500 10 000290 922

COURT OF APPEAL

PROVINCE OF QUÉBEC
MONTRÉAL REGISTRY

No: **500 10 000290 922**
(455 36 000033 910)

CORAM: THE HONOURABLE ROTHMAN
PROULX
DESCHAMPS, JJ.A.

VILLE DE FARNHAM,

APPELLANT - (Prosecutrix)

v.

ALAIN CHARRON,

RESPONDENT

and

SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC,

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

MISE EN CAUSE

and

PROCUREUR GÉNÉRAL DU QUÉBEC,

INTERVENANT

OPINION OF ROTHMAN, J.A.

Appellant, designated in this appeal as "La Ville de Farnham", appeals, with leave, a judgment of the Superior Court allowing an appeal by respondent Alain Charron from a judgment of a judge of the Municipal Court of Farnham and quashing his conviction on the following charge:

> " Le 90-03-16 à Farnham, district de Bedford, avoir conduit un véhicule routier sur un chemin public alors que votre permis était révoqué par suite d'une déclaration de culpabilité d'une infraction au Code criminel prévue à l'article 180 du Code de la sécurité routière.
> - Code de la sécurité routière (L.R.Q. (24.2), arts 105 et 144."

* * * * *

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

On March 16, 1990, respondent Alain Charron was stopped, by a police officer of the Ville de Farnham, while he was driving a motor vehicle when his driving permit was alleged to have been revoked following his conviction of a criminal offence.

On April 2, 1991, a complaint was laid against Charron by the Attorney General of Quebec charging him with the offence set out above. The complaint begins in the following terms:

> " La présente constitue la plainte du Procureur général du Québec représentant sa Majesté du chef du Québec, qui déclare des motifs raisonnables ou plausibles de croire que..."
>
> (emphasis added)

There can be no doubt, therefore, that it was the Attorney General of Quebec, and not the Ville de Farnham, that instituted and prosecuted these penal proceedings against Charron. At the hearing of the present appeal, moreover, counsel for "appellant" confirmed that although he was

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

generally the attorney for the municipality, in the present case, he had received his mandate to initiate and conduct these proceedings from the Attorney General. I consider it necessary to underline this point at the outset since the question of the identity of the prosecutor, though not raised before the Municipal Court or the Superior Court, has been raised by the Attorney General and by respondent in the present appeal.

On June 20, 1991, Charron had his trial before a judge of the Municipal Court. It was not disputed that he was driving the vehicle on the date in question. The critical issue was the admissibility in evidence of certain documents emanating from the Régie de l'Assurance automobile du Québec to prove that Charron's permit had been revoked. The Municipal Court judge, basing his decision on the Quebec Code of Penal Procedure, dismissed the defence objections, admitted the documents into evidence and convicted Charron of the offence charged against him.

Charron appealed this decision to the Superior Court, contesting the admissibility in evidence of the documents emanating from the Régie, as he had contested their admissibility before the Municipal Court. Because the evidence before the Municipal Court had not been taken down or recorded, the appeal before the Superior Court proceeded by way of trial de novo.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

In the appeal before the Superior Court, no witnesses were heard. The driving of the vehicle by Charron was admitted, and the dispute centred entirely on the admissibility of the documents emanating from the Régie de l'assurance automobile du Québec to prove the revocation of Charron's driving permit. The Superior Court judge concluded that the documents were inadmissible and he allowed the appeal and quashed the conviction:

> " Dans le présent cas je verrais mal qu'un article général provenant du Code de procédure pénale puisse permettre la production de documents que des lois spécifiques tel le Code de sécurité routière et la Loi de la Société de l'assurance automobile ont restreint à certains cas bien précis.
>
> Dans les circonstances je dois conclure que la municipalité n'a pas fait une preuve acceptable, comme l'aurait été une copie certifiée du jugement rendu, qu'il y a eu une déclaration de culpabilité antérieure à l'infraction reprochée pour le 16 mars 1990 et dans les circonstances je dois **MAINTENIR** l'appel et **CASSER** le jugement de première instance et **PRONONCER** l'acquittement de l'appelant puisqu'il s'agit ici d'un procès de novo."

