



Case in Brief: ***R. v. I.M.***

Judgment of July 18, 2025 | On appeal from the Court of Appeal for Ontario
Neutral citation: 2025 SCC 23

The Supreme Court of Canada overturns an adult sentence for a youth found guilty of murder, based on the notion that young people are less morally culpable.

This is an appeal about how the *Youth Criminal Justice Act* (YCJA) should be interpreted when deciding if a young person should receive an adult sentence. The regime for sentencing under the YCJA aims to hold young people accountable for their crimes by imposing sanctions with meaningful consequences. It does so in a separate criminal justice system based on the principle of diminished moral blameworthiness or culpability because young people are still developing and may not fully understand the consequences of their actions or exercise the same level of judgment and self-control as adults. The presumption that a young person has diminished moral blameworthiness must be rebutted (disproven) by the Crown before a judge can impose an adult sentence. The judge must also be satisfied that a youth sentence would not be long enough to hold the young person accountable.

The appellant participated in a planned robbery with intent to steal a firearm from a seventeen-year-old. The appellant and his co-assailants attacked the victim outside his residence. They beat him and stabbed him. The victim died from his wounds. The appellant and his co-assailants then entered the victim's home, pistol-whipped the victim's mother, and searched the home for firearms. The appellant was charged with and convicted of first degree murder. The sentencing judge imposed an adult sentence, concluding that the appellant had the maturity of an adult and that a youth sentence would not suffice. The Court of appeal upheld that decision.

The Supreme Court has allowed the appeal, set aside the adult sentence imposed by the sentencing judge and imposed a youth sentence.

In this case, the Crown failed to prove beyond a reasonable doubt that the appellant had the maturity or capacity for moral judgment of an adult at the time of the offence .

Writing for the majority, Justice Kasirer said that on a proper interpretation of section 72(1)(a) of the YCJA, the Crown must rebut the statutory presumption of diminished moral blameworthiness beyond a reasonable doubt. Furthermore, in determining whether the Crown has successfully rebutted this presumption, a court should not consider the seriousness or objective gravity of the offence; rather, it should consider factors that focus on the young offender's developmental age and capacity for moral judgment. In this case, at the first threshold step in the section 72(1)(a) analysis, the sentencing judge applied the wrong standard, erred in considering the seriousness of the offence and failed to properly consider other factors. Accordingly, the sentence imposed by the sentencing judge is not deserving of deference on appeal. The appellant must therefore be properly sentenced as a young person pursuant to the youth sentencing regime in the YCJA.

Breakdown of the decision: **Majority:** Justice [Kasirer](#) allowed the appeal (Chief Justice [Wagner](#) and Justices [Karakatsanis](#), [Martin](#), [Jamal](#), [O'Bonsawin](#) and [Moreau](#) agreed) | **Dissenting:** Justices [Côté](#) and [Rowe](#) would have dismissed the appeal.

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