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The SCC Leave Project: Predictions for April 8, 2021

Here's a look at the leave application decisions that the Supreme Court of Canada will be releasing on April 8, 2021.

Each week, we'll be providing a short blog post that summarizes some of the upcoming cases and gives a prediction of the probability that leave will be granted. These predictions will be based on our proprietary machine learning model and dataset of every leave application decision released by the Supreme Court of Canada from January 1, 2018 onward.

Each week, we'll group cases into four categories:

- **Cases to Watch** – These are cases where our model predicts greater than a 25% chance that leave will be granted. These cases have a much better than average chance that leave will be granted. While this doesn't mean that all of them will get leave, they are worth watching as strong candidates.
- **Possible Contenders** – These are cases where our model predicts between a 5% and 25% chance that leave will be granted. These cases have an average to somewhat above-average chance of getting leave. While most cases in this category won't get leave, on average, we expect to see a healthy minority of cases in this category being granted leave.
- **Unlikely Contenders** – These are cases where our model predicts between a 1% and 5% chance that the case will get leave. The safe bet is against leave being granted in these cases, but we do expect to see it from time to time.
- **Long-Shots** – These are cases where our model predicts a less than 1% chance that the case will get leave. Although it will happen from time to time, it would be an outlier for our model for these cases to be granted leave. We will not be providing summaries for these cases.

If this is your first time reading our weekly SCC leave predictions blog, have a look at an explanation and caveats about our model here.

THIS WEEK'S CASES

There are four leave application decisions coming out on April 8, 2021. None of these cases have a particularly high chance of getting leave.

You can find a detailed summary of all of the cases that are up for leave decisions this week here.

Possible Contenders

Bryan Pascal Rancourt c Sa Majesté la Reine

This is a criminal case relating to the offence of criminal harassment. The Quebec Court of Appeal re-instated a conviction for criminal harassment that had been overturned by the Quebec Superior Court.

- **Our Model's Prediction:** This case has a 9% chance of getting leave.

Delta Hospice Society v Sharon Farrish

This is a dispute over the membership of the Delta Hospice Society, a non-profit society that operates a palliative care hospice. The Board of Directors had denied the membership of 310 people. This denial of membership was challenged, and the British Columbia Supreme Court ordered that those people be registered as members. The British Columbia Court of Appeal dismissed an appeal.

- **Our Model's Prediction:** This case has a 7% chance of getting leave.

Unlikely Contenders

Aleksandr Plehanov v Her Majesty the Queen

This is a criminal case in which the accused was found guilty of sexual touching contrary to s 151 of the *Criminal Code*. The accused appealed to the British Columbia Court of Appeal, alleging ineffective assistance of counsel and an unreasonable verdict. The British Columbia Court of Appeal dismissed his appeal.

- **Our Model's Prediction:** This case has a 4% chance of getting leave.

Long-Shots

Gary Curtis v Canadian Human Rights Commission

- **Our Model's Prediction:** This case has less than 1% chance of getting leave.

UPDATE ON APRIL 8: WHAT HAPPENED THIS WEEK?

All four of the leave applications considered by the Court this week were dismissed. This was consistent with our model's predictions, which predicted that none of the cases had higher than a 9% chance of getting leave.