

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

SC CR 74 014

In the matter between:

HER MAJESTY THE QUEEN

Respondent

- and -

WAYNE MORIN

Appellant

A transcript of the Reasons for Judgment
of The Honourable Mr. Justice W.G. Morrow
in the above matter, at Yellowknife N.W.T.
on the 30th day of August AD 1974.

Orral J.T. Troy Esq. Q.C. for the Respondent
Robert Halifax Esq. for the Appellant

The Court:

Will you stand up Mr. Morin.

Mr. Morin, you have been very foolish in this case. I hope I am well known as being very reluctant to have young men or women, who have had no previous record, incarcerated or put in jail.

However, assaulting a peace officer is a slightly different character of case to the normal. This is a case where on the facts that are admitted you, who were not directly involved in the case with the....., in the action with the police, took it upon yourself to strike an officer while in the course of carrying out his duty to protect the public, which in itself was to protect you as a possible user of the Queen's highways and streets.

I can see nothing in this case on the facts, and reluctant as I am to put you in jail, I fail to see any reason for varying what the Justice of the Peace has awarded.

Accordingly the appeal is dismissed, but without costs in the Appeal Court, so the award will stand at one hundred dollars, in default one month, plus one month in jail, time already served to count, and the costs awarded by the Justice of the Peace, if any, will remain. There will be a direction that the other fine paid be released, plus costs.

Mr. Troy: Plus two dollars costs.

The Court: Right. That complets this one. All right,

