

SUPREME COURT OF NOVA SCOTIA

Citation: *R. v. D.P.*, 2014 NSSC 29

Date: 20140227

Docket: CRH No. 419290A

Registry: Halifax

Between:

D.P.

(A young person within the meaning of the
Youth Criminal Justice Act (Canada))

Appellant

v.

Her Majesty the Queen

Respondent

Restriction on publication: Pursuant to s. 110(1) and s. 111(1) of the *Youth Criminal Justice Act*, S.C. 2002, c. 1

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Judge: The Honourable Justice Joshua M. Arnold

Heard: December 4, 2013 in Halifax, Nova Scotia

Subject: *Youth Criminal Justice Act* sentencing for Impaired Driving

Summary: Impaired driving; Considerations in imposing conditional discharge under s.42(2)(c) of the YCJA;

Issues: Did the sentencing judge err in failing to impose a conditional discharge instead of probation? Was the driving prohibition necessary and, if so, was the length of the driving prohibition excessive?

Result: Sentence varied from probation to conditional discharge under s.42(2)(c). 12 month Driving Prohibition upheld.

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