



## **ADVISORY: WEBCAST OF COURT PROCEEDING**

**Tuesday, May 24, 2022**

Members of the media and the public are advised that the following proceedings in the Nova Scotia Court of Appeal will be livestreamed on the Courts of Nova Scotia website on Thursday, May 26, 2022:

### **CAC-506125 – Her Majesty the Queen Vs. Shawn Wade Hynes**

On Sept. 19, 2018, Nhlanhla Dlamini suffered serious injuries when he was shot in the back with a nail gun while on a work site in Abercrombie, Pictou County. Following a trial in Pictou Provincial Court, Judge Del Atwood found Shawn Wade Hynes guilty of assault with a weapon and criminal negligence causing bodily harm against Mr. Dlamini.

On April 23, 2021, Judge Atwood ruled on a defence application challenging the constitutionality of certain sections of the *Criminal Code* and the availability of a conditional sentence for these types of offences. He subsequently sentenced Mr. Hynes to an 18-month conditional sentence, followed by 12 months' probation.

Due to wide public interest in the case and COVID-19 restrictions limiting in-person attendance in court, Judge Atwood's sentencing decision was livestreamed. The archived video is available online [here](#).

The Crown is appealing the sentence on several grounds, including that the trial judge erred in law in his assessment of the appropriateness of a conditional sentence for this type of offence.

The proceedings are scheduled for a half day beginning at 10 a.m. AST on Thursday, May 26, 2022. These matters will be heard by a three-member panel comprised of Justice Duncan Beveridge, Justice David Farrar, and Justice Peter Bryson.

The panel of judges and counsel will appear in person in Courtroom 502 at the Halifax Law Courts. All court participants are reminded to review the Court of Appeal's [Practice Directive for Appeal Proceedings during the COVID-19 Pandemic](#).

The public can watch the livestream on the Courts of Nova Scotia website [here](#).

As per the Nova Scotia Courts' [copyright policy](#), webcasts of court proceedings may not be broadcast or re-broadcast by embedding them in another website or by any other means. However, portions of the webcasts (audio and video) may be re-broadcast as part of conventional news coverage. Hyperlinks to the live webcast page and the page of archived videos on the Courts of Nova Scotia website are permitted.

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