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Appendix A: Supreme Court of Canada Cases Written by Justice Bertha Wilson 1982-1991

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Appendix A: Supreme Court of Canada Cases Written by Justice Bertha Wilson 1982-1991

**Marie-Claire Belleau, Rebecca Johnson,
Christina Vinters, Andrew Tomilson***

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|---|
| 1982 | | | | |
| Shell Oil Co. v. Canada (Commissioner of Patents), [1982] 2 S.C.R. 536 | 1 | 5 | Unanimous | Patents; Statutory Interpretation; Scope of "Newness" Required for Patents |
| Atco Ltd. v. Calgary Power Ltd., [1982] 2 S.C.R. 557 | 2 | 7 | Dissent | Shareholders; Corporation; Ownership of Company Assets; Ownership vs. Control of Company; Takeover Bids |
| Smallwood v. Sparling, [1982] 2 S.C.R. 686 | 1 | 5 | Unanimous | Crown Privilege; Common Law vs. Statute; Compellability of Former Minister as Witness |

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| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|--|
| Beson v. Newfoundland (Director of Child Welfare), [1982] 2 S.C.R. 716 | 1 | 5 | Unanimous | Appeals; Judicial Review; <i>Parens Patriae</i> Jurisdiction; Statutory Interpretation; Children; Adoption |
| Kwiatkowsky v. Canada (Minister of Employment and Immigration), [1982] 2 S.C.R. 856 | 1 | 5 | Unanimous | Immigration; Convention Refugees; Scope of Regulator's Discretion |
| 1983 | | | | |
| Abrahams v. Canada (Attorney General), [1983] 1 S.C.R. 2 | 1 | 7 | Unanimous | Labour and Employment; Statutory Interpretation; Whether "regularly engaged" refers to duration or frequency of employment |
| Zayack v. Canada (Attorney General), [1983] 1 S.C.R. 12 | 1 | 7 | Unanimous | Statutory Interpretation of s. 44(1)(c) of <i>Unemployment Insurance Act, 1971</i> , S.C. 1970-71-72, c. 48 |
| R. v. Farrant, [1983] 1 S.C.R. 124 | 2 | 7 | Dissent | Criminal Law; Criminal-Substantive; Criminal-Procedure; Conviction for Uncharged Offence; <i>Mens Rea</i> ; Constructive Murder; Second Degree Murder; First Degree Murder |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|--|
| Miller v. Ameri-Cana Motel Ltd., [1983] 1 S.C.R. 229 | 1 | 7 | Unanimous | Options to Purchase; Leases; Statutory Interpretation; Meaning of "fee"; Real Property; Common Law vs. Statute |
| Martin v. Chapman, [1983] 1 S.C.R. 365 | 2 | 7 | Majority | Appeals; Judicial Review; Indians; Statutory Interpretation; Whether child of male band member must be "legitimate" descendant to be an Indian |
| R. v. Konkin, [1983] 1 S.C.R. 388 | 2 | 7 | Dissent | Criminal Law; Criminal-Procedure; Criminal-Substantive; Evidence; Relevance; Sexual Assault; Admissibility of Post-Offence Sexual Conduct |
| Kiss Estate v. Kiss, [1983] 1 S.C.R. 623 | 1 | 5 | Unanimous | Contracts; Constructive Trusts; Estates; Family Law |
| Racine v. Woods, [1983] 2 S.C.R. 173 | 1 | 5 | Unanimous | Children; <i>De Facto</i> Adoption; Abandonment; Easement; Best Interests of the Child; Race and Culture; Meaning of "Custody" |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|---|
| R. v. Giguère, [1983] 2 S.C.R. 448 | 3 | 5 | Dissent | Criminal Law; Criminal-Substantive; Corporation; Government Contracts; Corruption; Statutory Interpretation; Meaning of “cooperation, assistance and exercise of influence” |
| R. v. Eldorado Nuclear Ltd.; R v. Uranium Canada Ltd., [1983] 2 S.C.R. 551 | 2 | 7 | Partial Dissent | Criminal Law; Crown Immunity; Competition; Crown Corporation; Business <i>Ultra Vires</i> |
| 1984 | | | | |
| Brown (Guardian ad litem of) v. Baugh, [1984] 1 S.C.R. 192 | 2 | 5 | Concurrence | Criminal Law; Criminal-Procedure; Fingerprinting Offenders; Juvenile Offender; Indictable Offence; Statutory Interpretation |
| R. v. Droste, [1984] 1 S.C.R. 208 | 2 | 7 | Concurrence | Criminal Law; Criminal-Substantive; Jury Charge; <i>Mens Rea</i> ; First Degree Murder |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|--|
| Hartel Holdings Co. v. Calgary (City), [1984] 1 S.C.R. 337 | 1 | 5 | Unanimous | Municipal Law; Real Property Law; Expropriation; Statutory Interpretation; Meaning of "designated" |
| Reference re Ownership of the Bed of the Strait of Georgia and Related Areas, [1984] 1 S.C.R. 388 | 3 | 7 | Dissent | Constitutional Law; Federalism; Crown Lands; Mineral Rights |
| Stubart Investments Ltd. v. Canada, [1984] 1 S.C.R. 536 | 2 | 5 | Concurrence | Taxation; Income Tax Corporation; Carry Forwards; Sham Transaction |
| James Richardson & Sons Ltd. v. Canada (Minister of National Revenue), [1984] 1 S.C.R. 614 | 1 | 7 | Unanimous | Taxation; Scope of Disclosure; Statutory Interpretation |
| Kamloops (City) v. Nielsen, [1984] 2 S.C.R. 2 | 2 | 5 | Majority | Tort; Negligence; Duty of Care |
