

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

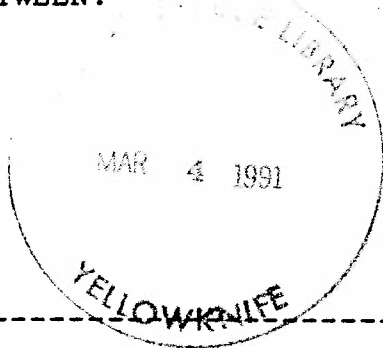
BETWEEN:

HER MAJESTY THE QUEEN

- v. -

BESSIE HIKOMAK

Accused



REASONS FOR JUDGMENT OF HIS HONOUR JUDGE T.B. DAVIS

THE COURT: Bessie Hikomak admits to assaulting her friend when they were together at a brew party, and were both intoxicated. She hit her friend with a crib board, and cut her friend's head; and since that time, she has made up with her friend, and has apologized.

She is 47 years old, and is embarrassed at having committed this offence.

Defence counsel has therefore suggested that a discharge could be considered by the Court, rather than entering a conviction on that charge.

The Court has considered the possibility of a discharge, which could be available, and some times becomes available if the penalty imposed would be more severe on the accused person than otherwise penalizing other persons. That means that if the accused were to automatically lose her job because of conviction, the Court could then consider the discharge instead of a conviction.

There does not appear to be any substantial penalty to be

1 imposed on the accused however by entering a conviction against
2 her today. I therefore have to ask, would it be against the
3 public interest to grant a discharge?

4 Because of the high percentage of assault charges on the
5 docket before the Court today, and because it appears that
6 assaults are coming more often before the Court, a discharge might
7 give the impression to the public that the Courts are not
8 concerned, or as concerned about assaults as the Court should be.

9 I therefore think it appropriate at this time to enter a
10 conviction on the charge, and to impose a fine.

11 The fine will be in the amount of \$150.00, or in default
12 thereof, two weeks in gaol, or if it is not paid, two weeks in
13 gaol.

14 How long will it take the accused to pay that fine?

15 MR. FUGLSANG: She said as soon as her husband starts
16 work, she is going to pay.

17 THE COURT: When is that -- one month, two months?

18 MR. FUGLSANG: He's just going to start work on Monday.

19 THE COURT: All right, we will allow two months to
20 pay.

21 Mrs. Hikomak, I hope you will try and tell other persons
22 that the Court hopes and wishes that people would not be drinking
23 and having these parties.

24 There is no surcharge on this matter.
25

26 PROCEEDINGS CONCLUDED
27

1 Delivered orally in Territorial Court, Coppermine, Northwest
2 Territories, on the 11th day of May, A.D. 1990
3 M. Rodych, Esq.
4 For the Crown
5 P. Fuglsang, Esq.
6 For the Accused
7 S. Rosadiuk, C.S.R.(A)
8 Official Court Reporter