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- Introduction
  Alan Kilpatrick
- Case Law
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- Legislation
  Ken Fox
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Who Are We?

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Who Are We?

- A tool to enhance lawyer competence, which is a part of the mandate of the Law Society
- A key component in maintaining administration of justice by collecting, cataloging, creating, and distributing legal information
- Our goal is to facilitate access to legal resources, no matter the location

Law Society of Saskatchewan Library

Who Are We?

- Notable Projects and Initiatives:
  - CanLII digitization project
  - Access to justice initiatives
  - Saskatchewan Queen's Bench Rules Annotated eBook

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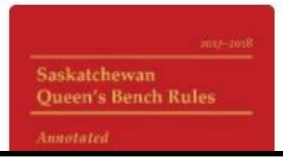
POSTED ON AUGUST 15, 2017

By Kelly Laycock



For a few years now, we've been receiving requests for an electronic copy of our popular *Saskatchewan Queen's Bench Rules Annotated*. We heard you, and at long last, that wish is now fulfilled! The Law Society Library has partnered with Emond Publishing to be able to offer our members a high-quality pdf ebook that can be
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FEATURES of the *2017-2018 Saskatchewan Queen's Bench Rules Annotated*:

- Updated content to Saskatchewan Gazette Volume 113, No. 19
- Case law current to March 2017
- Full index, tariff of costs, historical concordance from 1961, tables of cases, statutes and authorities
- All annotations and updates by Christine Johnston, BEd, LLB
- Up-to-date QB forms are available in Word and PDF at www.lawsociety.sk.ca

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- CanLII is a non-profit organization funded by the Law Societies of Canada and managed by the Federation of Law Societies of Canada
- CanLII provides free online access to Canadian law at canlii.org
- CanLII supports lawyers, the practice of law, and the public by providing an easily accessible, fully searchable, and online source of Canadian law

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CanLII's Scope

- CanLII provides access to more than one million cases and thousands of statutes
- CanLII provides complete coverage of all Canadian case law from 2000 to date
- As a result of a Law Society Library digitization project, CanLII features a virtually complete record of reported Saskatchewan case law back to 1905

https://www.canlii.org/en/databases.html

Board or Tribunal	Coverage
Appeal Tribunal under the Medical Profession Act	1977-2014
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Saskatchewan Assessment Commission	2010-2014
Saskatchewan Board of Review under the Farmers' Creditors Arrangement Act, 1934	1907-2014
Saskatchewan College of Pharmacy Professionals	2015-2016
Saskatchewan District Court	1907-1981
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Saskatchewan Local Government Board	1922-2014
Saskatchewan Master of Titles	1907-2014
Saskatchewan Municipal Boards of Revision	2015-2017
Saskatchewan Office of Residential Tenancies	2006-2017
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Saskatchewan Real Estate Commission	2009-2017
Saskatchewan Surrogate Court	1907-2017
Saskatchewan Unified Family Court	1978-2017
Supreme Court of Saskatchewan	1907-2015

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Why Should You Use CanLII?

- Reasons for using CanLII include:
  - Ease of use
  - Convenient access
  - Favorable cost
  - Depth of case law and legislation available

https://beta.canlii.org/en/info/CanLII2012SurveySummary_en.pdf

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Why Should You Use CanLII?

- How does CanLII compare to AQL and WLN?
  - An initiative to make the law open and accessible
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By default, the search engine processes a space between terms as a logical AND. The following operators allow you to change this default processing.

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- CanLII's search operators:
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  - OR (armed OR weapon OR knife OR gun OR rifle)
  - " " "child of marriage"
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MVA's: Who is "Ordinarily Resident"; When is Residency Decided

Silva v. John Doe, 2016 ONCA 700 (CanLII)

2 CONCURS

by Cory Giordano — Supreme Advocacy LLP
Sep 28, 2016

Starting point sentence for "major" sexual interference in Alb...

R v Hajar, 2016 ABCA 222 (CanLII)

0 CONCURS 0 COMMENTS

by Damian Rogers
Oct 3, 2016

Appeal Court Rules on Privacy of Text Messages

R. v. Marakah, 2016 ONCA 542 (CanLII)

0 CONCURS 0 COMMENTS

by Russell Alexander
Oct 3, 2016

Judge Orders Mother to Stop Putting Father's E-mails in the Ju...

Z.S.R. v. R.S., 2016 BCPC 200 (CanLII)

2 CONCURS 0 COMMENTS

by Russell Alexander
Sep 26, 2016

Inappropriate statements posted on Facebook by employees can l...

Servant c. Ritchie, 2016 QCCQ 7282 (CanLII)

0 CONCURS 0 COMMENTS

by Maude Longtin — Borden Ladner Gervais LLP.
Oct 3, 2016

Ontario Court of Appeal Holds "Active Employment" Requirements...

Paquette v TeraGo Networks Inc., 2015 ONSC 4189 (CanLII)

0 CONCURS 0 COMMENTS

by Stephanie Young — Borden Ladner Gervais LLP.
Oct 3, 2016

Règlement d'une action collective et renonciation à la solidar...

B2B Trust c. Samson & Associés, 2016 QCCA 1569 (CanLII)

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by Frédéric Pagé
Oct 3, 2016

B.C. Court of Appeal Reduces Notice Period for Short Service E...

Munoz v. Sierra Systems Group Inc., 2016 BCCA 140 (CanLII)

0 CONCURS 0 COMMENTS

by Lisa Carlson, Andrew Nathan — Borden Ladner Gervais LLP.
Oct 3, 2016

La Cour d'appel de l'Ontario juge que les exigences relatives ...

Paquette v. TeraGo Networks Inc., 2016 ONCA 618 (CanLII)

0 CONCURS 0 COMMENTS

by Stephanie Young — Borden Ladner Gervais LLP.
Oct 3, 2016

La Cour d'appel de l'Ontario juge que les exigences relatives ...

Paquette v TeraGo Networks Inc., 2015 ONSC 4189 (CanLII)

0 CONCURS 0 COMMENTS

by Stephanie Young — Borden Ladner Gervais LLP.

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CanLII Connects

- Accessing CanLII Connects – two strategies:
  - From a case on CanLII
  - From the CanLII search results

Bourque v Janzen, 2012 SKQB 458 (CanLII)

QUEEN'S BENCH FOR SASKATCHEWAN

Date: **2012 11 06** Citation: **2012 SKQB 458**
Docket: DIV. No. 59 of 2007
Judicial Centre: Saskatoon, Family Law Division

BETWEEN:

PHILIPPE LOUIS BOURQUE
PETITIONER

- and -

JUDITH GAIL JANZEN
RESPONDENT

Counsel:

Philippe L. Bourque	petitioner, on his own behalf
Jeremy A. Caissie	for the respondent

FIAT DUFOUR J.
November 6, 2012

---

1) More than $61,000 in child support was paid into Court between 2008 and 2011 but the custodial parent let it sit there while she lived in near poverty with five children. Only now, after the payor father has asked to have it paid directly to the children has she made a claim to it. Their applications require me to decide how, and to whom, the money ought to be paid out.

