

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

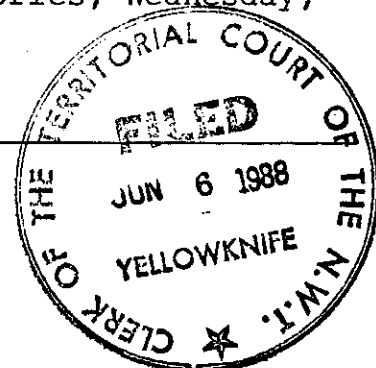
IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

RONNIE PASCAL

Transcript of the oral sentencing delivered by His
Honour Chief Judge J.R. Slaven, sitting at Fort
McPherson, in the Northwest Territories, Wednesday,
May 11th, A.D. 1988.



APPEARANCES:

MS. L.J. WALL Counsel for the Crown
MS. J. LILLEGRAN Counsel for the Defence

(Charges under Section 306(1)(b); 312(1)(a) & 306(1)(b) of
the Criminal Code)

1 THE COURT: I have before me Ronnie Pascal, who is nineteen
2 and a half years of age. Leaving aside any liquor convic-
3 tions, he has six convictions as a youth. He has had none
4 as an adult. He would have been released from open custody
5 on May 27th of 1987, and then committed the break and enter
6 in August, within three months, and another break and enter
7 in October, both of which were serious break and enters,
8 and large amounts of cash were stolen. Some effort was
9 required to get into the buildings and certainly to open the
10 safe at N.C.P.C.

11 The young man says in the pre-sentence report
12 that he drinks virtually every weekend for two to four days,
13 and he has never earned money to buy liquor. He says it's
14 given to him, but I don't believe that. It almost seems
15 that he is pursuing a life of crime. One suspects he will
16 be pursuing a life of crime to support his drinking habit.
17 and could be compared to a heavy drug user in an American
18 ghetto in large cities. I wish that in law I could send
19 him to jail for six or twelve months. That is what these
20 offences call for. But as a young offender I can't.

21 I am going to put him on suspended sentences
22 on the break and enters and nothing else so that if he
23 breaches his probation he can be brought back and sentenced
24 on the two break and enters again. That is why I am directing
25 the transcript of these reasons be given to the Crown and to
26 the Police here in Fort McPherson. If I order community
27 service work on those suspended sentences, would that vitiate

1 any later sentencing, Ms. Wall? Would it prevent it? It
2 seems to me it's a sentence, isn't it? I think I will leave
3 it alone.

4 MS. WALL: May I just have a moment, Your Honour.

5 THE COURT: I will proceed with the utmost caution.

6 MS. WALL: If he is fined, that's a sentence, Your Honour.
7 I know if he's fined that's a sentence.

8 THE COURT: Yes. Well, I'm not going to touch it. I want
9 to be able to sentence him on the break and enters if he
10 fouls up.

11 Would you stand up, please, Mr. Pascal. For
12 the reasons I have given, I convict you on the two break
13 and enters, suspend the passing of sentence, place you on
14 probation for a period of two years to keep the peace and be
15 of good behaviour. I was thinking of making a condition
16 that you not drink, but I won't make it that tough on you.
17 But I want to tell you that if you break the law again, you
18 will be brought back and sentenced for these break and enters,
19 and if I am doing the sentencing, I assure you you're going
20 to jail for six months or a year for these B & E's, together
21 with whatever new stuff you bring in when you're back. So,
22 you're going for two years. You've got two strikes. You
23 better not take that third swing. On the possession of
24 stolen property, I will convict you. Is there a Fine
25 Options Program here, Ms. Blake?

26 MS. BLAKE: Yes, there is, Your Honour.

27 THE COURT: The maximum is up to a thousand dollars, is it?

1 MS. BLAKE: Yes.

2 THE COURT: So, some gentleman goes out and works hard in
3 the winter to catch some fish in the cold and in the discom-
4 fort. How old is Andre Neyando?

5 MS. BLAKE: He's in his sixties.

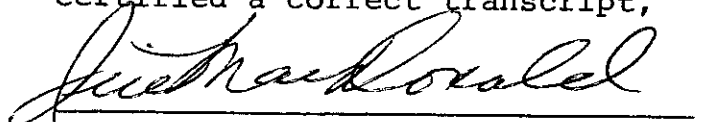
6 THE COURT: A man in his sixties goes out in the cold to
7 catch fish, I don't know if he wants to sell it or keep it
8 for his family, and you, a young do-nothing, at your age,
9 come and steal that elderly gentleman's fish. I hope you're
10 proud of that. I convict you as charged and direct you pay
11 a fine of Nine hundred and ninety-nine dollars. That is so
12 you can work it off by fine option, if you so choose. In
13 default of payment, two month's imprisonment. I give you
14 eight months within which to pay that fine. I direct you
15 be held here in custody until the probation order has been
16 prepared and you have signed it. I guess, then, there is
17 still one outstanding information that was remaining.

18 MS. WALL: Yes. I would like to stay proceedings on
19 that, Your Honour.

20 THE COURT: Thank you.

21 (AT WHICH TIME THIS MATTER WAS ADJOURNED)

22
23 Certified a correct transcript,

24 

25 Jill MacDonald
26 Court Reporter.
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