

**IN THE FAMILY COURT OF NOVA SCOTIA**

Citation: K.R.M.W. v. Nova Scotia (Community Services), 2010 NSFC 27

**Date:** 20101008  
**Docket:** OSB064844  
**Registry:** Yarmouth

**Between:** K.R.M.W. Applicant  
v.

Her Majesty the Queen in Right of the Province of Nova Scotia as represented by  
the Minister of Community Services

Respondent

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**Judge:** The Honourable John D. COMEAU  
Judge of the Family Court of Nova Scotia

**Heard:** Heard at Yarmouth, Nova Scotia, October 27, 2010

**Written Decision:** November 8, 2010

**Issue:** Removal of name from Child Abuse Register

**Summary:** The applicant was convicted of four offences under S. 271 (1) (a) of the **Criminal Code** (sexual assault by touching his sister's breasts) received house arrest and probation. The sentence has been successfully completed having been imposed in 2007. The sentence also included counselling.

**Issue:** Whether the Applicant poses a risk to children

**Result:** Based on the evidence before the court (the accused continued to deny he committed the offences) it was not proved on a balance of probabilities, the onus of which was on the applicant, that he did not now pose a risk to children. This was so given the short time line between conviction and the application. Application dismissed.

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