other evidence. The Crown sought the summary dismissal of the application on the basis that it had no reasonable prospect of success. Held, a *voir dire* addressing the ss. 8 and 11(d) arguments was directed. The accused claimed an informational privacy interest under s. 8 in the statements made by the interviewees. It was difficult to see how that claim would succeed, but the accused were only required to meet a low standard to proceed to a *voir dire*, and that standard was met. While the accused were trying to use a novel approach to s. 11(d) to get around the fact that, as corporations, they could not rely on ss. 7, 9, 10(a) or 10(b) *Charter* rights, a preliminary ruling denying a *voir dire* should not be used to stiffly novel but unsettled and important legal issues.

R. v. Fraser River Pile and Dredge (GP) Inc., 2020 BCPC 169, 2020 CarswellBC 2167, 392 C.C.C. (3d) 421 (B.C. Prov. Ct.) (Patterson Prov. J.)

Insert 67 at CHA 52§5

Suspensions of declarations of constitutional invalidity should be rare, and should be granted only when an identifiable public interest, itself grounded in the Constitution, would be endangered by an immediate declaration of invalidity and where, on balance, those harms outweigh the harms of delay. The length of the suspension must be justified by the government seeking it and should be no longer than necessary. An individual exemption can be granted as a remedy under s. 24(1) of the *Charter* during the period of suspension. This is not limited to cases where the remedy would be entirely frustrated were it not granted during the suspension. The claimant who brings a successful constitutional challenge has served the public interest. Exemptions should not be granted, however, where doing so would undermine the rationale for the suspension.

Ontario (Attorney General) v. G, 2020 CSC 38, 2020 SCC 38, 2020 CarswellOnt 17020, 2020 CarswellOnt 17021, 395 C.C.C. (3d) 277, 67 C.R. (7th) 340 (S.C.C.) (Abella, Brown, Côté, Karakatsanis, Kasirer, Martin, Moldaver, Rowe JJ., Wagner C.J.C.)