminish the gravity of the offences, but they form part of Mr. Wang's individual circumstances and the actual effect of incarceration upon him.

POSITIONS OF THE PARTIES

[30] The Crown seeks a global sentence of four years' imprisonment, less credit for presentence custody. The Crown submits that denunciation and general deterrence are the paramount sentencing objectives.

[31] The Crown relies upon the number and vulnerability of the puppies, the duration of the offending, the degree of planning, the severity and permanence of the injuries, the abandonment of the puppies, the breach of trust, and the fact that Mr. Wang committed the offences while subject to a release order.

[32] The Crown submits that the offences were not impulsive. Mr. Wang communicated with several sellers and travelled to acquire the puppies from different parts of Ontario. The repeated acquisitions and the similarity of the injuries demonstrate planning and an opportunity for reflection between offences.

[33] The Crown also seeks a lifetime prohibition against owning, having custody or control of, or residing with an animal or bird. It seeks restitution of $29,772.49 for the veterinary and related care expenses. It also applies for a DNA order.

[34] The Defence seeks a sentence of time served after credit for presentence custody. It submits that the sentences on the four counts should be concurrent.

[35] The Defence relies upon Mr. Wang's early guilty pleas, lack of a prior record, remorse, family support, education and employment history, personal and marital stress, compliant institutional conduct, and prospects for rehabilitation.

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[36] The Defence does not dispute that denunciation and deterrence are important or that Parliament has increased the maximum penalties for animal-cruelty offences. It submits, however, that the sentence must remain individualized and proportionate.

[37] The Defence relies upon *R. v. Vassell*, 2022 ONCJ 415, and *R. v. Dennison*, [2021] O.J. No. 4661 (C.J.), as relevant Ontario sentencing authorities.

[38] The Defence also asks the Court to give significant mitigating effect to the conditions of Mr. Wang's presentence custody. It relies upon the institutional lockdowns, 83 days of triple-bunking, the assault that caused an orbital fracture, continuing vertigo, medical difficulties, and repeated obstacles to confidential communication with counsel.

[39] The Defence submits that the cumulative effect of those conditions made Mr. Wang's detention materially more punitive than ordinary incarceration.

[40] The Defence acknowledges that the veterinary expenses were incurred as a result of the offences and does not oppose a restitution order. It also accepts that a prohibition against owning or caring for animals is appropriate.

VICTIM IMPACT

[41] The victim impact statements were presented by those who cared for Foster, Sunny and Lenny. They describe the puppies' acute pain, permanent physical limitations and continuing fear, as well as the demanding medical and emotional responsibilities assumed by their caregivers.

[42] Foster arrived in critical condition with serious airway injuries. His care required repeated medical intervention, sedation and close monitoring. The consequences are permanent, and his caregivers continue to manage his disability and respiratory difficulties.

[43] Fruzsina Boromisza, a veterinary nurse and Sunny's foster caregiver, described Sunny arriving at the hospital bleeding, whimpering and missing most of his nose and tongue. He was initially terrified and hid in the corner of his enclosure.

[44] Within hours, despite his trauma, Sunny began to show affection and trust. Ms. Boromisza fostered him so that she could continue the specialized care he required. She described being deeply shaken that anyone could inflict such cruelty upon an innocent puppy.

[45] Ms. Boromisza also described Sunny's resilience and the strong bond that developed between them. She named him Sunny because of the joy he brought to her life. He learned training commands, enjoyed being around other dogs, and became a source of comfort to her family.

[46] Sunny has since found a permanent home with Mitch but remains part of Ms. Boromisza's life. His recovery does not erase his suffering or the permanent loss of parts of his nose and tongue. It demonstrates the importance of the intervention and care that saved him.

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[47] Lenny required intensive care, including assisted feeding, water by syringe, nasal stents and repeated veterinary treatment. His caregiver described continuing psychological effects, including timidity and fear associated with objects resembling those connected to his injuries.

[48] The statements as a whole establish that the harm did not end when the puppies were found. It continues in their disabilities and in the emotional and practical burdens carried by those responsible for their recovery.

SENTENCING PRINCIPLES AND AUTHORITIES

[49] The fundamental principle of sentencing is proportionality. Under s. 718.1 of the *Criminal Code*, a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender.

[50] The Court must also consider parity, restraint, totality and all aggravating and mitigating circumstances. Sentencing remains an individualized process requiring a sentence tailored to the circumstances of the offences and the offender.

