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CR 02774

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

C A N A D A )

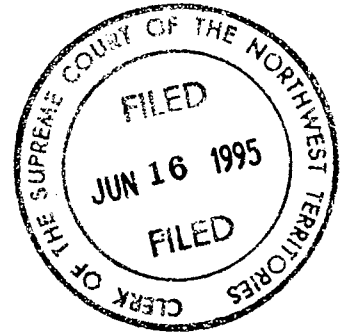
NORTHWEST TERRITORIES )

BETWEEN:

HER MAJESTY THE QUEEN

- and -

THOMAS ALOGUT



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Sentence imposed by The Honourable Mr. Justice  
 J.E. Richard, at Rankin Inlet, Northwest  
 Territories, on the 31st day of May A.D. 1995

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APPEARANCES:

|                      |                          |
|----------------------|--------------------------|
| U. Arvanetes, Ms.,   | Appeared for the Crown   |
| D. Blais, Esq.,      | Appeared for the Defence |
| Cheryl Mendryk, Ms., | Court Reporter           |

(Charged under Section 272(c)  
 of the Criminal Code)

1 THE COURT: Thomas Alogut has been  
2 convicted of sexually assaulting a 28-year old  
3 woman in Chesterfield Inlet in August of 1994.

4 He and the victim were acquaintances and had  
5 been drinking together at her apartment. Both  
6 became intoxicated. Mr. Alogut wanted to have sex  
7 with her; when she resisted his advances, he  
8 forced himself upon her and raped her.

9 During the course of the assault, she  
10 suffered an injury to her head and also internal  
11 injuries in the vaginal area.

12 This was a major sexual assault and is  
13 punishable by up to 14 years imprisonment in a  
14 federal penitentiary in southern Canada.

15 The Courts of this jurisdiction have said  
16 over and over again in the past 10 or 15 years  
17 that a substantial meaningful sentence of  
18 imprisonment is required in cases of major sexual  
19 assault because of the need for deterrence and  
20 denunciation, but primarily to achieve the overall  
21 objective of the criminal law process, which is  
22 the protection of the public.

23 This accused man, this offender, is an Inuk  
24 of 36 years of age who has lived in recent years  
25 in Coral Harbor. He was living in Chesterfield  
26 Inlet at the time of this offence. He has a Grade  
27 10 education and has had varied wage employment,

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1 both in Coral harbor and Chesterfield Inlet in  
2 recent years. He is a single man with no  
3 dependents.

4 He has a minor criminal record consisting of  
5 convictions for assault, of property offences, and  
6 for narcotics offences. He has been in jail on  
7 three separate occasions throughout his adult  
8 life. His last jail sentence was in October 1987  
9 here in Rankin Inlet, when he was sentenced to  
10 three months imprisonment for assault causing  
11 bodily harm.

12 In committing this crime of violence against  
13 his victim in August of 1994, Mr. Alogut took  
14 advantage of an acquaintance who was vulnerable,  
15 due to her intoxication from alcohol. In  
16 conducting himself as he did, he displayed a  
17 contemptuous disregard for her dignity as a human  
18 being, and he acted out of pure selfishness. His  
19 behavior indicates that he is only interested in  
20 himself and has no respect for other members of  
21 society.

22 It is necessary now for society to  
23 incarcerate him, to put restrictions on his  
24 liberty, his freedom of movement, his freedom to  
25 do as he pleases in our free and democratic  
26 society. These serious restrictions on his  
27 freedom have been brought about by his conduct and

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1 his conduct alone.

2 One would have thought that at 36 years of  
3 age and with his previous experiences of being in  
4 jail, that his freedom was important to him. But  
5 obviously that is not the case. When Mr. Alogut  
6 was arrested last August and told that he was  
7 being brought to justice, he said to the arresting  
8 officer en route to jail, "All this for a piece of  
9 tail." Indeed.

10 Please stand now, Mr. Alogut.

11 Mr. Alogut, for the crime that you have  
12 committed, sexually assaulting Rosa Issaluk August  
13 16th, 1994, causing bodily harm to her, contrary  
14 to Section 272(c) of the Criminal Code, it is the  
15 sentence of this Court that you be imprisoned for  
16 a period of four years.

17 In addition, as I am required by law to do  
18 so, I hereby order, pursuant to Section 100 of the  
19 Criminal Code of Canada, that you are prohibited  
20 from having in your possession any firearm,  
21 ammunition, or explosive substance for a period of  
22 time commencing on today's date and expiring on a  
23 date ten years after your release from prison.  
24 Any such item in your possession at this time will  
25 be surrendered to a police officer or otherwise  
26 disposed of within one month of today's date.

27 In the circumstances, there will be no victim

*Gabe's*

1 fine surcharge. Sit down.

2 Counsel, if there's nothing further on this  
3 case, we'll close court.


4 MS. ARVANETES: Nothing further, Sir.

5 (SENTENCING HEARING CONCLUDED)

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

13 Dated at the City of Calgary, Province of  
14 Alberta, this 3rd day of May, A.D. 1995.

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18 Cheryl Mendryk, Ms.  
19 Court Reporter.  
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