

Action No. S097767  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**IN THE MATTER OF:**

THE *CONSTITUTIONAL QUESTION ACT*, R.S.B.C. 1996, C.68

**AND IN THE MATTER OF:**

THE *CANADIAN CHARTER OF RIGHTS AND FREEDOMS*

**AND IN THE MATTER OF:**

A REFERENCE BY THE LIEUTENANT GOVERNOR IN  
COUNCIL, SET OUT IN ORDER IN COUNCIL NO. 553, DATED  
OCTOBER 22, 2009, CONCERNING THE CONSTITUTIONALITY  
OF S. 293 OF THE *CRIMINAL CODE OF CANADA*, R.S.C., 1985, c.  
C-46

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**BOOK OF AUTHORITIES OF THE CANADIAN COALITION FOR THE RIGHTS OF  
CHILDREN AND THE DAVID ASPER CENTRE FOR CONSTITUTIONAL RIGHTS**

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## INDEX

### LEGISLATION:

1. *Constitution Act, 1982*, s. 52
2. *Constitutional Question Act*, R.S.B.C. 1996, c. 68
3. *Supreme Court Act*, R.S.C. 1985, c. S-26, s. 53

### INTERNATIONAL TREATIES:

4. International Convention on Economic, Social and Cultural Rights, (1966) ([1976] Can. T.S. No. 46), articles 12 and 13
5. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) ([1963] Can. T.S. No. 7)

### CASE LAW:

6. *Arkininstall v. Surrey (City)*, 2010 BCCA 250
7. *R. v. Big M Drug Mart*, [1984] 1 W.W.R. 625 (Alta. C.A.)
8. *R. v. D.B.*, 2008 SCC 25, [2008] 2 S.C.R. 3
9. *R. v. Edwards Books and Art Ltd.*, [1986] 2 S.C.R. 713
10. *R. v. Zingre*, [1981] 2 S.C.R. 392

### OTHER AUTHORITIES:

11. United Nations, Committee on the Rights of the Child, CRC/GC/2001/1, 17 April 2001, General Comment No. 1, “The Aims of Education”, art. 29(1)
12. United Nations, Committee on the Rights of the Child, CRC/GC/2003/3, 17 March 2003 General Comment No. 3 (2003), “HIV/AIDS and the rights of the children”
13. United Nations, Committee on the Rights of the Child, CRC/GC/2003/4, 1 July 2003, General Comment No. 4 (2003), “Adolescent health and development in the context of the Convention on the Rights of the Child”
14. G. van Ert, *Using International Law in Canadian Courts*, 2d ed. (Toronto: Irwin Law, 2008), c. 11
15. R. Hodgkin and P. Newell, *Implementation Handbook for the Convention on the Rights of the Child* (3d ed.) (UNICEF: Geneva, 2007)