Bourque v Janzen, 2012 SKQB 458 (CanLII)

Date: 2012-11-06
Docket: DIV. No. 59 of 2007
Citation: Bourque v Janzen, 2012 SKQB 458 (CanLII), <http://canlii.ca/t/fts95>, retrieved on 2017-10-10

QUEEN' S BENCH FOR SASKATCHEWAN

Date: 2012 11 06 Citation: 2012 SKQB 458
Docket: DIV. No. 59 of 2007
Judicial Centre: Saskatoon, Family Law Division

Nov 6, 2012

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Can You Pay Support to a Child Directly after They Reach 18?

Bourque v Janzen, 2012 SKQB 458 (CanLII)

by Russell Alexander

In a recent Blog we pointed out that a support-paying parent is not entitled to unilaterally choose to substitute gifts or tangible items in place of his or her monetary child support obligation. A related question is whether a parent can choose to pay support to an older child directly, for example where the child is over 18 but in the circumstances is still entitled to support.

Once again, the answer is generally "No".

Unless a court specifically orders otherwise – and regardless of whether the child is of the age of majority – a parent is not entitled to innovate in this manner and purport to pay financial support directly to the child; it must be paid to the other parent. For one thing, this avoids predictable disputes over whether and how much the child has actually received and how it was spent; the money is better put into the hands of the other parent where it can be controlled and accounted for.

"arbitrary detention" AND gerein

Case name, legislation title, citation or docket

Noteup: cited case names, legislation titles, citations or dockets

All CanLII (78) | Cases (78) | Legislation (0) | Secondary sources (0)

All jurisdictions | By Relevance

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1. R v Poletz, 2014 SKCA 16 (CanLII) — 2014-02-12
Court of Appeal for Saskatchewan — Saskatchewan
stay of proceedings — arbitrary detention — remedy — nexus — breaches

[…] circumstances of Mr. Poletz's post-investigation detention at the RCMP detachment, which, he determined, was an **arbitrary detention** that called for a stay of the proceedings at that point. […] In particular is the case of R. v. Salisbury, 2011 SKQB 153 (CanLII), 372 Sask. R. 242, a decision of **Gerein** J., where an accused was detained for over nine […] [9] The learned trial judge based his decision to grant a stay of proceedings solely on the basis of the **arbitrary detention** of Mr. Poletz after the breath samples had […]

cited by 13 documents CanLII Connects

2. R. v. Rost, 1999 CanLII 12535 (SK QB) — 1999-03-05
Court of Queen's Bench for Saskatchewan — Saskatchewan
detention — police officer — detained — motor vehicle — arbitrary

[…] and by not excluding from evidence the certificate of analysis of samples of the appellant's breath, which samples were obtained only as a result of the alleged **arbitrary detention**. […] In Hufsky, supra, the court concluded that a random stopping of motor vehicles to "... check licenses, insurance, mechanical fitness of cars and sobriety of the owners" was an **arbitrary detention**. […] However, it was permissible as a reasonable limitation, of the guaranteed right against **arbitrary detention**, within s. 1 of the Charter if the stopping was part of an organized program […]

cited by 12 documents CanLII Connects

3. R v Poletz, 2012 SKQB 148 (CanLII) — 2012-04-11
Court of Queen's Bench for Saskatchewan — Saskatchewan
arbitrary detention — stay of proceedings — breaches — breath samples — evidence

[…] I am of the view that a stay of proceedings will not only redress a past wrong, being the **arbitrary detention** of Mr. Poletz, but will also serve to prevent […] In particular is the case of R. v. Salisbury, 2011 SKQB 153 (CanLII), 372 Sask R. 242, a decision of **Gerein** J., where an accused was detained for over nine […] Both the trial judge and the summary conviction appeal court judge expressed the view that, if they were in error in failing to find a case for **arbitrary detention**, this […]

cited by 5 documents CanLII Connects

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E-books

Annotated Language Laws of Canada: Constitutional, Federal, Provincial and Territorial Laws, Justice Canada, 2017

eText on Wrongful Dismissal and Employment Law, Lancaster House, 2016

Responding to Domestic Violence in Family Law, Civil Protection & Child Protection Cases, CanLII, 2017

Commentary and case summaries

CanLII **Connects**

The Sedona Canada Principles, The Sedona Conference Working Group 7 (WG7), 2008

The Supreme Court of Canada on S. 24(2) of the Canadian Charter of Rights and Freedoms, CanLII, 2014

Federation of Law Societies of Canada Resources

Interactive Model Code of Professional Conduct

Chapter 1. Determining Whether an Employment Relationship Exists

1.1 The Test for an Employer-Employee Relationship

The leading cases on the test for determining whether a worker is an employee or independent contractor are the Federal Court of Appeal's decision in *Wiebe Door Services Ltd. v. M.N.R.*, [1986] 3 F.C. 553 (C.A.) and the Supreme Court of Canada's decision in *671122 Ontario Ltd. v. Sagaz Industries Canada Inc.*, 2001 SCC 59 (CanLII), [2001] 2 S.C.R. 983. In *Sagaz Industries*, Justice Major, on behalf of a unanimous Court, observed that "there is no one conclusive test which can be universally applied to determine whether a person is an employee or an independent contractor" and that "what must always occur is a search for the total relationship of the parties." While there is no universal test to determine whether a person is an employee or an independent contractor, Justice Major endorsed the approach to the issue taken by Justice MacGuigan in *Wiebe Door*, an approach which he summarized as follows (at paras. 46 – 48):

> *The central question is whether the person who has been engaged to perform the services is performing them as a person in business on his own account. In making this determination, the level of control the employer has over the worker's activities will always be a factor. However, other factors to consider include whether the worker provides his or her own equipment, whether the worker hires his or her own helpers, the degree of financial risk taken by the worker, the degree of responsibility for investment and management held by the worker, and the worker's opportunity for profit in the performance of his or her tasks.*

Justice major emphasized that the above factors "constitute a non-exhaustive list, and there is no set formula as to their application." Further, "[t]he relative weight of each will depend on the particular facts and circumstances of the case."