It is from this judgment that the present appeal has been brought by appellant, designated in the application for leave to appeal and in all proceedings generally in the present appeal

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

as "Ville de Farnham".

The Attorney General of Quebec has intervened in the present appeal to attack the judgment of the Superior Court on grounds that, as prosecutor, he was not served with nor made a party to any of the appeal proceedings so that, on that ground alone, the judgment of the Superior Court was irregular and should be set aside. The Attorney General further asserts that, even in the absence of the disputed documents, Charron should have been convicted of the offence charged. He knew or should have known that his permit was revoked when he was convicted of the criminal offence and he offered no evidence to establish that he was in possession of a valid permit on the date charged in the complaint. The Attorney General asserts, as well, that the documents emanating from the Régie were admissible under the Code of Penal Procedure, to the extent that they were necessary.

* * * * *

THE ISSUES

This appeal raises two main issues:

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

1. The identity of the prosecutor: who was the prosecutor in this case? Did the prosecutor have the power to lay the complaint and institute the proceedings? Was the prosecutor made a party to the appeals?

2. The admissibility of the documentary evidence: were the documents emanating from the Régie de l'assurance automobile legally admissible under Sec. 66 of the Code of Penal Procedure to prove that Charron's permit was revoked when was stopped by the police?

* * * * *

IDENTITY OF PROSECUTOR

This issue, as indicated above, was raised for the first time in the present appeal. In his intervention, counsel for the Attorney General submits that it was the Attorney General who instituted these proceedings against Charron and that it was the Attorney General who should have been made a party to the appeal to the Superior Court and should have been served with any appeal proceedings. The failure by Charron to serve his notice of appeal upon the Attorney General, counsel submits, was fatal to Charron's appeal, and, on this ground alone, the appeal to the Superior Court

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

should have been dismissed.

Counsel for "appellant" acknowledges that it was the Attorney General who laid the complaint and that he was acting for the Attorney General, and not for the Municipality, in prosecuting Charron for this offence. He acknowledges that his description of the "Ville de Farnham" as appellant in the present appeal was an error.

Counsel for respondent contends that the judge who convicted Charron was a Municipal Court judge, that the attorney for the prosecution was an attorney who regularly represented the municipality, and that the municipality conducted itself as if it had been the prosecutor in these proceedings. Counsel further contends that the Attorney General, in any event, had no power to lay the complaint against Charron since his agreement with the municipality under Sec. 600 of the Highway Safety Code (R.S.Q. ch. C-24.2) had expired.

* * * * *

As to the power of the Attorney General to lay the complaint and conduct the prosecution, under Sec. 591 of the Highway Safety Code, penal proceedings under the Code may be

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

instituted either by the Attorney General or by a municipality (or by a person generally or specially authorized by them). Under Sec. 600 of the Code, a municipality may, by agreement with the Attorney General, approved by the Government, waive in favour of the Attorney General the prosecution of offences under the Code committed in its territory.

In the present case, there was such an agreement between the municipality and the Attorney General, for a term of 5 years commencing March 20, 1986 and expiring March 19, 1991, just a few weeks before the complaint was laid by the Attorney General on April 2, 1991.

But the expiry of the agreement, in my view, did not mean that the Attorney General had no power to lay the complaint against Charron. Under Sec. 591 of the Code, he was empowered to institute penal proceedings under the Code whether or not there was an agreement in force under Sec. 600.

The expiry of the agreement simply had the effect of removing the waiver of prosecution in favour of the Attorney General agreed upon by the municipality, and the concomitant effect of reviving the power of the municipality under Sec. 591 to prosecute itself offences under the Code. The expiry of the agreement did not, however, displace the general power of the Attorney

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

General under Sec. 591 to prosecute these offences.

In my opinion, the Attorney General had the power to lay the complaint that he did and to prosecute these proceedings against Charron, and this notwithstanding the expiry of the agreement.