| Royal Bank of Canada v. First Pioneer Investments Ltd., [1984] 2 S.C.R. 125 | 1 | 5 | Unanimous | Bankruptcy; Secured Transactions; Debentures; Unsecured Creditors; Failure to Register |
| R. v. Perka, [1984] 2 S.C.R. 232 | 2 | 5 | Concurrence | Criminal Law; Criminal-Substantive; Statutory Interpretation of <i>Narcotic Control Act</i> , R.S.C. 1970, c. N-1, s. 2; Whether <i>Narcotic Control Act</i> applies only to <i>Cannabis sativa L.</i> |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|---|
| Guerin v. Canada, [1984] 2 S.C.R. 335 | 3 | 9 | Concurrence | Aboriginal Land Title; Fiduciary Duties; Breach of Trust; Surrender of Aboriginal Lands |
| R. v. Abbas, [1984] 2 S.C.R. 526 | 3 | 7 | Majority | Criminal Law; Criminal-Substantive; <i>Mens Rea</i> ; Deeming Provision |
| 1985 | | | | |
| R. v. Skoke-Graham, [1985] 1 S.C.R. 106 | 2 | 7 | Concurrence | Criminal Law; Criminal-Substantive; Statutory Interpretation; Elements of Offence; Disturbing Religious Worship |
| Janiak v. Ippolito, [1985] 1 S.C.R. 146 | 1 | 5 | Unanimous | Damages; Duty to Mitigate; Thin Skull Principle |
| Singh v. Canada (Minister of Employment and Immigration), [1985] 1 S.C.R. 177 | 2 | 7 | Concurrence in Plurality | Constitutional Law; Civil Rights; Immigration; Convention Refugee; Charter s. 7 |
| V.K. Mason Construction Ltd. v. Bank of Nova Scotia, [1985] 1 S.C.R. 271 | 1 | 7 | Unanimous | Contracts; Negligent Misrepresentation; <i>Interest Act</i> s. 4; Estoppel |
| R. v. Big M Drug Mart Ltd., [1985] 1 S.C.R. 295 | 2 | 7 | Concurrence | Constitutional Law; Charter; Religion; <i>Lord's Day Act</i> |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|--|
| Operation Dismantle Inc. v. Canada, [1985] 1 S.C.R. 441 | 2 | 7 | Concurrence | Constitutional Law; Charter s. 7; Civil Procedure; Pleadings; Cause of Action Not Made Out on Statement of Claim |
| R. v. Towne Cinema Theatres Ltd., [1985] 1 S.C.R. 494 | 4 | 7 | Concurrence in Plurality | Criminal Law; Criminal-Substantive; Statutory Interpretation; Meaning of "Obscenity" |
| British Columbia v. Tener, [1985] 1 S.C.R. 533 | 2 | 7 | Concurrence | Statutory Interpretation; Statutory Right to Damages; Mineral Rights; Permits |
| Deloitte Haskins & Sells Ltd. v. Alberta (Workers' Compensation Board), [1985] 1 S.C.R. 785 | 3 | 9 | Concurrence in Plurality | Constitutional Law; Federalism; Bankruptcy; Priority |
| R. v. Grdic, [1985] 1 S.C.R. 810 | 2 | 9 | Dissent | Criminal Law; Criminal-Procedure; Issue Estoppel |
| Oakwood Development Ltd. v. St. Francois Xavier (Rural Municipality), [1985] 2 S.C.R. 164 | 1 | 5 | Unanimous | Administrative Law; Relevance |
| R. v. Germain, [1985] 2 S.C.R. 241 | 4 | 9 | Concurrence | Criminal Law; Criminal-Substantive; Statutory Interpretation; Meaning of "Obscenity" |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|---|
| Canada v. Imperial General Properties Ltd., [1985] 2 S.C.R. 288 | 2 | 7 | Dissent | Shareholders; Shareholder Voting Rights; Winding Up Corporation; Ownership vs. Control of Company; Taxation; Income Tax Corporation |
| Reference re B.C. Motor Vehicle Act, [1985] 2 S.C.R. 486 | 3 | 7 | Concurrence | Constitutional Law; Charter s. 7; Charter s. 8; Meaning of "principles of fundamental justice"; Strict Liability Offence |
| Bhinder v. Canadian National Railway Co., [1985] 2 S.C.R. 561 | 3 | 7 | Concurrence in Plurality | Employment; Duty to Accommodate; Civil Rights |
| 1986 | | | | |
| Canada v. Golden, [1986] 1 S.C.R. 209 | 2 | 7 | Concurrence | Taxation; Income Tax; Statutory Interpretation of <i>Income Tax Act</i> , S.C. 1970-71-72, c. 63, s. 68; Assessment; Computation of Income; Meaning of "something else" |
| B.D.C. Ltd. v. Hofstrand Farms Ltd., [1986] 1 S.C.R. 228 | 2 | 5 | Concurrence | Tort; Duty of Care; Economic Loss |
| R. v. Hill, [1986] 1 S.C.R. 313 | 5 | 9 | Dissent | Criminal Law; Criminal-Substantive; Provocation; Reasonable Person Test; Jury Charge |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|--|
| R. v. Clarkson, [1986] 1 S.C.R. 383 | 2 | 7 | Majority | Constitutional Law; Criminal Law; Criminal-Procedure; Confessions; Charter s. 10(b); Charter s. 24(2) |
| R. v. Gombosh Estate, [1986] 1 S.C.R. 415 | 1 | 7 | Unanimous | Criminal Law; Criminal Procedure; Search and Seizure; Restoration Procedure |
| Bilodeau v. Manitoba (Attorney General), [1986] 1 S.C.R. 449 | 2 | 7 | Dissent | Constitutional Law; Federalism; Language Rights |
| MacDonald v. Montreal (City), [1986] 1 S.C.R. 460 | 3 | 7 | Dissent | Appeals; Jurisdiction; Constitutional Law; Language Rights |
| Société des Acadiens du Nouveau-Brunswick Inc. v. Assn. of Parents for Fairness in Education, [1986] 1 S.C.R. 549 | 3 | 7 | Concurrence | Constitutional Law; Language Rights; Courts; Inherent Jurisdiction; Charter s. 19(2) |
