

**IN THE MATTER OF the NOVA SCOTIA REVIEW BOARD**

**AND IN THE MATTER OF the accused, ANDRE DENNY**

**AND IN THE MATTER OF** a hearing held pursuant to section 672.81(1) of the *Criminal Code of Canada*

**DISPOSITION ORDER**

**WHEREAS** on the 9<sup>th</sup> day of January, 2012, the accused was found not criminally responsible on account of mental disorder on a charge of assault causing bodily harm, contrary to section 267(b) of the Criminal Code;

**AND WHEREAS** the accused was subsequently found guilty of manslaughter, contrary to section 234 of the Criminal Code, and sentenced in the Supreme Court to a term of imprisonment of less than two years;

**AND WHEREAS** the accused thereby became a dual status offender as defined in section 672.67 of the Criminal Code;

**AND WHEREAS** the accused is currently detained in the Mentally Ill Offender Unit of the East Coast Forensic Hospital on remand from the Supreme Court;

**AND WHEREAS** a hearing was held at the Central Nova Scotia Correctional Facility on the 12<sup>th</sup> day of December, 2016, to make a Disposition Order pursuant to section 672.68(2) of the Criminal Code;

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

**IT IS ORDERED** that the placement of the accused in custody in the East Coast Forensic Psychiatric Hospital be continued, subject to the following conditions:

1. The accused is to have no access to the community prior to his statutory release date on the Supreme Court sentence referenced above. As an exception to this condition, access for medical purposes is allowed at the L2 level of privileges, subject to the agreement of Correctional Services and the provision of one or more correctional guards to supervise the accused continually during such access.
2. Random urine drug screens are to be administered on a regular basis.
3. The Board is to be notified of any aggressive or assaultive behaviour by the accused, either on the rehab unit or MIOU, and the Board will then consider the advisability of

convening another hearing under section 672.69 to reassess the placement decision embodied in this order.

4. The Board is to be notified of any illicit substance use by the accused, and recommends that he be placed in the MIOU should such behaviour occur.

**THIS IS THEREFORE TO COMMAND YOU**, the Director, Mental Health Services, Nova Scotia Health Authority, in Her Majesty's name, to execute the terms of this order. The Board delegates to him authority to direct that the restrictions on the liberty of the accused be increased or decreased within the limits set out herein pursuant to section 672.56(1).

Dated at Truro, Nova Scotia, this 9<sup>th</sup> day of February, 2017.



---

Peter Lederman, Q.C., Chairperson

NOVA SCOTIA REVIEW BOARD

TO: the accused, Andre Denny  
AND TO: Director, Mental Health Services, Nova Scotia Health Authority  
AND TO: Karen Quigley, Public Prosecution Service  
AND TO: Duane Eddy, Dept. of Justice  
AND TO: Peter Mancini, counsel for Mr. Denny