

NOVA SCOTIA COURT OF APPEAL

Citation: *R. v. E.M.W.*, 2010 NSCA 73

Date: 20101008

Docket: CAC 321590

Registry: Halifax

Between:

E.M.W.

Appellant

v.

Her Majesty the Queen

Respondent

Publication Ban: Pursuant to s. 486.4 of the Criminal Code

Judge: The Honourable Justice David P.S. Farrar
The Honourable Justice Joel E. Fichaud (Dissenting)

Appeal Heard: June 14, 2010

Subject: Sexual assault; Assessment of Credibility; Right to a Fair Trial

Summary: The appellant appeals his conviction for sexual assault alleging that the trial judge erred in his assessment of the credibility of the complainant.

Result: Appeal allowed, Fichaud, J.A. dissenting. The majority concluded that the conduct of the trial and the manner in which the evidence was admitted at trial was such that it deprived the appellant of a fair trial. Conviction quashed and a new trial ordered.

<p>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 57 pages.</p>
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