In determining whether an employer-employee relationship exists, the courts will look beyond the contractual descriptions used by the parties and examine their actual conduct and the related evidence: see, for example, *Alberta Permit Pro v. Booth*, 2007 ABQB 562 (CanLII), at para. 126, aff'd *Alberta Permit Pro v. Booth*,2009 ABCA 146 (CanLII), [2009] A.J. No. 406 (QL) (C.A.). See also Section 1.1.1 below.

On the other hand, the intention of the parties, whether expressed in writing or not, is a relevant factor, even if it is not conclusive. Thus, in *Royal Winnipeg Ballet v. Canada (Minister of National Revenue)*, 2006 FCA 87 (CanLII), [2006] F.C.J. No. 339 (C.A.) (QL), the Federal Court of Appeal overturned a Tax Court decision in which the judge held that "[i]ntent only becomes a factor in the event the relevant legal tests yield no definitive result" and that "intention simply serves as a tie-breaker." Citing *Wiebe Door*, *Sagaz Industries* and *Wolf v. Canada*, 2002 FCA 96 (CanLII), Justice Sharlow (on behalf of the majority) held that "the evidence of the parties' understanding of their contract must always be examined and given appropriate weight." While in this case there was no written agreement purporting to characterize the legal relationship between the parties, there was no dispute between them as to what they believed that relationship to be, namely, self-employment. In these circumstances, Sharlow observed that "it seems ... wrong in principle to set aside, as worthy of no weight, the uncontradicted evidence of the parties as to their common understanding of their legal relationship, even if that evidence cannot be

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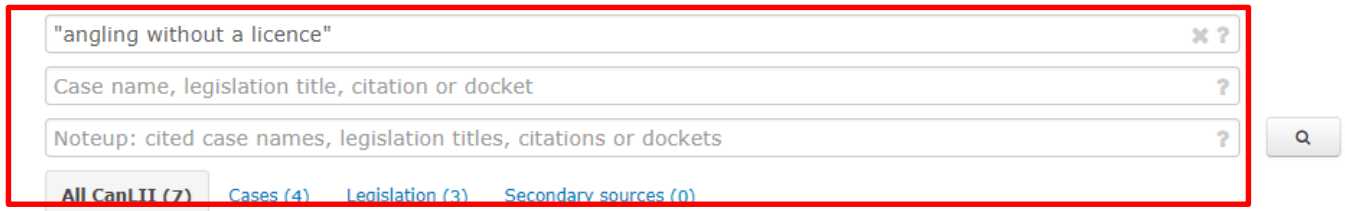

All jurisdictions ▾ By Relevance ▾

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1. Yukon Territory Fishery Regulations, CRC, c 854 , (Fisheries Act)
2 older versions...
Consolidated Regulations of Canada — Canada (Federal)

[...] • (3) A person under 16 years of age may engage in **angling without a licence** if the person [...] • 4.1 (1) A Yukon resident may engage in **angling without a licence** [...] • (3) A person engaged in **angling without a licence** during a period referred to in subsection (1) shall, at the request of a fishery officer or fishery guardian, produce proof [...]

cited by 7 documents

2. R. v. Trotchie, 2002 SKPC 99 (CanLII) — 2002-10-18
Provincial Court of Saskatchewan — Saskatchewan
ancestry — treaty — aboriginal — paternal grandfather took scrip — fish

[...] [1] The accused persons are each charged with **angling without a licence**, contrary to Section 11(1) of the Regulations under the Fisheries Act (Saskatchewan), 1994. [...]

cited by 2 documents CanLII Connects

3. General Regulation, NB Reg 91-50 , (Provincial Offences Procedure Act)
Consolidated Regulations of New Brunswick — New Brunswick

[...]) hunting wildlife (or **angling) without a licence** [...]

4. R v Langan, 2011 SKPC 125 (CanLII) — 2011-09-16
Provincial Court of Saskatchewan — Saskatchewan
historic rights-bearing community existed — transcript at pages — time of effective control — satisfied that an historic rights-bearing — fish for food

[...] [1] Eugene Langan, of San Clara, Manitoba, is charged with **angling without a licence** at Lake of the Prairies, Saskatchewan, on May 9, 2009, contrary to s. 11(1) of [...]

cited by 2 documents CanLII Connects

5. R v Langan, 2013 SKQB 256 (CanLII) — 2013-06-27
Court of Queen's Bench for Saskatchewan — Saskatchewan
historic rights-bearing community existed — area — support a site-specific — site-specific aboriginal — effective control

[...] [1] The appellant, Eugene Langan, was found guilty of **angling without a licence** at Lake of the Prairies, Saskatchewan on May 9, 2009 (2011 SKPC 125 (CanLII), 242. [...]