As to the designation of the municipality as respondent in the appeal to the Superior Court, this was clearly an error on the part of counsel for appellant. It was the Attorney General who was respondent and he should have been designated as such and served with all of the appeal proceedings. Notwithstanding this error, however, counsel who represented the Attorney General in first instance did, in fact, appear to contest the appeal before the Superior Court and he raised no objection to the misdescription or the failure to serve the Attorney General. In contesting Charron's appeal on the merits and raising no objection to the misdescription or lack of service on the Attorney General, counsel for the prosecution gave Charron's counsel reason to believe that it was, in fact, the municipality that had instituted the proceedings or, at the very least, that he was not objecting to the misdescription.

But there is more. To add to the confusion already created in the appeal to the

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

Superior Court, in the present appeal to our Court, counsel for the prosecution himself designated the appellant in this appeal as "La Ville de Farnham" and not the Attorney General. Nowhere in the appellant's motion for leave to appeal or in appellant's factum is any issue raised as to the identity of the appellant. It was raised for the first time in the intervention.

Where does all of this leave us?

It is clear, in my view, that these penal proceedings were instituted and conducted by the Attorney General. It is equally clear, I believe, that through lack of attention or oversight, both parties misdescribed the party prosecuting in the appeal before the Superior Court as well as in the appeal before this Court. Had the issue been raised before the Superior Court, and had the misdescription and irregular service of the appeal not been remedied (Arts 184, 285, 29, Code of Penal Procedure), there may very well have been serious argument for dismissing the appeal (F.H. Hayhurst Co. Limited v. Langlois [1984] C.A. 74).

At this late stage, however, given the conduct of both counsel in treating both appeals as they did, I am of the view that it would be unfair and unsatisfactory to decide the present appeal solely on the basis of what appears to have been a common misdescription. I see no substantial

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

prejudice to either party. The prosecution was represented by counsel both before the Superior Court and before this Court and he contested the merits of the appeals relating to the admissibility of evidence, and he raised no question as to the description of the prosecutor. The Attorney General did intervene in the present appeal to advance his submissions both with respect to the failure to serve the appeal proceedings and make him a party to the appeal and with respect to the merits of the appeal as well.

Under Art. 285 and Art. 184 of the Code of Penal Procedure, the Superior Court judge hearing the appeal had very broad power to permit the amendment of the misdescription of the respondent in the notice of appeal and to correct any irregularity in that regard if he considered it in the interest of justice to do so. Under Art. 29, the Superior Court judge had the power to declare that the notice of appeal was validly served, notwithstanding the irregularity in service, if he was satisfied that the party for whom it was intended had examined it. Had these irregularities been raised before the Superior Court, it could have permitted these procedural irregularities to be remedied, and I have little doubt that it would have done so.

Under Art. 312 of the Code, our Court has similarly broad power, in the interest of justice, to order the correction of procedural irregularities.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

I do not wish to suggest that any misdescriptions and procedural irregularities in appeal proceedings, however serious, should be tolerated. Some go to jurisdiction and vitiate the right of appeal itself (eg. F.H. Hayhurst Co. Limited v. Langlois [1984] C.A. 74).

But where the procedural irregularities are not jurisdictional in nature, where they could have been remedied by amendment, where the irregularities have not been raised when they could have been raised, where the parties have argued the merits of their dispute in the appeal, and where no prejudice has been demonstrated to have been caused by the irregularities, I do not believe the interest of justice would be served by deciding this appeal on the basis of these procedural irregularities.

Thus, before the Superior Court, the party who was entitled to complain about the irregularity in description caused by the accused was the Attorney General. The Attorney General, represented by counsel, did not object. Before the Court of Appeal, the Attorney General was again represented by counsel who perpetuated the misdescription. It would certainly be ironic to permit a party who initiated the error in his proceedings before the Superior Court to invoke that error now. And it would be almost as ironic, I think, to allow a party who tolerated and perpetuated the error to

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

invoke it at this stage. Each of the parties is, in part, to blame for the confusion, and neither can complain of prejudice at this stage if the appeal is decided on the merits.

