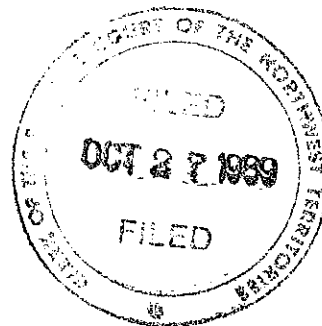


IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN



- and -

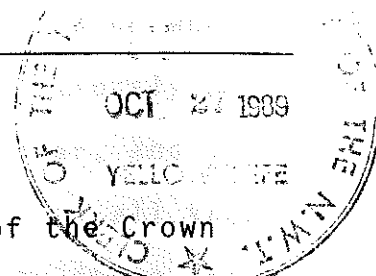
MICHAEL ANGOTTITAUUQ

Transcript of the Reasons for Sentence and Sentence delivered by His Honour Judge R. M. Bourassa, sitting at Gjoa Haven, in the Northwest Territories, on Tuesday, October 10th, A. D. 1989.

APPEARANCES:

MR. J. CLIFFE On behalf of the Crown

MR. A. MARSHALL On behalf of the Defence



1 THE COURT: The Court has to make a decision on how to
2 sentence Michael Angottitauruq for the offence that we
3 have all heard of today described by the Crown Attorney.
4 This offence in this case is punishable by a maximum of
5 six months jail, or a \$2000 fine, or both.

6 In trying to decide what to do, the Court
7 has to look at the offence, the offender and what other
8 Courts have done in similar circumstances. The Court has
9 to try and balance all of the factors that are present and
10 do the right thing with respect to this man and this
11 offence.

12 Looking at the offence: it is a shameful,
13 despicable thing. It is an exploitation of a small child
14 by an adult who has authority over her. Our children are
15 our past as well as our future. Unfortunately, studies
16 seem to show that children that are abused sexually, or
17 physically, subjected to alcohol abuse, or other sins that
18 parents can visit on them, grow up and do the same things
19 to their kids. As adults we raise children the way we
20 were raised.

21 The law is very clear; children who can't
22 protect themselves will be protected vigorously by the
23 law and the Courts. The law is very clear, and it is
24 very simple; it very simply states what we all know in
25 our hearts to be true, and that is that little children
26 are to be loved, respected, fostered and raised to be
27 good people. Abusive conduct with respect to small

1 children results in the harshest of sentences.

2 With respect to the offender, Michael
3 Angottitauruq: I would make it very clear at the
4 beginning that everyone is equal in the eyes of the law -
5 doctors, lawyers, M.L.A., or the poorest man in the
6 community are treated the same way. I have a lot of
7 information about the accused before me in a positive
8 pre-sentence report, and I gather that he has a lot to be
9 proud of, and a lot of positive things in his life.
10 Dealing with him as a man, I point out that he has never
11 been convicted of any criminal offence before. He
12 confessed completely to the offence that is before the
13 Court at the very first instance. He has taken steps
14 to resolve his problems so that they will not recur. In
15 the pre-sentence report he is described as a person with
16 a solid personality, sincere and obviously responsible.
17 He is skilled in the traditional ways, and he is able to
18 make his way in the new world in business, politics and
19 the wage economy. He provides materially for his family
20 and his mother, and I think that there is every reason to
21 believe that, once this chapter in his life is closed,
22 that the Court can have some confidence that whatever led
23 to this offence will be eliminated, and he will not be
24 before the Court again.

25 The Court wants to achieve certain things
26 by imposing a sentence. What this Court wants to achieve
27 is, first, restoration of the community peace;

1 reconciliation within the family; that this kind of
2 conduct ends once and for all time; and, I have to agree
3 with the Crown Attorney, that others who may find them-
4 selves in a situation of abusing their children be
5 deterred - that is scared from ever even attempting this.

6 I have every confidence that once sentence
7 is imposed and served, that the community will extend
8 its forgiveness to Michael, and life will go on. But I
9 think it has to be made abundantly clear that the Court
10 will protect little children, and no man must do this
11 kind of thing.

12 I have in mind the decision of the Alberta
13 Court of Appeal in R v R., P., T., and S., and as well
14 R v Adams (1981) 13 Man. R. (2d) Man. CA; R v Shalley(1983)
15 20AC 398, and finally the words of Tallis J., formerly of
16 the N.W.T. Supreme Court, in R v Gordon (1984) 34 Sask.R.
17 232 CA. Balancing all of the factors before me as best I
18 can, keeping in mind that the accused has paid a price
19 already, and is paying a price today. Stand up Mr.
20 Angottitauruq:

21 On this charge, it is the sentence of the
22 Court that you be imprisoned for a period of five days.
23 In addition to that, that you be placed on probation for
24 nine months. You are to keep the peace and be of good
25 behaviour. That simply means stay out of trouble. You
26 are to report to the probation worker here in Gjoa Haven
27 no less than once a month, and keep her informed as to

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what is going on in your life, and how things are going.
She can help you.

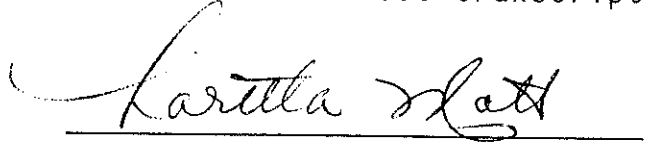
You are also to continue with your
counselling with Dr. Clemmie on no less than four
additional occasions. At the end of the nine months, it
will be the end of the probation.

I would hope that the term of imprisonment
can be served in the community. It is recognized it may
be difficult, but that is my intention in fixing the days
that I did. If it is possible, I want him to serve his
term here.

Thank you, that is all.

(AT WHICH TIME THIS MATTER WAS ADJOURNED)

Certified a correct transcript,



Loretta Mott, Court Reporter