



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

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Stanley Cup Riot - Update

VICTORIA - The Criminal Justice Branch, Ministry of Justice, announced today that it has filed applications for leave to appeal from sentence with the Court of Appeal of British Columbia in two of the Stanley Cup Riot prosecution files: R. v. Alexander Peepre and R. v. Lincoln Kennedy-Williams.

Alexander Peepre pleaded guilty to participating in a riot and assault. On September 13, 2012, he was sentenced to 60 days jail (to be served on weekends), and 15 months probation. The Crown sought a jail term of nine months.

Lincoln Kennedy-Williams pleaded guilty to participating in a riot. On September 21, 2012, he was sentenced to 90 days jail (to be served on weekends), and 15 months probation. The Crown sought a jail term of six months.

On the appeals, the Crown will ask that the sentences for both of these individuals be increased.

As these matters are now before the Court of Appeal, the Criminal Justice Branch will make no further comment about the specifics of the cases. A tentative hearing date for both matters has been set for November 29, 2012.

The Branch has conducted a thorough review of two other Stanley Cup Riot cases for the purpose of appeal consideration.

Although the sentences that were imposed on these latter two individuals were less than what the Crown sought at the time of sentencing, the Crown cannot file an appeal from sentence simply because it disagrees with the outcome of a particular case. Judges have broad discretion at sentencing and in the absence of the Crown being able to show a legal error that resulted in a demonstrably unfit sentence (one that is clearly unreasonable or markedly outside the range of sentence available for generally comparable cases), it is unlikely that an appeal court would vary the sentence and impose something that is more stringent.

After a careful consideration of the matters, including the whole of the information that was before the judges and the findings of fact that the judges made about these matters, it is the conclusion of the Criminal Justice Branch that it is unlikely an appeal court would interfere with the exercise of discretion at sentencing. As such, appeals will not be initiated in these two cases.

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