

In the Court of Appeal of Alberta

Citation: R v Lavrentiadis, 2026 ABCA 247

Date: 20260723
Docket: 2503-0144A
Registry: Edmonton

Between:

His Majesty the King

Respondent

- and -

Alexander James Bear Lavrentiadis

Appellant

The Court:

**The Honourable Justice Jane Fagnan
The Honourable Justice Kevin Feth
The Honourable Justice Tamara Friesen**

Memorandum of Judgment

Appeal from the Sentence by
The Honourable Justice L.C. Tchir
Sentenced on the 4th day of July, 2025
(Docket: 240127753P1)

Memorandum of Judgment

The Court:

[1] The appellant, Alexander Lavrentiadis, appeals his 4-year sentence for aggravated assault, robbery (assault with intent to steal) and possession of a weapon for a dangerous purpose (a sword).

[2] The offences involved a joint attack by five young males on the 14 year old victim. The appellant was the only adult among the group of attackers, having turned 18 years old approximately 2 months before the events.

[3] All five attackers were deemed to be co-principals, using edged weapons to wound, maim, disfigure, and endanger the life of the victim who suffered multiple penetrating injuries to his legs, arms, back, face, and head, and collapsed lungs. He was intubated, had bilateral chest tubes placed and had surgery to repair his left knee, a facial laceration, and a laceration to the left-hand digital nerve. At the scene, the victim identified one of the appellant's co-accused as one of his attackers. Later, the police found the appellant and the accused youths at a residence where the police located a sword with the appellant's fingerprint and the victim's blood on it.

[4] In her sentencing decision, the trial judge recognized that the sentence imposed must be proportionate to both the gravity of the offences and the appellant's degree of responsibility and moral blameworthiness. In assessing the "Gravity or Seriousness of the Offence(s)", she identified nine aggravating factors:

- it was a group attack
- the victim suffered serious injuries
- the nature of the force used, including "repeated blows when [the victim] was on the ground curled up trying to protect himself"
- the use of edged weapons
- the duration of the attack which lasted longer than 1 full minute
- the attack only ended when a witness intervened
- the planned nature of the attack as the accused were carrying weapons
- the appellant was on probation at the time of the offences
- a video of the attack was posted online on YEGTornado.

[5] As to the appellant's degree of responsibility, the trial judge found his "conduct showed a high degree of recklessness" in the harm done to the complainant. She reviewed his personal circumstances, which included that he did not complete high school, had no employment history or motivation to finish school or find work, and an "unstable upbringing" due to his mother's significant struggles with substance abuse and mental health. He had no contact with his biological father. The appellant had witnessed physical abuse between his mother and one of her partners, and claimed to have been sexually and physically abused by older brothers.

[6] The trial judge also found that when the appellant was 9 years old, he came under the care of his former stepfather after being apprehended by Children and Family Services. His stepfather later adopted him and provided a stable environment, but the appellant's negative behaviours began to escalate. He was asked to leave his adoptive father's home on two occasions, and following each occasion, he was arrested for criminal offences. However, the trial judge noted that the appellant's adoptive father provides "both financial and unconditional positive support". The adoptive father described the appellant as "highly intelligent" and very capable when he tries, but the pre-sentence reporter noted that the appellant "did not appear fully coherent" during the interview and often gave vague or contradictory answers.

[7] The pre-sentence report summarized the appellant's challenges with substance abuse, mental health and motivation. His history included self-harm, heavy drinking, and the use of cocaine, methamphetamine, MDMA, and prescription drugs when he was 16 and 17 years old. Following his admission to hospital in 2024 for a "noncriminal drug induced psychosis event", his adoptive father observed a "permanent change". However, the appellant had limited the use of drugs and alcohol during the 7 months leading up to the pre-sentence report.

