



Case in Brief: ***R. v. Maadani***

Judgment of April 17, 2026 | On appeal from the Court of Appeal for Ontario
Neutral citation: 2026 SCC 11

The Supreme Court of Canada upholds a man’s conviction for second-degree murder.

The accused was involved in a shooting that led to another man’s death in Ottawa’s ByWard Market. The accused fired five shots at the other man, who also fired one shot that hit the accused’s leg. The scene was captured on security video. At trial, the accused said he acted in self-defence. The jury did not accept this and found him guilty of second-degree murder.

Four years after the shooting, the accused tried to introduce new evidence from a witness who would have testified to the deceased being the aggressor in the altercation, as well as evidence from the defence lawyer’s staff as to why the evidence was not presented at trial. Information that was not presented at trial but is later brought forward on appeal is called “fresh evidence”. In this case, the fresh evidence related to several questions surrounding the accused’s self-defence claim, including who started the confrontation, who pulled a gun first, and who shot first. The witness said that the deceased acted aggressively before the shooting and is the one who fired the first shot. The accused argued that this evidence supported his claim of self-defence and could have changed the jury’s decision. The accused also argued that the judge failed to properly instruct the jury on his role in the fight.

The accused appealed to the Court of Appeal for Ontario. It found that the judge’s instructions provided the jury with all that it required to reach a verdict. The majority also refused to admit the fresh evidence as the witness was not sufficiently reliable and that there was no good reason why the evidence had not been presented at trial. It also found that the evidence would not have changed the outcome. The majority dismissed the appeal and maintained the conviction for second-degree murder.

One judge disagreed about whether to admit the fresh evidence. In her view, a court of appeal should not decide whether the evidence is true, but only whether a jury could reasonably believe it. She found that the evidence was important because it went directly to who started the fight and who fired first. She would have admitted the fresh evidence, set aside the conviction, and ordered a new trial. The case was then appealed to the Supreme Court of Canada.

The Supreme Court dismissed the appeal.

As such, the conviction for second-degree murder is upheld and the motion to introduce fresh evidence is dismissed.

Chief Justice Wagner read the judgment of a majority of the Court. View the [video recording of the judgment](#).

A print version of the judgment that was read out will be available on the [Judgments on appeals](#) page once finalized.

Breakdown of the decision: A majority of the Court dismissed the appeal (Chief Justice [Wagner](#) and Justices [Rowe](#), [Kasirer](#), [Jamal](#) and [O’Bonsawin](#)) | In dissent, Justices [Karakatsanis](#) and [Côté](#) would have allowed the appeal

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