

CANADA / JUDGMENT

R. v. Hunt

2017 SCC 25

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Supreme Court of CanadaDECIDED
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R. v. Hunt Collection Supreme Court Judgments Date 2017-04-27 Neutral citation 2017 SCC 25 Report

[2017] 1 SCR 476 Case number 37314 Judges Abella, Rosalie Silberman; Moldaver, Michael J.; Karakatsanis, Andromache; Wagner, Richard; Gascon, Clément; Côté, Suzanne; Brown, Russell On appeal from Newfoundland and Labrador Notes SCC Case Information: 37314 Decision Content SUPREME COURT OF CANADA Citation: R. v. Hunt, 2017 SCC 25, [2017] 1 S.C.R. 476 Appeal heard: April 25, 2017 Judgment rendered: April 25, 2017 Docket: 37314 Between: Her Majesty The Queen Appellant and Hubert Hunt, William Parsons, Gary Hillyard and John King Respondents Coram: Abella, Moldaver, Karakatsanis, Wagner, Gascon, Côté and Brown JJ. Reasons for Judgment: (paras. 1 and 2) Abella J. (Moldaver, Karakatsanis, Wagner, Gascon, Côté and Brown JJ. concurring) R. v. Hunt, 2017 SCC 25, [2017] 1 S.C.R. 476 Her Majesty The Queen Appellant v. Hubert Hunt, William Parsons, Gary Hillyard and John King Respondents Indexed as: R. v. Hunt 2017 SCC 25 File No.: 37314. 2017: April 25. Present: Abella, Moldaver, Karakatsanis, Wagner, Gascon, Côté and Brown JJ. on appeal from the court of appeal for newfoundland and labrador Constitutional law — Charter of Rights — Remedy — Stay of proceedings — Accused jointly charged with fraud, conspiracy to commit fraud, falsifying books and documents, and circulating false prospectus — Accused alleging abuse of process due to pre-charge delay in violation of their constitutional right to security of person — Trial judge granting stay of proceedings — Majority of Court of Appeal finding no basis on which to conclude that trial judge erred in determining that stay of proceedings was appropriate remedy — Dissenting judge finding that accused not deprived of constitutional right to security of person and that stay of proceedings should not have been granted — Stay of proceedings not warranted. APPEAL from a judgment of the Court of Appeal for Newfoundland and Labrador (Welsh, Rowe and Hoegg JJ.A.), 2016 NLCA 61, 33 C.R. (7th) 321, [2016] N.J. No. 372 (QL), 3016 CarswellNfld 425 (WL Can.), affirming a decision of Thompson J., 2015 NLTD(G) 15, 334 C.R.R. (2d) 236, 361 Nfld. & P.E.I.R. 193, 1122 A.P.R. 193, [2015] N.J. No. 39 (QL), 2015 CarswellNfld 27 (WL Can.). Appeal allowed, Côté J. dissenting. Lloyd M. Strickland, for the appellant. Derek Hogan, for the respondent Hubert Hunt. Randolph J. Piercey, Q.C., for the respondent William Parsons. Jonathan E. Noonan, for the respondent

Gary Hillyard. John Brooks, Q.C., for the respondent John King. The judgment of the Court was delivered orally by

- [1] Abella J. — A majority of this Court is of the view that the appeal should be allowed substantially for the reasons of Hoegg J.A.
- [2] Justice Côté would dismiss the appeal substantially for the reasons of the majority in the Court of Appeal. Judgment accordingly. Solicitor for the appellant: Special Prosecutions Office, St. John's. Solicitor for the respondent Hubert Hunt: Newfoundland and Labrador Legal Aid Commission, St. John's. Solicitors for the respondent William Parsons: Noonan Piercey, St. John's. Solicitors for the respondent Gary Hillyard: Noonan Piercey, St. John's. Solicitor for the respondent John Brooks: John Brooks Law Office, St. John's.

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