

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20180910**

**Docket: A-275-17**

**Citation: 2018 FCA 162**

**CORAM: NADON J.A.  
STRATAS J.A.  
BOIVIN J.A.**

**BETWEEN:**

**YONG LONG YE**

**Appellant**

**and**

**ATTORNEY GENERAL OF CANADA**

**Respondent**

Heard at Vancouver, British Columbia, on September 10, 2018.  
Judgment delivered from the Bench at Vancouver, British Columbia, on September 10, 2018.

**REASONS FOR JUDGMENT OF THE COURT BY:**

**STRATAS J.A.**

Federal Court of Appeal



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**REASONS FOR JUDGMENT OF THE COURT**

**(Delivered from the Bench at Vancouver, British Columbia, on September 10, 2018).**

**STRATAS J.A.**

[1] The appellant appeals from the decision dated July 7, 2017 of the Federal Court (*per* LeBlanc J.): 2017 FC 660.

[2] The parties agree that the Federal Court properly chose the standard of review of reasonableness. Thus, the only issue before us is whether the Federal Court properly found that

the decision under review, that of the Appeal Division of the Parole Board of Canada on May 3, 2016, was reasonable: *Agraira v. Canada (Public Safety and Emergency Preparedness)*, 2013 SCC 36, [2013] 2 S.C.R. 559.

[3] Despite the able submissions of Mr. Conroy, we are all of the view that the Appeal Division reached a reasonable decision concerning the interpretation of the provisions of the *Corrections and Conditional Release Act*, S.C. 1992, c. 20, concerning the Accelerated Parole scheme and how they apply to the appellant. In so doing, we are persuaded by paragraphs 51-91 of the respondent's memorandum. Further, notwithstanding the standard of review, we consider the Federal Court's interpretation of the relevant provisions and its supporting analysis to be correct.

[4] Therefore, we will dismiss the appeal. In light of the fact that Mr. Conroy has undertaken this appeal on a *pro bono* basis, in these circumstances we will make no order as to costs.

"David Stratas"

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J.A.

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-275-17

**APPEAL FROM A JUDGMENT OF THE HONOURABLE MR. JUSTICE LE BLANC  
DATED JULY 7, 2017, DOCKET NO. T-1456-16**

**STYLE OF CAUSE:** YONG LONG YE v. ATTORNEY  
GENERAL OF CANADA

**PLACE OF HEARING:** VANCOUVER, BRITISH  
COLUMBIA

**DATE OF HEARING:** SEPTEMBER 10, 2018

**REASONS FOR JUDGMENT OF THE COURT BY:** NADON J.A.  
STRATAS J.A.  
BOIVIN J.A.

**DELIVERED FROM THE BENCH BY:** STRATAS J.A.

**APPEARANCES:**

John W. Conroy, Q.C. FOR THE APPELLANT

Mark E.W. East FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

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Deputy Attorney General of Canada