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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

VS

GORDON RONALD PETERSON



Transcript of the Oral Sentencing Delivered by His Honour
Judge R. M. Bourassa, sitting at Yellowknife in the
Northwest Territories, on Wednesday, June 25th, A.D.,
1986.

APPEARANCES:

MR. B. BRUSER:

Counsel for the Crown

MR. P. PENNY:

Counsel for the Defence

1 THE COURT: Ronald Gordon Peterson is convicted today
2 on his own plea of four offences, a breach of probation,
3 two failures to attend court, and an assault. Perhaps
4 a few comments are called for on each of the offences.

5 Given the accused's antecedents, the assault is disturbing.
6 I acknowledge the submissions of Defence counsel that no
7 one was hurt or injured, that the assault was really a
8 threat. The accused is a muscular man. He has long
9 experience with the court. He has been in and out of the
10 courts virtually every year since 1980. The accused has
11 a long history of offences involving narcotics, and recently
12 in Edmonton, in 1985, of assault. I can accept and believe
13 that the image that he projected that afternoon when he
14 picked up the knife and says "it is easy to kill someone"
15 to one that he had been having a civil dispute with would
16 be quite frightening.

17 With respect to the breach of probation, he was on
18 probation at the time of the assault, and by committing that
19 offence, of course, breached his probation. However, in
20 looking at the probation order, I see that it is for a
21 very short time of three months, and that the only other
22 condition of the probation order is with respect to
23 restitution. I think it is fair to conclude that the purpose
24 of the probation order was to obtain restitution. Perhaps
25 more so than any great hope or direction to keep the accused
26 out of trouble. While I accept that the statutory condition
27 was present, and the accused should have at least stayed out

1 of trouble, it seems to me the thrust of the probation
2 order was to obtain restitution. I take that in somewhat
3 of mitigation in the sense that it is perhaps a less grave
4 event than someone who blatantly goes out and flouts a
5 probation order that is clearly designed and directed towards
6 trying to reform and rehabilitate someone.

7 With respect to the failures to appear, I think they
8 are quite serious in my estimation in weighing the various
9 factors that are before me. It is not the first time he
10 has been convicted of offences involving court orders.

11 The accused, as I have earlier said, has a long history
12 of antisocial conduct and involvement with the courts.
13 He is well aware of the obligations upon him. I can only
14 conclude and infer from what is before me that he failed
15 to appear for his trials in a desire simply to avoid process
16 and avoid further complications, believing that he could
17 ultimately avoid the consequences. The fact that he
18 failed to appear in Supreme Court when a trial was set
19 I think is an aggravating factor. The matter was set for
20 judge and jury. Witnesses would have been subpoenaed;
21 A jury would have been available for impanelling -- It is
22 a very serious matter especially given again the accused's
23 past experience with the courts. It can't be said here
24 that there was a misunderstanding or a lack of knowledge
25 or anything of that nature. I am certain that the accused
26 was fully aware of the consequences and the inconvenience
27 and the difficulties he was causing by not showing up.

1 It simply reflects a very poor attitude on behalf of the
2 accused with respect to his obligations and his responsibilities.
3 In fact, his whole criminal record and everything that
4 is before me reflects the attitude of someone who is bound
5 and determined to do what he is going to do, and the rest
6 of us can be darned. Well, Mr. Peterson, things don't
7 work like that. You are free to do anything that isn't
8 prohibited by law, but when it comes to picking up a knife
9 and threatening someone, and failing to attend court, the
10 line is drawn.

11 I note that the accused has received jail sentences
12 in the past, and appears to have been treated quite leniently
13 given the nature of some of the convictions, although I don't
14 have the benefit of the circumstances of each of those
15 offences before me.

16 The accused is going to have to learn a lesson, and
17 that lesson is quite simply there is only a few laws that
18 you have to obey, Mr. Peterson. Obey them and keep out
19 of trouble. Most of us do. I don't see that it is so
20 difficult.

21 Stand up, please, Mr. Peterson. Taking into account
22 what has been said on your behalf and for the reasons I
23 have given, with respect to the assault, I am going to
24 sentence you to three months imprisonment. With respect
25 to the breach of probation, one month concurrent. With
26 respect to the failure to attend in Supreme Court for your
27 trial which is count one, there will be a term of imprisonment

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of three months consecutive. With respect to count two,
failure to attend in Territorial Court on the next day,
there will be a term of three months imprisonment concurrent.

MR. PENNY: Thank you, sir.

(AT WHICH TIME THESE PROCEEDINGS WERE CONCLUDED.)

Certified a correct transcript,

Laurie Ann Young
Laurie Ann Young
Court Reporter