

**NOVA SCOTIA COURT OF APPEAL**  
**Citation: *R. v. MacDonald-Pelrine*, 2014 NSCA 6**

**Date:** 20140117  
**Docket:** CAC 324159  
**Registry:** Halifax

**Between:**

Natalie MacDonald-Pelrine

Appellant

v.

Her Majesty the Queen

Respondent

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**Judge:** The Honourable Justice Duncan R. Beveridge

**Appeal Heard:** September 23, 2013, in Halifax, Nova Scotia

**Subject:** Criminal law: admissibility of statements

**Summary:** The appellant went to a work place meeting. She did not know she was the target of an audit into irregular transactions. She was questioned by auditors in the presence of her supervisor. At the end of the meeting she was suspended pending completion of the audit. A year later, the police, acting on the results of the audit charged her with fraud, theft and breach of trust. The Crown sought to introduce the substance of her comments to the auditors. The trial judge found that the appellant's superior and the auditors were persons in authority, but that the Crown had established beyond a reasonable doubt that the statements were voluntary, and hence admissible.

**Issues:** Did the trial judge err in ruling the statements admissible?

**Result:**

The trial judge found that there had been no inducements, promises or threats, nor trickery, and that the appellant had an operating mind. These findings were untainted by any legal error and were fully supported by the evidence. There was no need for the Crown, in these circumstances, to prove that the appellant made a fully informed decision to participate in the meeting without a union representative or counsel. The notes, while not verbatim, were found by the trial judge to be a sufficiently accurate record of what transpired at the meeting. Any concerns about the accuracy of the notes made by the auditors were for the trier of fact to resolve. The appeal was accordingly dismissed.

*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 12 pages.*