

CASE NO.**VOL. NO.****PAGE**

JOHN DOUGLAS WOOD - and -

HER MAJESTY THE QUEEN

Appellant

Respondent

CAC 150706

Halifax

ROSCOE, J.A.
HALLETT, J.A.
CROMWELL, J.A.

[Cite as: R. v. Wood, 2001 NSCA 38]

APPEAL HEARD:

December 6, 2000

JUDGMENT DELIVERED:

February 16, 2001

SUBJECT:**Criminal Law, Charter, Evidence, Sentence****SUMMARY:**

The appellant, a former barrister was convicted of nine counts of theft from clients, after a 30 day jury trial. He was sentenced to a total of five years in a federal institution. He appealed from conviction and sentence.

ISSUES:

1. Charter Issues:
 - (a) delay
 - (b) right to counsel
 - (c) right to remain silent
 - (d) other trial fairness issues:
 - (i) bias
 - (ii) jury selection
 - (iii) pre-trial publicity
 - (iv) expert witness
 - (v) disclosure
2. Documentary Evidence Issues:
 - (a) the documents before the jury
 - (b) banking documents
 - (c) investigative documents
 - (i) compelled production
 - (ii) documents found in possession
3. Miscellaneous Issues:
 - (a) unreasonable verdict
 - (b) continuous trial
 - (c) improper questions

- (d) jury charge
- (e) evidence of disbarment and reimbursement by the Barristers' Society
- (f) severance of counts
- (g) Crown address to the jury

4. The Sentence Appeal

RESULT:

Leave to appeal is granted, but the appeals from conviction and sentence are both dismissed. The Court of Appeal found that there were no infringements of the appellant's **Charter** rights, that the trial was fair, there were no improperly admitted documents, there were no errors in the charge to the jury, the verdict was not unreasonable and there were no errors of law. The sentence was fit.

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