| Dubé v. Labar, [1986] 1 S.C.R. 649 | 2 | 5 | Concurrence | Tort; Negligence; Impaired Driving; "Volenti Non Fit Injuria" Defence; Contributory Negligence |
| R. v. Mezzo, [1986] 1 S.C.R. 802 | 3 | 9 | Concurrence | Criminal Law; Criminal-Procedure; Police Procedure; Directed Verdict of Acquittal; Sexual Assault; Identification of Accused |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|---|
| R. v. Mills, [1986] 1 S.C.R. 863 | 4 | 7 | Dissent | Constitutional Law; Charter s. 11(b); Charter s. 24(1); Court of Competent Jurisdiction; Retroactive vs. Prospective Application of the Charter |
| R. v. Carter, [1986] 1 S.C.R. 981 | 2 | 9 | Concurrence | Constitutional Law; Criminal Law; Criminal-Procedure; Charter s. 11(b) |
| R. v. Chambers, [1986] 2 S.C.R. 29 | 3 | 7 | Dissent | Criminal Law; Criminal-Procedure; Evidence; Admissibility; Police Procedure; Material Non-Disclosure |
| R. v. Jones, [1986] 2 S.C.R. 284 | 4 | 7 | Dissent | Constitutional Law; Education; Charter s. 2(a); Charter s. 7 |
| Potash v. Royal Trust Co., [1986] 2 S.C.R. 351 | 1 | 5 | Unanimous | Mortgage; Right of Prepayment of Mortgage; Statutory Interpretation |
| Canada v. Ensite Ltd., [1986] 2 S.C.R. 509 | 1 | 5 | Unanimous | Taxation; Income Tax International; Corporation; Foreign Investment Income; Income from Business vs. Income from Property |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|---|
| Canada v. Canadian Marconi, [1986] 2 S.C.R. 522 | 1 | 5 | Unanimous | Taxation; Income Tax Corporation; Income from Business vs. Income from Property; Investment Business; Corporate Powers and Objects; Business <i>Ultra Vires</i> |
| Bank of Montreal v. Wilder, [1986] 2 S.C.R. 551 | 1 | 5 | Unanimous | Guarantee; Discharge of Surety; Family Business; Breach of Agreement |
| RWDSU v. Dolphin Delivery Ltd., [1986] 2 S.C.R. 573 | 3 | 7 | Concurrence | Constitutional Law; Charter s. 2(b); Charter s. 32(1); Freedom of Expression; Labour and Employment |
| R. v. Edwards Books and Art Ltd., [1986] 2 S.C.R. 713 | 4 | 7 | Partial Dissent | Constitutional Law; Federalism; Charter s. 1; Charter s. 2(a); Charter s. 7; Charter s. 15; Charter s. 27; Charter s. 32; Religion; Right to Liberty |
| 1987 | | | | |
| Kosmopoulos v. Constitutional Law Insurance Co., [1987] 1 S.C.R. 2 | 2 | 7 | Majority | Corporation; Business Associations; Insurance; Sole Shareholder; Lifting the Corporate Veil |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| PSAC v. Canada, [1987] 1 S.C.R. 424 | 4 | 7 | Dissent | Constitutional Law; Collective Bargaining; Labour and Employment; Civil Rights; Charter s. 2(d) |
| RWDSU v. Saskatchewan, [1987] 1 S.C.R. 460 | 4 | 7 | Dissent | Constitutional Law; Charter s. 2(d); Labour and Employment |
| Canada v. Schmidt, [1987] 1 S.C.R. 500 | 3 | 7 | Concurrence | Constitutional Law; Extradition; Jurisdiction; <i>Habeas Corpus</i> ; Double Jeopardy; Charter s. 7; Charter s. 11(h); Charter s. 32 |
| Argentina v. Mellino, [1987] 1 S.C.R. 536 | 3 | 7 | Concurrence | Constitutional Law; Extradition; Jurisdiction; Charter s. 7; Charter s. 11(b); Charter s. 32 |
| United States v. Allard, [1987] 1 S.C.R. 564 | 3 | 7 | Concurrence | Jurisdiction; Extradition; Court of Competent Jurisdiction; Charter s. 7; Charter s. 11(b); Charter s. 32 |
| R. v. Rahey, [1987] 1 S.C.R. 588 | 4 | 9 | Concurrence in Plurality | Constitutional Law; Charter s. 11(b); Charter s. 24(1); Court of Competent Jurisdiction |
| Pelech v. Pelech, [1987] 1 S.C.R. 801 | 2 | 7 | Majority | Family Law; Divorce; Variation; Maintenance Agreement; Jurisdiction; Appeals |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| Richardson v. Richardson, [1987] 1 S.C.R. 857 | 2 | 7 | Majority | Family Law; Divorce; Maintenance; Variation |
| Caron v. Caron, [1987] 1 S.C.R. 892 | 2 | 7 | Majority | Family Law; Divorce; Variation; Separation Agreement |
| R. v. Robertson, [1987] 1 S.C.R. 918 | 1 | 9 | Unanimous | Criminal Law; Criminal-Substantive; Mistake of Fact; Sexual Assault; Jury Charge; Evidence; Admissibility; Similar Fact Evidence |
| R. v. Smith, [1987] 1 S.C.R. 1045 | 5 | 7 | Concurrence in Plurality | Constitutional Law; Charter s. 12 |
| Reference re Bill 30, An Act to Amend the Education Act (Ont.), [1987] 1 S.C.R. 1148 | 3 | 7 | Majority | Constitutional Law; Federalism; Education; Religion; <i>Constitution Act, 1867</i> s. 93 |
| Frame v. Smith, [1987] 2 S.C.R. 99 | 2 | 7 | Dissent | Family Law; Torts; Custody and Access; Children |
| Holt v. Telford, [1987] 2 S.C.R. 193 | 1 | 5 | Unanimous | Real Property; Mortgage; Foreclosure; Priority; Land Swap; Legal Set Off; Equitable Set Off |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|---|