In these circumstances, and at this late stage, I would have great difficulty in disposing of the appeal solely on the basis of the misdescription of the prosecutor and the failure to serve the appeal proceedings. The parties have gone to the merits both in the appeal before the Superior Court and in this appeal, and I would propose that we deal with this appeal on the merits.

ADMISSIBILITY OF EVIDENCE OF PERMIT REVOCATION

The documentary evidence which the prosecution sought to produce may be summarized as follows:

P-1 The "billet-rapport d'infraction" completed by the police officer when he stopped Charron. This document contained the phrase:

> "... Son permis a été révoqué du 89/09/05 au 92/09/04. Voir rapport d'événement."

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

This was not admissible, in itself, to prove the revocation of the permit, and it is not of much consequence.

P-2 A document emanating from the Régie de l'assurance automobile dated October 17, 1990 signed by Lise Dery, an employee of the Régie, certifying that on March 16, 1990, Alain Charron's permit was under revocation for the period from September 5, 1989 to September 4, 1992 by reason of a criminal offence and that a notice had been mailed to him by ordinary mail.

P-3 A notice of revocation dated November 15, 1989 addressed to Alain Charron by the Régie.

There was no doubt as to the relevance of this evidence to establish that Charron was driving when his permit was revoked. The only issue was an issue of admissibility. In substance, counsel for Charron contended that these documents constituted hearsay, that they violated the best evidence rule, and that, in any event, they were inadmissible in accordance with the provisions of the Highway Safety Code and the Act Respecting the Société de l'assurance automobile du Québec (R.S.Q. ch. S 11.011).

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

Article 66 of the Code of Penal Procedure provides:

66.[Preuve de la délivrance] La preuve de la délivrance et du contenu d'un certificat, d'une licence, d'un permis ou de toute autre autorisation requise par une loi relative-ment à l'exercice d'une activité peut être faite par le dépôt de cette autorisation devant le juge ou d'une attestation signée par l'autorité compétente pour délivrer cette autorisation.

66. [Proof of licence or permit] Proof of the issue and content of any certificate, licence, permit or other authorization required by an Act for the carrying on of an activity may be made by producing, before the judge, either the authorization or an attestation signed by the person having the authority to issue such authorization.

[Preuve de l'absence] La preuve de l'absence d'une telle autorisation peut être faite au moyen d'une attestation signée par l'autorité compétente pour délivrer l'autorisation.

[Proof of absence of authorization] Proof that such authorization was not granted may be made by means of an attestation signed by the person having the authority to grant such authorization.

[Obligation non respectée] Toutefois, lorsqu'il est allégué que le défendeur n'a pas respecté l'obligation qui lui est faite en vertu d'une loi de détenir une telle autorisation, le défendeur doit établir qu'il en est titulaire si ce fait n'est pas consigné dans un registre tenu par l'autorité compétente pour délivrer l'autorisation.

[Proof of unrecorded authorization] Notwithstanding the foregoing, where it is alleged that the defendant failed to comply with the obligation imposed by an Act to hold such authorization, he must establish the fact that he holds the authorization if that fact is not recorded in a register kept by the person having the authority to grant such authorization.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

The Superior Court Judge was of the view that this provision of the Code of Penal Procedure was inapplicable to the present case.

With respect, I disagree.

Article 66 is contained in the section of the Code of Penal Procedure dealing with the rules of evidence in penal matters (Art. 61 et seq.).

Article 1 of the Code makes it clear that the provisions of the Code are of general application governing all prosecutions invoking penal sanctions for offences under Quebec laws and regulations, with the exception of disciplinary proceedings.

In Terrasses St-Sulpice Inc. v. R., [1994] R.J.Q. 1179, 1181, (C.A.), our Court recognized the general application of the Code in Quebec penal proceedings:

> " The principal purpose of the enactment of the new Code of Penal Procedure was to create a uniform code of procedure of general application governing all penal proceedings seeking penal sanctions for offenses

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

under Quebec laws and regulations, with the sole exception of disciplinary proceedings.

