

NOVA SCOTIA COURT OF APPEAL

Citation: Gill v. Hurst, 2010 NSCA 98

Date: 20101209

Docket: CA 318440

Registry: Halifax

Between:

Christopher Valentino Gill

Appellant

v.

Christine Mary Hurst

Respondent

Judge: The Honourable Justice M. Jill Hamilton

Appeal Heard: November 24, 2010

Subject: Family law, custody and access

Summary: The judge awarded sole custody of the parties' 14 year old daughter to the mother, with liberal access to the father, supervised until such time as the daughter waived the requirement for supervision. She decided against awarding joint custody given the parents' inability to communicate and the child's wishes.

Issue: Did the judge err in awarding sole custody to the mother with supervised liberal access to the father?

Result: Appeal dismissed. The appropriate weight to be given to the evidence is for the trial judge. This Court is not to retry the case. The judge did not err.

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 4 pages.