| R. v. Lyons, [1987] 2 S.C.R. 309 | 3 | 7 | Partial Dissent | Constitutional Law; Criminal Law; Criminal-Procedure; Sentencing; Dangerous Offender; Indeterminate Detention; Charter s. 7; Charter s. 9; Charter s. 11(f); Charter s. 12 |
| R. v. Béland, [1987] 2 S.C.R. 398 | 3 | 7 | Dissent | Evidence; Admissibility; Credibility; Polygraph; Rule Against Oath-Helping |
| Keneric Tractor Sales Ltd. v. Langille, [1987] 2 S.C.R. 440 | 1 | 5 | Unanimous | Contract; Remedy; Damages; Breach of Chattel Lease |
| R. v. Milne, [1987] 2 S.C.R. 512 | 3 | 7 | Partial Dissent | Constitutional Law; Criminal Law; Criminal-Procedure; Sentencing; Dangerous Offender; Indeterminate Detention; Charter s. 7; Charter s. 9; Charter s. 11(f); Charter s. 12; Effect of Amendment to <i>Criminal Code</i> |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|--|
| R. v. Wigglesworth, [1987] 2 S.C.R. 541 | 2 | 7 | Majority | Constitutional Law; Criminal Law; Criminal-Procedure; Criminal-Substantive; Double Jeopardy; Charter s. 11(h); Charter s. 24(1); Similar Offence in Two Statutes; Statutory Interpretation; RCMP Disciplinary Proceeding |
| Burnham v. Metropolitan Toronto Police, [1987] 2 S.C.R. 572 | 1 | 7 | Unanimous | Constitutional Law; Charter s. 11(d); Police Procedure |
| Trumbley v. Metropolitan Toronto Police, [1987] 2 S.C.R. 577 | 1 | 7 | Unanimous | Constitutional Law; Criminal Law; Criminal-Procedure; Criminal-Substantive; Double Jeopardy; Charter s. 11(d); Similar Offence in Two Statutes; Statutory Interpretation; Police Disciplinary Proceeding |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| Trimm v. Durham Regional Police, [1987] 2 S.C.R. 582 | 1 | 7 | Unanimous | Constitutional Law; Criminal Law; Criminal-Procedure; Criminal-Substantive; Double Jeopardy; Charter s. 11(h); Charter s. 24(1); Similar Offence in Two Statutes; Statutory Interpretation; Police Disciplinary Proceeding |
| R. v. Paré, [1987] 2 S.C.R. 618 | 1 | 7 | Unanimous | Criminal Law; Criminal-Substantive; Sexual Assault; First Degree Murder; Statutory Interpretation; Meaning of "while committing" |
| Calgary (City) v. Northern Construction Co., [1987] 2 S.C.R. 757 | 2 | 5 | Concurrence | Contract |
| 1988 | | | | |
| R. v. Morgentaler, [1988] 1 S.C.R. 30 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Federalism; Jurisdiction; Criminal Law; Criminal-Substantive; <i>Constitution Act, 1867</i> s. 91(27); <i>Constitution Act, 1867</i> s. 96; Charter s. 2(a); Charter s. 7; Charter s. 12; Abortion |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|---|
| Washington (State) v. Johnson, [1988] 1 S.C.R. 327 | 2 | 7 | Majority | Extradition; Extradition Treaty; Double Criminality Rule; Listed vs. Unlisted Offences; Fraud |
| Molchan v. Omega Oil and Gas Ltd., [1988] 1 S.C.R. 348 | 2 | 5 | Dissent | Business Associations; Partnership; Limited Partnership; Partnership Property; Corporation; Corporate Partner; Breach of Fiduciary Duty; Breach of Statutory Duty; Financial Distress; Ordinary Business; Right to Accounting |
| R. v. Keyowski, [1988] 1 S.C.R. 657 | 1 | 7 | Unanimous | Criminal Law; Criminal-Procedure; Abuse of Process; Jury Deadlock; Multiple Trials; Stay of Proceedings |
| R. v. Stevens, [1988] 1 S.C.R. 1153 | 2 | 9 | Dissent | Constitutional Law; Criminal Law; Criminal-Substantive; Statutory Sexual Assault; Juvenile Offender; Mistake of Fact; Retroactive vs. Prospective Application of the Charter; Timing of Offence |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|--|
| Crocker v. Sundance Northwest Resorts Ltd., [1988] 1 S.C.R. 1186 | 1 | 7 | Unanimous | Tort; Personal Injury; Intoxication; Inherently Dangerous Activity; Duty of Care; Nonfeasance |
| R. v. Kowlyk, [1988] 2 S.C.R. 59 | 2 | 5 | Dissent | Criminal Law; Criminal-Substantive; Breaking and Entering; Theft; Doctrine of Recent Possession; Possession of Recently Stolen Property |
| Forget v. Quebec (Attorney General), [1988] 2 S.C.R. 90 | 4 | 9 | Dissent | Constitutional Law; Appeals; Administrative Law; Regulations; Professions; Labour and Employment; Discrimination; Subdelegation; Charter s. 10; Mootness |
| R. v. Chesson, [1988] 2 S.C.R. 148 | 2 | 5 | Concurrence | Criminal Law; Criminal Procedure; Evidence; Admissibility; Police Procedure; Police Surveillance; Intercepted Communication; Conspiracy |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|--|
| Mattabi Mines Ltd. v. Ontario (Minister of Revenue), [1988] 2 S.C.R. 175 | 1 | 7 | Unanimous | Taxation; Income Tax Corporate Taxation; Carry Forward; Capital Cost Allowance; Investment Tax Credit; Retroactive Legislation |