Article 1 of the new Code provides:

> 1. [Application du Code] Le présent code s'applique à l'égard des poursuites visant la sanction pénale des infractions aux lois, sauf à l'égard des poursuites intentées devant une instance disciplinaire.

In their Code de procédure pénale du Québec annoté, Gilles Létourneau and Pierre Robert note that purpose of article 1 was:

> Cette disposition définit le domaine général d'application du Code qui vise les procédures relatives à la constatation, à la répression et à la sanction pénale des infractions créées par la législation et la réglementation québécoises. Le Code de procédure pénale est la législation d'application générale en droit pénal québécois et, sauf l'exclusion du droit disciplinaire, la loi ne prévoit pas de dérogation à la généralité de son application."

In its judgment, the Superior Court appears to have relied heavily on Sec. 15.1 of the Société de l'assurance automobile du Québec Act (R.S.Q. Ch. S-11.011), and particularly the phrase "autre que pénale" in that section:

> "15.1. Dans toute instance autre que pénale, le tribunal peut

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

> accepter, pour tenir lieu du témoignage d'un officier, d'un fonctionnaire ou d'un employé de la Société, un rapport fait sous sa signature, pour fournir des renseignements relativement à toute loi que la Société a pour fonction d'appliquer.
>
> Toutefois, une partie à l'instance peut en requérir la présence à l'audition et le tribunal, s'il est d'avis que la simple production du rapport eût été suffisante, peut condamner cette partie à des frais additionnels dont il fixe le montant.
>
> 1986, c. 91, a. 669; 1990, c. 19, a. 11; 1990, c. 4, a. 755."

But in examining the legislative history and context of section 15.1 and particularly the phrase "autre que pénale", I have great difficulty concluding that its intention is to exclude or displace the provisions of the Code of Penal Procedure. On the contrary, since the phrase "autre que pénale" was inserted in Sec. 15.1 at the time of the enactment of the Code of Penal Procedure, it seems more reasonable to conclude that the intention of the legislature was to remove penal proceedings under this Act from the application of Sec. 15.1 so as to assure that the Code of Penal Procedure would apply uniformly to penal proceedings under this Act as it would to all other penal proceedings under Quebec legislation.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

It is well to recall here that several hundred provincial laws were amended at the time of the adoption of the Code for the same purpose: to replace these disparate provisions with a uniform and comprehensive code of procedure. (Terrasses St Sulpice Inc. v. R., supra, p. 1182)

I do not think that Sec. 15.1 is of any help in deciding the issue. In my view, the words "autre que pénale" simply mean that the section does not apply in penal proceedings, and that one must therefore look to the law of general application in provincial penal matters - the Code of Penal Procedure.

Nor do I believe that Sec. 595 or Sec. 596 of the Highway Safety Code have any application.

Article 66 of the Code of Penal Procedure was, in my respectful opinion, directly applicable to permit the admission in evidence of the revocation of the permit and the notice of revocation sent to Charron by the Régie:

> "Article 66 C.p.p. - La preuve de la délivrance et du contenu d'un certificat, d'une licence, d'un permis ou de toute autre autorisation requise par une loi relativement à l'exercice d'une activité peut être faite par le dépôt de

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

> cette autorisation devant le juge ou d'une attestation signée par l'autorité compétente pour délivrer cette autorisation.
>
> La preuve de l'absence d'une telle autorisation peut être faite au moyen d'une attestation signée par l'autorité compétente pour délivrer l'autorisation.
>
> Toutefois, lorsqu'il est allégué que le défendeur n'a pas respecté l'obligation qui lui est faite en vertu d'une loi de détenir une telle autorisation, le défendeur doit établir qu'il en est titulaire si ce fait n'est pas consigné dans un registre tenu par l'autorité compétente pour délivrer l'autorisation."
>
> (emphasis added)

The second paragraph of Art. 66 permitted the filing in evidence of the certificate of revocation of Charron's driving permit during the period in question (P-2) and it also permitted the notice sent to him to that effect (P-3). These two documents together with Charron's admission that he was driving during this period constituted relevant prima facie evidence sufficient to prove the offence charged.

