



# CANLII TIPS & TRICKS

HOW TO FIND CASE LAW: METHOD 2

  
**COURTHOUSE**  
**LIBRARIES | BC**

# SCENARIO

How do I find Supreme Court of British Columbia cases involving patients who were sexually assaulted by their physicians?

# Filter by Jurisdiction

## Search all databases

Document text



Case name, document title, file number, author or citation



Noteup/Discussion: cited case names, legislation titles, citations or dockets



## Primary law

[Canada \(Federal\)](#)

[British Columbia](#)

[Alberta](#)

[Saskatchewan](#)

[Manitoba](#)

[Ontario](#)

[Quebec](#)

[New Brunswick](#)

[Nova Scotia](#)

[Prince Edward Island](#)

[Newfoundland and Labrador](#)

[Yukon](#)

[Northwest Territories](#)

[Nunavut](#)

COMMENTARY: Clicking on British Columbia will allow us to restrict our search results to BC only.

# Filter by Court Level

## British Columbia

Document text	?
Case name, document title, file number, author or citation	?
Noteup/Discussion: cited case names, legislation titles, citations or dockets	?



## Legislation

	Continuous coverage	Last update	Number of documents
<a href="#">Consolidated Statutes</a>	2009 -	2021-06-01	782
<a href="#">Regulations</a>	2010 -	2021-06-01	2,167

## Courts

BCCA	<a href="#">Court of Appeal for British Columbia</a>	1990 -	2021-06-01	25,768
BCSC	<a href="#">Supreme Court of British Columbia</a>	1990 -	2021-06-02	68,478
BCPC	<a href="#">Provincial Court of British Columbia</a>	2000 -	2021-05-27	10,357

COMMENTARY: Clicking on the link for the Supreme Court of British Columbia will allow us to filter our search results to include BCSC decisions only.

# Add Keywords into the Document Text Field

physician patient sexual assault x?






Case name, citation or docket ?

Noteup/Discussion: cited case names, legislation titles, citations or dockets ?

[All CanLII](#) [Cases](#) [Legislation](#) [Commentary](#)

All jurisdictions ▾ **Supreme Court of British Columbia** ▾ Any date ▾

Clear filters By relevance ▾   

Press Enter to search

COMMENTARY: Physician, patient, and sexual assault are the most relevant search terms to use.

# Add Boolean Operators

physician patient sexual assault OR sexual harassment OR sexual misconduct x?



Case name, citation or docket ?

Noteup/Discussion: cited case names, legislation titles, citations or dockets ?

[All CanLII](#) [Cases](#) [Legislation](#) [Commentary](#)

All jurisdictions ▾ **Supreme Court of British Columbia** ▾ Any date ▾

Clear filters By relevance ▾   

Press Enter to search

COMMENTARY: We will also add sexual harassment and sexual misconduct just in case there are documents that use either phrase interchangeably with sexual assault. The OR operator will help us find documents that have sexual assault, sexual harassment or sexual misconduct in them.

# Add Quotation Marks

physician patient "sexual assault" OR "sexual harassment" OR "sexual misconduct" x?

Case name, citation or docket ?

Noteup/Discussion: cited case names, legislation titles, citations or dockets ?



[All CanLII](#) [Cases](#) [Legislation](#) [Commentary](#)

All jurisdictions ▾ **Supreme Court of British Columbia** ▾ Any date ▾

Clear filters By relevance ▾

Press Enter to search

COMMENTARY: Adding quotation marks will help us find documents that have sexual assault, sexual harassment or sexual misconduct as complete phrases rather than as separate words.

# Add Parentheses

physician patient ("sexual assault" OR "sexual harassment" OR "sexual misconduct") ✕?

Case name, citation or docket ?

Noteup/Discussion: cited case names, legislation titles, citations or dockets ?



[All CanLII](#) [Cases](#) [Legislation](#) [Commentary](#)

All jurisdictions ▾ **Supreme Court of British Columbia** ▾ Any date ▾

Clear filters By relevance ▾   

Press Enter to search

COMMENTARY: Adding parentheses will allow us to prioritize documents that have sexual assault, sexual harassment or sexual misconduct as complete phrases.



# Add Proximity Operators

physician /s patient /s ("sexual assault" OR "sexual harassment" OR "sexual misconduct") x?



