

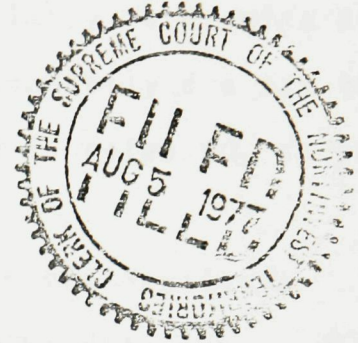
IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

B E T W E E N:

HER MAJESTY THE QUEEN

- and -

FRED VITTEKWA



Defendant

THE ORAL REASONS FOR JUDGEMENT OF THE
HONOURABLE MR. JUSTICE C. F. TALLIS.

---UPON COMMENCING AT 10:12 A.M.

THE COURT: Well Mr. Ayotte, what do you have to say as to my suggestion?

I think the better course of action for the Court to take would be to dismiss one of the Appeals at this point and adjourn the others until a later date so that we can get, shall we say, a combined Court Report for the Court.

MR. AYOTTE: I am agreeable to that.

THE COURT: It seems to me that what we should have is a coordinated effort here by the Correctional people

and the Probation Services at the Yellowknife level. And also to try to get the Native Court Workers Association interested in it, too. It seems to me that the easy way out is simply to dismiss the appeal or deal with the appeal summarily and say that if he comes back a week after he is released, so what we will deal with it then.

I do not think that that is the realistic approach - maybe it is too idealistic in some cases but we are going to have to face up to it.

MR. AYOTTE: I basically agree with the Court's submission and I do have reports coming in and I will advise the Court that the Court Worker is a cousin of the accused.

THE COURT: In fact, that might pose some other problem. Sometimes relatives are not always friends.

MR. AYOTTE: Yes. The only other problem that I know I have had in the past is that sometimes the Correctional Authorities are sometimes reluctant to give reports.

THE COURT: I have never had that trouble with them up to now. We have never had to issue/subpoena^a for any of them.

MR. AYOTTE: I will do what I can to get a report from them.

THE COURT: Very well. What I am going to do as far as Appeal 1736 is concerned - that is the three month sentence and I am going to dismiss that Appeal.

With respect to the other three appeals,

numbers 1734 - 1735 and 1737 I am going to adjourn them until September the 12th at 9:30 A.M. which is a regular Chamber date.

In the interim, I would ask Counsel to advise the persons that have been mentioned of the Court's request for a report in a substantial coordinated form, and I am particularly interested in the possibility of something being made available for this man by way of work outside of the particular community in which he resides.

The picture that has been painted to me of the way he goes after his elderly parents every time that he seems to get out of jail or comes back from trapping or something is just not good.

You see, what will happen is that everytime that he goes out and bothers them he will end up in jail again for four, five or six months as a boarder and at the public's expense.

MR. TROY: To assist Counsel in carrying out the Court's request would it be in order to ask for a copy of the transcript of these proceedings?

THE COURT: Yes. At least a copy of my last remarks.

MR. AYOTTE: Thank you, My Lord.

THE COURT: Very well. I guess that covers what you have on this morning Mr. Ayotte, doesn't it?

MR. AYOTTE: Yes, My Lord.

THE COURT: Thank you. I guess that does it.

---HEARING ADJOURNED UNTIL SEPTEMBER 12, 1977 AT 9:30 A.M.

C. F. Tallis
J.S.C.