

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- vs. -

GILBERT BOUVIER, JR.

Transcript of the Oral Reasons for Sentence by The Honourable Justice J.E. Richard, at Yellowknife, in the Northwest Territories, on October 16th, A.D. 2003.

APPEARANCES:

Ms. S. Tkatch: Counsel for the Crown
Mr. S. Shabala: Counsel for the Accused

Charge under s. 267(b) Criminal Code of Canada

1 THE COURT: Please stand, Mr. Bouvier. Mr.
2 Bouvier, with some reluctance, I am going to go along
3 with what these lawyers are suggesting by way of a
4 sentence for this assault that you committed on this
5 older man, Mr. Tanche.

6 You have been to Court many, many times, Mr.
7 Bouvier. So I want you to listen to me carefully when
8 I say to you that you are very lucky that the Crown is
9 only asking for 12 months' jail. I don't believe you
10 have appeared in front of me before, but I can assure
11 you, and you think about this in the next while, that
12 the sentence could be a lot, lot higher. So you count
13 your blessings when you go back to jail today.

14 You have a terrible record. You obviously have a
15 liquor problem, a booze problem, that you have got to
16 come to grips with or you are going to spend the rest
17 of your life in jail. So you think about that when you
18 are finishing your sentence and you go back to Fort
19 Providence. You have got to stay away from the booze,
20 because it is just predictable that you are going to
21 commit a crime of violence and be back in court, and I
22 doubt very much that you are going to find the lawyers
23 saying, "Don't send him to jail for any more than 12
24 months."

25 You are 33 years old. You should be mature. You
26 should understand these things. But you also are still
27 young. You have got a lot of life ahead of you.

1 Surely, surely, Mr. Bouvier, you don't want to spend
2 the rest of your years in jail. So you have got to do
3 something about your alcohol problem.

4 For the crime that you have committed, assault
5 causing bodily harm on Johnny Tanche contrary to
6 section 267(b) of the Criminal Code, the sentence of
7 this Court is that you be imprisoned for a period of 12
8 months.

9 In addition, there will be the mandatory section
10 109 firearms prohibition order for a period of 10
11 years. I also grant the DNA order requested by the
12 Crown. In the circumstances, there will be no victim
13 fine surcharge.

14 Have a seat. Is there anything else, counsel?

15 MS. TKATCH: No, Your Honour.

16 MR. SHABALA: Nothing further, Your Honour.

17 Thank you.

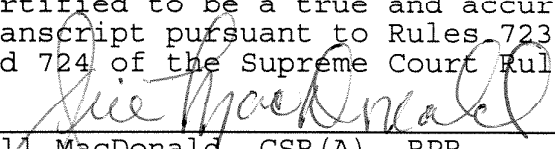
18 THE COURT: Thank you. Is that the last
19 matter?

20 THE COURT CLERK: That's correct.

21 THE COURT: We will close court.

22 **(AT WHICH TIME THE ORAL REASONS FOR SENTENCE CONCLUDED)**

23 Certified to be a true and accurate
24 transcript pursuant to Rules 723
and 724 of the Supreme Court Rules.

25 
26 Jill MacDonal, CSR(A), RPR
Court Reporter

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