This evidence was uncontradicted. There was no evidence given under the third

CODE VALIDEUR = B5LI535DB8

paragraph of Article 66 to establish that Charron was the holder of a valid permit when he was admitted to have been driving the vehicle.

While Article 66 does not specifically relate to evidence of revocation of a permit, it does contemplate evidence of absence of a permit required by law. I can see no reason to make a distinction between the absence of a permit by reason of revocation and the absence of a permit by reason of expiry, non issuance or for any other reason. The proof by attestation under Art. 66 would be the same in each case. In my view, the attestation of revocation of Charron's permit constituted admissible prima facie evidence that his permit was revoked.

As to respondent's argument that the documents emanating from the Régie establishing the revocation of his permit would constitute hearsay and would violate the best evidence rule, this argument is unfounded. Statutory provisions of this kind permitting the documentary proof of certain facts or entries contained in public records, and in some cases business records, have long been considered an exception to the hearsay rule. (Finestone v. R. [1953] 2 S.C.R. 107; McWILLIAMS, Canadian Criminal Evidence, 1984, Canada Law Book Company, p. 172; FORTIN, Preuve pénale, Montréal, Éditions Themis, 1984, p. 765; LÉTOURNEAU ET ROBERT, Code de procédure pénale du Québec, annoté, p. 82; see also, Secs. 26, 30, Canada Evidence Act, R.S.C. 1985 ch. C-5)

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

In the result, I conclude that this documentary evidence should have been admitted by the Superior Court and that the appeal by way of trial de novo should have been dismissed and the conviction confirmed.

I would therefore allow the present appeal, set aside the judgment of the Superior Court, confirm the conviction and sentence pronounced by the Municipal Court of Farnham and declare respondent guilty as charged, with costs in both courts as provided by regulation.

MELVIN L. ROTHMAN, J.A.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

COUR D'APPEL

PROVINCE DE QUÉBEC
GREFFE DE MONTRÉAL

No: **500 10 000290 922**
(455 36 000033 910)

Le 13 février 1995

CORAM: LES HONORABLES ROTHMAN
PROULX
DESCHAMPS, JJ.C.A.

VILLE DE FARNHAM,

APPELANTE - (Poursuivante)

c.

ALAIN CHARRON,

INTIMÉ

et

SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC,

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

MISE EN CAUSE

et

PROCUREUR GÉNÉRAL DU QUÉBEC,

INTERVENANT

LA COUR, statuant sur l'appel d'un jugement de la Cour supérieure, district de Bedford, prononcé le 5 août 1992 par l'honorable juge Paul A. Bellavance, accueillant l'appel d'un jugement de la Cour municipale de Farnham qui avait déclaré Alain Charron coupable de l'infraction suivante:

> " Le 90-03-16 à Farnham, district de Bedford, avoir conduit un véhicule routier sur un chemin public alors que votre permis était révoqué par suite d'une déclaration de culpabilité d'une infraction au Code criminel prévue à l'article 180 du Code de la sécurité routière."

Après étude du dossier, audition et délibéré.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

Pour les motifs exprimés à l'opinion de M. le juge Rothman, déposée avec le présent jugement, auxquels souscrivent M. le juge Proulx et Mme la juge Deschamps:

ACCUEILLE l'appel;

INFIRME le jugement de la Cour supérieure;

CONFIRME la déclaration de culpabilité prononcée par le juge de la Cour municipale de Farnham;

DÉCLARE l'intimé Alain Charron coupable de l'infraction reprochée contre lui;

Avec dépens dans les deux cours tel que prévu au règlement.

CODE VALIDEUR = B5LI535DB8

500 10 000290 922

MELVIN L. ROTHMAN, J.C.A.

MICHEL PROULX, J.C.A.

MARIE DESCHAMPS, J.C.A.

Me Claude Ouellet
Paradis, Paradis
Procureur de l'appelante

Me Maryse Pinsonneault
Procureure de l'intimé

Me Michel LeBel
Substitut du procureur général
Procureur de l'intervenant

AUDITION: 22 novembre 1994

CODE VALIDEUR = B5LI535DB8