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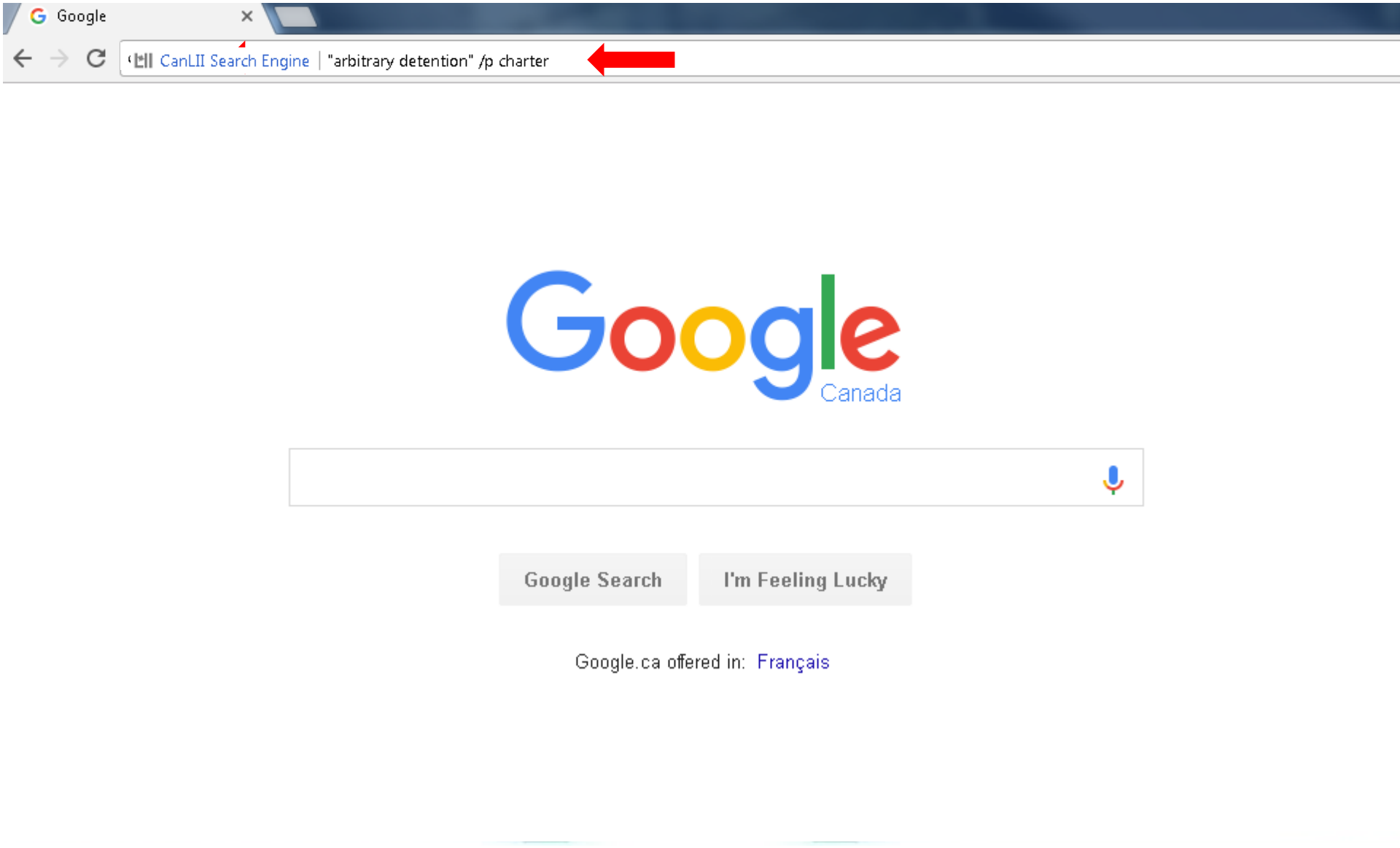

"arbitrary detention" /p charter

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1. R. v. Charles, 1987 CanLII 203 (SK CA) — 1987-07-24
Court of Appeal for Saskatchewan — Saskatchewan
sentence — arbitrary detention — remedy — justice of the peace — quashed

[...] The issue in this appeal is whether as a result of the **arbitrary detention** of the appellant, contrary to s. 9 of the Canadian **Charter** of Rights and Freedoms, the [...] The appellant alleges that the additional 12 hours he was held was an **arbitrary detention** within the meaning of s. 9 of the **Charter**, and that the appropriate remedy resulting [...] Although there was a breach of s. 9 of the **Charter** and s. 454 of the Criminal Code, the appellant was not denied his constitutional rights under s. 10(b) [...]

cited by 46 documents CanLII Connects

2. Pelletier v. R., 2003 NBCA 67 (CanLII) — 2003-09-18
Court of Appeal of New Brunswick — New Brunswick
peace officer — vehicle — conduct a routine check — breath — motorists

[...] At trial, the judge excluded the qualified technician's certificate pursuant to subsection 24(2) of the **Charter**, for reasons of **arbitrary detention** within the meaning of section 9 of [...] **Charter**, but that the **arbitrary detentions** are justifiable under s. 1 of the **Charter**, namely that the infringement is reasonable and can be justified in a free and democratic society. [...] [12] We are of the opinion that the trial judge misinterpreted the caselaw dealing with "**arbitrary detention**" within the meaning of section 9 of the **Charter**. [...]

3. R. v. Burke (A.), 1996 CanLII 11729 (NL SCTD) — 1996-01-18
Supreme Court of Newfoundland and Labrador, Trial Division — Newfoundland and Labrador
police officer — articulable cause — vehicle — arbitrary detention — random

[...] [5] A random stop of a motor vehicle by a police officer constitutes an **arbitrary detention** contrary to s. 9 of the Canadian **Charter** of Rights and Freedoms (R. v. [...] provisions of the Ontario Highway Traffic Act constituted an **arbitrary detention** contrary to s. 9 of the **Charter**, however, such a detention was justified under s. 1 of the Charter: [...] constitutes a violation of the protection against **arbitrary detention** guaranteed by s. 9, it remains to be determined whether the provision can be saved by s. 1 of the **Charter**. [...]

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2017-10-10 ONTARIO COURT OF APPEAL SUMMARIES (OCTOBER 2 - OCTOBER 6): Holterman v. Fish, 2017 ONCA 769 (CanLII)
2017-10-10 ONTARIO COURT OF APPEAL SUMMARIES (OCTOBER 2 - OCTOBER 6): Sacks v. Ross, 2017 ONCA 773 (CanLII)
2017-10-10 ONTARIO COURT OF APPEAL SUMMARIES (OCTOBER 2 - OCTOBER 6): Slate Management Corporation v. Canada (Attorney General), 2017 ONCA 763 (CanLII)

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- Internet Explorer 8
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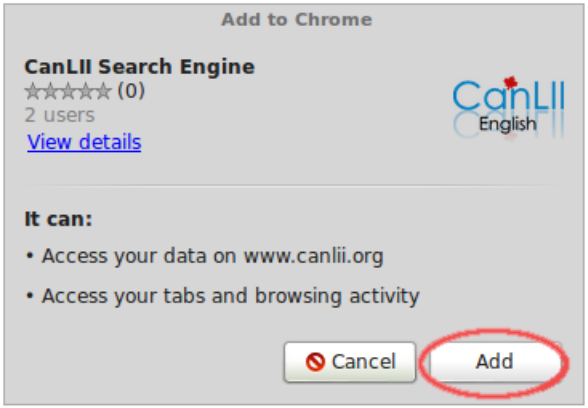

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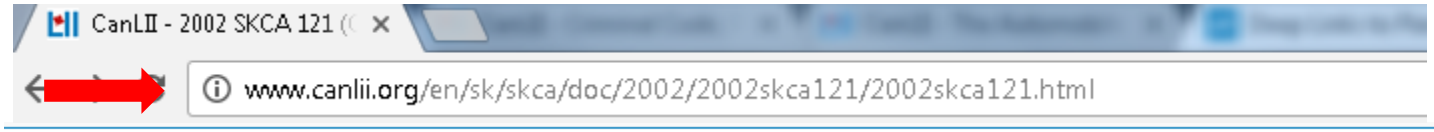


something that is capable of being a reasonable excuse. As noted, were it a persuasive burden, the standard of balance of probabilities would apply, but it is not a persuasive burden. At the second stage where the judge is deciding the two questions of law, (namely, whether the evidential burden was discharged, and whether the "something" put forward is capable of being a reasonable excuse) the standard does not apply. As Glanville Williams in his text, *supra*, points out (at p. 49) "Burdens are in respect of facts; questions of law are decided by the judge, without any question of burden." At the third stage – should the matter reach that stage, – the issue becomes one of fact. But, as noted earlier, at this stage the prosecutor is in "rebuttal" and carries the persuasive burden of negativing that the facts do not operate in favour of the defendant. (As pointed out by Lord Parker C.J. and as provided by the second branch of s. 794(2)). In the final stage of the process (the evaluative fact stage) because the evaluative facts are – in Glanville Williams's words – "not really questions of fact," but "really decisions on law," there is no question of burden as "burdens are in respect of facts." To the extent that there is a burden, it is on the prosecutor for the reasons that I outlined when dealing with stage three.