[8] As to mitigating factors, the trial judge found:

Mr. Lavrentiadis is a youthful offender. He was 18 years old at the time of the offence and a young 18 year old being only 2 months past his 18th birthday. The social group he was associating with and who were the other assailants in this attack were all under 18. Mr. Lavrentiadis had a difficult and unstable childhood marred by parents with mental health and substance abuse. He witnessed physical violence in his home and suffered mental and sexual abuse. He was traumatized by the loss of his grandfather when he was 10 years old. These circumstances give me some understanding about why he had become involved in the criminal justice system with these offences and have a mitigating effect. Although it appears Mr. Lavrentiadis may have some mental health vulnerabilities[, h]e has no mental health diagnosis. There is no evidence before me to show any link between any mental health issues and his involvement in the offences of which I found him guilty.

[9] The trial judge reviewed the objectives of sentencing noting that as the assault victim was only 14 years of age at the time, s 718.01 was applicable and "in imposing sentence . . . primary consideration to the objectives of denunciation and deterrence" is required as the offence "involves abuse of a person under the age of 18 years". (The appellant does not take issue with the application of s 718.01 in these circumstances.) The trial judge referred to a similar objective expressed in *R v Bazinet*, 2005 ABCA 388 for offences which involve carrying and using knives. In considering denunciation and deterrence, the trial judge mentioned these comments in *R v Lacasse*, 2015 SCC 64 at para 6, [2015] 3 SCR 1089: "... in all cases in which general or specific deterrence and denunciation must be emphasized, the courts have very few options other than imprisonment in

meeting these objectives, which are essential to the maintenance of a just, peaceful and law-abiding society.”

[10] The trial judge further assessed the principle of parity, finding that Parliament has set a “bright line” distinction between adult offenders such as the appellant, and his co-accused who were young offenders. Reviewing various cases, she found the 7 ½ year sentence upheld in *R v Kanthasamy*, 2007 ONCA 90 had the “most parity with the offences before me in the situation of a group attack with knives by youthful offenders where serious injuries resulted”. However, the trial judge found the recording and online posting of the assault to be additional aggravating circumstances. She concluded: “Considering all the sentencing principles and objectives and the unique aggravating and mitigating circumstances before me and in consideration of Mr. Lavrentiadis’ personal antecedent[s], a sentence in the higher range is fit and appropriate...”. After finding that “a sentence approaching 7 to 7 ½ years may be appropriate”, the trial judge gave a “substantial discount” for the appellant’s youth, lack of a criminal record, and 1 ½ years spent on bail without incident. She imposed a global 4-year sentence.

[11] Sentencing decisions are discretionary and must be reviewed with considerable deference. The appellant argues the trial judge committed an error in principle affecting the sentence imposed, resulting in a sentence that was disproportionate to the appellant’s degree of responsibility. An error in principle can include an error of law, the failure to consider a relevant factor, or an erroneous consideration of an aggravating or mitigating factor. The weight to be given to relevant factors is entitled to deference, and this Court will only intervene if that discretion has been exercised unreasonably. Great care must be taken not to allow our own assessment of the record and any weight we would have given various factors “to colour the lens through which [we] view the sentencing judge’s reasoning”: *R v Sheppard*, 2025 SCC 29 at 38-40, 507 DLR (4th) 78.

[12] The appellant raises two grounds of appeal.

[13] First, he argues that the trial judge erred in her analysis of the appellant’s moral blameworthiness by failing to properly analyze how his youthfulness and troubled background lowered his culpability – in particular, his immaturity in reasoning, irresponsibility in decision-making and greater prospects for rehabilitation. We find no merit in this argument.

[14] After setting out the appellant’s lower grade level education, and his “challenges with substance use, mental health, and motivation”, the trial judge specifically found that he was “only 2 months past his 18th birthday” at the time of offence, and his social group was under 18. She further held his “difficult and unstable childhood [as] marred by parents with mental health and substance abuse”, his experiences witnessing violence, and suffering abuse and loss were all “circumstances [which] give me some understanding about why he had become involved in the criminal justice system with these offences and have a mitigating effect”. Additionally, while acknowledging the appellant’s “mental health vulnerabilities” despite no formal diagnoses, the

trial judge found “no evidence [of] . . . any link between any mental health issues and his involvement in the offences”.

