

CR 02756

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- vs. -

MILLIE ANGULALIK



Transcript of the Oral Reasons for Sentence of The Honourable Mr. Justice J. E. Richard, at Cambridge Bay in the Northwest Territories, on Friday, January 20th A.D., 1995.

APPEARANCES:

MS. B. SCHMALTZ: Counsel for the Crown

MR. A. MAHER: Counsel for the Accused

(CHARGE UNDER s. 267(1)(a) CRIMINAL CODE OF CANADA)
(CHARGE UNDER s. 264.1(1) CRIMINAL CODE OF CANADA)

1 THE COURT: Millie Angulalik has been convicted by
2 a jury of 12 members of her home community of
3 threatening the life of another woman in this
4 community and also assaulting that woman with a knife.
5 It is now my responsibility to impose an appropriate
6 sentence on Millie Angulalik for these serious crimes.

7 Millie Angulalik is now almost 25 years of age.
8 She has been before the Courts on numerous occasions
9 in the past.

10 I have had the benefit of reading a pre-sentence
11 report prepared by Mrs. Isnor of the Department of
12 Social Services and also the benefit of hearing Mrs.
13 Isnor's testimony. That report and testimony gives me
14 a great deal of information about Ms. Angulalik's past
15 history.

16 It is clear that she has suffered personal
17 tragedies in the past and has experienced a difficult
18 life to say the least. She has certain emotional
19 problems that are described in the pre-sentence report
20 and the attachments.

21 She has a serious alcohol problem. She has
22 received the benefit of alcohol treatment programs in
23 Edmonton, Alberta and Calgary, Alberta.

24 She has a criminal record which contains an
25 extensive list of convictions for a person of her age.
26 She was incarcerated on at least four occasions as a
27 young offender for property offences. As an adult,

1 she has a variety of convictions for criminal
2 anti-social behaviour. As an adult, she has been sent
3 to jail on six separate occasions to serve sentences
4 ranging up to 14 months. She has four previous
5 convictions for assault.

6 In January 1994, Ms. Angulalik was released after
7 serving a custodial sentence and began serving a
8 period of probation. Within two weeks, she
9 reoffended. She was sentenced for the new offences in
10 March 1994 to three months' imprisonment.

11 Upon her release in May '94, she went to Calgary,
12 from late May to early September, where she was
13 enrolled in an alcohol treatment program and also in a
14 recovery program.

15 Within a few weeks of her return to her home
16 community of Cambridge Bay, she reoffended again.

17 The offences for which she's being sentenced today
18 occurred on September 24th, 1994. She came to the
19 home of another woman, an acquaintance, in an
20 intoxicated condition and asked for alcohol and/or
21 drugs. The other woman did not have any alcohol or
22 drugs to give to her and told her so. Shortly
23 thereafter, Ms. Angulalik threatened to kill the
24 victim and then went into the victim's kitchen, found
25 a large knife, and came at the victim saying that she
26 was going to kill her. Fortunately, the victim was
27 able to push her away. Then the victim fled the house

1 and went to the neighbour's and phoned the police.

2 Ms. Angulalik was arrested, I am told, on
3 September 26th and she has been in custody awaiting
4 her trial since that time.

5 This case has many similarities to a case which
6 occurred in Inuvik last year, a case in which the
7 consequences of the crime were much more tragic.

8 In that case, a 31-year-old woman by the name of
9 Lois Dick was also in an intoxicated condition. She
10 became upset with one of her acquaintances over as
11 small a matter as a spilled drink. She too, in an
12 intoxicated condition, went to the kitchen and found a
13 knife and struck at her acquaintance. The victim in
14 that case died from the knife wound. Ms. Dick was
15 convicted by a jury of manslaughter and was sentenced
16 to four years' imprisonment.

17 Here in this case, fortunately for Ms. Angulalik's
18 victim and for Ms. Angulalik herself, she was
19 prevented from striking an actual blow with the knife.

20 Ms. Angulalik should give thought that but for
21 luck and the grace of God she too could very easily be
22 facing a lengthy sentence for manslaughter.

