

IN THE COURT OF APPEAL OF THE NORTHWEST TERRITORIES

BETWEEN:

HER MAJESTY THE QUEEN
Appellant

-and-

KAVAVAOU PETAULASSIE
Respondent

BEFORE:

THE HONOURABLE MR. JUSTICE LAYCRAFT)	DATED at the
THE HONOURABLE MR. JUSTICE IRVING)	City of
THE HONOURABLE MADAM JUSTICE HETHERINGTON)	Yellowknife in
)	the Northwest
)	Territories this
)	24th day of
)	June, 1986.

FORMAL JUDGMENT

THE ACCUSED having been convicted by His Honour Judge
T. B. Davis of the Territorial Court of the Northwest
Territories, sitting at Cape Dorset on the 7th day of January,
1986, upon an information alleging an offence as follows:

on or about the twenty-fourth
day of May, A.D. 1985, at or
near the Hamlet of Cape Dorset
in the Northwest Territories,
did unlawfully commit a sexual
assault on Siasie ASHOONA,
contrary to Section 246.1(1) of
the Criminal Code;


AND UPON a further information alleging an offence as follows:


on or about the thirtieth day of October, 1985 at or near the Hamlet of Cape Dorset in the Northwest Territories did in committing a sexual assault namely: forced sexual intercourse on Geela Qupee, threaten to use a weapon namely: a rifle, Contrary to Section 246.2(a) of the Criminal Code;

AND the accused having been sentenced to two (2) years' imprisonment in respect of the offence under s.246.1 of the Criminal Code and to three (3) years' imprisonment to be served consecutively in respect of the offence under s.246.2 of the Criminal Code;

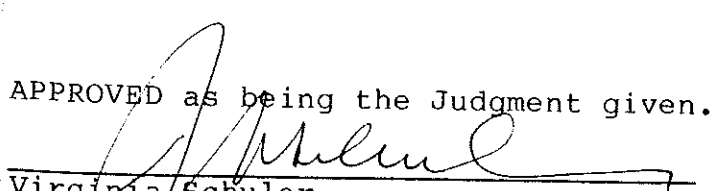
AND this application for leave to appeal sentence in respect of the offence under s.246.2 of the Criminal Code having come on to be heard this day; and upon hearing counsel for the appellant and counsel for the respondent;

IT IS ORDERED AND ADJUDGED that the appeal be allowed; that the sentence be varied to ten (10) years' imprisonment to be served concurrently; that the accused is hereby prohibited from having in his possession any firearm or any ammunition or explosive substance for a period that commences on the day the order is made and expires ten (10) years after his release from imprisonment as aforesaid; and that the accused shall forthwith upon the pronouncement of this order surrender to a member of the Royal Canadian Mounted Police or otherwise lawfully dispose of any firearms, ammunition or explosive substance possessed by him.


Registrar

ENTERED this 1ST day
of OCTOBER, 1986.

Registrar

APPROVED as being the Judgment given.


Virginia Schuler
Counsel for the Respondent

C.A. Number: 628

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FORMAL JUDGMENT

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File No: YK 31101

