

# No jail time for former RCMP officer Monty Robinson, convicted of obstruction

BY VIVIAN LUK, THE CANADIAN PRESS JULY 27, 2012

escapes.ca



Former RCMP Cpl. Benjamin (Monty) Robinson leaves B.C. Supreme Court in New Westminster, B.C., on Friday July 20, 2012 after his sentencing hearing for an obstruction of justice conviction was adjourned until July 27. Robinson, whose involvement in the Robert Dziekanski case and an unrelated conviction in a fatal accident made him an example of the bad apples the RCMP has been unable to fire, has voluntarily left the force.

**Photograph by:** Darryl Dyck, THE CANADIAN PRESS

---

METRO VANCOUVER — No jail time was handed to a disgraced former RCMP officer on Friday even as a judge said his attempt to block the police investigation into his role in a fatal motorcycle crash "strikes at the heart of the justice system."

Veteran RCMP officer Cpl. Benjamin (Monty) Robinson was sentenced to a one-year conditional term for his obstruction of justice conviction in connection with the October 2008 accident that killed a 21-year-old.

It means he will serve one month under house arrest, with the remainder under the supervision of a probation officer.

The officer, who gained notoriety for being one of four Mounties involved in the Taser-related death of Robert Dziekanski, resigned from the RCMP last week on the same day a Crown lawyer asked for his

imprisonment.

Family members of victim Orion Hutchinson were not happy with the decision.

"That sentence just felt like he's being grounded," Hutchinson's mother, Judith, said outside the New Westminster courthouse. "It doesn't feel like a sentence to me, it feels like that's not enough."

Robinson was driving a vehicle that struck and killed the young man in an intersection of the Vancouver suburb of Delta, B.C., four years ago.

He was returning with his two young children from a Halloween party, where he had consumed five beers earlier in the night.

After the crash, the off-duty officer left the scene to bring his two children home. While there, he gulped two shots of vodka that he later claimed was simply aimed at calming his nerves.

Judge Janice Dillon of the B.C. Supreme Court ruled that drinking the vodka was a deliberate act to mislead the crash investigation, noting the veteran's extensive RCMP training taught him that drinking booze afterwards could potentially mask the alcohol he drank earlier in the night.

At his sentencing, Dillon said the man's conduct causes one to lose faith in the "protect and serve" police mantra, particularly as he has showed no remorse for the offence or acknowledged any guilt.

However, Robinson's status as a first-time offender and his First Nations heritage were factors in Dillon's decision. She noted that imprisonment would also require protective custody, because he is a police officer.

Prosecutors had asked for a sentence of between three and nine months in jail, or a conditional sentence of up to 18 months. Robinson's lawyer asked for a conditional sentence of three to six months. The maximum penalty for the offence is 10 years in prison.

Conditions for Robinson's sentence include a \$1000 victim surcharge, keeping the peace during the 12-month period and following a strict curfew.

Robinson was also ordered to write a letter of sympathy to the Hutchinson family.

The 42-year-old was not present for his sentencing.

He had initially faced internal discipline within the RCMP force, including a code-of-conduct investigation, but his discharge means those actions have been halted.

Robinson still faces perjury charges in connection with his testimony at the public inquiry into Dziekanski's death at Vancouver's airport in 2007, where the Polish immigrant was repeatedly stunned with an RCMP Taser. The other three Mounties directly involved in the case also face perjury charges. The trial for all four is set for next April.

© Copyright (c) The Vancouver Sun

[Previous](#)

[Next](#)



Former RCMP Cpl. Benjamin (Monty) Robinson leaves B.C. Supreme Court in New Westminster, B.C., on Friday July 20, 2012 after his sentencing hearing for an obstruction of justice conviction was adjourned until July 27. Robinson, whose involvement in the Robert Dziekanski case and an unrelated conviction in a fatal accident made him an example of the bad apples the RCMP has been unable to fire, has voluntarily left the force.

**Photograph by:** Darryl Dyck, THE CANADIAN PRESS

