

IN THE MATTER OF the Nova Scotia Criminal Code Review Board

AND IN THE MATTER OF the accused, Kyle Clayton

AND IN THE MATTER OF a hearing held pursuant to s.672.81(1) (Annual Hearing) of the Criminal Code of Canada.

DISPOSITION ORDER

WHEREAS on the 17th day of January, 2020, the accused was found Not Criminally Responsible on account of a mental disorder on charges of uttering threats, contrary to Section 264.1(1)(a); causes damage by fire, contrary to Section 433(a); and resists / obstructs Peace Officer, contrary to Section 129(a) of the Criminal Code of Canada;

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

AND WHEREAS a hearing was held at the East Coast Forensic Psychiatric Hospital on the 12th day of March 2024 to make a Disposition Order pursuant to s.672.54 of the Criminal Code of Canada.

AND WHEREAS the East Coast Forensic Psychiatric 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 continue to 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 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;
10. Remain within the Province of Nova Scotia unless authorization in writing has been received from the Board.
11. Cannabis use shall be in the discretion of ECFH including frequency and concentration levels, and with testing in hospital discretion.

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 His 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).

The Board also finds that the restriction of liberties was justified.

DATED at Halifax, this 12th day of March, 2024



Raffi Balmanoukian, Chairperson
NOVA SCOTIA REVIEW BOARD

TO: the accused, Kyle Tyson Clayton
AND TO: Director, Mental Health Program, Nova Scotia Health Authority
AND TO: Public Prosecution Service
AND TO: Kelly Ryan, counsel for the accused