

IN THE MATTER OF the NOVA SCOTIA REVIEW BOARD

AND IN THE MATTER OF the accused, NICHOLAS STEWART KENNEY

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

DISPOSITION ORDER (Amended December 10, 2022)

WHEREAS on January 7, 2019, the accused was found not criminally responsible on account of mental disorder on a charge of failure to comply with an undertaking, contrary to section 145 of the Criminal Code; a charge of assault with a weapon, contrary to section 267(A) of the Criminal Code; a charges of robbery, contrary to section 344 of the Criminal Code; carrying a weapon, contrary to section 88(2) of the Criminal Code, a charge of theft under \$5000, contrary to section 334(b) of the Criminal Code and four counts of a breach of probation, contrary to section 733.1 of the Criminal Code;

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

AND WHEREAS a hearing was held on the 19th day of April 2022 to make a Disposition Order pursuant to section 672.54 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/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; 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 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 20th day of April 2022.



Anne Jackman, Chairperson
NOVA SCOTIA REVIEW BOARD

TO: the accused, Nicholas Stewart Kenney
AND TO: Director, Mental Health Program, Nova Scotia Health Authority
AND TO: Public Prosecution Service
AND TO: Kelly Ryan, counsel for Mr. Kenney