

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** R. v. R.R.D.G., 2013 NSSC 371

**Date:** 20131114

**Docket:** CRH 412256

**Registry:** Halifax

**Between:**

Her Majesty the Queen

v.

R.R.D.G.

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**LIBRARY HEADING**

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**Restriction on publication: 278.9 CCC Publication Ban**

**Publication Prohibited** 278.9 (1) No person shall publish in any document, or broadcast or transmit in any way, any of the following:

- (a) the contents of an application made under section 278.3;
- (b) any evidence taken, information given or submissions made at a hearing under subsection 278.4(1) or 278.6(2); or
- (c) the determination of the judge pursuant to subsection 278.5(1) or 278.7(1) and the reasons provided pursuant to section 278.8, unless the judge, after taking into account the interests of justice and the right to privacy of the person to whom the record relates, orders that the determination may be published.

(2) Every person who contravenes subsection (1) is guilty of an offence punishable on summary conviction.

**486 CCC Publication Ban**

486.6 (1) Every person who fails to comply with an order made under subsection 486.4(1), (2) or (3) or 486.5(1) or (2) is guilty of an offence punishable on summary conviction.

(2) For greater certainty, an order referred to in subsection (1) applies to prohibit, in relation to proceedings taken against any person who fails to comply with the order, the publication in any document or the broadcasting or transmission in any way of information that could identify a victim, witness or justice system participant whose identity is protected by the order.

**Judge:** The Honourable Justice Peter Rosinski

**Heard:** November 13, 2013, in Halifax, Nova Scotia

**Oral Decision:** November 14, 2013

**Written Decision:** November 20, 2013

**Subject:** Section 278.3 **Criminal Code** application for private records of a complainant and a witness.

**Summary:** G sought various counselling records for the complainant JB and her parent MR in the context of a sexual offence allegation by JB against her stepfather G.

**Issue:**

1. Should the Court order that any of the records sought be produced to the Court for its review?; and, if so:
2. Should the Court order that any of those records be produced to the accused?

**Result:** **Application dismissed.** The Court will not review any of the disputed records sought as the accused G has either not established that they are “likely relevant” and/or that their production is “necessary in the interests of justice.”

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***