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Court struggles with 'victimology' issues

Tom Curry was quoted in the March 27, 2015 issue of the *Lawyers Weekly* on the recent British Columbia Court of Appeal decision in *R. v. Orr* involving issues of expert evidence.

"A British Columbia court should not have allowed a 'victimologist' to testify as an expert witness without scrutinizing his qualifications as an authority in that field, the province's highest court has ruled.

A new trial has been ordered for a man convicted of three charges under the *Immigration and Refugee Protection Act*, after the B.C. Court of Appeal found in *R. v. Orr* [2015] B.C.J. No. 366 that criminologist Yvon Dandurand should not have been allowed to offer an opinion on a question 'critical to the complainant's credibility.'

'This is another example of the court wrestling with the challenge of expert opinion evidence, particularly in the area of the behavioural sciences,' said Tom Curry, a partner with Toronto-based litigation firm Lenczner Slaght...."

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