| Brossard (Town) v. Quebec (Commission des droits de la personne), [1988] 2 S.C.R. 279 | 2 | 7 | Concurrence | Municipal Law; Civil Rights; Anti-Nepotism Policy; Hiring Policy; Conflict of Interest; Labour and Employment; Wrongful Discrimination; Quebec <i>Charter of Human Rights and Freedoms</i> , s. 10; Quebec <i>Charter of Human Rights and Freedoms</i> , s. 20 |
| R. v. Morin, [1988] 2 S.C.R. 345 | 2 | 7 | Concurrence | Criminal Law; Evidence; Relevance; Proof of Identity; Expert Witness; Criminal-Procedure; Jury Charge; Burden of Proof; Reasonable Doubt |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|---|
| R. v. Simmons, [1988] 2 S.C.R. 495 | 3 | 9 | Concurrence in Plurality | Constitutional Law; Right to Counsel; Search and Seizure; Customs; Strip Search; Narcotics; Charter s. 8; Charter s. 10(b); Evidence; Admissibility |
| R. v. Jacoy, [1988] 2 S.C.R. 548 | 4 | 9 | Concurrence | Constitutional Law; Right to Counsel; Search and Seizure; Customs; Narcotics; Evidence; Admissibility; Bringing the Administration of Justice into Disrepute; Charter s. 8; Charter s. 10(b) |
| TWU v. British Columbia Telephone Co., [1988] 2 S.C.R. 564 | 2 | 5 | Majority | Judicial Review; Jurisdiction; Arbitration; Labour and Employment; Error in Law |
| R. v. Gamble, [1988] 2 S.C.R. 595 | 2 | 5 | Majority | Constitutional Law; Retroactive vs. Prospective Application of the Charter; Charter s. 7; Declaratory Relief; <i>Habeas Corpus</i> ; Jurisdiction; Prerogative Writs; Parole; First Degree Murder |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|-------------------------------------|----------|--------------|--------------------------|---|
| R. v. Quin, [1988] 2 S.C.R. 825 | 3 | 9 | Concurrence in Plurality | Criminal Law; Criminal-Substantive; <i>Mens Rea</i> ; Specific and General Intent; Intoxication; Breaking and Entering; Indictable Offence |
| R. v. Bernard, [1988] 2 S.C.R. 833 | 4 | 9 | Concurrence in Plurality | Constitutional Law; Criminal Law; Criminal-Substantive; <i>Mens Rea</i> ; Specific and General Intent; Intoxication; Sexual Assault; Charter s. 7; Charter s. 11(d) |
| R. v. Strachan, [1988] 2 S.C.R. 980 | 3 | 9 | Concurrence | Constitutional Law; Criminal Law; Criminal-Procedure; Search Warrants; Right to Counsel; Search and Seizure; Evidence; Admissibility; Bringing the Administration of Justice into Disrepute; Charter s. 8; Charter s. 24(1); Charter s. (2); Police Procedure |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|---|
| 1989 | | | | |
| R. v. Duguay, [1989] 1 S.C.R. 93 | 2 | 7 | Majority | Constitutional Law; Appeals; Jurisdiction; Judicial Opinion; Evidence; Admissibility; Bringing Administration of Justice into Disrepute; Arbitrary Detention; Appeals; Charter s. 9; Charter s. 24(2); Police Procedure |
| Andrews v. Law Society of British Columbia, [1989] 1 S.C.R. 143 | 3 | 7 | Concurrence in Plurality | Constitutional Law; Charter s. 15 |
| Sobey's Stores Ltd. v. Yeomans, [1989] 1 S.C.R. 238 | 2 | 9 | Majority | Constitutional Law; Federalism; <i>Constitution Act, 1867</i> , s. 96; Jurisdiction; Employment Law; Administrative Law; Provincial Tribunal |
| Roberts v. Canada, [1989] 1 S.C.R. 322 | 1 | 5 | Unanimous | Constitutional Law; Aboriginal Land Title; Jurisdiction; Legal Pluralism; Meaning of "Laws of Canada" |
| Greater Montreal Protestant School Board v. Quebec (Attorney General), [1989] 1 S.C.R. 377 | 2 | 7 | Concurrence | Constitutional Law; Federalism; Education; Religion; <i>Constitution Act, 1867</i> s. 93 |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|---|
| Hunter Engineering Co. v. Syncrude Canada Ltd., [1989] 1 S.C.R. 426 | 3 | 7 | Partial Dissent | Contract; Breach; Fundamental Breach; Exclusion Clause; Warranty; Statutory Liability; Trust; Trust Fund; Constructive Trust |
| R. v. Potvin, [1989] 1 S.C.R. 525 | 2 | 5 | Majority | Constitutional Law; Criminal Law; Criminal-Procedure; Charter s. 7; Fundamental Justice; Presumption of Innocence; Evidence; Cross-examination; Litigation Strategy; Trial Procedure; Jury Charge; Testimony of Accused |
| Irwin Toy Ltd. v. Quebec (Attorney General), [1989] 1 S.C.R. 927 ¹ | 2 | 7 | Majority | Constitutional Law; Federalism; Criminal Law; Corporation; Charter s. 2(b); Charter s. 7; Meaning of "Everyone"; Applicability of Charter to Corporations; Civil Rights; Commercial Law; Consumer Law |

¹ We have included *Irwin Toy* even though the majority reasons state: "The judgment of Dickson C.J. and Lamer and Wilson JJ. was delivered by THE CHIEF JUSTICE AND LAMER AND WILSON JJ." In light of our paper and our work on collaborative decision-making, our own inclination is not to seek "the real author" for this opinion, but rather to treat it like other jointly authored decisions, and allow for judicial authorship to be attributed to all three of the judges named as having delivered the opinion.

