

CANADA / JUDGMENT

R. v. J. (M.A.)

[1992] 2 SCR 166**COURT**

Supreme Court of Canada

DECIDED

5 June 1992

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R. v. J. (M.A.) Collection Supreme Court Judgments Date 1992-06-05 Report

[1992] 2 SCR 166 Case number 22531 Judges L'Heureux-Dubé, Claire; Sopinka, John; Gonthier, Charles Doherty; McLachlin, Beverley; Iacobucci, Frank On appeal from Ontario Subjects Constitutional law Notes SCC Case Information: 22531 Decision Content R. v. J. (M.A.), [1992] 2 S.C.R. 166 M.A.J. Appellant v. Her Majesty The Queen Respondent Indexed as: R. v. J. (M.A.) File No.: 22531. 1992: June 5. Present: L'Heureux-Dubé, Sopinka, Gonthier, McLachlin and Iacobucci JJ. on appeal from the court of appeal for ontario Constitutional law -- Charter of Rights -- Trial within a reasonable time -- Young offenders -- Societal interest in proceeding expeditiously with charges under Young Offenders Act -- Delay in this case not unreasonable. Cases Cited Applied: R. v. Morin, [1992] 1 S.C.R. 771. Statutes and Regulations Cited Young Offenders Act, R.S.C., 1985, c. Y-1 . APPEAL from a judgment of the Ontario Court of Appeal (1991), 3 O.R. (3d) 241, 46 O.A.C. 136, allowing the Crown's appeal from a stay of proceedings ordered by Bradley Prov. Ct. J. Appeal dismissed. Frank Addario and Brian Weagant, for the appellant. C. Jane Arnup and David Butt, for the respondent. The judgment of the Court was delivered orally by //L'Heureux-Dubé J.// L'Heureux-Dubé J. -- It will not be necessary to hear from you Ms. Arnup. The Court is ready to hand down judgment. The judgment will be pronounced by Mr. Justice Sopinka. // Sopinka J.// Sopinka J. -- This appeal as of right is governed by this Court's decision in R. v. Morin, [1992] 1 S.C.R. 771, released March 26, 1992. Taking into account the factors referred to in Morin, including the societal interest in proceeding expeditiously with charges under the Young Offenders Act, R.S.C., 1985, c. Y-1 , we agree with the Court of Appeal that there was no unreasonable delay in this case. The appeal is therefore dismissed. The application to adduce fresh evidence is dismissed. The application for costs is dismissed on the undertaking of the respondent to support any application for funding by the appellant. Judgment accordingly. Solicitor for the appellant: Canadian Foundation for Children, Youth & the Law, Toronto. Solicitor for the respondent: The Attorney General for Ontario, Toronto.

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Prepared on 29 October 2026 · Esheria