

CANADA / JUDGMENT

R. v. Henley

[1991] 1 SCR 116**COURT**

Supreme Court of Canada

DECIDED

29 January 1991

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R. v. Henley Collection Supreme Court Judgments Date 1991-01-29 Report

[1991] 1 SCR 116 Case number 21703 Judges Lamer, Antonio; L'Heureux-Dubé, Claire; Sopinka, John; Gonthier, Charles Doherty; Cory, Peter deCarteret; Stevenson, William; Iacobucci, Frank On appeal from Quebec Subjects Criminal law Notes SCC Case Information: 21703 Decision Content R. v. Henley, [1991] 1 S.C.R. 116 Reginald Henley Appellant v. Her Majesty The Queen Respondent Indexed as: R. v. Henley File No.: 21703. 1991: January 29. Present: Lamer C.J. and L'Heureux-Dubé, Sopinka, Gonthier, Cory, Stevenson and Iacobucci JJ. on appeal from the court of appeal for quebec Criminal law -- Murder -- Constructive murder -- Criminal Code provisions unconstitutional -- Appeal allowed and new trial ordered -- Criminal Code, R.S.C. 1970, c. C-34, s. 213(a). APPEAL from a judgment of the Quebec Court of Appeal, J.E. 89-1484, dismissing the accused's appeal from his conviction on a charge of first degree murder. Appeal allowed and new trial ordered. Richard Gaudreau, for the appellant. Sylvie Roussel, for the respondent. //Lamer C.J.// The judgment of the Court was delivered orally by Lamer C.J. -- By consent of the Crown, the appeal is allowed and a new trial ordered. Judgment accordingly. Solicitor for the appellant: Ivan Lerner, Montréal. Solicitor for the respondent: Jacques Gauvin, Ste-Foy.

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