

1 THE COURT: The offender Robert Rex Teddy  
2 has pled guilty to the crime of sexual assault,  
3 and it is now the Court's task to impose an  
4 appropriate sentence.

5 Although the occurrence of the crime of  
6 sexual assault is high in this jurisdiction  
7 compared to the national average, the  
8 circumstances of Mr. Teddy's crime are somewhat  
9 unique. Mr. Teddy is 54 years old and the victim  
10 is his 35-year-old niece, being his sister's  
11 daughter. There was no intoxication by alcohol  
12 involved in the commission of this offence by  
13 either the offender or victim. The victim went  
14 to the home of the offender, her uncle, in the  
15 early morning hours to visit him and his  
16 seven-year-old son, her cousin. The three of  
17 them were watching television. The victim and  
18 the seven-year-old boy fell asleep on the bed.  
19 The victim awoke at 7 a.m. to find the offender  
20 touching her sexually, and he then removed her  
21 clothing and had sexual intercourse with her  
22 without her consent. This sexual activity  
23 occurred while the offender's seven-year-old son  
24 was sleeping in the same bed.

25 In a warned statement to the police some  
26 three months after the fact, the offender  
27 admitted to the crime. He told the police that

1           during the sexual intercourse he realized that  
2           what he was doing was wrong, and he stopped. He  
3           went to the bathroom and while he was there the  
4           victim left his residence.

5                       When the offender first appeared in  
6           Territorial Court with his then defence counsel  
7           in answer to this charge, he elected trial by  
8           judge and jury and requested a preliminary  
9           inquiry. At the time the preliminary inquiry was  
10          scheduled to take place, the offender with his  
11          present counsel waived his right to the  
12          preliminary inquiry and he was committed to stand  
13          trial in this court. Through his counsel, he  
14          indicated as early as April or May of this year  
15          that he intended to plead guilty to the charge.  
16          It is regrettable that it is only now, 14 months  
17          after the offender was charged, that there is to  
18          be a final disposition of this matter. However,  
19          I am satisfied from what I am told on this  
20          sentencing hearing that the offender was prepared  
21          to take responsibility for his criminal behaviour  
22          many months ago, and in these circumstances I am  
23          prepared to mitigate or lessen the sentence that  
24          would otherwise be imposed on account of his  
25          guilty plea and his acceptance of responsibility.

26                       The offender before the court is a  
27          54-year-old Inuvialuit man who has resided most

1 of his life here in Inuvik. I am told that he  
2 has a grade nine education with some additional  
3 upgrading and that he has been employed as a  
4 labourer through his adult life. He has been  
5 married for the past 15 years, however I'm told  
6 he is presently separated from his wife by reason  
7 of the commission of this offence in August 2005.

8 Mr. Teddy has a criminal record. Although  
9 it is somewhat dated, in the ten year period 1986  
10 to 1996, he was convicted on seven different  
11 occasions for violent assaults on other people  
12 and he has received jail sentences ranging from  
13 two weeks to two years. His last conviction of  
14 any kind was more than ten years ago.

15 Denunciation and deterrence are the primary  
16 objectives in the imposition of sentence in a  
17 case like the present one. It is an aggravating  
18 feature of Mr. Teddy's crime that he took  
19 advantage of the vulnerability of his niece as  
20 she lay sleeping at his residence with his  
21 seven-year-old son. As a family relative, his  
22 niece should have been able to feel safe while  
23 visiting in his home, should have been able to  
24 trust that her uncle would not interfere with her  
25 personal dignity or her bodily integrity while  
26 she was in his home. And yet, Mr. Teddy breached  
27 that trust in behaving as he did in order to

1 satisfy his selfish sexual appetite.

2 I am told by Crown counsel that the victim  
3 was advised of her right to place a victim impact  
4 statement before the Court on the sentencing  
5 hearing, however she has declined to do so.

6 Mr. Teddy, through his counsel, indicates to  
7 the Court that he is ashamed of his conduct, that  
8 he is very sorry for what he did to his niece and  
9 for the shame he has brought upon his family,  
10 that he ought to have known better, and that he  
11 apologizes to his niece.

12 Counsel have agreed that the starting point  
13 sentence in a case like this one is a term of  
14 imprisonment of three years. I concur in that  
15 view. However, the offender's guilty plea in  
16 this case and his early acceptance of  
17 responsibility is a strong mitigating factor  
18 warranting a lesser sentence than would otherwise  
19 be required.

20 Please stand, Mr. Teddy.

21 Robert Rex Teddy, for the crime that you  
22 have committed - sexual assault contrary to  
23 section 271 of the Criminal Code - it is the  
24 sentence of this Court that you be imprisoned for  
25 a period of two years.

26 In addition, there will be the mandatory  
27 firearms prohibition order under section 109 of

1 the Criminal Code for a period of ten years.

2 There will also be the mandatory DNA order  
3 under section 487.051, as the Crown has not  
4 indicated that Mr. Teddy's DNA profile is already  
5 in the data bank.

6 In the circumstances, there will be no  
7 victim fine surcharge.

8 I will have the Clerk of the Court endorse  
9 the warrant of committal with this Court's  
10 recommendation that Mr. Teddy be permitted to  
11 serve his sentence in a correctional facility in  
12 the Northwest Territories.

13 You may be seated, Mr. Teddy.

14 Is there anything else, counsel, in this  
15 case?

16 MS. TKATCH: No, Your Honour, thank you.

17 MS. PAYNE: No, thank you, sir.

18 .....

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

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24 \_\_\_\_\_  
Annette Wright, RPR, CSR(A)  
25 Court Reporter

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IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- v -

ROBERT REX TEDDY

Transcript of the Reasons for Sentence (Oral) delivered  
by The Honourable Justice J. E. Richard, in Inuvik,  
in the Northwest Territories, on the 8th day of November,  
A.D. 2006.

APPEARANCES:

Ms. S. Tkatch: Counsel on behalf of the Crown

Ms. K. Payne: Counsel on behalf of the Accused

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Charge under s. 271 C.C.

Ban on Publication of Complainant/Witness  
Pursuant to Section 486 of the Criminal Code