

IN THE MATTER OF the NOVA SCOTIA REVIEW BOARD

AND IN THE MATTER OF the accused, FRANK GRAHAM FISHER

AND IN THE MATTER OF a hearing held pursuant to section 672.81(2.1) of the Criminal Code

DISPOSITION ORDER

WHEREAS on the 4th day of April, 2013, the accused was found not criminally responsible on account of mental disorder on the following charges: failure to comply with an undertaking, s. 145(2) – two counts – occurring December 16, 2012, in North Sydney; assaulting a police officer, s. 270(1)(a) occurring January 22, 2013, in Halifax; breach of probation, s. 733.1, occurring January 22, 2013, in Halifax; mischief, s. 430(4) (2 counts) occurring in Halifax on January 26, 2013; breach of undertaking, s. 145(3), occurring on January 26 in Halifax; and breach of probation, s. 733.1, occurring January 26 in Halifax;

AND WHEREAS the accused is currently detained in hospital although previously granted a conditional discharge;

AND WHEREAS a hearing was held at the East Coast Forensic Hospital on the 20th day of January, 2015, to make a Disposition Order pursuant to section 672.81(2.1) 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 conditional discharge previously granted be continued, 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 the use of alcohol and illicit drugs and comply with random urine drug screening;
7. Reside in 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 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.

The Board finds that the hospital was justified in restricting the liberties of the accused.

THIS IS THEREFORE TO COMMAND YOU, the Administrator of the East Coast Forensic Hospital, in Her Majesty's name, to execute the terms of this Order. The Board delegates to him the authority to increase or decrease the liberties of the accused pursuant to section 672.56(1).

DATED at Dartmouth, Nova Scotia, this 20th day of January, 2015.



Peter Lederman, Q.C., Chairperson
NOVA SCOTIA REVIEW BOARD

TO: the accused, Frank Graham Fisher
AND TO: Director, Mental Health Services, Capital District Health Authority
AND TO: John Scott, Public Prosecution Service
AND TO: Connie MacIsaac, counsel for Mr. Fisher