



10 OCT 1984
7 10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER:

HER MAJESTY THE QUEEN

VS

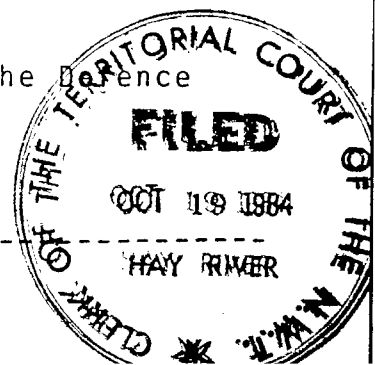
EDWARD JOHN BONNETROUGE

Transcript of Proceedings of an Oral Judgment given
by His Honour Judge R. W. HALIFAX, sitting at Fort
Providence in the Northwest Territories on Friday,
October 12, A.D. 1984.

APPEARANCES:

MS. N. BOILLAT Counsel for the Crown

MR. D. MACDONALD Counsel for the Defence





1 THE COURT: We have for sentencing four Counts. The one that
2 is most serious, in my view, is Count No. 1: break, enter,
3 and committing the indictable offence of assault with a weapo
4 That offence, Mr. Bonnetrouge, being a dwelling house carries
5 a maximum penalty of life imprisonment. That is the exact
6 reason why the maximum penalty is of that nature, because of
7 that type of breaking into residences and assaults and violen
8 towards the occupants being used. That is why the penalty is
9 one of life imprisonment. Break and enter of the house and
10 assaulting of the occupants is treated very seriously in our
11 criminal justice system.

12 I appreciate there had been a relationship at an
13 earlier time with Ms. Neale. That still does not justify this
14 type of behavior, nor does the fact that you were under the
15 influence of alcohol justify it.

16 Now, there is an indication that you were aware
17 of rumors prior to being confronted with what you found after
18 you went into the house. Of course, you were improperly on
19 the premises to start with. Of course, the deterioration of
20 getting the weapon out and loading it, it is possibly just by
21 luck that somebody was not shot.

22 In my view, Mr. Bonnetrouge, although you are in
23 effect a first offender with just two Liquor Ordinance con-
24 victions, it seems to me that the circumstances of this case
25 are too serious. As well, it seems to me that the protection
26 of the public from this kind of offence in this community has
27 to be of substantial importance as well as rehabilitation



1 with regard to you as an individual. As well, the deterrent
2 aspect for you and for the public generally in this community
3 is of importance.

4 I look at the Docket today in this court, and
5 more than 50 percent of the Docket is dealing with assaults.
6 Now, the penalties for assaults have been increased within
7 the last year and a half by the Government of Canada.
8 Obviously, the penalties have not been sufficient to act as
9 general deterrent in this community. I do think there is
10 some value in general deterrence in small communities.

11 I also notice when I look at the Docket today
12 that there are assaults and that in those assaults there are
13 four of them in which a weapon is used out of seven. It
14 seems to me that the penalties must be much stiffer to offer
15 a deterrent so that this kind of thing does not continue.

16 Now, the other side of it is, Mr. Bonnetrouge,
17 that you should not be made the scapegoat for everybody else
18 in the community. I just take this opportunity to make that
19 statement that if this type of thing continues in this
20 community, you are going to find a lot of people going to
21 jail for a long time. There is no reason why innocent people
22 have to be assaulted with weapons. Our criminal justice
23 system provides that type of protection, and this Court will
24 give it. There is a substantial number of people from the
25 community in the courtroom today, and I trust that the word
26 will get around that the penalties are going to be a lot
27 tougher for any assaults in the future.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

With regard to the charge under Section 306(1)(b) Count No. 1: break and enter and committing an assault with a weapon: I sentence you to six-months imprisonment.

With regard to Count No. 3 of the pointing of the firearm at Jane Elizabeth Neale which arose out of the same circumstances--so I take that into consideration--I sentence you to three-months imprisonment to be served concurrently.

With regard to the pointing of the firearm at Mr. Arychuk, I sentence you to three-months imprisonment to be served concurrently.

With regard to the possession of marijuana charge I sentence you to 30-days imprisonment to be served concurrently.

Now, hopefully, Mr. Bonnetrouge, you appreciate the seriousness of these offences. I can tell you, Mr. Bonnetrouge, if there was anything in your criminal record that showed any violence in the past, I would have no problem giving you somewhere between three and five years for the offences before the Court. It is the only break you are getting, and it is because you have not been in trouble before. That is just the type of offence that will automatically bring pen time if there is any record of previous violence.

That will be all.

Certified a Correct Transcript:

Margaret Andruniak
Margaret Andruniak
Court Reporter