

IN THE MATTER OF the NOVA SCOTIA REVIEW BOARD

AND IN THE MATTER OF the accused, PHILIP ANTHONY BORDEN

AND IN THE MATTER OF a hearing held pursuant to section 672.47(1) (First Hearing) of the Criminal Code

DISPOSITION ORDER (Amended December 10, 2022)

WHEREAS on the 24th day of March 2021, the accused was found not criminally responsible on account of a mental disorder for the following offence which occurred on January 21, 2021 in Halifax, uttering threats contrary to section 264.1(1)(a) of the Criminal Code, on April 23, 2021 was found not criminally responsible on account of a mental disorder for the following offences which occurred on January 11, 2021 in Truro, uttering threats contrary to section 264.1(1)(a) of the Criminal Code (6 counts), assaulting a peace officer, contrary to section 270(2) of the Criminal Code (2 counts), assault with a weapon contrary to section 267(a) of the Criminal Code (2 counts) and offences which occurred on December 27, 2020 in Halifax, assault, contrary to section 266 of the Criminal Code, uttering threats contrary to section 264.1(1)(a) of the Criminal Code and resisting/obstructing a peace officer contrary to section 129(a) of the Criminal Code;

AND WHEREAS the accused is currently detained at the East Coast Forensic Hospital;

AND WHEREAS a hearing was held on the 13th day of September 2021 to make a Disposition Order pursuant to section 672.54 of the Criminal Code;

AND WHEREAS the East Coast Forensic Hospital is designated for the custody, treatment, or assessment of the accused, in respect of whom an assessment order, disposition or placement decision is made;

IT IS ORDERED THAT the accused be conditionally discharged, on the following terms:

1. Keep the peace and be of good behaviour;
2. Maintain good mental health;
3. Adhere to the recommendations of the Community Mental Health Team;

4. Comply with follow-up by the Forensic Community Program;
5. Comply with conditions recommended by the Forensic Community Program;
6. Abstain from alcohol, cannabis and/or illicit drugs and comply with random urine drug screening;
7. Reside in the premises approved by the East Coast Forensic Hospital and abide by the rules and regulations of the residence;
8. Notify the Review Board and the East Coast Forensic Hospital of any change of address;
9. Appear before the Board when requested; and
10. Remain within the Province of Nova Scotia unless authorization in writing has been received from the Board.

AND IT IS FURTHER ORDERED that if the accused is arrested pursuant to section 672.91 of the Criminal Code for a breach or anticipated breach of the terms of this disposition, they may, under section 672.92(1)(b) of the Criminal Code, be delivered to the East Coast Forensic Hospital, 88 Gloria McCluskey Avenue, Dartmouth, Nova Scotia.

THIS IS THEREFORE TO COMMAND YOU, the Director, Mental Health Program, Nova Scotia Health Authority, in Her Majesty's name, to execute the terms of this Order. The Board delegates to them the authority to increase or decrease the liberties of the accused pursuant to section 672.56(1).

DATED at Halifax, this 25th day of September 2021.



Anne Jackman Chairperson
NOVA SCOTIA REVIEW BOARD

TO: the accused, Philip Anthony Borden

AND TO: Director, Mental Health Program, Nova Scotia Health Authority

AND TO: Public Prosecution Service

AND TO: Kelly Ryan, Counsel for Mr. Borden