

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** *R. v. Calnen*, 2015 NSSC 319

**Date:** 2015-11-04

**Docket:** CRH No. 426776

**Registry:** Halifax

**Between:**

Her Majesty the Queen

v.

Paul Trevor Calnen

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**Judge:** The Honourable Justice James L. Chipman

**Heard:** November 3, 2015 in Halifax, Nova Scotia

**Subject:** Admissibility of text messages

**Summary:** *Voir dire* held on the admissibility of whether a series of text messages and cell phone records involving the deceased victim should be admitted into evidence.

**Issues:** Has the Crown (who seeks to introduce the hearsay evidence) brought the text and phone call records within the exception to the hearsay rule?

**Result:** The Court applied a functional approach in determining that all of the records met the reliability test and should be admitted into evidence.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
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