

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** R. v. Missions, 2005 NSCA 82

**Date:** 20050511

**Docket:** CAC 233670

**Registry:** Halifax

**Between:**

Wayne Douglas Missions

Appellant

v.

Her Majesty The Queen

Respondent

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**Judge:** The Honourable Justice Roscoe

**Appeal Heard:** March 29, 2005

**Subject:** Criminal law, possession of child pornography, unreasonable verdict, ineffective assistance of counsel, sentence.

**Summary:** The appellant was convicted after trial by judge alone of possession of child pornography and sentenced to one year incarceration followed by probation.

**Issues:** The appellant submitted that there was insufficient proof of his knowledge of possession, that the trial judge misconstrued the expert evidence of the possibility of unintentional downloading from the internet, that he had ineffective assistance of counsel at trial and that the sentence was excessive.

**Result:** Appeals from conviction and sentence dismissed. The verdict was reasonable. There was no proof of prejudice as a result of trial counsel's conduct of the case. The sentence was fit in the circumstances.

**This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 19 pages.**