

CANADA / JUDGMENT

R. v. Suren

[1990] 1 SCR 849**COURT**

Supreme Court of Canada

DECIDED

25 April 1990

Source: decisions.scc-csc.ca · Research copy typeset by Esheria. Not court-issued or certified.

R. v. Suren Collection Supreme Court Judgments Date 1990-04-25 Report

[1990] 1 SCR 849 Case number 21558 Judges La Forest, Gérard V.; L'Heureux-Dubé, Claire; Gonthier, Charles Doherty; Cory, Peter deCarteret; McLachlin, Beverley On appeal from Manitoba Subjects Criminal law Notes SCC Case Information: 21558 Decision Content R. v. Suren, [1990] 1 S.C.R. 849 Wes Suren Appellant v. Her Majesty The Queen Respondent Indexed as: R. v. Suren File No.: 21558. 1990: April 25. Present: La Forest, L'Heureux-Dubé, Gonthier, Cory and McLachlin JJ. on appeal from the court of appeal for manitoba Criminal law -- Charge to jury -- Reasonable doubt -- Whether trial judge failed to properly instruct the jury on the principle of reasonable doubt. Statutes and Regulations Cited Criminal Code, R.S.C., 1985, c. C-46, s. 686(1) (b)(iii) [previously s. 613(1) (b)(iii)]. APPEAL from a judgment of the Manitoba Court of Appeal (1989), 60 Man. R. (2d) 168, dismissing the accused's appeal from his conviction on a charge of sexual assault. Appeal dismissed. Hersh E. Wolch, Q.C., for the appellant. Brian R. Kaplan, for the respondent. The judgment of the Court was delivered orally by La Forest J. -- The judgment of the Court will be delivered by Justice Cory. Cory J. -- The trial of this action took but little time. The evidence was completed within one day. The addresses of counsel and the charge to the jury were finished by 11:20 in the morning of the second day. It is submitted that the charge was in error in that the trial judge failed to properly instruct the jury on the principle of reasonable doubt. The charge may not have been perfect. Nevertheless, the trial judge did frequently (at least ten times) and correctly charge the jury that the onus was upon the Crown to prove the offence charged and every aspect of that offence beyond a reasonable doubt. That submission therefore must fail. It follows that the issue as to s. 686(1) (b)(iii) of the Criminal Code, R.S.C., 1985, c. C-46, does not arise, and need not be considered. In the result the appeal is dismissed. Judgment accordingly. Solicitors for the appellant: Wolch, Pinx, Tapper, Scurfied, Winnipeg. Solicitor for the respondent: The Department of Justice, Winnipeg.

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/597/index.do>

CASE PAGE <https://chat.esheria.ai/case-law/canada/r-v-suren-1990>

Prepared on 26 October 2026 · Esheria