AC 77;

[36] It is obvious from the above that there is simply no room for the application of the standard of proof on the balance of probability in relation to the defence of reasonable excuse. This is reflected in and in a manner of speaking, is confirmed by the trial judge's reasons, for nowhere in those reasons is there any mention of the standard on the balance of probability.

[37] I am not overlooking the decision in *R. v. MacDougall* (1976), 15 N.B.R. (2d) 279 and the line of cases flowing from that decision. There, Bugold J.A., without conducting his own analysis of the issue simply stated at p. 287 that:

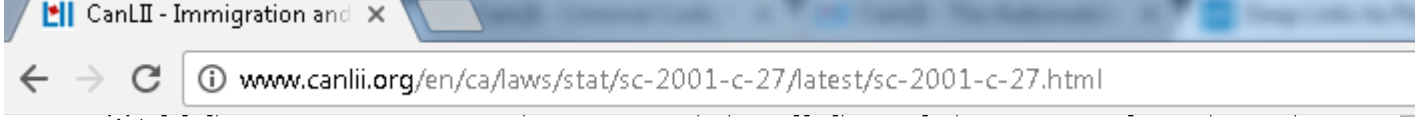
> It is well settled that the burden of proving an excuse is on the accused: *R. v. Hogue* (1970), 3 N.B.R. (2d) 24 (C.A.). That burden of proof on an accused is by a preponderance of probabilities: *Regina v. Taraschuk* (1973), 12 C.C.C. (2d) 161 (Ont. C.A.).

http://www.canlii.org/en/sk/skca/doc/2002/2002skca121/2002skca121.html**#par37**

MacDougall. In none of these cases was there a substantial analysis of the issue.

[41] Harkening back to the quotation from Doherty J.A.'s judgment in *Morrissey*, the trial judge in this case is presumed to know the law and that presumption must apply with particular force to the legal principle as elementary as the principle of application of the standard of proof beyond a reasonable doubt in relation to all facts constituting the elements of an offence. There is nothing in the trial judge's reasons to suggest that he did not apply this standard to the two critical findings of fact made by him (and referred to above) that led to the inexorable inference of intent to produce a failure to provide an adequate sample of breath (*mens rea*). In point

COUNSEL:



of crime.

Application

(2) Paragraph (1)(a) does not lead to a determination of inadmissibility by reason only of the fact that the permanent resident or foreign national entered Canada with the assistance of a person who is involved in organized criminal activity.

2001, c. 27, s. 37; 2013, c. 16, s. 15; 2015, c. 3, s. 109(E).

Health grounds

38 (1) A foreign national is inadmissible on health grounds if their health condition

(a) is likely to be a danger to public health;

(b) is likely to be a danger to public safety; or

(c) might reasonably be expected to cause excessive demand on health or social services.

Exception

(2) Paragraph (1)(c) does not apply in the case of a foreign national who

(a) has been determined to be a member of the family class and to be the spouse, common-law partner or child of a sponsor within the meaning of the regulations;

(b) has applied for a permanent resident visa as a Convention refugee or a person in similar circumstances;

(c) is a protected person; or

(d) is, where prescribed by the regulations, the spouse, common-law partner, child or other family member of a foreign national referred to in any of paragraphs (a) to (c).

Financial reasons

http://www.canlii.org/en/ca/laws/stat/sc-2001-c-27/latest/sc-2001-c-27.html**#sec40**

(b) paragraph (1)(b) does not apply unless the Minister is satisfied that the facts of the case justify the inadmissibility.

Inadmissible

(3) A foreign national who is inadmissible under this section may not apply for permanent resident status during the period referred to in paragraph (2)(a).

2001, c. 27, s. 40; 2012, c. 17, s. 17; 2013, c. 16, s. 16; 2014, c. 22, s. 42.