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|---|
| Vorvis v. Insurance Corp. of British Columbia, [1989] 1 S.C.R. 1085 | 2 | 7 | Partial Dissent | Contract; Employment Law; Pension Law; Dismissal Without Just Cause; Aggravated Damages; Punitive Damages; Vested Rights; Appeals; Mental Distress |
| Canadian Pacific Air Lines Ltd. v. British Columbia, [1989] 1 S.C.R. 1133 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Federalism; <i>Constitution Act, 1867</i> s. 92(2); Taxation; Provincial Taxation; Assessment Airlines; Charter s. 7 |
| Air Canada v. British Columbia, [1989] 1 S.C.R. 1161 | 4 | 7 | Partial Dissent | Constitutional Law; Federalism; <i>Constitution Act, 1867</i> s. 92(2); Taxation; Provincial Taxation; Direct vs. Indirect Taxation; Airlines; Charter s. 7 |
| R. v. Turpin, [1989] 1 S.C.R. 1296 | 1 | 7 | Unanimous | Constitutional Law; Criminal Law; Criminal-Procedure; Trial by Jury; Charter s. 15; Charter s. 11(f); First Degree Murder |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|---|
| R. v. Tutton, [1989] 1 S.C.R. 1392 | 3 | 9 | Concurrence in Plurality | Criminal Law; Criminal-Substantive; Criminal Negligence; Manslaughter; Familial Relations; Religion; Faith Healing; Children; <i>Mens Rea</i> |
| R. v. Waite, [1989] 1 S.C.R. 1436 | 3 | 9 | Concurrence in Plurality | Criminal Law; Criminal-Substantive; Criminal Negligence; Impaired Driving; <i>Mens Rea</i> |
| United States of America v. Cotroni; United States of America v. El Zein, [1989] 1 S.C.R. 1469 | 3 | 7 | Dissent | Constitutional Law; Extradition; Narcotics; Location of Offence; Charter s. 6 |
| R. v. Kalanj, [1989] 1 S.C.R. 1594 | 3 | 7 | Dissent | Constitutional Law; Charter s. 11(b); Meaning of "person charged with an offence"; Police Procedure; Appeals |
| R. v. Provo, [1989] 2 S.C.R. 3 | 1 | 5 | Unanimous | Criminal Law; Jurisdiction; Appeals; Kienapple Principle; Sexual Assault; Incest; Substituted Verdict |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|--|
| R. v. Black, [1989] 2 S.C.R. 138 | 1 | 5 | Unanimous | Constitutional Law; Criminal Law; Criminal-Procedure; Police Procedure; Evidence; Confessions; Charter s. 10(b); Charter s. 24(2) |
| Alberta Government Telephones v. Canada (Canadian Radio-television and Telecommunications Commission), [1989] 2 S.C.R. 225 | 2 | 9 | Concurrence | Constitutional Law; Federalism; Corporation; Regulation; Unincorporated Association; Interprovincial Work or Undertaking; Telecommunications; Crown Immunity; Statutory Interpretation; Meaning of "Her Majesty" |
| IBEW v. Alberta Government Telephones, [1989] 2 S.C.R. 318 | 2 | 9 | Dissent | Constitutional Law; Federalism; Interprovincial Work or Undertaking; Labour Relations; Telecommunications; Crown Immunity |
| R. v. Leaney, [1989] 2 S.C.R. 393 | 3 | 5 | Partial Dissent | Criminal Law; Appeals; Trial Procedure; Evidence; Proof of Identity; Similar Fact Evidence; Videotape |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|--|
| Lac Minerals Ltd. v. International Corona Resources Ltd., [1989] 2 S.C.R. 574 | 4 | 5 | Concurrence in Plurality | Commercial Law; Confidentiality; Breach of Fiduciary Duty; Breach of Respecting Confidence; Joint Venture; Corporation; Intellectual Property; Trade Secrets; Constructive Trust |
| MacKeigan v. Hickman, [1989] 2 S.C.R. 796 | 5 | 7 | Partial Dissent | Constitutional Law; Evidence; Judicial Privilege; Commissions |
| R. v. Docherty, [1989] 2 S.C.R. 941 | 1 | 7 | Unanimous | Criminal Law; <i>Mens Rea</i> ; Criminal-Substantive; Probation; Impaired Driving |
| CAIMAW v. Paccar of Canada Ltd., [1989] 2 S.C.R. 983 | 4 | 7 | Dissent | Administrative Law; Jurisdiction; Judicial Review; Appeals; Standing; Administrative Tribunals; Labour and Employment |
| R. v. Debot, [1989] 2 S.C.R. 1140 | 3 | 5 | Concurrence | Constitutional Law; Criminal Law; Criminal-Procedure; Search and Seizure; Right to Counsel; Frisk; Narcotics; Charter s. 8; Charter s. 10(b); Charter s. 24(2) |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|--|
| Tock v. St. John's Metropolitan Area Board, [1989] 2 S.C.R. 1181 | 3 | 7 | Concurrence in Plurality | Tort; Nuisance; Public Body; Defence of Statutory Authority; Municipal Law; Strict Liability; Environment; <i>Rylands v. Fletcher</i> |
| Rothfield v. Manolacos, [1989] 2 S.C.R. 1259 | 3 | 7 | Partial Dissent | Tort; Negligence; Municipal Law; Real Property; Duty of Care; Building Permit |
| Edmonton Journal v. Alberta (Attorney General), [1989] 2 S.C.R. 1326 | 3 | 7 | Concurrence in Plurality | Constitutional Law; Charter s. 2(b); Charter s. 32(1); Freedom of Expression; Media |
| R. v. Lee, [1989] 2 S.C.R. 1384 | 3 | 7 | Dissent | Criminal Law; Criminal-Procedure; Trial Procedure; Trial by Jury |
| 1990 | | | | |
| Thomson Newspapers Ltd. v. Canada (Director of Investigation and Research, Restrictive Trade Practices Commission), [1990] 1 S.C.R. 425 | 5 | 5 | Dissent | Constitutional Law; Self-incrimination; Derivative Evidence; Combines Investigation; Corporation; Competition; Price Discrimination; Disclosure of Documents; Charter s. 7 |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|---|
