

IN THE MATTER OF the NOVA SCOTIA REVIEW BOARD

AND IN THE MATTER OF the accused, MARIE ANNE HAMILTON

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

DISPOSITION ORDER (Amended December 10, 2022)

WHEREAS on the 19th day of September, 2016, the accused was found not criminally responsible on account of a mental disorder on charges of mischief, 4 counts, contrary to s.430(4) of the Criminal Code; four counts of causing a disturbance, contrary to section 175(1)(a)(i) of the Criminal Code; 15 counts of failure to comply, contrary to section 145(3) of the Criminal Code; two counts of failure to comply, contrary to section 145(5.1) of the Criminal Code; failure to attend, contrary to section 145(5) of the Criminal Code; four counts of assault, contrary to section 266 of the Criminal Code; assault causing bodily harm, contrary to section 267(b) of the Criminal Code; assault with a weapon, contrary to section 267(a) of the Criminal Code; 2 counts of uttering threats, contrary to section 264.1(1)(a) of the Criminal Code; and entering premises prohibited, contrary to section 3(1)(e) of the Criminal Code. Several of the above charges were later withdrawn and there were acquittals on others. The remaining charges are 4 counts of assault, offence dates of June 15, 2015 in Dartmouth, October 13, 2015 in Dartmouth, January 11, 2016 in Lower Sackville and February 11, 2016 in Lower Sackville; assault causing bodily harm, offence date of August 26, 2015 in Dartmouth; 2 counts of mischief, offence dates of August 26, 2015 in Dartmouth and April 17, 2016 in Lower Sackville; and 4 counts of failure to comply, offence dates of August 26, 2015, 2 counts, in Dartmouth and October 13, 2015, 2 counts, in Dartmouth;

AND WHEREAS the accused is currently residing in the community on a previously granted Conditional Discharge;

AND WHEREAS a hearing was held on the 25th day of April 2022 and the 1st day of November 2022, to make a Disposition Order pursuant to section 672.48 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 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 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.

The Board also finds that Ms. Hamilton is fit to stand trial.

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 8th day of November 2022.



Anne Jackman Chairperson
NOVA SCOTIA REVIEW BOARD

TO: the accused, Marie Anne Hamilton
AND TO: Director, Mental Health Program, Nova Scotia Health Authority
AND TO: Public Prosecution Service
AND TO: Kelly Ryan, counsel for Ms. Hamilton