

March 17, 2011

Le 17 mars 2011

Coram: LeBel, Deschamps and Charron JJ.

Coram : Les juges LeBel, Deschamps et Charron

BETWEEN:

Deborah J. Kelly, formerly Deborah J.
Hawkes

Applicant

- and -

Her Majesty the Queen in Right of the
Government of Canada the Attorney
General of Canada, Governor General, Her
Majesty the Queen by Right of the
Government of Prince Edward Island the
Attorney General of PEI, Lieutenant
Governor of Prince Edward Island, PEI
Minister of Health and Social Services,
Shirley Clory, Justice of the Peace, George
MacMillan, Justice of the Peace (retired),
Sgt. Robert C. Thorne, RCMP (retired), Cpl.
David L. George, RCMP, then Cst. Dana
Dickieson, RCMP, Cst. M.J. Tardif, RCMP,
Cpl. Alexis Triantafilou, RCMP, Sgt. Gerry
A. MacDonald, RCMP, Internal Services
NCO "L" Division, Elsie MacKinnon,
(retired) and Unit Supervisor Provincial
Correctional Centre Carol Mayne, then
Director of Access Sites, at Access PEI,
Montague, PEI

Respondents

JUDGMENT

ENTRE :

Deborah J. Kelly, formerly Deborah J.
Hawkes

Demanderesse

- et -

Her Majesty the Queen in Right of the
Government of Canada the Attorney General
of Canada, Gouverneur Général, Her Majesty
the Queen by Right of the Government of
Prince Edward Island the Attorney General of
PEI, Lieutenant Governor of Prince Edward
Island, PEI Minister of Health and Social
Services, Shirley Clory, Justice of the Peace,
George MacMillan, Justice of the Peace
(retired), Sgt. Robert C. Thorne, RCMP
(retired), Cpl. David L. George, RCMP, then
Cst. Dana Dickieson, RCMP, Cst. M.J.
Tardif, RCMP, Cpl. Alexis Triantafilou,
RCMP, Sgt. Gerry A. MacDonald, RCMP,
Internal Services NCO "L" Division, Elsie
MacKinnon, (retired) et Unit Supervisor
Provincial Correctional Centre Carol Mayne,
then Director of Access Sites, at Access PEI,
Montague, PEI

Intimés

JUGEMENT

No. 33993

The application for leave to appeal from the judgment of the Supreme Court of Prince Edward Island, Appeal Division, Number 2010 PECA 17, S1-CA-1194, dated September 29, 2010, is dismissed with costs to the respondent Attorney General of Canada.

La demande d'autorisation d'appel de l'arrêt de la Cour suprême de l'Île-du-Prince-Édouard, Section d'appel, numéro 2010 PECA 17, S1-CA-1194, daté du 29 septembre 2010, est rejetée avec dépens en faveur de l'intimé Procureur général du Canada.

J.S.C.C.
J.C.S.C.