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Supreme Court of Canada agrees to hear Réjean Hinse appeal

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On March 20, 2014, the Supreme Court of Canada granted Réjean Hinse leave to appeal a decision involving an action in damages he brought against the federal authorities, represented by the *Attorney General of Canada*.

In 1964, Mr. Hinse was wrongly convicted of taking part in an armed robbery and ordered to serve fifteen (15) years in prison. He was acquitted by the Supreme Court of Canada in 1997, thirty-three (33) years later.

After he was acquitted, Mr. Hinse sued the City of Mont-Laurier, the Attorney General of Quebec and the Attorney General of Canada solidarily. He settled out of court with the City of Mont-Laurier and the Attorney General of Quebec.

On April 13, 2011, the Superior Court granted his action and ordered the Attorney General of Canada to pay him close to $5.8 million[1]. The Quebec Court of Appeal reversed that decision on September 11, 2013, ruling that Mr. Hinse had not met his burden of proving fault on the part of the federal authorities[2].

The upcoming Supreme Court of Canada decision will have a significant impact on the rights of victims of legal errors and the liability of the authorities responsible for them, but it could also establish guidelines for evaluating the damages suffered in this type of case.

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[1] *Hinse* v. *Québec (Procureur général)*, 2011 QCCS 1780.

[2] *Canada (Procureur général)* v. *Hinse*, 2013 QCCA 1513.

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