

CASE NO. Cite as: R. v. D.M.W., 2001 NSPC 19

Her Majesty the Queen

v.

D. M. W.

Judge David J. Ryan Sydney, Nova Scotia

Heard: Before The Honorable Judge David J. Ryan in Sydney, Nova Scotia on May 22, 23, 24 and 25, 2001

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Oral Decision: July 5, 2001

Written Release of Decision: July 5, 2001

Subject: Dangerous Offender Application

Summary: The Crown made application to have the accused declared a dangerous offender. The accused had a lengthy criminal record dating back to 1990 but with no prior sentence for longer than 6 months and no convictions that involved violence to the degree normally associated with a dangerous offender application. Evidence was also led indicating the accused had marked deficits both intellectually and socially. Expert evidence indicated a high likelihood of recidivism within the next 7 to 10 years. The predicate offence was under s.271 of the *Code*.

Issue: Has the Crown proven beyond a reasonable doubt that the accused is a dangerous offender?

Result: Having considered the whole of the evidence including the assessments of the expert witnesses, the accused's early background, his previous record, history from correctional services and other evidence led, the Crown has met its burden and the accused is declared a dangerous offender. *R. v. Currie* [1997] 2 S.C.R. 260 cited.

**THIS INFORMATION DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION NOT FROM THIS COVER SHEET.**