



1 With regard to unlawful possession of liquor on the
2 11th day of December, the accused, at 11:30 in the evening, was
3 on the ice road and was drinking a beer contrary to Section 62
4 of the Liquor Ordinance. He failed to appear on a voluntary basis
5 when he was able to do so, which means he could have paid a fine
6 of \$25. Having failed to appear and now being charged with
7 unlawful possession, and since the solicitor for the accused
8 has indicated he has the ability to pay a fine, I will impose a
9 fine of \$45 on that charge. I believe under Information #215.
10 In default thereof, three days in jail.

11 The charge with regard to the stop sign -- that is
12 under Information #216 -- the accused, on the 28th of December,
13 1982, at 12:40 o'clock, was driving a 1977 Chev Nova and drove
14 through a stop sign between 15 and 20 miles per hour without
15 paying any notice to the stop sign, itself, and explained that
16 the roads were too icy for him to stop. The accused could have
17 voluntarily made payment of a fine of \$40 but failed to do so
18 and was, therefore, charged under the section and had entered
19 a plea of guilty for which there will be a conviction entered.
20 Defence counsel has indicated that the accused has the ability
21 to make payment of the fine if he has employment during the
22 summer, and I will, therefore, impose a fine of \$60 or in default
23 five days in jail.

24 With regard to the Information under #214, the accused
25 pleads guilty to a charge under Section 151 of the Vehicle
26 Ordinance in that he failed to observe a stop sign at an inter-
27 section on the 23rd of January, 1983, at which time it was



1 also noted that the accused had no driver's license and a
2 faulty horn and then possibly a number of outstanding fines that
3 had not been paid for previous offences. This offence has a
4 voluntary payment available of \$25. The accused has appeared
5 to fail to make payment of the voluntary fine and was, there-
6 fore, charged and entered a plea of guilty, so conviction will
7 be entered and a fine will be imposed; a fine in the amount of
8 \$45, or in default, three days in jail.

9 The accused also entered a plea under Information
10 #213 to a charge under Section 51 of the Vehicles Ordinance to
11 failing to carry and produce a driver's license on request on
12 the 23rd of January, 1983, at Inuvik and which there is a
13 voluntary fine in the amount of \$25 available, which the accused
14 did not pay. Under the circumstances, I will impose a fine in
15 the amount of \$45, or in default, three days in jail.

16 With regard to Information #212, the accused is also
17 charged that on the 23rd of January he was operating a motor
18 vehicle without the required equipment and that the vehicle had
19 a faulty horn, contrary to Section 93(2) of the Vehicles
20 Ordinance. A voluntary fine in the amount of \$25 is available
21 on that charge, which the accused failed to pay and has entered
22 a plea of guilty for which a conviction will be entered and a
23 fine will be imposed in the amount of \$45, or in default
24 thereof, three days in jail.

25 Now, the accused also has entered pleas of guilty
26 under Information #217 to three charges, Number 1 being that on
27 the 10th of February, 1983, at Inuvik, he broke and entered the



1 Inuvik Rexall Drug Store and committed theft therein, contrary
2 to Section 306 of the Criminal Code, 306(1)(b), to which a
3 conviction will be entered. The accused, on that occasion,
4 had been chased by the police and was found hiding in a red
5 Datsun pick-up. He started the vehicle and drove off and then
6 picked up some friends and later got stuck and abandoned the
7 vehicle and was apprehended by the police at a later time. The
8 accused jimmied the door to the drug store while some girls and
9 friends were lookouts, and when they noticed that they were
10 being observed, they ran from the drug store dropping some of
11 the items that had been stolen on the way. Other persons who
12 were involved with that same offence had appeared before the
13 Court and were sentenced to a period of incarceration for three
14 months in jail.

15 The accused is 18 years of age and has been unemployed
16 since leaving the job in 1982. Because of the record of the
17 accused and the requirement for consideration of similar penalties
18 for similar offences, I feel it is necessary for me to also
19 impose a jail term on the accused for Count 1 regarding the
20 break-in at the drug store, and I will impose a jail term of
21 three months.

22 With regard to Count #2 on the same Information, the
23 accused pleaded guilty to break, enter and theft into Semmler's
24 General Store on the 10th of February, 1983, in Inuvik, also
25 contrary to Section 306(1)(b) of the Criminal Code, and on that
26 matter I feel it is also necessary to consider deterrence and
27 attempt to try and stay within the range of similar sentences



1 elsewhere, and I will impose a jail term on the accused for
2 three months to run consecutively.

