

CANADA / JUDGMENT

Loveridge v. HMTQ

2004 BCSC 1055

COURT

Supreme Court of British Columbia

DECIDED

5 August 2004

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Source record**2004 BCSC 1055internet3 Loveridge v. HMTQ
IN THE SUPREME COURT OF BRITISH COLUMBIA**

Citation: Loveridge v. HMTQ ,
2004 BCSC 1055
Date: 20040805
Docket: S012573
Registry: Vancouver

Between: Robert Brent Loveridge
Plaintiff

And: Her Majesty the Queen in Right
of the Province of British Columbia
Defendant
Before: The Honourable Mr. Justice Fraser

RULING

Counsel for the Plaintiff

Megan Ellis

Counsel for Her Majesty The Queen

Keith L. Johnston

The appeal in which the publication ban was ordered by the Court of Appeal, referred to in paragraph 8 of these Reasons, has been abandoned by Mr. Loveridge. Therefore, there is no publication ban with reference to Mr. Loveridge.

The publication ban referred to in paragraphs 47 and 48 of the Reasons and in footnote 27 would appear to be in force. The letter "A" has been substituted for the name of the plaintiff.

- [1] The plaintiff, Robert Brent Loveridge, seeks damages for sexual assault committed by Roderic David MacDougall, an employee of the defendant, Her Majesty the Queen in Right of the Province of British Columbia. Liability has been admitted.
- [2] The same assaults were the subject of criminal charges against Mr. MacDougall. Ms. Ellis, counsel for Mr. Loveridge, has informed me that in the criminal proceedings, this Court made an order under s. 486(3) of the Criminal Code, directing that the identity of Mr. Loveridge, who was of course a complainant in those proceedings, not be published in any document or broadcast in any way.
- [3] Ms. Ellis seeks a similar publication ban for these civil proceedings.
- [4] My Ruling is as follows:
- (1) A publication ban made in criminal proceedings does not extend to civil proceedings based on the same criminal acts in which the complainant is the plaintiff;
- (2) Apart from the effect of a s. 486(3) order, I decline to make an order permitting Mr. Loveridge to litigate anonymously in these proceedings.
- [5] There will be no publication ban.
- [6] Reasons will follow.

"G.P. Fraser, J."

The Honourable Mr. Justice G.P. Fraser

April 5, 2006 - Revised Judgment

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