

Publication of information that could disclose the identity of the complainant or witness has been prohibited pursuant to s. 483(4.1) of the *Criminal Code*

R. v. Sharp, 2002 YKSC 62

Date: 20021031
Docket No.: S.C. 01-00541A
Registry: Whitehorse

IN THE SUPREME COURT OF THE YUKON TERRITORY

BETWEEN:

HER MAJESTY THE QUEEN

AND:

THOMAS PAUL SHARP

Edward Horembala, Q.C.

For the Crown

Thomas Sharp

For the Accused

**MEMORANDUM OF RULING
DELIVERED FROM THE BENCH**

[1] HUDSON J. (Oral): My plan is to have him here at 10, in the room, somewhere in this building, TV, microphone, we'll see him here, hear him here. I will tell him the Crown's case is closed, he has certain choices, he can testify. If he chooses not to testify, we'll hear from you and then he will be able to make his submissions on the evidence and the matter will proceed to decision.

[2] If he wishes to testify he will testify it by video conference in another place.

[3] This is the more cautious route to follow, rather than take the view that he has forfeit his right, we have taken the more cautious approach and taken steps to enable

him make full answer in defence and that is the approach.

HUDSON J.