[51] In animal-cruelty cases, denunciation and deterrence assume particular importance. Parliament increased the maximum penalties in 2008 and again in 2019. Those amendments reflected a legislative determination that earlier sentencing practices did not adequately recognize the seriousness of deliberate cruelty toward animals.

[52] In *R. v. Wright*, 2014 ONCA 675, at para. 1, the Ontario Court of Appeal held that the 2008 amendments signalled an increased determination by Parliament to deter and punish those who engage in cruelty to animals. The Court increased the sentence and expanded the prohibition order to prevent the offender from residing with an animal.

[53] In *R. v. Chen*, 2021 ABCA 382, the Alberta Court of Appeal held that a deliberate physical attack upon an animal is properly characterized as a crime of violence.

[54] Animals are sentient beings capable of experiencing pain and suffering. They are vulnerable because they are under the control of human caretakers and are unable to communicate their suffering. Sentences must reflect those realities. Denunciation and deterrence are the primary objectives. *Chen*, at paras. 30 to 40.

[55] The Court in *Chen* also held that an animal's recovery is not mitigating. The focus remains upon the violence, pain and suffering experienced by the animal. Ordinary animal behaviour cannot excuse the offence. A breach of the trust arising from ownership or custody is aggravating. *Chen*, at paras. 41 to 46.

[56] In *R. v. Vassell*, 2022 ONCJ 415, the offender subjected a 17-week-old puppy to a prolonged beating that caused serious injuries. The Court emphasized denunciation and deterrence, rejected a conditional sentence and imposed 90 days' imprisonment to be served intermittently.

[57] The sentence in *Vassell* reflected the offender's lack of a record, guilty plea, positive background and the particular circumstances before the Court. It illustrates the

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individualized nature of sentencing rather than establishing a ceiling for deliberate animal cruelty.

[58] In *R. v. Dennison*, [2021] O.J. No. 4661 (C.J.), the offender acquired and tortured numerous kittens over a prolonged period. The Court identified relevant considerations including deliberation, the use of weapons, the degree and duration of pain, repeated abuse, the number of victims, the disposal of the animals and the breach of trust arising from custody. *Dennison*, at para. 52.

[59] The Court imposed two years less one day before credit, followed by probation and a lifetime prohibition. *Dennison*, at paras. 59 to 65.

[60] The facts in *Dennison* were more aggravated in several respects. That offender tortured numerous kittens, caused their deaths and engaged in conduct with a sexual component. Nevertheless, the decision confirms the increasing recognition that deliberate cruelty toward animals requires a substantial denunciatory sentence.

AGGRAVATING AND MITIGATING CIRCUMSTANCES

[61] The aggravating circumstances are substantial. There were four animal victims. Each was only eight to ten weeks old. The puppies were entirely dependent upon the person who acquired them.

[62] The offences occurred over approximately four months and involved separate acquisitions from different sellers. That repetition is inconsistent with a single impulsive loss of control.

[63] The conduct involved planning. Mr. Wang communicated with several sellers and travelled to acquire the puppies. He represented himself as a person who would care for them. Once the puppies were in his possession, he alone was responsible for their safety and welfare. The offences, therefore, involved a serious breach of trust.

[64] The injuries to the three surviving puppies were severe and permanent. The removal of parts of their noses and tongues deprived them of important sensory and functional organs.

[65] The surviving puppies were abandoned outdoors during winter, injured and dependent on others' intervention. Had they not been found, their injuries and exposure placed their lives at further risk.

[66] Mr. Wang committed these offences while subject to a release order on an unrelated charge. Under s. 718.2(a)(iv) of the *Criminal Code*, that is a statutory aggravating circumstance.

[67] The mitigating circumstances include the early guilty pleas, Mr. Wang’s lack of a prior record, his family support, his remorse, his compliant conduct in custody and his willingness to contribute to the veterinary expenses.

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[68] The guilty pleas are significant. They avoided a lengthy trial, conserved judicial resources, and spared the civilian, veterinary, and expert witnesses from having to testify.

[69] There is evidence of personal, marital and financial stress and of a period in which Mr. Wang's mental health deteriorated. The evidence does not establish a mental disorder that deprived him of judgment or materially reduced his moral responsibility.

[70] Rehabilitation remains relevant. Mr. Wang has family support, an employment history and no prior criminal record. These considerations provide some basis for optimism concerning his prospects for rehabilitation. They do not, however, displace the need for denunciation and deterrence.