Case name, citation or docket ?

Noteup/Discussion: cited case names, legislation titles, citations or dockets ?

All CanLII Cases Legislation Commentary

All jurisdictions ▾ **Supreme Court of British Columbia** ▾ Any date ▾

Clear filters By relevance ▾   

Press Enter to search

COMMENTARY: Using the proximity operator /s will allow us to search for keywords or phrases that are in the same sentence. At this point we can press ENTER and search for documents.

# Filter by Relevance

The screenshot shows the Lexbox search interface. At the top, there are tabs for 'All CanLII (132)', 'Cases (10)', 'Legislation (0)', 'Commentary (5)', and 'My Documents'. Below these, there are filters for 'All jurisdictions', 'Supreme Court of British Columbia', and 'Any date'. A 'Clear filters' button and a 'By relevance' dropdown are also visible. A dropdown menu is open, showing sorting options: 'Sort by document relevance' (checked), 'Sort by date: newest', 'Sort by date: oldest', 'Sort by most cited', 'Sort by court level', and 'Sort by most pages'. The search results list 'R. v. Anthony, 2014 BCSC 2132 (CanLII)' with details about the court, date, and page count. A snippet of the case text is shown below, mentioning 'physician', 'sexually assaulting', and 'patients'. At the bottom right, there are icons for social media and a 'Quick Survey' button.

All CanLII (132) Cases (10) Legislation (0) Commentary (5) My Documents

All jurisdictions Supreme Court of British Columbia Any date Clear filters By relevance

lexbox Save this query Set up alert feed Email this query

1. [R. v. Anthony, 2014 BCSC 2132 \(CanLII\)](#)  
Supreme Court of British Columbia — British Columbia  
2014-07-03 | 22 pages | cited by [3 documents](#)  
*sentence — sexual — alternative therapy — offender — invasive*

[...] • R. v. Poon, 2012 SKCA 76 – the offender, a **physician**, was convicted of **sexually assaulting** two **patients** under the guise of undertaking a gynecological examination. [...] • R. v. Cameron, [1995] P.E.I.J. No. 163 (C.A.) – a total sentence of 23 months' incarceration imposed on a **physician** who **sexually assaulted** three **patients** in his office while conducting medical examinations was reduced on appeal to 12 months' incarceration. [...] • R. v. Rohani, 2010 BCSC 1032 – a **physician sexually assaulted** a 16-year-old male **patient** by performing oral sex on him in the course of administering a therapeutic massage. [...]

Quick Survey

COMMENTARY: Our search results were automatically filtered to include cases only. This is because we had already chosen the Supreme Court of British Columbia as a filter. The only step remaining is to filter our search results by relevance. In this example we will choose Sort by Most Cited.

# Mission Accomplished!

All CanLII (132) **Cases (10)** Legislation (0) Commentary (5) My Documents

All jurisdictions ▾ **Supreme Court of British Columbia** ▾ Any date ▾ Clear filters **Most cited first** ▾ ☰ ▾ ☐ ▾ 📡

lexbox

1. [McClelland v. Dr. Stewart](#), 2003 BCSC 1292 (CanLII)  
Supreme Court of British Columbia — British Columbia  
2003-08-20 | 57 pages | cited by [10 documents](#)  
*misfeasance in public office — bad faith — prima facie duty of care — patients — sexual*

[...] [3] The plaintiffs claim that they were **sexually assaulted** as a result of Dr. Stewart's use of deception, coercion, manipulation and the abuse of power and trust involved in the **physician/patient** relationship. [...] 52. The Defendant, College of **Physicians** and Surgeons of British Columbia, had knowledge of circumstances which ought to have put it on an inquiry relating to Dr. Stewart's **sexual assaults** or inappropriate examinations of a sexual nature on his female **patients** and the Plaintiffs in particular and it failed in its duty to [...] Arguing that a duty to protect individual women from **sexual assault** is quite consistent with the duty to serve and protect the public as a whole, he urged that the College, when failing to act upon the knowledge it had, was not making a policy decision regarding **sexual assaults** by **physicians** on **patients** or making [...]

Quick Survey 📊

COMMENTARY: If you are interested in learning more about how to search in CanLII effectively we recommend visiting <https://www.canlii.org/en/info/search.html> for more tips and tricks!