



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

June 26, 2015

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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.

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

Branch Vision

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

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