

**NOVA SCOTIA COURT OF APPEAL**

[Cite as: R. v. Bedford, 2000 NSCA 100]

**Glube, C.J.N.S.; Bateman and Oland, JJ.A.**

**BETWEEN:**

HER MAJESTY THE QUEEN

Appellant

- and -

ROBERT BEDFORD

Respondent

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**REASONS FOR JUDGMENT**

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Counsel: Susan Y. Bour for the appellant  
Stanley W. MacDonald for the respondent

Appeal Heard: September 12, 2000

Judgment Delivered: September 12, 2000

**THE COURT:** Leave to appeal is granted but the appeal is dismissed per reasons for judgment of Glube, C.J.N.S.; Bateman and Oland, JJ.A. concurring.

**GLUBE, C.J.N.S.: (Orally)**

[1] The Crown applies for leave and if granted, appeals a conditional sentence of 12 months and 2 years probation imposed by Judge J. G. MacDougall, J.P.C., following a guilty plea to trafficking in a drug commonly known as Ecstasy (Methylenedioxymethamphetamine or MDMA), a substance included in Schedule III of the **Controlled Drugs and Substances Act**, S.C. 1996, c.19.

[2] Robert Bedford sold two Ecstasy pills to Jamie Britten at a rave. He refused to sell Mr. Britten any more. It is agreed that subsequently, Mr. Britten ingested two more pills purchased from another individual and, tragically, died a short time later.

[3] **R. v. Shropshire**, (1995), 102 C.C.C. (3d) 193, and **R. v. M. (C.A.)** (1996), 105 C.C.C. (3d) 327, decisions of the Supreme Court of Canada, require the Court of Appeal to show deference to the sentencing decision of a trial judge. We may only interfere where the trial judge erred in applying the principles of sentencing or where the sentence is clearly excessive or inadequate, that is, where the sentence is unreasonable or demonstrably unfit.

[4] Having heard and read the submissions of counsel we find no error by the sentencing judge, nor is the sentence in the circumstances of this case clearly inadequate.

[4] Leave to appeal is granted but the appeal is dismissed.

Glube, C.J.N.S.

Concurred in:

Bateman, J.A.

Oland, J.A.