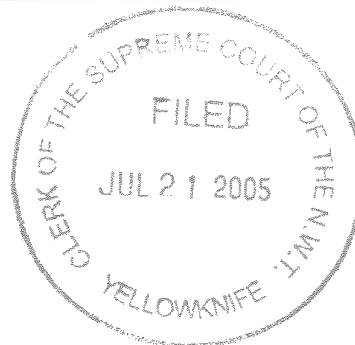


IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:



HER MAJESTY THE QUEEN

- and -

TREVOR PANGON

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Transcript of the Oral Reasons for Sentence by the Honourable Justice J.E. Richard, sitting at Yellowknife, in the Northwest Territories, on June 17th, A.D. 2005.

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APPEARANCES:

Ms. L. Colton:	Counsel for the Crown
Ms. M. Engley:	Counsel for the Accused

(Charge under s. 348(1)(b) *Criminal Code*)

1 THE COURT: Trevor Pangon is before the  
2 Court today to be sentenced for his latest crime  
3 of domestic violence. He is a 31-year-old man  
4 with an egregious criminal record, and a great  
5 deal of that record shows a history of domestic  
6 violence, that is, violence towards women with  
7 whom he has had a relationship.

8 His present offence was committed at a time  
9 when he was intoxicated from alcohol consumption,  
10 and he says that he has no memory of the event.  
11 It should be obvious to Mr. Pangon at the age of  
12 31 years that he is a person who should not  
13 consume alcohol.

14 Perhaps more importantly, it should be  
15 obvious to him, a man of 31 years of age, that he  
16 has a serious problem, possibly an illness,  
17 regarding his attitude or behaviour towards  
18 women. It should be obvious to him that he needs  
19 to get help, some extensive counselling and  
20 treatment to understand his problem.

21 His lawyer says that he has been doing some  
22 self-reflection while awaiting his day in court  
23 for this latest offence. Mr. Pangon himself says  
24 to the Court that he wishes he could go back and  
25 undo what he did on February 15th of this year.  
26 These are wonderful words, commendable  
27 intentions, but it is up to Mr. Pangon and only

1 Mr. Pangon to, in fact, do something about  
2 changing his life, and the first step is to  
3 recognize, Mr. Pangon, that you have a problem  
4 and to seek help.

5 The victim of the present offence is a woman  
6 who had had a relationship with Mr. Pangon for  
7 about eight months, but the relationship had  
8 ended one or two months prior to February 15th.  
9 The victim was asleep in her home here in  
10 Yellowknife with her four-year-old son. At  
11 1 a.m. the offender unlawfully entered her home  
12 through a window. He accosted the victim,  
13 yelling and swearing at her, pushed her onto a  
14 chair and confined her there.

15 She was eventually able to get to the front  
16 door and leave her residence carrying her  
17 four-year-old. The offender pursued her, hauled  
18 her and her son to the ground. The victim was  
19 able to escape and walked to a gas station and  
20 phoned the RCMP. The police found the offender  
21 hiding in the victim's residence and arrested  
22 him. He has been in custody since the date of  
23 his arrest, that is, on February 15th.

24 In her victim impact statement the victim  
25 describes not only the fright and trauma that she  
26 experienced during this event, but also describes  
27 how she continues to be scared; scared that he

1 will come around her home again, scared that he  
2 will come near her or her son, scared to go home  
3 at night, scared to go to sleep at night even in  
4 her locked residence.

5 This offender is an Inuk from Kugluktuk who  
6 will turn 32 years of age next month. He has a  
7 grade eight education equivalent and has had  
8 sporadic employment through his adult life as a  
9 driller's helper and as a labourer. He has been  
10 regularly before the courts of this jurisdiction  
11 and of Nunavut during the past 14 or 15 years and  
12 he has been sentenced to incarceration on at  
13 least 14 prior occasions.

14 I will just make reference to some of the  
15 entries on his criminal record. In 1994 he was  
16 convicted of three counts of spousal assault and  
17 sentenced to 12 months' imprisonment. In 1995 he  
18 was convicted for spousal assault and sentenced  
19 to nine months' imprisonment. In 1996 he was  
20 convicted of spousal assault and sentenced to 12  
21 months' imprisonment. In 1999 he was convicted  
22 of spousal assault and sentenced to four months'  
23 imprisonment. In January, 2002 he was convicted  
24 of spousal assault and sentenced to 18 months'  
25 imprisonment; and in September, 2003 he was  
26 convicted of spousal assault and sentenced to  
27 four months' imprisonment. On the same date he

1 was also convicted for uttering threats and given  
2 an 18-month conditional sentence consecutive to  
3 the four-month jail term. He was still serving  
4 the sentence imposed on him in September, 2003  
5 when he committed the present offence in February  
6 of this year. This is an aggravating  
7 circumstance, as is his lengthy record of  
8 domestic violence.

9 In the determination of an appropriate  
10 sentence in this case, the overriding objective  
11 is clearly the protection of the public.

12 The crime committed by Trevor Pangon, break  
13 and enter into a residence and committing an  
14 indictable offence, carries a maximum sentence of  
15 life imprisonment. It is considered by our  
16 society to be a very serious matter.

17 In mitigation of sentence, I take into  
18 account that Mr. Pangon waived his right to a  
19 Preliminary Inquiry and has pleaded guilty to  
20 this charge. I also take into account the fact  
21 that Mr. Pangon has been in custody awaiting  
22 disposition of this charge for four months. I  
23 give him credit for that remand time even though  
24 that time also counted towards the completion of  
25 the conditional sentence imposed on him in  
26 September, 2003.

27 After taking into consideration all of the

1           circumstances, however, in my view a substantial  
2           period of incarceration is necessary because of  
3           the repetitive nature of Mr. Pangon's violent  
4           behaviour towards women, in particular, and for  
5           the protection of the public generally. Mr.  
6           Pangon is fortunate that the Crown is not seeking  
7           more than two years' imprisonment.

8           Please stand, Mr. Pangon. Trevor Pangon,  
9           for the crime that you have committed, break  
10          enter and commit assault contrary to section  
11          348(1)(b) of the *Criminal Code*, it is the  
12          sentence of this Court that you serve a term of  
13          imprisonment of two years less one day.

14          In addition, I direct that for a period of  
15          two years following your release that you comply  
16          with the following conditions in a probation  
17          order: Keep the peace and be of good behaviour;  
18          appear before this Court when you are required to  
19          do so. You are to notify your probation officer  
20          at all times of your current address, current  
21          employment and any intention to make a change in  
22          your address or employment. You are to have no  
23          direct or indirect contact or communication with  
24          Sheena Kapolak.

25          In addition, there will be the mandatory  
26          section 109 firearms prohibition order for a  
27          period of ten years following your release.


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You may sit. Anything else in this case,  
counsel?

MS. COLTON: No, Your Honour. Thank you.  
MS. ENGLE: No, Your Honour.  
THE COURT: Fine. We will close court.

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

  
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Jill MacDonald, CSR(A), RPR  
Court Reporter