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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

RODERICK BRUCE KAKWI

Transcript of the oral sentencing delivered by His Honour Chief Judge J.R. Slaven, sitting at Fort Good Hope, in the Northwest Territories, Wednesday, October 16th, A.D. 1985.

APPEARANCES:

MR. J.D. SUTTON

Counsel for the Crown

MR. R. SPAULDING

Counsel for the Defence



1 THE COURT: Well, it is so hard for me to understand the
2 attack on a poor old eighty-one year old gentleman who was
3 minding his own business and at home at four-thirty in the
4 morning, and this young drunk arrives and beats the heck out
5 of him, a terrible thing. I would have no hesitation whatso-
6 ever in sending him to jail but for the fact that this is
7 the first offence he apparently has ever committed. But
8 then things seem to have gone down hill with him since then. He
9 was awaiting the determination of this matter and he gets in
10 further trouble and is convicted of mischief and breach of an under-
11 taking. It must have been a fairly serious mischief offence
12 when as a first offender he was fined a total of Four hundred
13 dollars in J.P. Court at that time. He was placed on proba-
14 tion, again still awaiting the determination of the assault
15 matters, and he goes on with this foolishness with the fire-
16 arm.

17 At Fort Good Hope, a young man with a good job
18 and making good money, and I know liquor befuddled him. It is
19 hard to know what was in his mind to cause him to act that
20 way even though he was drunk. A terrible thing. I don't
21 think it's a matter of rehabilitating him. It's a matter of
22 deterring him from drinking. I'm not going to make any proba-
23 tion order. Surely the discipline of work is worth some-
24 thing, and if he wants to get counselling and treatment for
25 his alcohol problem, that's up to him to get it. It won't be
26 by my order. He's got to make his own decisions.

27 Stand up, Mr. Kakfwi. Roderick Bruce Kakfwi,

1 I convict you of the charge of assault causing bodily harm.
2 I direct you pay a fine of One thousand dollars and one day
3 in jail, which has been served by your appearance in Court
4 here today; in default of payment two month's imprisonment.
5 I convict you of the charge of a weapons offence, Section
6 84(2). I direct you pay a fine of One thousand dollars; in
7 default two month's imprisonment consecutive. On the breach
8 of probation I convict you and direct you pay a fine of Two
9 hundred dollars; in default two week's imprisonment consecu-
10 tive. That is a total of Two thousand and two hundred dollars.
11 I give you six months time within which to pay those fines.

12 Was the shotgun seized?

13 MR. SUTTON: Two weapons seized, sir, and I would ask for
14 an order for their destruction.

15 THE COURT: Do they belong to the accused or his father?

16 MR. SUTTON: That is my information, sir.

17 THE COURT: Two shotguns?

18 MR. SUTTON: Two shotguns, a twelve gauge and a sixteen
19 gauge, sir.

20 THE COURT: Very good. You can be sure, Mr. Kakwi, anything
21 more like this and it will be hello jail and goodbye job.
22 That's all.

23 -----
24
25 Certified a correct transcript,

26 
27 Jill MacDonald, Court Reporter.