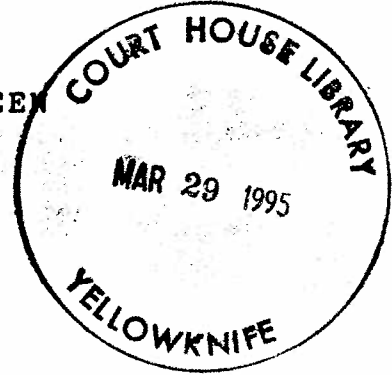


IN THE SUPREME COURT
OF THE NORTHWEST TERRITORIES

HER MAJESTY THE QUEEN

- and -

GOO KINGWATSIAK

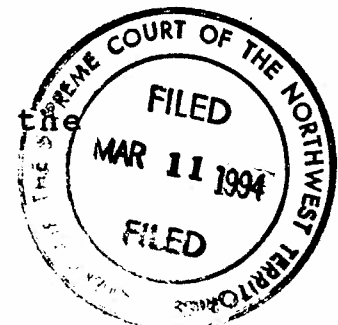


Transcript of Sentencing given by The Honourable
Mr. Justice J.E. Richard, at Cape Dorset,
Northwest Territories, on the 12th day of February
A.D. 1994

APPEARANCES:

S.A. Couper, Esq., Appeared for the Crown
C. Rehn, Esq., Appeared for the Defence
Cheryl Mendryk, Ms., Court Reporter

(Charged under Section 3 of the
Narcotic Control Act)



1 THE COURT: Mr. Kingwatsiak, come forward
2 first, please. Take a seat, sir.

3 This offender, Goo Kingwatsiak, who is 38
4 years of age, has pleaded guilty to possession of
5 a narcotic, contrary to Section 3 of the Narcotics
6 Control Act.

7 He was arrested by the RCMP upon his return
8 to Cape Dorset from Iqaluit in January 1993. He
9 was found to have two pieces of hashish in his
10 jacket, the two pieces weighing a total of 29
11 grams or approximately 1 ounce. He told the
12 police that he had purchased it in Iqaluit for
13 \$600.

14 Mr. Kingwatsiak is a life-long resident of
15 this community. As a young man, he was in
16 constant conflict with the law and was sentenced
17 to jail on numerous occasions. All of that is a
18 long time ago. He does not have any previous
19 convictions for narcotics offences.

20 Mr. Kingwatsiak is currently unemployed and
21 has been unable to find work for the past two
22 years. He is separated from his common-law spouse
23 and is currently responsible as a single parent
24 for the care of his two children, ages 5 and 7.

25 One pauses to wonder what kind of example Mr.
26 Kingwatsiak feels that he is providing in the eyes
27 of his young children by engaging in the unlawful

Gabe's

1 use of narcotics and by spending \$600 of the
2 family's limited resources in this manner.

3 Everyone in this courtroom, including Mr.
4 Kingwatsiak, Mr. Petaulassie, are aware of the
5 serious problem of drug abuse in this community
6 among the young people. And one would have
7 thought that Mr. Kingwatsiak, at his age, would
8 have given serious consideration to the
9 consequences to his family of engaging in this
10 illegal activity and of engaging in the lifestyle
11 of drug abuse that is prevalent among the young
12 people in this community.

13 The usual sentence for this offence, where
14 there has been no prior related convictions, is a
15 substantial fine. Although Mr. Kingwatsiak is not
16 employed at the present time, I'm told that he
17 will be able to work off the fine under the Fine
18 Options Program that exists in this community. So
19 I propose to assess a fine in this instance.

20 Before doing so, I wish to note for the
21 record that this appears to be a straight-forward
22 case. However, it has taken over 13 months to
23 come to the disposition stage. And I would ask
24 that counsel, whomever counsel on either side who
25 handled the file in the past 13 months, reflect on
26 how they might have otherwise conducted the file
27 so that this matter could have been disposed of a

Gabe's

1 long time ago in Territorial Court or in Supreme
2 Court so that this matter could be long behind Mr.
3 Kingwatsiak and he could get on with his life.
4 Any disposition or sentence is more meaningful and
5 real justice is done when the matter is disposed
6 of closer to the time of the event.

7 Please stand now, Mr. Kingwatsiak. Mr.
8 Kingwatsiak, for the crime that you have
9 committed, it is the sentence of this Court that
10 you pay a fine in the amount of \$2,300. I'm going
11 to give you four months within which to pay the
12 fine, and in default of payment, two months
13 imprisonment. And in view of your personal
14 circumstances, I am declining to impose any Victim
15 Crime Surcharge. Thank you, sir, you can take a
16 seat in the courtroom for the time being.

17 THE ACCUSED: Thank you.

18 MR. COUPER: My Lord, if I might speak
19 before we leave Mr. Kingwatsiak's case. I wonder
20 if the Court could grant the usual order with
21 regard to disposition of exhibits.

22 THE COURT: Any difficulty with that, Mr.
23 Rehn?

24 MR. REHN: No, sir.

25 THE COURT: In the matter of Goo
26 Kingwatsiak, the usual order will go regarding the
27 destruction of the narcotic exhibits and disposal

Gabe's

1 of the other exhibits in the usual fashion upon
2 the expiration of the appeal period.

3 (SENTENCING HEARING CONCLUDED)

4 -----
5 I, Cheryl Mendryk, C.S.R.(A), hereby certify
6 that I attended the above Sentencing Hearing and
7 took faithful and accurate shorthand notes and the
8 foregoing is a true and accurate transcript of my
9 shorthand notes to the best of my skill and
10 ability.

11 Dated at the City of Calgary, Province of
12 Alberta, this 19th day of February, A.D. 1994.

13
14
15 Cheryl Mendryk
16 Cheryl Mendryk, Ms.
17 Court Reporter.
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