PRESENTENCE CUSTODY CONDITIONS

[71] The ordinary institutional routine at Maplehurst allowed approximately 6.5 hours of dayroom access, while inmates remained secured in their cells for approximately 17.5 hours each day.

[72] The institutional records document numerous full and partial lockdowns affecting Mr. Wang. During a full lockdown, he lost the entire dayroom period. During a partial lockdown, he lost part of that period.

[73] Mr. Wang was also triple bunked for 83 days in cells designed for two adults. Triple-bunking required one inmate to sleep on a mattress on the floor.

[74] Mr. Wang was assaulted by another inmate and suffered an orbital fracture and scarring. He reports continuing vertigo. He also experienced other medical difficulties while detained. The records identify repeated obstacles to confidential communication between Mr. Wang and counsel.

[75] In *R. v. Duncan*, 2016 ONCA 754, at para. 6, the Ontario Court of Appeal held that particularly harsh presentence incarceration conditions may mitigate sentence apart from the statutory credit available under s. 719(3.1). The Court must consider both the conditions and their effect upon the offender.

[76] In *R. v. Marshall*, 2021 ONCA 344, the Court cautioned against counting the same circumstances twice. I, therefore, consider Mr. Wang's custodial conditions as part of the overall determination of a fit sentence. I do not assign them a separate mathematical ratio or duplicate their effect in calculating statutory credit.

[77] The evidence establishes a substantial adverse impact upon Mr. Wang. The cumulative effect of the lockdowns, triple-bunking, the inmate assault and orbital fracture, continuing vertigo, medical difficulties, and restrictions upon confidential communication with counsel, made his detention materially more punitive than ordinary presentence custody.

[78] I treat those circumstances as a significant mitigating factor. Their effect is reflected in the sentence itself.

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ANALYSIS

[79] These offences were grave. They involved deliberate violence and neglect toward very young animals. Three puppies suffered mutilating injuries that resulted in permanent disabilities and were abandoned while in distress. The fourth puppy was later found dead and covered in blood.

[80] Mr. Wang's responsibility is high. He was an adult acting without any established impairment of judgment. The conduct was repeated and involved separate victims over several months.

[81] A community disposition would not adequately express the seriousness of the offences. Nor would a short custodial term. The sentence must recognize all four animal victims and must not treat the repeated nature of the conduct as merely incidental.

[82] The Crown's proposed sentence of four years would give significant weight to denunciation and deterrence. It would not, however, give sufficient effect to parity, restraint, Mr. Wang's guilty pleas, his lack of a prior record, his prospects for rehabilitation and the materially punitive conditions of presentence custody.

[83] A four-year sentence would also place this case too close to authorities involving more numerous victims, repeated killings, prolonged torture, sexual gratification, reoffending after previous animal-cruelty convictions, or substantially poorer prospects for rehabilitation. I, therefore, do not accept the Crown's proposed sentence.

[84] The Defence position, considered apart from the presentence custody already served, would understate the gravity of the offences. These were not isolated or impulsive acts. They involved several victims, repeated acquisitions, permanent injuries, abandonment and a serious breach of trust. A significant custodial sentence is required.

[85] The offence-related circumstances, apart from the mitigating factors, would support a global sentence of 30 months' imprisonment. That assessment reflects the four separate victims, the repeated and planned conduct, the puppies' extreme vulnerability, the permanent injuries, the abandonment and the breach of trust.

[86] The 30-month assessment also reflects parity with the authorities while recognizing that the circumstances in *Dennison*, and in the more serious cases relied upon by the Crown, were materially more aggravated.

[87] I have considered the guilty pleas, lack of a prior record, remorse, family support, institutional conduct and prospects for rehabilitation. I have also considered the punitive conditions of presentence custody as mitigation in accordance with *Duncan* and *Marshall*.

[88] Weighed against the gravity of the offences, the repeated conduct, the breach of trust and the permanent harm, the mitigating circumstances justify a sentence below the 30 months that the offence-related factors would otherwise support.

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[89] Considering all factors together, and applying proportionality, restraint and totality, I find that the fit global sentence is 725 days' imprisonment, expressed as two years less five days.

[90] That sentence gives substantial effect to denunciation and deterrence while remaining proportionate to Mr. Wang's conduct and personal circumstances.

[91] The harsh conditions of presentence custody have been considered once, as mitigation in determining the sentence. They are not treated as a separate form of enhanced statutory credit.

