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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

VS

PAULOOSIE LUCASSIE

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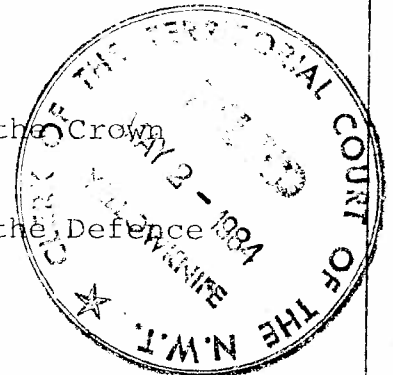
Transcript of the Oral Sentencing Delivered by His  
Honour Judge R. M. Bourassa, sitting at Frobisher  
Bay in the Northwest Territories, on Wednesday,  
March 7th, A.D., 1984.

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APPEARANCES:

MS. N. BOILLAT: Counsel for the Crown

MR. J. BOVARD: Counsel for the Defence



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1 THE COURT:

2 Pauloosie Lucassie is convicted of an  
3 offence of assault that caused bodily harm to Poodloo  
4 Lucassie. In battering her with a pair of binoculars,  
5 he inflicted cuts on her that required seventeen stitches  
6 to close. All of this occurred in a house populated by  
7 five kids from three to seventeen years of age. Assuming  
8 some of the children were present, I wonder what kind of  
9 an example it sets for them when they see their father  
10 beating up their mother.

11 It is hardly surprising that this occurred in view  
12 of the drinking, but regardless of that, I think the  
13 court's obligation is to make it very clear that it is  
14 not going to tolerate violence. It doesn't tolerate violence  
15 on the streets, and it is not going to tolerate violence  
16 in the house. Being married to someone is not a license  
17 to beat them up, and when someone agrees to get married,  
18 I don't know of any marriage vows that include the agreement  
19 to be beat up by their husbands.

20 I want to point out to Pauloosie Lucassie that  
21 society as a whole has a right to look in through his  
22 front door to determine what is going on in his household  
23 in circumstances such as this, and that the police have  
24 every right to bring these kinds of charges before the  
25 courts regardless of how the spouse feels. I want  
26 Pauloosie to clearly understand that it is what he did to  
27 his wife that brings him to court today, not what his wife  
has done by complaining to the police.



1           This is a serious offence, punishable by ten years  
2 imprisonment maximum. I can take into account the most  
3 important thing I think on the circumstances that are  
4 before me, and that is that Pauloosie has no previous  
5 criminal record. He apparently has lived his life  
6 reasonably responsibly, and that has to be taken into  
7 account, and the fact that he has never been before the  
8 courts before, as I say, is important. If Pauloosie had  
9 any kind of criminal record indicating assaults in the  
10 past, then I think he would be looking at a long term of  
11 imprisonment.

12           I believe I have to impose a sentence that is going  
13 to bring home to Pauloosie the importance of not beating  
14 his wife or anyone else for that matter. On the other  
15 hand, I think I should impose a sentence that is going to  
16 be over and done with as quickly as possible so that  
17 there is no malingering resentment or further complications  
18 in the marital relationship.

19           A large fine may be appropriate, but I am concerned  
20 that that is just going to take away food from the children's  
21 mouths, especially in view of the fact that Pauloosie  
22 Lucassie is not working, and that by imposing a fine, in  
23 fact the children are going to end up being punished. I  
24 am tempted to impose a fine, because if Pauloosie has the  
25 money to drink, he has got the money to pay a fine but as  
26 I say, I am concerned about the young children.

27           I am going to impose a term of imprisonment, and I



1 want Pauloosie to clearly understand that if he is back  
2 before the courts again on another assault, that he may  
3 very well be facing a lengthier term.

4 I take into account that he is remorseful and he  
5 has come before the court at the first opportunity and  
6 pleaded guilty to be rid of this matter, and I take that  
7 in mitigation.

8 Pauloosie, would you stand, please. On this charge,  
9 I am going to impose a term of imprisonment of five days.  
10 In addition to that, I am going to place you on probation  
11 for a period of one year. The only term of that probation  
12 order is that you are to keep the peace and be of good  
13 behavior. That simply means to stay out of trouble. That's  
14 all.

15  
16 (AT WHICH TIME THESE PROCEEDINGS WERE CONCLUDED.)  
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20 Certified a correct transcript,

21  
22 Laurie Ann Young  
23 Laurie Ann Young  
24 Court Reporter  
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