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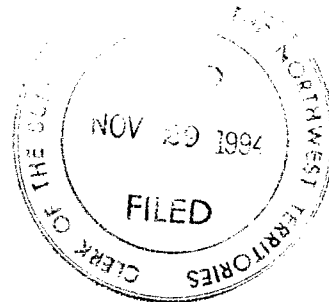
IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

SANGANI OSUITOK



Transcript of the Reasons for Sentence delivered by
The Honourable Mr. Justice J. Z. Vertes, sitting at
Cape Dorset, in the Northwest Territories, on
November 4, A. D. 1994.

APPEARANCES:

MR. D. GARSON

On behalf of the Crown

MR. V. FOLDATS

On behalf of the Defence

1 THE COURT: I think one of the hardest tasks at
2 any time is to sentence somebody after they are
3 convicted of a crime. And there are a number of
4 reasons why we sentence someone. First of all the
5 Court speaks for the society, for the community, and
6 through a sentence we try to send a message that
7 society does not tolerate criminal activity. We also
8 try to recognize that society and the law abiding
9 citizens of the community must be protected, and
10 through the sentence we try to tell the individual
11 that this type of conduct should be stopped, and we
12 try to tell others that if they do similar types of
13 things that they too will be punished.

14 In every case we have to try and come up with an
15 appropriate sentence, and that depends on how serious
16 the crime is and on what type of person the criminal
17 is. If someone continues to commit crimes over a long
18 period of time, then obviously they will be treated
19 far more severely than someone who does something out
20 of character and commits a crime for the first time.

21 Sangani Osuitok is a 33-year old man who has spent
22 most of the past 15 years in jail. That is because he
23 has been convicted 24 times of different crimes. Many
24 of these crimes are very serious and involve crimes of
25 personal violence. In 1988 he was sentenced to serve
26 four years in the penitentiary for a sexual assault.
27 He was released in February of 1992 and since that

1 time, in the last two and a half years, he has spent
2 only eight months out of jail.

3 Now I realize that much of the time he spent in
4 jail was only on suspicion and not because he was
5 convicted of other crimes, but in November of 1993,
6 less than a year ago, he was convicted of common
7 assault and sentenced to serve eight months in jail at
8 that time. He was released in early May and then he
9 was arrested on these charges in early June.

10 Now I recognize that Mr. Osuitok has served his
11 time and has been punished for those past crimes, and
12 I am not going to punish him twice for his record.
13 But the record reveals that he has conducted himself
14 in a way that other people in the community must be
15 protected from him. He tells me that I should keep in
16 mind that he has a wife and two children, but yet I
17 heard him testify in this trial that on June 16th he
18 asked this other woman to come with him to have sex.
19 So why was he not thinking of his wife and children at
20 that time?

21 The jury has convicted him of two charges, both of
22 which if they were the first time that he had been in
23 this court he would not be treated with a very serious
24 penalty. But by his conduct over the past 15 years,
25 he shows to me that Mr. Osuitok does not deserve very
26 much leniency from this Court or from this community.
27 I think it is indicative of his attitude that the

1 entire situation that brought him here today arose
2 because he felt angry at this other person, and he
3 felt that he should do something about it because he
4 thought this other person was doing bad things to his
5 father. He should have listened to his father's
6 advice and stayed away from that woman.

7 Now I take into account the fact that Mr. Osuitok
8 has stood up here and apologized for what he did, and
9 maybe that is a sign that he is ready to stand up and
10 take responsibility for his own actions. I hope that
11 when he does return to his community, when he returns
12 to his family, he will be able to stand up and walk a
13 straight life. But that is only up to him.

14 Now I take into account the fact that he has been
15 in jail for five months now on these charges, but I
16 also take into account the fact that he was on
17 probation at the time he committed these offences and
18 I feel that there is no alternative but to impose
19 further jail terms for these convictions. But I do
20 not think the offences warrant the length of time
21 suggested by Crown counsel.

22 Stand up, Mr. Osuitok. On the charge of uttering
23 a threat, I sentence you to serve a term of six months
24 imprisonment. On the conviction for common assault, I
25 sentence you to serve a term of six months
26 imprisonment; and because I think they are distinct
27 offences, the time will be consecutive.

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Thank you Madam Interpreter, you may sit down.

(AT WHICH TIME THIS MATTER WAS CONCLUDED)

Certified Pursuant to Practice Direction #20
dated December 28, 1987.



Loretta Mott
Court Reporter