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SLIM'S CRIMINAL LAW UPDATE

**legal update focussing on Criminal
related Charter matters**

By Steven G. Slimovitch, Attorney, Oct 9, 2014.

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1. CANADIAN LAW

[Christie Blatchford: Jun Lin was alive when his neck was slashed, Magnotta trial hears](#)

The shy Chinese student Jun Lin was alive when his neck was slashed.

[Crown granted leave to appeal Guy Turcotte's bail](#)

Quebec's highest court will review the decision to release Guy Turcotte on bail.

[A Criminal Mind: Farming crime bills to backbenchers leaves justice agenda a mess](#)

The federal criminal justice legislative agenda is a mess, not just because so many of the government's recently enacted and currently proposed laws are either pointless or regressive but also because of the rank amateurism that now seems to pervade the legislative process.

['Jail sex video' trial delivers not guilty decision for Kenneth Brown](#)

Cpl. Kenneth Brown, a Mountie charged with breach of trust after it was alleged he invited other officers to watch two drunk female prisoners having sex in a Kamloops jail cell, has been found not guilty.

[TWU RULING OUTLINES WHO CAN INTERVENE](#)

Faced with 14 motions to intervene in Trinity Western University's judicial review application, Superior Court Justice Ian Nordheimer granted only some of them in a ruling last month.

Simons: Juries on trial: Two court cases pose hard questions about who sits in judgment

There can be no real justice for aboriginal defendants — or aboriginal victims — if juries are consistently made up entirely of non-aboriginals, columnist Paula Simons says.

SNC-Lavalin chief warns criminal charges could force closing or sale

The head of Canadian engineering giant SNC-Lavalin Group Inc. says any move by authorities to charge the company in connection with an extensive bribery scandal would immediately threaten its future and could force it to close down.

Canadian Criminal Justice system needs an overhaul

The law, the police and the courts usually operate in a laudable fashion. Their whole purpose is to provide a safe secure and orderly environment within which the pursuit of group and individual objectives goes much smoother in an atmosphere of peace and order and good governance,

Canadian Teen 'Sorry' for Forcing Facebook Friends into Prostitution

Jessica, 16, who was arrested by the police during a raid at a sex club, shows her tattoo at a shelter for girls who have faced sexual violence or sexual commercial exploitation in Fortaleza November 1, 2013. With Brazil hosting the World Cup next year, officials fear an explosion in child prostitution as sex workers migrate to big cities and pimps recruit more underage prostitutes to meet the demand from local and foreign soccer fans. Picture taken November 1, 2013.

Prison watchdog says offenders need more preparation before released

Howard Sapers, the federal correctional investigator, says too many inmates are being released into the community without adequate preparation, in his annual report tabled in Parliament today.

Firearms bill amendments to cut 'red tape' unveiled in the House

Attention Canadian gun owners: The Conservative government wants to lighten your load, at least as far as firearms-related paperwork is concerned.

Sarah Leung sentenced to 5 years for killing her 2 babies

Vancouver resident Sarah Leung has been sentenced to a total of five years in prison for killing her two babies.

2. SUPREME COURT OF CANADA

SCC allows for more dangerous offender assessments

The Supreme Court of Canada today made it easier for Crown prosecutors to apply for assessment under the dangerous offender and long-term offender provisions — potentially allowing more criminals to be held for indeterminate sentences.

Supreme Court of Canada to tackle aboriginal representation on juries

A landmark case headed to the Supreme Court of Canada Monday dealing with aboriginal representation on juries in criminal trials, began with some pushing and shoving on a First Nation reserve in Kenora — and ended in bloodshed.

L'abolition du registre des armes d'épaule va à l'encontre du fédéralisme

OTTAWA - Le gouvernement du Québec a affirmé devant la Cour suprême du Canada, mercredi, que la décision des conservateurs de ne pas lui transmettre les données du registre des armes d'épaule, à la suite de son abolition, allait à l'encontre du principe du fédéralisme canadien.

R. v. Conception 2014 SCC 60 October 3, 2014

Mental disorder — Dispositions by a court or review board — Treatment disposition — Accused declared unfit to stand trial — Hearing judge issuing a “forthwith” treatment order without consent of treating hospital — Whether a court may make a disposition order directing that treatment begin immediately even though the hospital or treating physician does not consent to that disposition — Whether the consent requirement relates to the timing of carrying out the order or just to the treatment itself

Right to life, liberty and security of the person — Criminal law — Mental disorder — Treatment disposition — Whether requiring hospital’s consent for all provisions of the treatment disposition would infringe accused’s right to procedural fairness — Whether treatment disposition provisions of Criminal Code are unconstitutionally vague or arbitrary

3. AMERICAN LAW

Dzhokhar Tsarnaev’s Friend and The ‘High Out of His Mind’ Defense

Robel Phillipos, the friend of accused Boston Marathon bomber Dzhokhar Tsarnaev who allegedly obstructed the investigation into the 2013 attack, is arguing that he was too high to lie to authorities. It does not look like anyone was impressed.

4. INTERNATIONAL LAW

Kenyan president Uhuru Kenyatta becomes first serving head of state to face International Criminal Court

Lawyers for Kenyan president Uhuru Kenyatta say prosecutors at the International Criminal Court have failed to prove their case against him, on the first day of a three-day hearing at The Hague.

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