

NOVA SCOTIA COURT OF APPEAL

Citation: Canadian Broadcasting Corporation v. Canada (Attorney General),
2010 NSCA 99

Date: 20101209

Docket: CA 323826

Registry: Halifax

Between:

Canadian Broadcasting Corporation

Appellant

v.

The Attorney General of Canada

Respondent

Judge: The Honourable Justice Peter M. S. Bryson

Appeal Heard: December 6, 2010

Subject: Jurisdiction - Courts

Summary: CBC sought pretrial statements given to RCMP by offender. Offender pleaded guilty to second degree murder and was sentenced based on agreed statement of facts. Pretrial statements not entered into evidence. CBC later applied under *Federal Access to Information Act*, R.S.C. 1985, c. A-1 for disclosure of statements. Disclosure was refused. CBC had right to apply to Federal Court for judicial review of refusal but did not. Instead, CBC applied to Supreme Court of Nova Scotia. Supreme Court dismissed CBC's application holding that Federal Court had exclusive jurisdiction.

Issue: Did Supreme Court have jurisdiction to hear CBC's application?

Result: Appeal dismissed. Supreme Court had no jurisdiction to hear application and did not err in declining to do so.

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 3 pages.

