



TR

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 OF:

HER MAJESTY THE QUEEN

v.

KOWISA ARLOOKTOO

---

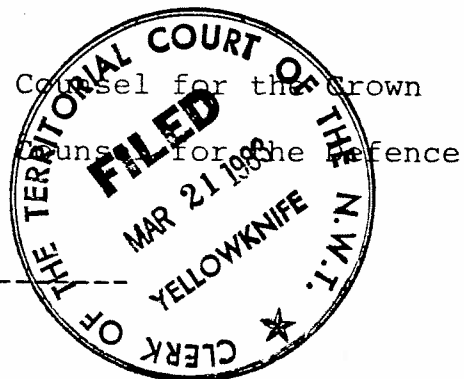
Transcript of the sentencing delivered by His Honour  
Judge T. B. Davis sitting at Frobisher Bay, Northwest  
Territories, on Wednesday, March 9, A.D. 1983.

---

APPEARANCES:

MR. D. GATES

MR. J. BOUVARD





1 THE COURT: Kowisa Arlooktoo has today entered a plea of  
2 guilty to a charge under Section 4(2) of the Narcotic Control  
3 Act of having possession of narcotics for the purposes of  
4 trafficking, admitting that on the 9th of February, 1983,  
5 he was in possession three envelopes containing cannabis  
6 resin while travelling from Frobisher Bay to the small  
7 community of Lake Harbour which is his home.

8 The envelopes contained .5 grams, 1.8 grams and  
9 5.05 grams respectively and were marked to be delivered to  
10 individuals in that community.

11 The accused, who is 16 years of age, has no  
12 previous record and had received a parcel for the purposes  
13 of delivering it to Lake Harbour, and made some efforts,  
14 after suspecting that the parcels contained drugs, to contact  
15 the supplier to indicate that he was not anxious to partici-  
16 pate in the transfer of the parcel. Being unable to make  
17 contact, he was willing to carry the drugs in his luggage  
18 and was arrested upon arrival in the small community.

19 He freely admitted his involvement to the police  
20 and today pleaded guilty to the charge as filed.

21 It appears that the accused has completed  
22 grade 9 and has been working construction work, and because  
23 of his age and what appears to be a good background, both  
24 Crown and defence have recommended that he would be appro-  
25 priately entitled to consideration on the lower range of the  
26 usual sentences imposed for cases of this nature.

27 Ordinarily the Supreme Court of the Northwest



1 Territories has indicated that we must make an effort in  
2 considering sentences to insure that drugs are not transported  
3 from the larger communities to the smaller, supposedly less  
4 sophisticated communities, and that deterrence must be  
5 considered by the Court, and the terms of imprisonment should  
6 be severe enough that people know that they are not to be  
7 involved with this type of activity which so readily is  
8 harmful to the communities in which drugs are delivered.

9 It is not uncommon to have gaol terms ranging  
10 between nine months and eighteen months for trafficking of  
11 drugs, and I must go out of the ordinary if I am to consider  
12 a lesser period for this accused.

13 Taking into account that the accused in this  
14 case was to receive nothing for his involvement in the  
15 offence and that he did hesitate to participate even though  
16 in the end he was silly enough to carry through with the  
17 request to transport drugs, and because of his age, I will  
18 go out of the ordinary range and impose a lesser sentence  
19 as suggested by defence counsel similar to a gaol term that  
20 was imposed by my Chief Judge in April of 1982 for a  
21 somewhat similar offence in having taken place in Frobisher  
22 Bay.

23 I wish to note that a lesser sentence in this  
24 instance does not in any way indicate the likelihood that  
25 the Court is looking at these matters less seriously than  
26 in the past; and unless there are very strong circumstances  
27 to influence the Court, the customary range would be at least



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

twelve months in gaol for a similar offence.

Therefore the accused in this instance, because of his age and because of what appears to be his somewhat lack of full criminal intent, will receive only the imprisonment requirement of four months in gaol as a result of the conviction that is entered today. Do you understand that, Mr. Arlooktoo?

THE ACCUSED: Yes.

-----

Certified a correct transcript

Catherine Metz  
Court Reporter