23 Upon reviewing Ms. Angulalik's extensive criminal
24 record and the details of the updated pre-sentence
25 report, it is my impression that the community of
26 Cambridge Bay has tired of Millie Angulalik's
27 anti-social behaviour within this community.

1 Now, that observation or impression may or may not
2 be entirely correct. But what is more important and
3 what is more clear is that this community needs to be
4 protected from Millie Angulalik. She has become a
5 danger to the members of this community.

6 In my view, a significant term of imprisonment is
7 required in view of the serious nature of the assault
8 and this offender's extensive history of criminal
9 behaviour.

10 A lengthy period of incarceration is also
11 necessary, in my view, to give Ms. Angulalik
12 sufficient time in a controlled institutional
13 environment to receive further treatment for her
14 alcohol problem, further counselling for anger
15 management and other emotional problems, and
16 educational and life skills upgrading.

17 She also, in my view, needs time in a controlled
18 environment to reflect on what she wants to do with
19 the rest of her life.

20 Now, it may be that the correctional services are
21 not able to provide the kinds of programs that Ms.
22 Angulalik has been exposed to and has had the benefit
23 of in the province of Alberta. But in any event,
24 those other programs will always be available to her
25 upon her release.

26 In my respectful view, it would be inappropriate
27 for me, as the sentencing Judge, to simply place this

1 woman on probation and recommend that she enroll again
2 in the Calgary re-hab program. My conscience will
3 simply not permit me to do that.

4 I have given some thought to placing Ms. Angulalik
5 on a further period of probatibn upon her release
6 after a period of incarceration but on reflection, I
7 have decided not to do that. Probation has not worked
8 for this offender.

9 She's a grown woman now and she knows where to go
10 for help. She can go to Mrs. Isnor's office or to
11 someone else in Social Services if she genuinely, if
12 she genuinely, wants help or treatment or counselling
13 in the Calgary program or elsewhere.

14 Ms. Angulalik clearly needs help. She needs lots
15 of help. But most of all, she needs to help herself.
16 And she needs to use some of the personal skills that
17 she learned in Calgary last year, according to the
18 pre-sentence report.

19 I want to indicate before passing sentence that I
20 am taking into consideration the fact that this woman
21 has been in custody for the last four months on remand
22 awaiting trial.

23 Will you please stand now, Ms. Angulalik.

24 Millie Angulalik, for the crimes that you have
25 committed; on Count 1, assault with a weapon, it is
26 the sentence of this Court that you be imprisoned for
27 a period of 18 months. On Count 2, uttering a threat

1 to cause death, it is the sentence of this Court that
2 you be imprisoned for a period of three months
3 concurrent to the sentence on Count 1.

4 As I am required by law to do so, I hereby order
5 pursuant to Section 100 of the Criminal Code of Canada
6 that you are prohibited from having in your possession
7 any firearm or ammunition or explosive substance for a
8 period of time commencing on today's date and expiring
9 on a date ten years after your release from your term
10 of imprisonment. Any such item in your possession at
11 this time shall be surrendered to a police officer or
12 otherwise disposed of within one month from today's
13 date.

14 In view of the fact that you will be incarcerated
15 for the next period of time, I decline to impose any
16 Victim Fine surcharge.

17 You may sit down, ma'am.

18 MR. MAHER: Thank you, My Lord.

19 THE COURT: Now, with respect to the exhibit at
20 the trial, the usual order will go that any exhibits
21 be returned to the rightful owners upon the expiry of
22 the appeal period.

23 Is there anything further on this case, counsel?


24 MR. MAHER: No, My Lord.

25 MS. SCHMALTZ: No, My Lord.

26 THE COURT: Fine, we will adjourn for 15 minutes
27 and we will start the Tedjuk matter.

1 (ADJOURNMENT)

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3 Certified Pursuant to Practice Direction #20
4 dated December 28, 1987.
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8 Lois Hewitt,
9 Court Reporter
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