| Stelco Inc. v. Canada (Attorney General), [1990] 1 S.C.R. 617 | 5 | 5 | Dissent | Constitutional Law; Self-incrimination; Derivative Evidence; Combines Investigation; Corporation; Competition; Price Discrimination; Disclosure of Documents; Charter |
| R. v. McKinlay Transport Ltd., [1990] 1 S.C.R. 627 | 4 | 5 | Concurrence in Plurality | Constitutional Law; Taxation; Search and Seizure; Income Tax; Charter s. 8; Statutory Interpretation; Investigation |
| R. v. Lavallee, [1990] 1 S.C.R. 852 | 2 | 7 | Majority | Criminal Law; Criminal-Substantive; Evidence; Admissibility; Battered Woman; Self-defence; Expert Witness; Expert Evidence Based on Inadmissible Evidence; Familial Relations |
| R. v. Horseman, [1990] 1 S.C.R. 901 | 2 | 7 | Dissent | Indians; Hunting Rights; Hunting Without a Licence; Treaty 8 Indians; Statutory Interpretation |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|-----------------|---|
| Reference re ss. 193 and 195.1(1)(c) of the Criminal Code (Man.), [1990] 1 S.C.R. 1123 | 3 | 7 | Dissent | Constitutional Law; Statutory Interpretation; Vagueness; Criminal Law; Prostitution; Advertising; Charter s. 7; Charter s. 2(b); Charter s. 1 |
| R. v. Stagnitta, [1990] 1 S.C.R. 1226 | 3 | 7 | Dissent | Constitutional Law; Statutory Interpretation; Vagueness; Criminal Law; Prostitution; Advertising; Charter s. 7; Charter s. 2(b); Charter s. 1 |
| R. v. Skinner, [1990] 1 S.C.R. 1235 | 3 | 7 | Dissent | Constitutional Law; Criminal Law; Prostitution; Advertising; Charter s. 2(b); Charter s. 2(d); Charter s. 1 |
| R. v. B. (G.), [1990] 2 S.C.R. 3 | 1 | 5 | Unanimous | Criminal Law; Evidence; Criminal Procedure; Child Testimony; Corroboration |
| R. v. B. (G.), [1990] 2 S.C.R. 30 | 1 | 5 | Unanimous | Criminal Law; Criminal-Substantive; Timing of Offence; Sexual Assault |
| R. v. B. (G.), [1990] 2 S.C.R. 57 | 2 | 5 | Majority | Criminal Law; Appeals; Criminal-Procedure |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| Mitchell v. Peguis Indian Band, [1990] 2 S.C.R. 85 | 3 | 7 | Concurrence in Plurality | Indians; Debt; Personal Property; Reserve; Garnishment; Meaning of "Her Majesty"; Nowegijick Principle; Statutory Interpretation |
| R. v. Hebert, [1990] 2 S.C.R. 151 | 3 | 9 | Concurrence | Constitutional Law; Police Procedure; Self-incrimination; Confessions Rule; Jailhouse Informant; Right to Silence; Charter s. 7; Charter s. 1; Charter s. 24(2); Bringing Administration of Justice into Disrepute |
| National Trust Co. v. Mead, [1990] 2 S.C.R. 410 | 2 | 7 | Majority | Mortgage; Contract; Corporation; Individual; Assignment; Secured Transaction; Assumption Agreement; Personal Covenant; Novation |
| Central Alberta Dairy Pool v. Alberta (Human Rights Commission), [1990] 2 S.C.R. 489 | 2 | 7 | Majority | Civil Rights; Labour and Employment; Duty to Accommodate; Religion |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|--------------------------|--|
| Clarke v. Clarke, [1990] 2 S.C.R. 795 | 1 | 7 | Unanimous | Family Law; Pension Law; Divorce; Statutory Interpretation; Meaning of "Matrimonial Asset" |
| R. v. Penno, [1990] 2 S.C.R. 865 | 4 | 7 | Concurrence in Plurality | Criminal Law; Criminal-Substantive; Intoxication; Impaired Driving; Specific or General Intent Offence; Charter s. 7; Charter s. 1; Presumption of Innocence |
| R. v. Hess; R v. Nguyen, [1990] 2 S.C.R. 906 | 3 | 7 | Majority | Constitutional Law; Sexual Assault; Statutory Sexual Assault; Absolute Liability; <i>Mens Rea</i> ; Charter s. 7; Charter s. 15; Charter s. 1 |
| Hunt v. Carey Canada Inc. [1990] 2 S.C.R. 959 | 1 | 7 | Unanimous | Civil Procedure; Cause of Action Not Made Out on Statement of Claim; Pleadings; Tort; Conspiracy |
| R. v. Thompson, [1990] 2 S.C.R. 1111 | 3 | 7 | Dissent | Criminal Law; Police Procedure; Surveillance; Authorization; Evidence; Proof of Resorting to a Place; Meaning of "a place"; Statutory Interpretation; Search and Seizure; Charter s. 8; Charter s. 24(2) |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|---|
| R. v. Askov, [1990] 2 S.C.R. 1199 | 5 | 9 | Concurrence | Constitutional Law; Charter s. 11(b) |
| National Corn Growers Assn. v. Canada (Import Tribunal), [1990] 2 S.C.R. 1324 | 2 | 7 | Concurrence | Administrative Law; Judicial Review; Tribunals; Statutory Interpretation; GATT; International Trade Law; International Law; Customs; Imports; Subsidy; Commercial Law |
| R. v. Francella, [1990] 2 S.C.R. 1420 | 1 | 5 | Unanimous | Criminal Law; First Degree Murder; Murder during Commission of Other Offences; Jury Charge |
| R. v. Wong, [1990] 3 S.C.R. 36 | 3 | 7 | Dissent | Constitutional Law; Search and Seizure; Police Procedure; Police Surveillance; Charter s. 8; Charter s. 1; Charter s. 24(2); Bringing the Administration of Justice into Disrepute; Evidence; Admissibility; Criminal Law; Criminal-Procedure |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|---|----------|--------------|-----------------|--|
