

CANADA / JUDGMENT

R. v. Berry

2019 BCSC 2427

COURT

Supreme Court of British Columbia

DECIDED

3 September 2019

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2019 BCSC 2427 R. v. Berry IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: R. v. Berry, 2019 BCSC 2427 Date: 20190903 Docket: 173304 Registry: Victoria Regina v. Andrew Robert Douglas Berry Before: The Honourable Madam Justice Gropper Oral Ruling on Media Application for Release of Documents Counsel for the Crown: P.A. Weir C.M.F. Jennings Counsel for the Accused: K.G. McCullough B.S. Lynskey Place and Date of Hearing: Vancouver, B.C. September 3, 2019 Place and Date of Judgment: Vancouver, B.C. September 3, 2019

- [1] THE COURT: These are my reasons in respect of the media application for release of the note that Mr. Berry wrote, addressed to his sister, which has been entered into evidence as Exhibit 159.
- [2] I have heard from the parties and representatives of the media. I have reviewed the court's policy concerning release of documents, particularly exhibits, to the media, and I am satisfied that providing the exhibit to the media is in the public interest. I recognize the defence concern that the note may be determined to be inadmissible in some future proceeding, but its contents are known through repeated references in the evidence to the jury, to the members of the gallery, and by reference to it in its contents in media coverage.
- [3] I therefore grant the application that the note be produced in accordance with the media request. "Gropper J."

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Prepared on 29 October 2026 · Esheria