

CANADA / JUDGMENT

R. v. Zadi

2026 ONCA 134

COURT

Court of Appeal for Ontario

DECIDED

24 February 2026

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R. v. Zadi Collection Decisions of the Court of Appeal Date 2026-02-24 Neutral citation 2026 ONCA 134 Docket numbers COA-25-CR-0938 Judges Trotter, Gary T.; Monahan, Patrick J.; Dawe, Jonathan Subject Criminal Decision Content COURT OF APPEAL FOR ONTARIO CITATION: R. v. Zadi, 2026 ONCA 134 DATE: 20260224 DOCKET: COA-25-CR-0938 Trotter, Monahan and Dawe JJ.A. BETWEEN His Majesty the King Respondent and Ala Zadi Appellant Ala Zadi, acting in person David Friesen, for the respondent Heard and rendered orally: February 23, 2026 On appeal from the bail review decision of Justice David E. Harris of the Superior Court of Justice, on July 16, 2025. REASONS FOR DECISION

- [1] Ala Zadi seeks to appeal a decision of a judge of the Superior Court of Justice denying his application for a bail review under s. 520 of the Criminal Code, R.S.C. 1985, c. C-46. In response, the Crown moves to quash the appeal for want of jurisdiction.
- [2] The Criminal Code does not provide any right of appeal to this court from bail review decisions under ss. 520 or 521: see R. v. Antic, 2017 SCC 27, [2017] 1 S.C.R. 509, at para. 18. Mr. Zadi acknowledges this, and seeks to invoke s. 6(1)(b) of the Courts of Justice Act, R.S.O. 1990, c. C.43. However, his reliance on provincial legislation to give him a right of appeal in a criminal case is misplaced, since “appeal rights in criminal matters must be created by federal criminal legislation”: R. v. Thangarajah, 2025 ONCA 897, at para. 8, leave to appeal to S.C.C. requested, 42166; see also R. v. J.M., 2021 ONCA 735, 158 O.R. (3d) 81, at paras. 25-26. It makes no difference that Mr. Zadi claims that his appeal raises Charter issues, since “a right of appeal must be derived from a statutory source”: R. v. Scherba (2001), 54 O.R. (3d) 555 (C.A.), at para 10. Even if Mr. Zadi is correct that Harris J.’s decision amounted to a final order disposing of his Charter claims, there is no route under federal legislation by which this order can be appealed to this court.
- [3] We accordingly quash Mr. Zadi’s appeal for want of jurisdiction. This makes it unnecessary for us to address his application to adduce fresh evidence on his appeal. “Gary Trotter J.A.” “P.J. Monahan J.A.” “J. Dawe J.A.”

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Prepared on 28 October 2026 · Esheria