3 Count #3, the accused also has pleaded guilty to a
4 charge that on the 10th of February, 1983, at Inuvik, Northwest
5 Territories, did attempt to break and enter Moe's Pool Hall,
6 such offence being contrary to Section 421 of the Criminal Code.
7 On that occasion, the accused was unsuccessful in the efforts
8 to enter the premises and very little damage was done to the
9 business premises. Others and an associate involved with this
10 matter -- maybe just for clarification, was the accused alone
11 on that particular charge? Could you tell by the facts with
12 regard to the attempt break and enter?

13 MR. REHN: Sir, my recollection on that was that there
14 may have been a juvenile along. There was another individual
15 there. However, the charge against that individual was with-
16 drawn.

17 THE COURT: Yes, we had not dealt with any associate.

18 MR. REHN: No, that is correct, sir.

19 THE COURT: All right, thank you. Attempt was made by the
20 accused, and no other associate was before the Court. Taking
21 into consideration the age of the accused and the circumstances
22 surrounding it, no damage having been done, and attempting to
23 be concerned about the totality of the sentences involved, I
24 will impose, instead of three months, a jail term of two months
25 on the accused for that attempted break-in.

26 MR. SHIPLEY: How would that term be served, your honour?

27 THE COURT: That will also be served consecutively. Are



1 those all the matters before the Court to be dealt with today
2 except the motor vehicle matter, taking a motor vehicle without
3 permission.

4 MR. SHIPLEY: With respect to -- there is one other matter
5 which will be added to the docket.

6 THE COURT: All right. There is a charge then as well
7 that on the 10th of February, 1983, at Inuvik, Northwest
8 Territories, the accused, Troy William Amos, also involved with
9 taking a motor vehicle without the consent of the owner with
10 intent, contrary to Section 295 of the Criminal Code. That is
11 under Information #212. On that occasion, February 10, the
12 accused pleaded guilty to the charge when he had taken the
13 motor vehicle and picked up some friends, was driving the motor
14 vehicle, or with others, when it got stuck and the group
15 abandoned the motor vehicle owned by Mr. Harvey. It does not
16 appear that a great deal of damage was done to the motor vehicle,
17 and the vehicle had been unlocked at the time that it was taken.
18 On that charge, I will also attempt to consider the overall
19 effect of the sentence being imposed and because the total could
20 be too harmful to the accused if it were overly burdensome, since
21 he is of yet young years and should be subject to rehabilitation:
22 so I will impose on that charge a term in jail of two months,
23 also to run consecutively. That was under 212, Madam Clerk.

24 THE CLERK: Thank you.

25 THE COURT: Do you understand all those, Mr. Amos?

26 THE ACCUSED: Yeah.

27 THE COURT: Yes, all right. Are those all the matters



1 to be dealt with?

2 MR. SHIPLEY: I do not believe you indicated time to pay on
3 the fines, your honour. There appears to be five fines, four
4 of them at \$45 each and one at \$25. What length of time does
5 the accused require to make payment of the fines.

6 MR. REHN: Sir, I would suggest he is probably going to
7 require something like three months.

8 THE COURT: All right.

9 MR. SHIPLEY: For now, your honour, I do not want to do
10 my friends's job, but he has just been sentenced to ten months
11 in jail.

12 THE COURT: I would expect he means after his release
13 from jail.

14 MR. REHN: Oh, yes, sir.

15 THE COURT: Would that mean that in my notation I would
16 put the length of time to pay for something -- like time in
17 jail plus three months?

18 THE CLERK: Sir, it is easier for the clerk's office if
19 you do it that way.

20 MR. SHIPLEY: I think it would be just as easy if you simply
21 indicate he would have three months to pay upon his release.

22 THE COURT: That terminology?

23 THE CLERK: No, sir, it is hard on the clerk's office
24 when you do it that way to keep their records. If you just --

25 THE COURT: Give a specific length of time. All right,
26 maybe you can estimate it then that the accused will be allowed
27 twelve months in which to make payment of all of the fines.



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Certified correct:

Cindy Kamitomo

Cindy Kamitomo
Court Reporter