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ADMISSIBILITY OF STATEMENTS

The Honourable René Marin

Release No. 37, December 2018

What's New in this Update:

R. v. Ippak

The Nunavut Court of Appeal, excluded evidence obtained on untested hearsay evidence, improper luggage search and absence of right to legal counsel. One of the appellate judges invoked s. 25 of the *Charter*, suggesting aboriginal rights and freedoms not affected by the *Charter*. A must read!

R.v. Mitroi

The British Columbia Court of Appeal, ruled on the importance of respecting s. 14 of the *Charter* which guarantees “the right of assistance to an interpreter”. The Court ordered a new trial.

R. v. Ector

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The Saskatchewan Court of Appeal, ordered a new trial, where the trial judge failed to reconcile evidentiary discrepancies before ruling on whether there had been a breach of the accused's right to counsel.

R. v. Biddle

The Ontario Court of Appeal, ordered a new trial in a historical conviction; the police failed to disclose a romantic relationship between the complainant and an officer involved in the investigation.

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