

PEI Court Faces Novel Question in Sentencing for Deliberate COVID-19 Violation



A 22-year-old student from Congo in Canada on a student visa who tested positive for COVID was convicted of deliberately defying public health orders to self-isolate and had a number of public encounters. The question: What sentence should he get? The defence argued for conditional release, citing the student's lack of a criminal record, written apology and mental health issues. The Crown urged the court to send a strong message of deterrence, especially given that his close personal contacts included staff of residential care facilities. After weighing all the factors, the PEI court split the baby, granting the conditional release but also imposing 24 months of probation which was at the top end of the Crown's wish list [*R. v. Nsangira*, 2021 PESC 9 (CanLII), March 18, 2021].