

Emanations, Snoop Dogs and Reasonable Expectations of Privacy

In anticipation of the upcoming appeal of *R v. Kang Brown* and *R v. A.M* to the Supreme Court of Canada, On the Identity Trail's Ian Kerr and Jena McGill are about to publish "Emanations, Snoop Dogs and Reasonable Expectations of Privacy", forthcoming in *Criminal Law Quarterly* 52 (23). This article suggests that these cases, like the Supreme Court's earlier decision in *R. v. Tessling*, will raise broad and important questions about the nature of privacy and autonomy in a world of ubiquitous information emanation.

In their article, Ian and Jena express concern about an increasingly problematic judicial approach to the reasonable expectation of privacy in odour emanations, arguing that a failure to clarify *Tessling* in the snoop dog cases and in the broader context of ubiquitous information emanation, especially alongside the maintenance of reductionist, non-normative approaches to informational privacy across Canadian courts, could seriously diminish the privacy rights of Canadians in a manner that the Supreme Court of Canada has until now been very careful to guard against.

A Pre-print of the article is available for download [here](#).