

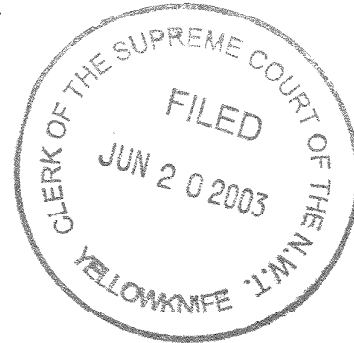
IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- v -

FREDDY WILLIAM TINQUI



Transcript of the Reasons for Sentence (Oral) delivered by The Honourable Justice J.E. Richard, in Yellowknife, in the Northwest Territories, on the 12th day of June, A.D. 2003.

APPEARANCES:

Mr. S. Niblock:	Counsel for the Crown
Mr. R. Gorin:	Counsel for the Defence

Charges under ss. 264.1(1)(a) C.C. and 267(b) C.C.



1 THE COURT: Freddy Tinquí has pleaded guilty
2 to two criminal charges arising from a serious
3 incident of domestic violence at his home in Rae Edzo.
4 He is a man of 35 years of age and who has little
5 formal education, but who appears to have been
6 gainfully employed in the construction field in recent
7 years. I am told that he has been living common-law
8 with the victim since the year 2000 and that there are
9 five young children in the household. By Mr. Tinquí's
10 own admission, he has a serious problem with alcohol
11 addiction and alcohol abuse. He has at least five
12 violent convictions or assault convictions on his
13 criminal record and has previously been to jail for
14 assaultive behaviour.

15 On March 13th of this year, he and his common-law
16 wife were drinking. During Mr. Tinquí's period of
17 intoxication, he committed a serious vicious assault
18 on his spouse, causing several injuries, some of which
19 are depicted in the photographic exhibits. During the
20 ongoing assault which continued for some time,
21 Mr. Tinquí also threatened to continue beating his
22 spouse until she was dead.

23 It is an aggravating feature that the children
24 were in the home at the time of this appalling
25 behaviour by Mr. Tinquí towards his wife.

26 Mr. Tinquí's criminal record of similar behaviour
27 is also an aggravating feature of course.

1 It is to Mr. Tinquì's credit that he entered an
2 early guilty plea and has saved the state, his spouse
3 and the community the spectacle of having to bring her
4 to court to testify and argue about whether or not she
5 was lying to the police in the original instance.

6 Mr. Tinquì must also receive credit for the three
7 months which he has been detained in custody since the
8 date of the assault.

9 I also note that Mr. Tinquì today expresses
10 remorse for his appalling behaviour while he was
11 intoxicated and also his acknowledgment that he must
12 deal with his alcohol addiction.

13 Please stand, Mr. Tinquì.

14 Mr. Tinquì, you have committed a very, very
15 serious crime and your crime is especially egregious,
16 given your criminal record.

17 I want to tell you, Mr. Tinquì, that you are
18 fortunate today that the Crown prosecutor is not
19 seeking a sentence longer than what he is. I hope you
20 realize that and I hope you remember that. But upon
21 reflection, I feel that the submissions that your
22 lawyer, Mr. Gorin, and the Crown prosecutor have made
23 about a sentence are reasonable, and I am prepared to
24 follow their recommendations.

25 I also want to mention to you, Mr. Tinquì, in
26 terms of what your lawyer indicated on your behalf,
27 that you have expressed a willingness to take programs

1 and courses while you are in jail. I think you should
2 follow up on that. This is my own personal view, I am
3 not a professional: It is not just your alcohol
4 addiction. What you did to your wife, what I have
5 been told here, indicates to me that there is
6 something else wrong. There is some other emotional
7 problem, not just booze. You are sober now and you
8 hear what they are saying that you did to your wife
9 over a period of time. That is not normal. That is
10 not just booze. So you have to deal with whatever
11 this other emotional or anger problem is. I am not
12 saying that you should not work on the alcohol
13 addiction problem, but you have to work on this other
14 thing too. I wish you well in those endeavours.

15 On Count number 2, the crime of assault,
16 assaulting Sonia Akana causing bodily harm, it is the
17 sentence of this Court that you serve a term of
18 imprisonment of 18 months. On Count number 1, utter
19 threat to cause death, four months concurrent.

20 There will be the mandatory firearms prohibition
21 order under section 109 for a period of ten years.

22 The DNA order sought by the Crown is granted.

23 There will be a victim fine surcharge of \$35.

24 You may sit down, sir.

25 Anything else on this case, counsel?

26 MR. NIBLOCK: No, sir, thank you.

27 MR. GORIN: No, Your Honour.

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THE COURT: I want to thank counsel for their
work on this case. We'll close court.

Certified to be a true and accurate
transcript, pursuant to Rule 723 and
724 of the Supreme Court Rules of Court

Annette Wright

Annette Wright, RPR, CSR(A)
Court Reporter