

CASE NO.

VOL. NO.

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HER MAJESTY THE QUEEN
(Appellant)

- and -

RALPH DOUGLAS ROSS PARKER
(Respondent)

C.A.C. No. **133174**

Halifax, N.S.

BATEMAN, J.A.

Cite as: R. v. Parker, 1997 NSCA 93

APPEAL HEARD: April 15, 1997

JUDGMENT DELIVERED: May 5, 1997

SUBJECT: Conditional sentence - dangerous driving causing death

SUMMARY: Mr. Parker was convicted, after trial by jury, of two counts of dangerous driving causing bodily harm and two counts of dangerous driving causing death - all resulting from the same offence. Alcohol was not a contributing factor. The sentencing judge imposed a conditional sentence of two years less a day on each count of dangerous driving causing death and one year on each of the other two offences, followed by two years' probation, all sentences running concurrently. The conditions included, *inter alia*, house arrest during the term of the sentence and a requirement of community service. The Crown appealed on the basis that a conditional disposition in these circumstances did not adequately reflect general deterrence and denunciation.

ISSUE: Was the sentence within the acceptable range given the circumstances of this offence and this offender?

RESULT: Appeal dismissed. This conditional sentence is a custodial sentence, albeit, one served in the community. It adequately reflects general deterrence and denunciation which were the principle focus in these circumstances.

<p>This information sheet does not form part of the court's decision. Quotes must be from the decision, not this cover sheet. The full court decision consists of 28 pages.</p>
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