PRESENTENCE CUSTODY CREDIT

[92] By August 7, 2026, Mr. Wang will have served 483 actual days in presentence custody.

[93] I grant credit at the enhanced rate of 1.5 days for each day served. The circumstances justify enhanced credit because presentence custody deprived Mr. Wang of access to earned remission and affected the period he would otherwise have been required to serve. Mr. Wang is therefore entitled to 725 days of presentence custody credit under s. 719(3.1) of the *Criminal Code*.

[94] The sentence before statutory credit is 725 days' imprisonment, expressed as two years less five days. Mr. Wang receives credit of 725 days for 483 actual days of presentence custody.

[95] The resulting sentence is time served, with no further time remaining.

RESTITUTION

[96] The invoices filed on sentence establish that the City of Mississauga incurred veterinary and related care expenses of $29,772.49 for the surviving puppies.

[97] Those expenses resulted directly from the offences. They are reasonable and readily ascertainable. The Defence does not dispute the amount or the appropriateness of a restitution order.

[98] Under s. 447.1(1)(b) of the *Criminal Code*, Mr. Wang shall pay restitution of $29,772.49 to the City of Mississauga within three years.

LIFETIME ANIMAL PROHIBITION

[99] A lifetime prohibition is necessary to protect animals. Mr. Wang deliberately acquired several young puppies from different sellers over several months. The offences were repeated, involved a serious breach of trust and caused permanent injuries.

[100] Mr. Wang's conduct was not confined to an isolated or impulsive occurrence. The repeated acquisition of vulnerable puppies, the similarity of the injuries and the abandonment of the animals demonstrate that a fixed-term prohibition would not provide adequate protection.

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[101] Under s. 447.1(1)(a) of the *Criminal Code*, Mr. Wang is prohibited for life from:

(a) owning an animal or bird;

(b) having the custody or control of an animal or bird; or

(c) residing in the same premises as an animal or bird.

DNA ORDER

[102] The Crown applies for a DNA order. Because these offences were prosecuted by indictment and carry a maximum punishment of five years' imprisonment, they are secondary designated offences.

[103] Under s. 487.051(3)(b) of the *Criminal Code*, the Court may make the order if satisfied that it is in the best interests of the administration of justice.

[104] In determining whether to make the order, I have considered Mr. Wang's criminal record, the nature of the offences, the circumstances surrounding their commission, and the effect of the order upon his privacy and security of the person.

[105] Mr. Wang had no criminal record at the time these offences were committed. That consideration weighs against the order.

[106] The offences, however, involved repeated and deliberate acts of violence toward four vulnerable animals over several months. They involved planning, permanent injury, abandonment and the acquisition of puppies from persons who entrusted them to Mr. Wang's care. The nature and circumstances of the offences weigh strongly in favour of the order.

[107] A DNA order intrudes upon Mr. Wang's bodily integrity and informational privacy. I have given those interests appropriate weight. The samples, however, will be taken, retained and used within the statutory DNA data bank regime.

[108] Considering the deliberate and repeated nature of the offences, the number and vulnerability of the animals, the planning involved and the permanent injuries caused, I find that the public interest in the administration of justice outweighs the effect of the order upon Mr. Wang's privacy and security of the person.

[109] I am satisfied that the order is in the best interests of the administration of justice. I therefore make a DNA order under s. 487.051(3)(b) of the *Criminal Code*.

DISPOSITION

[110] On Counts 2, 5, 8, and 10, I impose concurrent sentences, resulting in a global sentence of 725 days' imprisonment, expressed as two years less five days.

[111] Mr. Wang has served 483 actual days in presentence custody. He receives credit of 725 days under s. 719(3.1) of the *Criminal Code*. The custodial sentence is fully satisfied.

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[112] Under s. 447.1(1)(a) of the *Criminal Code*, Mr. Wang is prohibited for life from owning an animal or bird, having the custody or control of an animal or bird, or residing in the same premises as an animal or bird.

[113] Under s. 447.1(1)(b) of the *Criminal Code*, Mr. Wang shall pay restitution of $29,772.49 to the City of Mississauga for the reasonable and readily ascertainable costs incurred in caring for the surviving puppies.

[114] On the Crown's application, I make a DNA order under s. 487.051(3)(b) of the *Criminal Code*.

[115] The victim fine surcharge is waived.

Released: August 7, 2026

Signed: Justice P.T. O'Marra

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