Cessation of refugee protection — foreign national

Short title

1 This Act may be cited as the *Immigration and Refugee Protection Act*.

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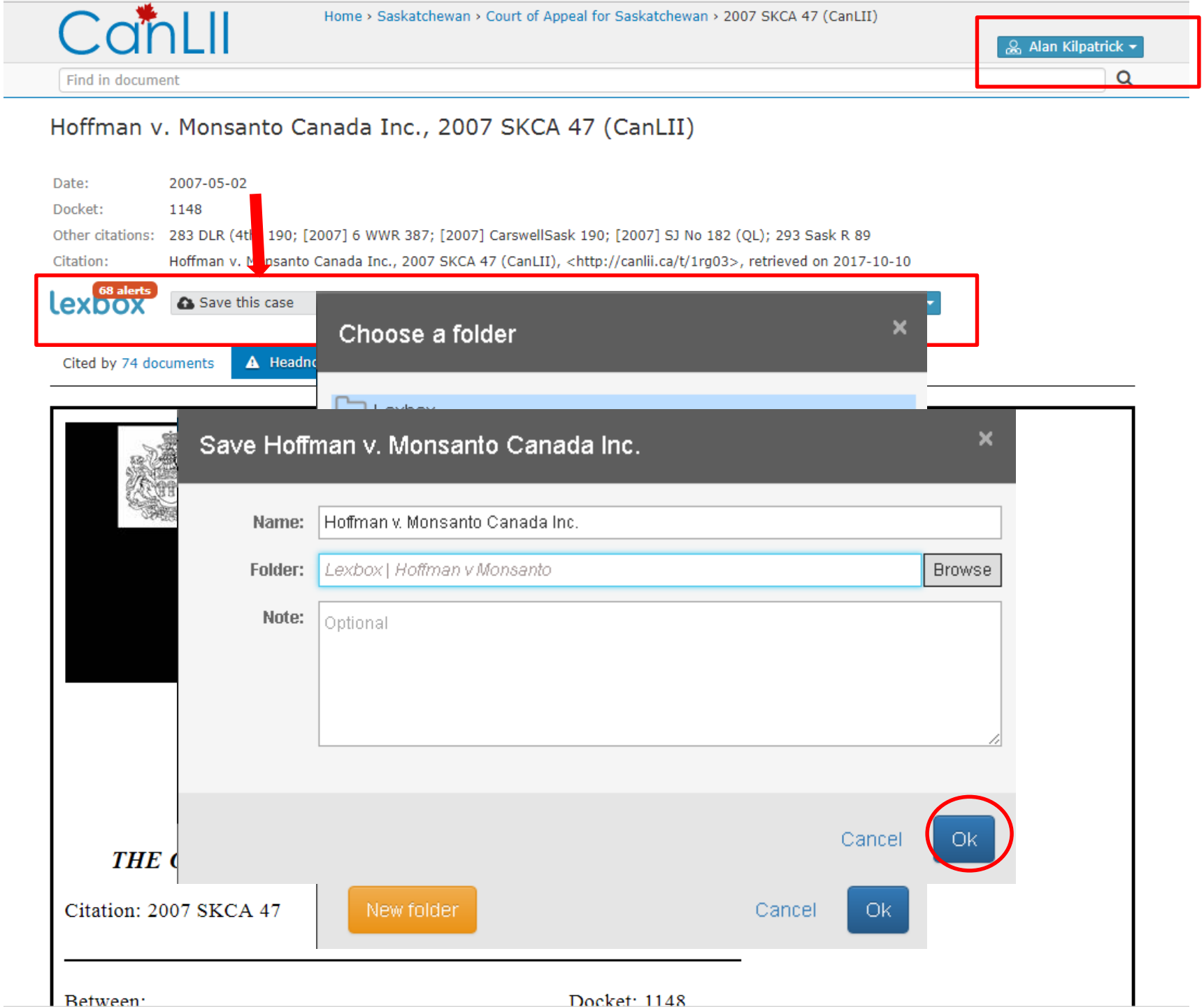
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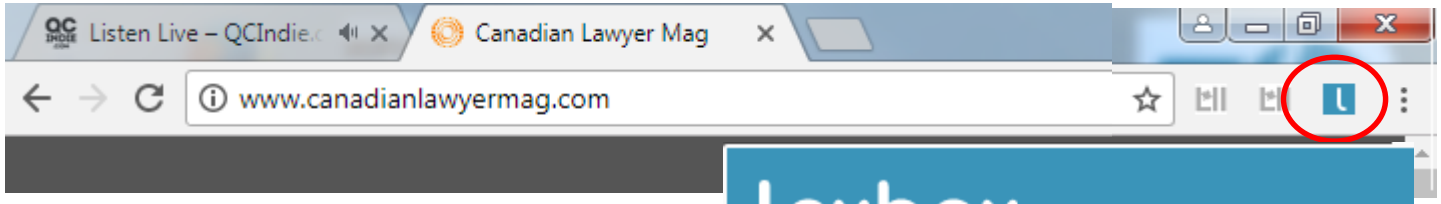


COMMENTARY: the SCC should ... tal plate

By Jeremy de Beer and Heather McLeod-Kilmurray

By granting leave i... *Hoffman v. Monsanto* cas... Supreme Court could op... door to much-needed debate... who is responsible for the s... economic and environmenta... of biotechnological innovati...

Five years ago, Justice ... began his judgment in th... called Harvard Mouse ca... pointing out that the biotechn... revolution "presents potenti... serious dangers as well as pa... future benefits." (*Harvard C... v. Canada (Commission... Patents)*, [2002] S.C.J. No... That case considered wh... genetic engineers could ca... the benefits of biotechn... through patents. A 5-4 majo... the Supreme Court rejecte... argument that higher life f... including plants, are patei... inventions.

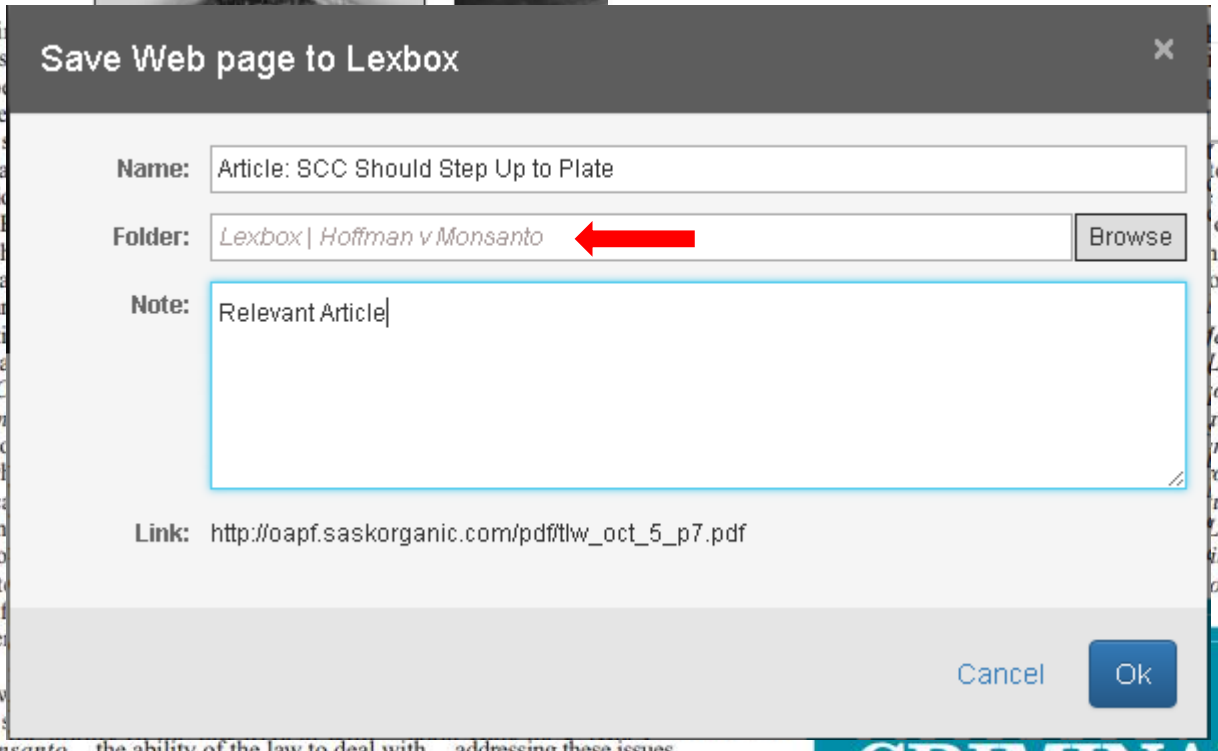
A few years and a few... judges later, the court had s... the other way. In *Monsanto Canada Inc. v. Schmeiser*, [2004] S.C.J. No. 29 five judges ruled that while life isn't patentable, its building blocks are. So Saskatchewan farmer Percy Schmeiser was guilty of patent ... the ability of the law to deal with these circumstances, the Saskatchewan Court of Appeal upheld her ruling after a cursory review ([2007] S.J. No. 182). The plaintiffs have sought leave to appeal to the Supreme Court.

