

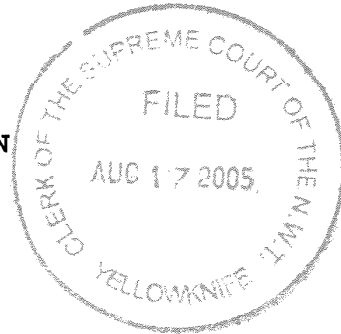
IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

PETER LAWRENCE MERCREDI



Transcript of the Reasons for Sentence delivered by The Honourable Justice J.E. Richard, sitting in Yellowknife, in the Northwest Territories, on the 11th day of August, A.D. 2005.

APPEARANCES:

Ms. L. Colton: Counsel for the Crown
Mr. G. Boyd: Counsel for the Accused

(Charges under s. 253(a) and 254(5) Criminal Code of Canada)

1 THE COURT: Mr. Mercredi has pleaded
2 guilty thirteen months after the fact. I'm
3 sorry. That's not thirteen months. That's nine
4 months after the fact to a charge of impaired
5 care and control contrary to Section 253(a) of
6 the *Criminal Code*.

7 He has an egregious criminal record in
8 particular for drinking and driving offences and
9 also for driving while disqualified. In the ten
10 years leading up to 1994, he was convicted on at
11 least six or seven separate occasions for
12 impaired driving or over 80 or breathalyzer
13 refusal. Then there is a ten-year gap until last
14 November when Mr. Mercredi started drinking
15 again. He was seen driving his vehicle and was
16 seen colliding with two other vehicles. He was
17 found by the police in care and control of his
18 vehicle and passed out in an intoxicated
19 condition.

20 The minimum sentence for this offence is
21 three months' imprisonment, and the maximum
22 sentence is five years' imprisonment.

23 As egregious as his record is, we must
24 accept that he has already served his sentences
25 for those offences and those matters are behind
26 him. We must also acknowledge that he has a
27 clean record for the past ten years, which is one

1 half of his adult life. Indeed, it is the most
2 recent half of his adult life.

3 It appears that he slipped in a major way
4 with respect of his alcohol addiction one year
5 ago, and he must now pay a serious price for the
6 consequences; but I remind myself that it is only
7 this offence that I can sentence him for today.
8 Because of the danger to society if he slips
9 again, he must be removed from society for a
10 period of time and the Court must also do what it
11 can to keep him off the public highways for a
12 substantial period of time.

13 Please stand, Mr. Mercredi.

14 The Court imposes a sentence of twelve
15 months' imprisonment. In addition, there will be
16 a five-year driving prohibition under Section 259
17 of the *Criminal Code*. In addition, there will be
18 a victim fine surcharge of \$100. Time to pay in
19 accordance with the statutory provisions. You
20 can sit.

21 Anything further on this case, Counsel?

22 MS. COLTON: No, Your Honour. Thank you.

23 MR. BOYD: Nothing further.

24 THE COURT: Fine. We'll close court.

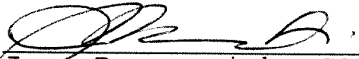
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Certified Pursuant to Rule 723
of the Rules of Court



Jane Romanowich, CSR(A), RPR
Court Reporter