



# MEDIA STATEMENT

## CRIMINAL JUSTICE BRANCH

June 26, 2015

15-14

### **Crown Files Appeal in Supreme Court of Canada**

**Victoria** – The Criminal Justice Branch, Ministry of Justice (the “Branch”), announced today that it has filed an appeal with the Supreme Court of Canada, asking that the Court overturn the majority decision of the Court of Appeal for British Columbia in *R. v. Newman*, 2015 BCCA 237, and restore a conviction for first degree murder.

On February 20, 2013, Michael Newman was found guilty of first degree murder in the death of Mark Rozen. He appealed the conviction. On May 28, 2015, the Court of Appeal for British Columbia set aside the conviction for first degree murder and substituted a conviction for second degree. One of the three Justices who heard the appeal issued a dissenting judgment. After reviewing the *Reasons for Judgment*, and considering the case in its entirety, the Branch is satisfied that: (1) the dissenting judgment raises a question of law, which provides the Crown with an appeal as of right; (2) a reasonable argument can be made that the majority judgment substituted a conviction for second degree murder in error; and (3) the public interest requires an appeal. As such, the Branch has filed an appeal to the Supreme Court of Canada and will ask that the conviction for first degree murder be restored. Ultimately, it will be up to the Supreme Court of Canada to determine whether legal error has occurred and appellate intervention is warranted.

A hearing date for the appeal has not yet been set. As this matter is now before the Supreme Court of Canada, the Branch will not comment further on the specifics of the case.

Media Contact: Gordon Comer  
A/Communications Counsel  
Criminal Justice Branch  
(604) 660-3282

To learn more about B.C.'s criminal justice system visit the [British Columbia Prosecution Service website](http://www.ag.gov.bc.ca/prosecution-service/):

<http://www.ag.gov.bc.ca/prosecution-service/>

---

### **Branch Vision**

***Courageous, Fair and Efficient – A Prosecution Service that has the Confidence of the Public.***

---

Office of the  
Assistant Deputy Attorney General  
Criminal Justice Branch  
Ministry of Justice

*Mailing Address:*  
PO Box 9276 Stn Prov Govt  
Victoria, BC V8W 9J7

*Office Location:*  
9<sup>th</sup> Floor, 1001 Douglas Street  
Victoria, BC V8W 9J7  
Telephone: (250) 387-3840  
Fax: (250) 387-0090