

SUPREME COURT OF ONTARIO

(DIVISIONAL COURT)

IN THE MATTER OF The Theatres Act, R.S.O. 1980.
c. 498, as amended S.O. 1984, c. 56;

AND IN THE MATTER OF The Judicial Review Procedure
Act, R.S.O. 1980, c. 224;

AND IN THE MATTER OF The Constitution Act, 1981 (Canada);

AND IN THE MATTER OF the Constitutional Questions Act
R.S.O. 1980, c. 86;

AND IN THE MATTER OF a certain application to the
Ontario Film Review Board appointed under The Theatres
Act;

BETWEEN:

ONTARIO FILM AND VIDEO APPRECIATION SOCIETY

Applicant

- and -

ONTARIO FILM REVIEW BOARD

Respondent

RESPONDENT'S CASEBOOK
VOLUME II

Iler, Campbell & Associates
Barristers and Solicitors
136 Simcoe Street, Suite 201
Toronto, Ontario
M5H 2G4
Charles Campbell 598-0103
Solicitors for the Applicant

Chernos, Conway & Hutchinson
Barristers-at-Law
Suite 1205, Box 80
The Merrill Lynch Tower
200 King Street West
Toronto, Ontario M5H 3T4
Counsel Julian Polika 597-8666
Solicitors for the Respondent

INDEX

1. Report of the Committee on Sexual Offences Against Children and Youths (1984. pp. 1109-1110)
2. Report of the Special Committee on Pornography and Prostitution (1985). pp. 231-253
3. Report of the Committee on Obscenity and Film Censorships U.K. CMND. 7772 (1979). pp. 142-158, 220-34
4. de Smith, Constitutional and Administrative Law (5th ed. 1985). pp. 887-488
5. Report of the Royal Commission on Violence in the Communications Industry (1977). Vol. 1 pp. 21-28
6. Attorney General's Commission on Pornography, Final Report, July 1986, U.S. Dept. of Justice. pp. 215-234, 299 to 351 and 1957 to 1960.
7. Lewis v. Todd et.al. [1980] 2 S.C.R. 694
8. Davis, Canadian Constitutional Law Handbook (1985). pp. 578-580
9. Re Maltby et.al. and A.G. Sask. et.al. 13 C.C.C. (3d) 308 (Sask. C.A.)
10. Bedard v. Dawson [1923] S.C.R. 681
11. A.G. (Can.) and Dupond v. City of Montreal. [1978]2 SCR 770
12. Hodge v. The Queen (1883) q App.Cas. 117
13. Smith v. The Queen [1960] S.C.R. 776
14. Hogg, P.W., The Constitutional Law of Canada (2nd ed., 1985) pp. 353-67
15. Re Klein and Law Society of Upper Canada (1985) 50 O.R. (2d) 118
16. Re Koumoudouros et.al. (1984) 45 O.R. (2d) 426
17. Grier v. Alberta Optometric Associates et.al. [1985] 5 W.W.R. 436 (Alta. Q.B.)
18. R. v. Keegstra (1984) 19 C.C.C. (3d) 254 (Alta. Q.B.)
19. R. v. Oakes (1986)65 N.R. 87 (S.C.C.)
20. United Nations International Covenant On Civil and Political Rights, Article 19, European Convention on Human Rights, Article 10

21. Re Hirt and College of Physicians and Surgeons of B.C. 17 D.L.R. (4th) 472 (B.C.C.A.)
22. R. v. Wagner (1985) 43 C.R. 318 (Alta. Q.B.) (1986) 43 Alta. L.R. (2d) 204 (Alta. C.A.)
23. R. v. Red Hot Video (1985) 18 C.C.C. (3d) 1 (B.C.C.A.)
24. Sask. Human Rts. Comm. v. Waldo et.al. (1984) S C.H.R.R.R.D/2074
25. Lockhart and others, Constitutional Law Cases, Comments, Questions. 5th ed. (1980) pp. 869-870