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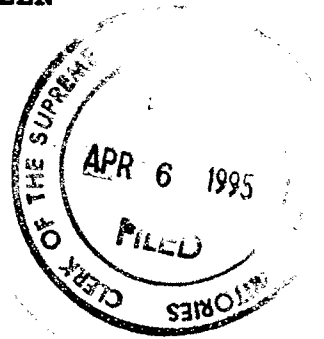
IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

BERNARD MICHEL



Transcript of the Reasons for Sentence of the Honourable
Mr. Justice J. E. Richard, sitting at Yellowknife, in
the Northwest Territories, on April 4, A.D. 1995.

APPEARANCES:

MR. L. ROSE	On behalf of the Crown
MR. J. BRYDON	On behalf of the Defence

1 THE COURT:

2 Mr. Michel has been found guilty of a
3 narcotics offence, that is having in his possession
4 cannabis marijuana for the purposes of trafficking,
5 contrary to Section 4(2) of the Narcotics Act.

6 I will not review again the circumstances, but
7 will simply repeat that his crime was being in
8 possession of 138 marijuana cigarettes or joints,
9 which he had obviously bought in Yellowknife and which
10 he was obviously taking back with him to his home
11 community of Lutselk'e for resale. These joints sell
12 for \$10 each in Lutselk'e. The total quantity
13 involved here was less than 20 grams.

14 As to this man's personal circumstances I am told
15 he is 27 years of age, single, and has been living on
16 and off with relatives in the community of Lutselk'e.
17 He has a grade nine education and has only had
18 sporadic employment as an adult, priomarily due to the
19 lack of job opportunities in his home community. Mr.
20 Michel has an extensive criminal record that is mainly
21 property related. He has no prior convictions for
22 narcotic offences. His record, Exhibit S-1, indicates
23 that the courts have time after time treated him
24 fairly leniently when it comes to sentence, and yet
25 his criminal activity has continued.

26 Mr. Michel's crime for which he is being sentenced
27 today is clearly one that was profit motivated and one
that demonstrates that Mr. Michel was prepared to

1 contribute to the serious drug problem in his home
2 community of Lutselk'e and the related social problems
3 caused by drug abuse among young people. In
4 committing this crime, in my view, Bernard Michel
5 displayed a serious disregard for the well being of
6 his home community, of his own relatives and
7 neighbours and of their children.

8 Mr. Michel needs to be deterred from again
9 committing this kind of crime, and he needs to be
10 punished for the havoc and the harm that he was about
11 to create in his home community. I do not enjoy
12 sending healthy young men like Bernard Michel to jail,
13 but in my view it is necessary here; it is necessary
14 because of the type of case here and in order to deter
15 others from getting involved in drug trafficking, in
16 the drug trade, and unfortunately it's necessary here
17 for Bernard Michel because he has not responded to
18 other forms of dispositions that have been made by the
19 court in his contact with the court system to date.

20 Mr. Michel, the message I am trying to give you
21 today sir, is quite simple. You are 27 years old, it
22 is time to grow up. You have to stop causing problems
23 for your community and you have to stop wasting so
24 much of your young life in the way that you have been
25 - and eight months in jail is wasting your young life.
26 You are healthy, you come from a well known family in
27 Lutselk'e and you can contribute to that community. I

1 am aware that that community is trying to turn itself
2 around with the booze and drug problems, and you
3 should be helping that effort and not making things
4 worse for them.

5 Please stand, Mr. Michel. For the crime that you
6 have committed, the possession of narcotics for the
7 purpose of trafficking, contrary to Section 4(2) of
8 Narcotic Control Act, it is the sentence of this court
9 that you be imprisoned for a period of eight months.
10 In addition there will be a victim fine surcharge of
11 \$400. You will have two months in which to pay the
12 fine, and in default of payment one month consecutive.
13 You may sit down now.

14 THE COURT: Do you need an order for the exhibits?

15 MR. ROSE: I don't believe so, sir. It is an
16 illicit substance, after the appeal period I have
17 advised the RCMP to destroy them.

18 THE COURT: Anything further, gentlemen?

19 MR. ROSE: No, My Lord.

20 MR. BRYDON: No, My Lord.

21 THE COURT: Fine, then we will close court.
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Certified Pursuant to Practice Direction #20
dated December 28, 1987.



Loretta Mott
Court Reporter