

Sentences for Company & President for Fisheries Violations Weren't Unfit



A property development company and its president were convicted of *Fisheries Act* violations related to the land clearing and placement of fill on a large part of the foreshore of Kamloops Lake, which caused serious and substantial damage to salmon habitat. The trial court fined each defendant \$10,000 and ordered them each to pay \$60,000 to the BC Conservation Foundation. The Crown appealed the sentences. The appeals court found that the trial court had properly considered the relevant sentencing factors. In addition, although given the 'moral blameworthiness and large scale of the environmental damage,' the appeals court judge may have imposed a higher fine, 'that is not the test.' Rather, the appeals court couldn't find that the \$140,000 in total penalties imposed, when taking remediation costs into account, were disproportionately low as to be unfit [*R. v. Northland Properties Corp.*, [2015] BCSC 1571 (CanLII), Sept. 2, 2015].