



Black Legal Action Centre

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R. v. Morris
February 4, 2021

The Black Legal Action Centre (BLAC), along with the Canadian Association of Black Lawyers (CABL), are jointly intervening in a case (*R. v. Morris*) before the Court of Appeal for Ontario on February 11, 2021.

In *R. v. Morris*, the Court of Appeal for Ontario will consider the appropriate manner in which systemic and background factors should be treated when sentencing a Black person.

Mr. Morris was convicted of various firearm offences. In July 2018, Ontario Superior Court Justice Shaun Nakatsuru sentenced him to a 12-month jail sentence, reduced from 15 months after consideration of *Charter* breaches. Among other factors, Justice Nakatsuru took into account Mr. Morris' background and the impact anti-Black racism had in his life, informed by the reports from leading experts on anti-Black racism in Canada. The Crown appealed the sentence and submits, among other things, that the sentencing judge erred in his treatment of social context evidence of racism.

BLAC/CABL will propose that given the historical and current manifestations of anti-Black racism in this country, including discrimination by and within the criminal justice system, the Court should implement a standardized framework for sentencing Black people in Ontario. In order to ensure that every time a Black person is before a sentencing judge, anti-Black racism is taken into account.

The BLAC/CABL intervener factum can be found at [this link](#).

Other interveners include: Aboriginal Legal Services, The David Asper Centre for Constitutional Rights, Criminal Lawyers' Association, South Asian Legal Clinic of Ontario, Chinese and Southeast Asian Legal Clinic and Colour of Poverty/Colour of Change Network, Canadian Civil Liberties Association, Canadian Muslim Lawyers Association, and Urban Alliance on Race Relations.

If you would like to observe the appeal on February 11, 2021, the Zoom link will be posted on the Court of Appeal for Ontario's website, specifically on the online [hearings list](#) later this week.