

SUPREME COURT OF NOVA SCOTIA

Citation: R. v. Polley, 2014 NSSC 283

Date: 20140722

Docket: CR. Am. 416879

Registry: Amherst

Between:

Her Majesty the Queen

v.

Charles Henry Polley

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Judge: The Honourable Justice A. David MacAdam

Heard: June 4, 2014, in Amherst, Nova Scotia

**Final Written
Submissions:** May 22, 2014

Written Decision: July 22, 2014

Subject: Criminal law; criminal negligence causing death; sentencing; joint sentencing submissions

Summary: The offender pleaded guilty to criminal negligence causing death, contrary to s. 220(b) of the *Criminal Code*. He drove while significantly impaired and crashed the vehicle, causing the death of his passenger.

Issue: What was a fit and proper sentence?

Result: There was a joint submission on sentencing. The court concluded that the proposed sentence appropriately balanced the necessary factors, particularly general deterrence, which was to be emphasized in cases involving impaired driving. The offender received a sentence of 4.5

years imprisonment, in addition to a 20-year driving prohibition effective on his release, and a DNA order.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
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