

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. Hill*, 2005 NSCA108

Date: 20050722

Docket: CAC 243659

Registry: Halifax

Between:

Jonathan David Hill

Appellant

v.

Her Majesty the Queen

Respondent

Judge: The Honourable Justice Hamilton

Appeal Heard: June 16, 2005

Subject: *Criminal law, Identification evidence, Unreasonable verdict, Section 686(1)(a)(i) of the Criminal Code*

Summary: A robbery at a service station was photographed by a security camera. The robber held a towel or t-shirt over most of his face throughout the robbery. Two police officers with some prior contact with the appellant identified him as the robber from the photographs. There was no corroborating evidence. The trial judge found the appellant guilty based on this identification.

Issue: Was the guilty verdict unreasonable?

Result: Appeal allowed. The manner in which the robber covered his face during the robbery rendered the photographs from the security camera unreliable as a basis upon which identification of the appellant could be made, despite the police officers prior personal contact with the appellant.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 16 pages.