

**IN THE MATTER OF** the Nova Scotia Criminal Code Review Board

**AND IN THE MATTER OF** the accused, Andre Noel Denny

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

### **Disposition Order**

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

**AND WHEREAS** the accused is presently residing in the community on a previously granted conditional discharge;

**AND WHEREAS** a hearing was held on the 5th day of December, 2022, to make a disposition order pursuant to section 672.54 of the Criminal Code of Canada;

**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 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, 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 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 administrator of the East Coast Forensic Hospital, in his Majesty's name, to execute the terms of this order. The Board delegates to the administrator, pursuant to section 672.56(1), the authority to direct that the restrictions on the liberties of the accused be increased or decreased within the limits set out in this disposition.

**Dated** this 19<sup>th</sup> day of January 2023, at Halifax, Nova Scotia.

A handwritten signature in blue ink, reading "Judith A. McPhee". The signature is written in a cursive style and is centered within a light yellow rectangular background.

Judith A. McPhee KC, Alternate Chairperson  
Nova Scotia Criminal Code Review Board

TO: The accused, Andre Noel Denny  
AND TO: Director, Mental Health Program, Nova Scotia Health Authority  
AND TO: Public Prosecution Service  
AND TO: Kelly Ryan, counsel for Mr. Denny