

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- vs. -

CHRISTOPHER HARRIS

Transcript of the Reasons for Sentence by The Honourable
Justice J.Z. Vertes, at Yellowknife in the Northwest
Territories, on September 21st A.D., 2007.

APPEARANCES:

Ms. M. McGuire: Counsel for the Crown
Mr. J. Chadi: Counsel for the Accused

Charge under s. 95(1)(b), s.86(1) Criminal Code of Canada
Charge under s. 5(2) Controlled Drugs and Substances Act

1 THE COURT: In this case, the accused
2 Christopher Harris has entered pleas of guilty to
3 three charges: one being the unlawful possession
4 of a prohibited firearm contrary to
5 Section 95(1)(b) of the Criminal Code; the second
6 being careless use of a firearm contrary to
7 Section 86(1) of the Criminal Code; and the third
8 being a charge of possession of cocaine for the
9 purpose of trafficking contrary to Section 5(2)
10 of the Controlled Drugs and Substances Act.
11 These charges arose from an incident on June 4th,
12 2006, here in the city of Yellowknife.

13 On that day, the accused and a friend were
14 in his apartment and, through carelessness, the
15 firearm discharged and the accused's friend was
16 shot in the leg. This led to a sequence of
17 events highlighted by this accused's disposal of
18 the firearm and drugs that were in his apartment.
19 Subsequent police investigation retrieved the
20 firearm, ammunition, as well as the drugs.

21 In this case, my task has been made much
22 easier because I have been provided with a joint
23 submission. It is a submission developed out of
24 a negotiated plea, one that has been negotiated
25 over a lengthy period of time.

26 I am grateful to both counsel who have
27 obviously put in a great deal of thought and

1 effort into the resolution of this case.

2 The Courts give great credence to joint
3 submissions and the general principle accepted by
4 this Court is that a joint submission, provided
5 in circumstances such as these, should not be
6 lightly disregarded and only in those
7 circumstances where the Court feels that the
8 joint submission does not reflect an appropriate
9 penalty. In this case the joint submission that
10 has been proposed to me, and in the circumstances
11 of all that has been explained to me, I think is
12 an appropriate one.

13 The accused is 24 years old. He grew up in
14 northern Alberta. He appears to have a
15 supportive family. He has a minor prior record
16 but he appears to be genuinely remorseful.

17 I do not need to repeat what has been said
18 in other cases in this Court in the last few
19 years about the problems caused by drugs and drug
20 dealing in this town. It is my hope that at
21 least this accused will be able to find some way
22 to put his life back on track.

23 Stand up, Mr. Harris.

24 Mr. Harris, I accept the submissions of
25 counsel that have been proposed to me, and I
26 impose the following sentences:

27 On Count 3 of the Indictment, that being the

1 charge of possession for the purpose of
2 trafficking, I sentence you to a term of
3 imprisonment of two and a half years. On
4 Count 1, being the charge of unlawful possession
5 of a prohibited firearm, I sentence you to a term
6 of imprisonment of one year consecutive. On
7 Count 2, being the careless use of a firearm, I
8 sentence you to a further term of one year but
9 that will be concurrent. The total sentence is
10 three and a half years imprisonment.

11 You may sit down.

12 In addition, there will be an order pursuant
13 to Section 109 of the Criminal Code prohibiting
14 the accused from having in his possession any
15 firearms or ammunition for a period of ten years
16 from the date of his release.

17 Is there anything else that I have
18 neglected, Ms. McGuire?

19 MS. MCGUIRE: No, Your Honour.

20 THE COURT: Mr. Chadi?

21 MR. CHADI: Victim Fine surcharge?

22 THE COURT: Under the circumstances, the
23 Victim of Fine surcharge will be waived.

24 MR. CHADI: I take it that the Crown seeks
25 forfeiture of all of the offence-related
26 property?

27 MS. MCGUIRE: The weapon is forfeit

1 automatically and I don't think an order is
2 necessary for that.

3 MR. CHADI: There is a number of items
4 that were seized other than the drugs and the
5 weapon and the ammunition. I take it there
6 shouldn't be an issue for retrieval once
7 Mr. Harris has resolved his matters and is out of
8 custody?

9 MS. McGUIRE: His personal items, there is
10 no problem with those being returned.

11 MR. CHADI: Thank you.

12 THE COURT: In that case, any personal
13 items that are not related to the offences can be
14 returned to Mr. Harris at the appropriate time.

15 MR. CHADI: Thank you, sir.

16 THE COURT: Anything else, counsel?

17 MS. McGUIRE: No, thank you, Your Honour.

18 THE COURT: Once again, thank you for your
19 submissions.

20 MR. CHADI: Thank you.

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

26 _____
27 Lois Hewitt, CSR(A), RPR, CRR
 Court Reporter