

IN THE SUPREME COURT OF NOVA SCOTIA
Citation: R. v. Hamilton, 2008 NSSC 217

Date: 2008/06/19
Docket: C.R. No. SY 288150
Registry: Yarmouth

Between:

Her Majesty the Queen

v.

Steven Richard Hamilton

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Judge: The Honourable Justice A. David MacAdam

Oral Decision: June 19, 2008

Written Decision: July 7, 2008

Subject: Criminal Law - Impaired Driving Causing Bodily Harm - Sentencing - General Deterrence - Conditional Sentence.

Summary: Accused pled guilty to impaired driving causing bodily harm. Counsel for the crown and the defence recommended a conditional sentence of six months followed by probation for one year and a two year driving prohibition.

Issue: The appropriate sentence on the offence of impaired driving causing bodily harm.

Result: In view of the lack of risk of the offender re-offending, the uncharacteristic nature of the offence, his background including his family support, the joint recommendation of a conditional sentence was accepted. However, an additional provision for 25 hours of community service was added. The period of conditional sentence meet the principles and purposes of sentencing, particularly the objectives of deterrence and denunciation.

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