

CANADA / JUDGMENT

Thériault v. The Queen

[1977] 2 SCR 520**COURT**

Supreme Court of Canada

DECIDED

18 May 1977

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Thériault v. The Queen Collection Supreme Court Judgments Date 1977-05-18 Report

[1977] 2 SCR 520 Judges Laskin, Bora; Martland, Ronald; Judson, Wilfred; Ritchie, Roland Almon; Spence, Wishart Flett; Pigeon, Louis-Philippe; Dickson, Robert George Brian; Beetz, Jean; de Grandpré, Louis-Philippe On appeal from New Brunswick Subjects Criminal law Decision Content Supreme Court of Canada Thériault v. The Queen, [1977] 2 S.C.R. 520 Date: 1977-05-18 Jérôme Thériault and Hermel Plourde Appellants; and Her Majesty The Queen Respondent. 1977: May 18. Present: Laskin C.J. and Martland, Judson, Ritchie, Spence, Pigeon, Dickson, Beetz and de Grandpré JJ. ON APPEAL FROM THE SUPREME COURT OF NEW BRUNSWICK, APPEAL DIVISION Criminal law—Conspiracy—Charge to the jury—Substantial errors in charge—New trial ordered. APPEAL from a judgment of the Supreme Court of New Brunswick, Appeal Division, affirming a conviction by Chaiker Abbis Co. Ct. J. sitting with a jury. Appeal allowed. Jean-Claude Angers and Gilles C. Thibodeau, for the appellants. A.R. Picard, for the respondent. The judgment of the Court was delivered orally by THE CHIEF JUSTICE—We are all of the opinion that there must be a new trial in this case. We are concerned about the clarity of the indictment, but that is a matter for Crown counsel to consider. The appeal is accordingly allowed, the judgments below are set aside, and a new trial directed. Appeal allowed, new trial ordered. Solicitors for the appellants: Rice & Angers, Edmunston. Solicitor for the respondent: André Picard, Edmunston.

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