

CANADA / JUDGMENT

R. v. Alkhalil

2022 BCSC 1296

COURT

Supreme Court of British Columbia

DECIDED

22 July 2022

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2022 BCSC 1296 R. v. Alkhalil IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: R. v. Alkhalil, 2022 BCSC 1296 Date: 20220722 Docket: 27393-168 Registry: Vancouver Regina v. Rabih Alkhalil also known as Robby Alkhalil and Larry Ronald Amero Restriction on Publication: A publication ban has been mandatorily imposed under s. 648(1) of the Criminal Code of Canada, restricting the publication, broadcasting or transmission in any way of any portion of the trial at which the jury is not present. This publication ban applies until the jury retires to consider its verdict Before: The Honourable Justice Maisonville Oral Ruling re Application No. 168 - Alkhalil Absconding Counsel for the Crown: M. Sheardown S. Dworkin N. Gregoire A. Cochrane D. Darby A. LaBar Counsel for the Accused Alkhalil: R.S. Fowler, Q.C. K.A. Blok A. Tolliday Counsel for the Accused Amero: M.A. Rock J. Myers J. Oppal Place and Date of Trial/Hearing: Vancouver, B.C. July 22, 2022 Place and Date of Ruling: Vancouver, B.C. July 22, 2022

- [1] THE COURT: The Crown seeks an order for the arrest of Rabih Alkhalil, and further requests that the warrant be Canada wide. The Crown also seeks an order, pursuant to s. 475 of the Criminal Code, R.S.C. 1985, c. C-46, deeming that Mr. Alkhalil has waived his right to be present at his trial and to continue the trial in his absence.
- [2] The Crown's application also seeks that the jury be permitted to draw an adverse inference against Mr. Alkhalil from the fact that he has absconded. This latter request is adjourned pending further discussions and submissions.
- [3] I am satisfied on reviewing the material filed, including the Coquitlam RCMP's urgent request to the public issued last night indicating that Mr. Alkhalil was confirmed to have left the North Fraser Pre-trial institution in a white Econoline van with two others at 6:48 p.m. travelling westbound, that he has absconded, and I find that he has waived his right to be present at the trial, and this trial will continue in his absence.
- [4] I also make the following order, that there be a warrant for the arrest of Mr. Alkhalil, and that this warrant will be Canada wide.
- [5] There has been extensive media coverage on this matter, which I have reviewed with counsel this morning. I propose to make the following remarks to the jury: By now, some, or all of you, will have heard Mr. Alkhalil has absconded. I will instruct you later on what use, if

any, you can make of this fact. I remind you again that both accused, including Mr. Alkhalil who is not before you, is presumed innocent until the Crown has proven their guilt beyond a reasonable doubt. The trial will continue in the absence of Mr. Alkhalil, and the Crown will have to prove his guilt to you beyond a reasonable doubt, as well as Mr. Amero. I am instructing all of you now not to pay any further attention to any media accounts of Mr. Alkhalil's absconding, or if you read or hear anything on the internet, social media or otherwise, I ask you to ignore it, and I am directing you to do that. This direction is in accordance with my initial directions to you that you must decide this case on the basis of evidence presented in this courtroom.

- [6] I would then adjourn for counsel to make any applications necessary to Tuesday, July 26, and adjourn the jury to next Wednesday, July 27. [DISCUSSIONS RE RULING FROM 11:07:25 A.M. TO 11:09:50 A.M.] "Maisonville J."

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Prepared on 26 October 2026 · Esheria