[15] Having reviewed the record before us and the reasons of the trial judge, we find no support for the further submission that she overemphasized denunciation, deterrence or the gravity of this serious and violent offence. Nor did she err in finding a “bright line” between adult offenders and young offenders in sentencing range or the importance of rehabilitation. She was mindful of the parity principle, but correctly found she was bound to sentence the appellant as an adult offender.

[16] While the appellant was admittedly a young adult, the trial and sentencing record, and particularly the pre-sentence report, provided little in the way of rehabilitative prospects. The appellant “disagree[d] with the official circumstances of the offence[s]” at the time of the report, expressed no remorse, and while having only a grade 7 education and having experienced significant drug and substance use, expressed no interest in going back to school, seeking employment or undertaking treatment.

[17] Notably, the trial judge gave a substantial discount of 3 years for the appellant’s youthfulness, absence of a criminal record and breach-free period on bail.

[18] We find no error in the trial judge’s refusal to equate the appellant’s immaturity or irresponsibility with that of his young offender co-accused in crafting this adult sentence. The trial judge did not err in her assessment of the appellant’s moral blameworthiness, or impose a sentence that was disproportionate to it. Rather, in our view, the sentence properly reflected the appellant’s participation in this serious group attack, and was within the acceptable range for the both the gravity of the offence and his moral blameworthiness.

[19] Second, the trial judge did not err in determining that the gravity of the offence was aggravated by a recording made by one of the co-accused during the attack and subsequently posted online by an unspecified co-accused for public view.

[20] The trial judge’s comments regarding the video were made in her assessment of the overall gravity of the offence. The appellant does not dispute the nature of the recording, that it was shared on the internet or that he was seen in the video violently assaulting the victim; these facts were proven beyond a reasonable doubt in the conviction decision. However, the appellant argues there was no evidence of the recording ever being in his possession, or that he personally uploaded it or participated in uploading it. He says this after-the-fact conduct, attributable to someone else, should not have been an aggravating factor on his sentence.

[21] In our view, these assertions are misplaced. This was a group attack, and all the perpetrators were found to be joint or co-principals. This Court said in *R v Strathdee*, 2020 ABCA 443 at para 66, affirmed 2021 SCC 40, [2021] 3 SCR 52: “A person participating in a group assault, whether involving a single victim or more than one, must accept the consequences which flow from this

group action. Each assailant is not permitted to offer his or her individual involvement alone, ignoring for liability purposes, the effect of their collective actions.” One clear basis for such reasoning is that “each assailant necessarily advances and encourages the violence of the others and may also prevent or hinder others from coming to the aid of each other. All that is required for liability is common participation”, citing *R v Cabrera*, 2019 ABCA 184 at para 79 [*Cabrera*]; *R v Ball*, 2011 BCCA 11 at para 25. Importantly, “each person becomes responsible for any act of the group such that the ‘blow of one is the blow of all’”: *Cabrera* at para 78. “All members of the group are equally morally blameworthy”: *Strathdee* at para 63.

[22] This principle necessarily carries over into sentencing. As this Court said recently in *R v Kebede*, 2025 ABCA 79 at para 30 [*Kebede*], while “participants in a group assault might have lower or higher moral culpability depending on the proven extent or specifics of each group member’s participation. . . all principal offenders bear responsibility for a joint assault: *R v Moreira*, 2021 ONCA 507 at paras 65-66; *R v Aragon*, 2022 ONCA 244 at para 119, 413 CCC (3d) 79.” When sentencing an offender, “moral culpability may ground equally where the extent of each group member’s participation is simply unknown”: *Kebede* at para 30.

[23] The factual matrix of this group assault includes that one of the co-accused recorded the attack on the victim, and the recording was ultimately uploaded by an unknown co-accused to the internet for public viewing. While the co-accused who recorded the attack might have higher moral culpability for those actions, and the appellant lower moral culpability, the recording and subsequent uploading is relevant in considering the gravity of the offence. As was similarly found in *Kedebe* at para 31, the appellant “was convicted of [the offences of aggravated assault and robbery] as a co-principal in association with others. The sentencing judge did not err by finding everything that happened to [the victim] . . . to be aggravating in [the appellant’s] case.”

