

STANLEY CUP RIOT

No criminal record for busking rioter

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City-licensed busker Matthew Lennox is the first Stanley Cup rioter to be given a conditional discharge, meaning he will walk away with no criminal record. Carmine Marinelli – 24 Hours)

Sentencing for a Stanley Cup rioter who won a Miss Congeniality beauty pageant title has been delayed in the wake of a judge's unprecedented decision to let a different rioter walk away with no criminal record.

On Friday, Matthew Lennox, a city-licensed busker, became the first rioter in the June 2011 chaos to be handed a conditional discharge. It means he won't have a criminal record as long as he abides by conditions that include 18 months probation.

"I've always felt I've deserved some sort of punishment. I'm fine with getting a discharge. I think that that fits the crime," the 26-year-old told 24 hours, adding his riot involvement was borne out of curiosity.

"I made a mistake that night, but I certainly wasn't destroying my city."

Surveillance footage captured Lennox briefly entering a downtown London Drugs store, walking around calmly and picking up a bag of gummy bears that he set down before leaving.

His lawyer, Paul Kent-Snowsell, said the judge recognized “the unique circumstances” of his client.

“This was someone, who based on surveillance video, didn’t appear to be enjoying himself.”

He noted in his submissions to the judge in May that the guitarist would have difficulty touring abroad with his band if he had a criminal record.

On Monday, ex-beauty pageant contestant Sophie Laboissonniere appeared in court to learn her fate for participating in the mayhem.

In the wake of Lennox’s conditional discharge, however, the defence and the judge needed time to review the busker’s case since Laboissonniere’s lawyer also requested a conditional discharge for her in May.

Crown lawyer Patti Tomasson told the judge the difference between Lennox and the 21-year-old Richmond woman was the latter appeared to be enjoying herself as she broke into the same London Drugs to steal chips and some water bottles.

Furthermore, the judge will also have to consider the suspended sentence handed down to rioter Todd Gartland last week.

The North Vancouver man is the second rioter to receive a non-custodial sentence after Camille Cacnio, whose trial for a probation violation continues Wednesday.