

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** *R. v. A.H.*, 2018 NSCA 47

**Date:** 20180606

**Docket:** CAC 465864

**Registry:** Halifax

**Between:**

Her Majesty the Queen

Appellant

v.

A.H.

Respondent

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<b>Restriction on Publication: s. 486.4 of the <i>Criminal Code</i></b>
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**Judge:** The Honourable Chief Justice J. Michael MacDonald

**Appeal Heard:** April 12, 2018, in Halifax, Nova Scotia

**Subject:** Criminal Law; dangerous offender application, request to extend remand time to complete assessment

**Summary:** A court cannot impose a dangerous (or long-term) offender designation without an expert assessment. This is achieved by remanding the offender to the appropriate psychiatric facility for a period not to exceed 60 days. In this matter, a remand was ordered but the 60-day time limit passed without the assessment being completed. The Crown appeals the sentencing judge's refusal to extend that deadline.

**Issue:** Did the judge commit reversible error by denying the Crown's request to extend the remand time in order to complete the assessment?

**Result:** Appeal dismissed. There was no need to interfere with the judge's discretionary decision to deny the extension.

*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 13 pages.*