

CANADA SUPREME COURT: RELEVANT JUDGMENTS in CONSTITUTIONAL LAW/JUNE-SEPTEMBER 2016

Judgment	Date	Subject	
Canada (Attorney General) v. Chambre des notaires du Québec Case number: 35892	2016-06-03	Constitutional law, Taxation, Reasonable expectation of privacy, Right to professional secrecy	Appeal dismissed. Constitutional validity of requirements received by some notaries practising law in Quebec to provide documents or information from the Minister of National Revenue under s. 231.2 of the <i>ITA</i> . The purpose of these requirements was to obtain information or documents relating to clients of the notaries for tax collection or audit purposes.
Rogers Communications Inc. v. Châteauguay (City) Case number: 36027	2016-06-16	Constitutional law Division of powers, Federal powers, Radiocommunication	Appeal allowed. Rogers Communications Inc., a Canadian corporation, offers various communication services everywhere in Canada. The federal Minister of Industry authorized Rogers to install an antenna system on property located at 411 Boulevard Saint-Francis in Châteauguay. Châteauguay, arguing that the health and well-being of people living near such an installation would be at risk, adopted a municipal resolution authorizing the service of a notice of establishment of a reserve that prohibited all construction on the property in question for two years. Rogers filed a motion to contest the notice of a reserve, arguing that the notice was unconstitutional because it would constitute a usurpation of the federal power over radiocommunication.
R. v. Saeed Case number: 36328	2016-06-23	Constitutional law, Search and seizure	Appeal dismissed. The Court was asked whether a penile swab obtained without warrant breached the accused's right to be secure

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			against unreasonable search or seizure.
Shane Rayshawn Vassell (Appellant) v. Her Majesty the Queen Case number: 36792	2016-06-30	Constitutional Law, Right to be tried within reasonable time	Appeal allowed. The applicant was charged for possession of cocaine for the purpose of trafficking. The Crown proceeded to trial against the applicant. The delay to trial was over three years. The applicant argued that his right to be tried within reasonable time under s. 11(b) of Canadian Charter of Rights and Freedoms was infringed.
R. v. Williamson Case number: 36112	2016-07-08	Constitutional Law, Right to be tried within reasonable time	Appeal dismissed. Williamson was charged in January 2009 for historical sexual offences against a minor. The delay between the charges and the end of trial was approximately 35.5 months. The Court argued that Williamson's right to be tried within a reasonable time under s. 11(b) of Canadian Charter of Rights and Freedoms was infringed.
R v. Jordan (Jordan applicant) Case number: 36068	2016-07-08	Constitutional Law, Right to be tried within reasonable time	Appeal allowed. Jordan was charged in December 2008 for his role in a dial-a-dope operation. His trial ended in February 2013. The Court argued that the delay was unreasonable and Jordan's s. 11 (b) Charter right has been infringed.
R v. K.R.J (K.R.J. Appellant) Case number: 36200	2016-07-21	Constitutional Law, Criminal Law, Benefit of lesser punishment	Appeal allowed in part. Accused pleaded guilty to incest and making child pornography. The Court was asked whether some amendments to the Criminal Code could operate retrospectively such that they could be imposed on the accused.

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R. v. Cawthorne Case number: 36466, 36844	2016-07-22	Constitutional Law, Criminal Law, Right to be trial by independent tribunal, Armed Forces	Appeal allowed. The Court was asked whether the accused was granted the right to an independent trial.
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