[24] The trial judge did not elevate this aggravating factor beyond the simple but significant fact that the joint attack on the victim was recorded and shared on the internet: “The posting of the video on YEGTornado is aggravating. It is a glorification or use of violence against [the victim] as entertainment and/or to further degrade or publicly humiliate him.” We agree. Moreover, this is not a factor that can be viewed as after-the-fact conduct; it directly flowed from the victimization inflicted in this case. As the trial judge properly found, it was part of the “gravity or seriousness” of the offences.

[25] While the appellant argued there was no evidence that the victim in this matter knew of or was affected by the recording or the posting of the video of his assault and robbery, or that the video identifies the victim, these are not requirements for a sentencing court in determining the elevated seriousness of the offences. Rather, as the Crown respondent submits, these circumstances parallel the type of harm repeatedly found to be suffered by victims of sexual assault when images or videos of their victimization are not only made, but publicly shared. That victimization is perpetuated, which can cause its own profound trauma for both the victim and viewers.

[26] The Supreme Court of Canada concluded almost 20 years ago in *R v LM*, 2008 SCC 31 at para 28, [2008] 2 SCR 163, that when recordings of an offence are disseminated on the internet that act becomes part of the gravity of offence: “The use of this medium can have serious consequences for a victim. Once a [video] has been posted on the Web, it can be accessed indefinitely, from anywhere in the world. [The victim] will never know whether a [video] in which [he] appears might not resurface someday.” Since that time, both the pace of technology and the interactive nature of information sharing have ushered in the modern era of digital connectivity as an everyday part of Canadian life.

[27] Sharing consensually created and legal content, photos and videos is common in our society. However, uploading or posting illegal, violent and non-consensual material is substantively different; the gravity of the societal harm and the adverse impact on the victim can be pronounced and should not be underemphasized.

[28] A video recording of the crime, even if made thoughtlessly in the “spur of the moment”, may re-victimize a complainant long after the crime occurred. The harm is even more acute and insidious when an image goes live on a social media platform to be shared with an extended audience, which may expand the degradation by immortalizing the crime, indefinitely exposing the victim to the images, and inviting embarrassing comments about the contents. Social harm may also result from glorifying the criminal activity and normalizing the wrong. As such, sentencing courts across Canada have properly found that “commemorating” and “reinforcing the demeaning nature of” an offence, by recording and uploading it on the internet and/or social media for access by additional people or the general public is an aggravating factor on sentence. This is so regardless of whether the person being sentenced is the same person who recorded or disseminated the recording: see for example, *R v JD*, 2015 ONCJ 550 at para 73; *R v ALC*, 2024 BCPC 112 at paras 10 -11; *R v JWW*, 2024 MBPC 84 at para 53; *R v Sumner*, 2022 MBPC 3 at 43-44; *R v Harroff*, 2024 BCSC 318 at para 114.

[29] The trial judge did not err in making such a finding in the circumstances of this case. She properly recognized that the appellant did not make the recording, nor was he found to have uploaded it to the internet. She did not raise the gravity of this aggravating factor beyond permissible limits - a general finding that the recording and posting of the victim being assaulted and robbed was relevant to the gravity of the offences. Nothing less was warranted in a hyper-connected digital age.

[30] Having assessed the gravity of the offence, the trial judge went on to consider the appellant’s degree of responsibility. She did not specifically mention the taking or uploading of the video in that part of her analysis. She found the appellant’s conduct was highly reckless with respect to the harm caused to the victim. We do not find the trial judge improperly weighed the facts relating to the video in assessing the appellant’s moral blameworthiness.

[31] We are not persuaded that the trial judge committed a reviewable error in sentencing the appellant.

[32] The appeal is dismissed.

Appeal heard on June 23, 2026

Memorandum filed at Edmonton, Alberta
this 23rd day of July, 2026

Authorized to sign for: Fagnan J.A.

Feth J.A.

Friesen J.A.

Appearances:

R.A. Fata
for the Respondent

G. Johnson
for the Appellant