

CASE NO.**VOL. NO.****PAGE**

A. M. G.

HER MAJESTY THE QUEEN

- and -

(Appellant)

(Respondent)

CAC 157395

Halifax, N.S.

FREEMAN, J.A.
(Orally)

[Cite as: R. v. A.M.G. 2000 NSCA 6]

APPEAL HEARD:

January 11, 2000

JUDGMENT DELIVERED:

January 11, 2000

WRITTEN RELEASE OF ORAL:

January 13, 2000

Editorial Notice

Identifying information has been removed from this electronic version of the library sheet.

SUBJECT: **Criminal Law; Young Offender; Adult Offence; Preliminary Inquiry**

SUMMARY: Appellant was charged as young offender with sexual assault on his sister prior to his eighteenth birthday and with two charges as an adult for alleged sexual assaults occurring after he became eighteen. Provincial court judge also sitting as youth court judge, combined trial of young offender charge with preliminary inquiry into adult charges at request of Crown, but without consent of defence counsel, who objected.

ISSUE: Can youth court trial be combined with preliminary inquiry into adult charges without consent of defence counsel?

RESULT: The appeal was allowed. Conviction on the youth court offence was set aside as a nullity for want of jurisdiction and a new trial was ordered.

This information sheet does not form part of the court's decision. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 3 pages.