... addressing these issues.

Though regulators approved the production and planting of genetically modified canola, our regulatory processes are not designed, and do not purport, to allocate the economic and environmental risks

... nt issues.
... n the Hoffman case
... the court to provide
... d guidance to lower
... regulators, on how to
... ironmental principles
... in the context of
... echnology and biodiversity.
... Supreme Court should seize
... opportunity to demonstrate its
... mitment to the ideals it has
... orsed.

... eremy de Beer and Heather ... Leod-Kilmurray are law pro... ors at the University of ... wa's faculty of law. Jeremy de ... r specializes in legal issues ... ounding technology and intel... ual property and Heather ... Leod-Kilmurray specializes in ... ironmental law and class ... ons.



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2. R v Michalenko, 2015
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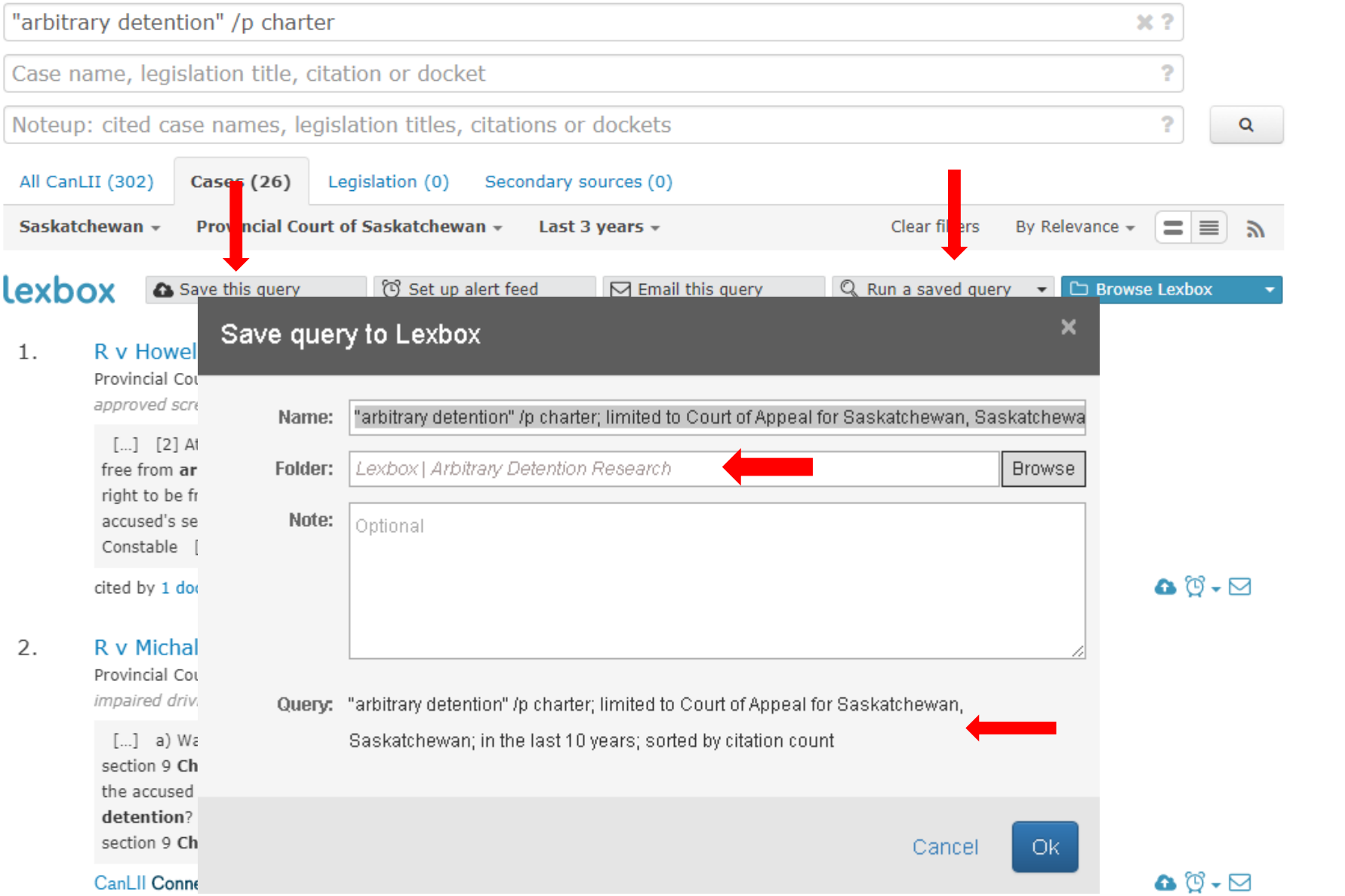
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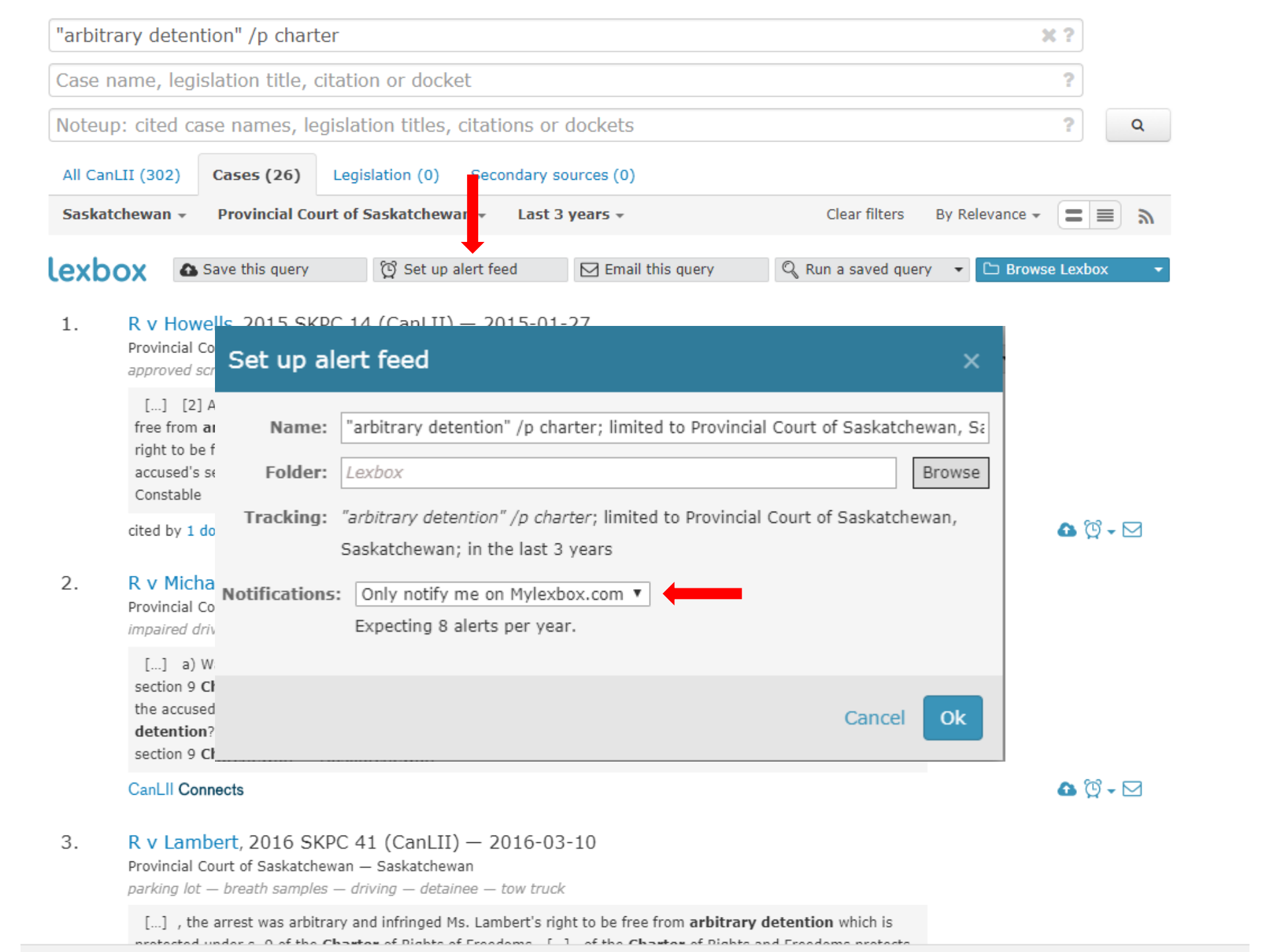
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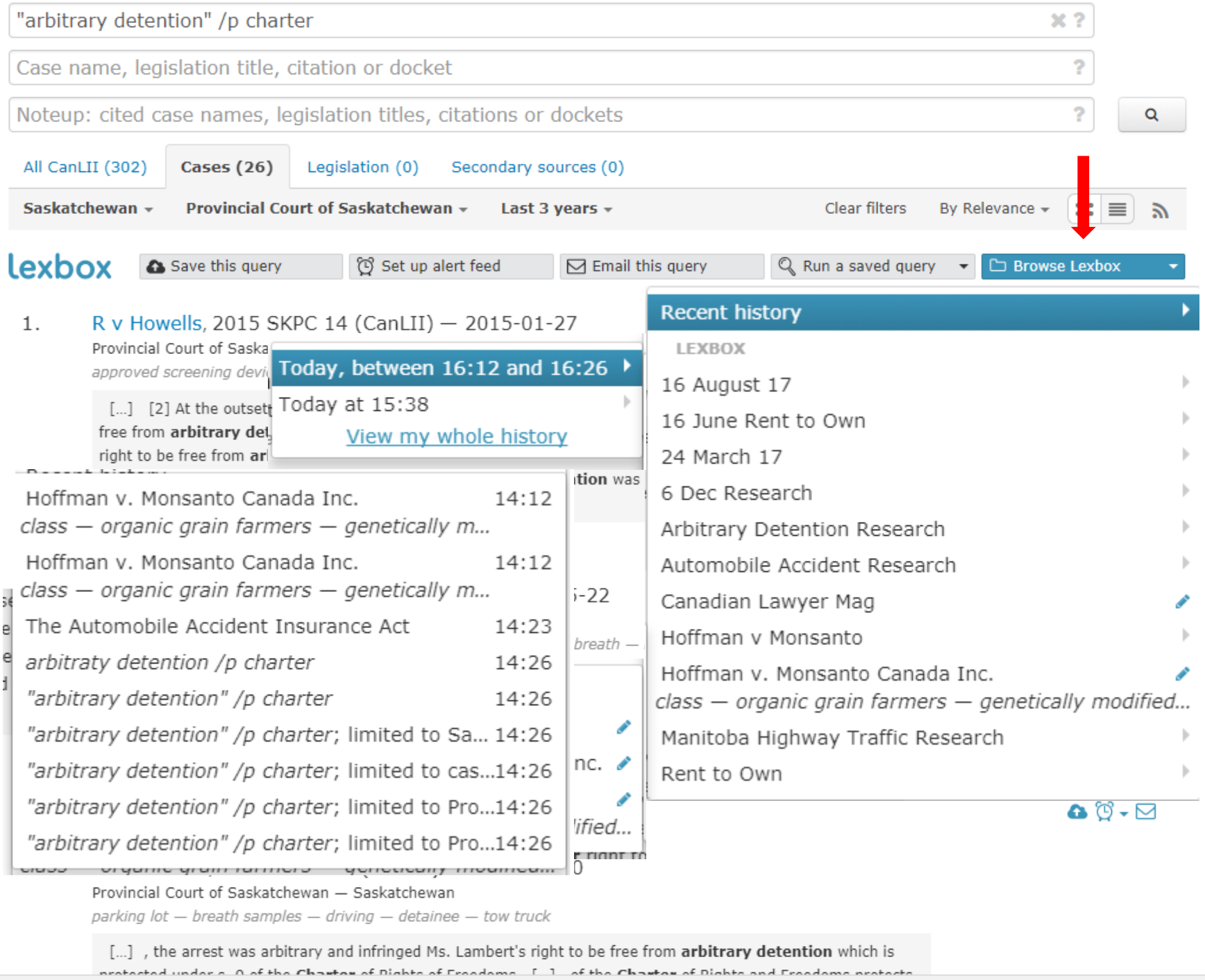
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[...] , the arrest was arbitrary and infringed Ms. Lambert's right to be free from arbitrary detention which is

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