| R. v. Kirkness, [1990] 3 S.C.R. 74 | 2 | 7 | Dissent | Criminal Law; Single Transaction Principle; Manslaughter; Attempt; Break and Enter; Sexual Assault; Aiding and Abetting; Jury Charge |
| Fletcher v. Manitoba Public Insurance Co., [1990] 3 S.C.R. 191 | 1 | 5 | Unanimous | Tort; Negligence; Government; Duty of Care; Disclosure; Insurance; Appeals; Costs |
| McKinney v. University of Guelph, [1990] 3 S.C.R. 229 | 5 | 7 | Dissent | Constitutional Law; Applicability of Charter; Public vs. Private Institution; Labour and Employment; Mandatory Retirement Policy; Charter s. 15; Charter s. 24(1); Charter s. 32; Charter s. 1 |
| Harrison v. University of British Columbia, [1990] 3 S.C.R. 451 | 6 | 7 | Dissent | Constitutional Law; Applicability of Charter; Public vs. Private Institution; Labour and Employment; Mandatory Retirement Policy; Charter s. 15; Charter s. 24(1); Charter s. 32 |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| Stoffman v. Vancouver General Hospital, [1990] 3 S.C.R. 483 | 5 | 7 | Dissent | Constitutional Law; Applicability of Charter; Public vs. Private Institution; Labour and Employment; Mandatory Retirement Policy; Charter s. 15; Charter s. 32 |
| Douglas/Kwantlen Faculty Assn. v. Douglas College, [1990] 3 S.C.R. 570 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Applicability of Charter; Public vs. Private Institution; Labour and Employment; Mandatory Retirement Policy; Charter s. 15; Charter s. 24(1); Charter s. 32 |
| R. v. Kuldip, [1990] 3 S.C.R. 618 | 2 | 7 | Dissent | Constitutional Law; Evidence; Criminal Law; Criminal-Procedure; Self-incrimination; Retrial; Prior Inconsistent Statements; Charter s. 13; Charter s. 1 |
| W.W. Lester (1978) Ltd. v. United Assn. of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, Local 740, [1990] 3 S.C.R. 644 | 3 | 9 | Dissent | Administrative Law; Judicial Review; Jurisdiction |
| United Transportation Union v. Central Western Railway Corp., [1990] 3 S.C.R. 1112 | 2 | 9 | Dissent | Constitutional Law; Federalism; Labour and Employment; Corporation; Jurisdiction; Railways |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| R. v. Chaulk, [1990] 3 S.C.R. 1303 | 5 | 9 | Concurrence in Plurality | Criminal Law; Disease of the Mind Defence; <i>Mens Rea</i> ; Statutory Interpretation; Meaning of "wrong"; Jury Charge; Trial Procedure |
| 1991 | | | | |
| R. v. Ratti, [1991] 1 S.C.R. 68 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Criminal Law; Criminal-Procedure; Trial Procedure; Criminal-Substantive; Disease of the Mind Defence; Insanity; <i>Mens Rea</i> ; Evidence; Expert Evidence; Jury Charge |
| R. v. Romeo, [1991] 1 S.C.R. 86 | 4 | 7 | Concurrence | Criminal Law; Criminal-Procedure; Trial Procedure; Trial by Jury; Jury Charge; Presumption of Innocence; Evidence |
| Reference re Young Offenders Act (P.E.I.), [1991] 1 S.C.R. 252 | 3 | 7 | Concurrence in Plurality | Constitutional Law; Courts; Jurisdiction; Young Offenders; Youth Court; Superior Court; Provincial Court; <i>Constitution Act, 1867</i> , s. 92; <i>Constitution Act, 1867</i> , s. 96 |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|---|
| R. v. F. (J.T.), [1991] 1 S.C.R. 285 | 3 | 7 | Concurrence in Plurality | Constitutional Law; Jurisdiction; Provincial Courts; Young Offenders; <i>Constitution Act, 1867</i> s. 96 |
| R. v. W. (D.A.), [1991] 1 S.C.R. 291 | 3 | 7 | Concurrence in Plurality | Constitutional Law; Courts; Jurisdiction; Young Offenders; Youth Court; Superior Court; Provincial Court; <i>Constitution Act, 1867</i> , s. 92; <i>Constitution Act, 1867</i> , s. 96 |
| R. v. Swain, [1991] 1 S.C.R. 933 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Jurisdiction; Federalism; Criminal Law; Criminal-Procedure; Criminal-Substantive; Arbitrary Detention; Disease of the Mind Defence; Insanity; Charter s. 7; Charter s. 9; Charter s. 15; Charter s. 1 |
| Cuddy Chicks Ltd. v. Ontario (Labour Relations Board), [1991] 2 S.C.R. 5 | 2 | 9 | Concurrence | Constitutional Law; Administrative Tribunals; Jurisdiction; Court of Competent Jurisdiction; Charter s. 24(1); Statutory Interpretation |

| Case | Opinions | Panel Judges | Type of Opinion | Topic |
|--|----------|--------------|--------------------------|--|
| Osborne v. Canada (Treasury Board), [1991] 2 S.C.R. 69 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Public Service Employees; Charter s. 2(b); Charter s. 1; Anti-Nepotism Policy; Labour and Employment |
| Lavigne v. Ontario Public Service Employees Union, [1991] 2 S.C.R. 211 | 4 | 7 | Concurrence in Plurality | Constitutional Law; Contracts; Applicability of Charter; Charter s. 2(d); Collective Agreement; Labour and Employment |
| Geffen v. Goodman Estate, [1991] 2 S.C.R. 353 | 3 | 5 | Concurrence in Plurality | Trust; Undue Influence; Validity of Trust Instrument; Capacity; Costs; Real Property; Wills and Estates |