

35431 Sandra Finley v. Her Majesty the Queen
(Sask.) (Criminal) (By Leave)

Charter of Rights – Search and Seizure – Reasonable expectation of privacy - Applicant refused to fill in and return any of the long form census form - Applicant found guilty of the offence of contravening s. 31(b) of the *Statistics Act*, R.S.C. 1985, c. S-19 – Whether the federal government, through Statistics Canada, should be permitted to compel personal information from residents of Canada, under the threat of a criminal charge, where that information is collected purely for statistical purposes - Sections 8 and 24(2) of the *Charter*.

The applicant refused to fill in and return any of the long form census form. Ms. Finley brought an application seeking *Charter* relief pursuant to ss. 8 and 24(1). She submitted that s. 31(b) of the *Statistics Act*, R.S.C. 1985, c. S-19 which compels the collection of personal information by means of a criminal sanction is an interference with a reasonable expectation of privacy and is therefore unconstitutional. Whelan P.C.J. dismissed her application and found her guilty of the offence of contravening s. 31(b) of the *Statistics Act*. The applicant was granted an absolute discharge. The applicant's appeals were dismissed.

January 13, 2011
Provincial Court of Saskatchewan
(Whelan P.C.J.)
2011 SKPC #016

Applicant found guilty of the offence of contravening s. 31(b) of the *Statistics Act*; applicant granted an absolute discharge

February 1, 2012
Court of Queen's Bench of Saskatchewan
(Konkin J.)
2012 SKQB 55

Appeal dismissed

May 2, 2013
Court of Appeal for Saskatchewan
(Jackson, Richards, Herauf JJ.A.)
2013 SKCA 47

Appeal dismissed

June 27, 2013
Supreme Court of Canada

Application for leave to appeal filed