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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

VS

DORIS ISSALUK



Transcript of reasons for judgment delivered by His Honour Judge R. M. Bourassa, sitting at Rankin Inlet, in the Northwest Territories, on Tuesday, the 6th day of September, 1983.

APPEARANCES:

N. SHARKEY: Appeared on behalf of the Crown.

L. BALSON: Appeared on behalf of the Accused.



1 Doris Issaluk is convicted of two offences of assault.
2 The first on the 25th of August is a very serious one. It is
3 one that calls for a maximum of 10 years imprisonment.

4 The Court has said on many occasions that it is not
5 going to tolerate this kind of stupid behaviour. There are
6 other ways to resolve a person's difficulties other than
7 attacking someone and burning them on the face with a cigarette,
8 and it is not something that is going to be tolerated. If no
9 lessons are learned as a result of what happened, Doris, the
10 only alternative the next time around, in my estimation, will
11 be a term of imprisonment because the Court has to make it very
12 clear to you and other people who think like you, that violence
13 is not going to be tolerated. There is one right people have
14 in this country of ours, and that is the right to live their
15 lives and do their business without other people beating them.

16 With respect to the other charge of assault, that is
17 punishable by a maximum of \$500 or six months in jail or both.
18 I find it a particularly bad situation because you had already
19 been charged with the assault causing bodily harm, and within
20 six days of doing that, two days after signing a promise to
21 come to court on the charge, you cross the street deliberately
22 trying to pick a fight with the same person.

23 The Court is not going to put up with that kind of
24 behaviour. I do not know anything about the relationship be-
25 tween you and Grace Sammortok, but whatever it is, it does not
26 justify you beating her up. I want to make it very clear to
27 you that a lot of people, regardless of their age and the fact



1 that they don't have any previous criminal record, have gone to
2 jail for assaults of this nature, and I have seriously considered
3 a short, sharp term of imprisonment for this assault.

4 Taking into account your age only and the fact that
5 you have no record, and hoping that at least you have learned
6 one lesson as a result of this, and that is to stay away from
7 people that you intend to attack, and, in fact, not attack any-
8 one. Assuming that you have learned that lesson, I am going to
9 extend some leniency. If that lesson has not been learned and
10 you are back in court again, you cannot expect the same leniency.

11 Would you stand, please: On the charge of assault
12 causing bodily harm, I am not going to sentence you today. I
13 am going to suspend the passing of sentence and place you on
14 probation for a period of one year. During that term of
15 probation, you are to keep the peace and be of good behaviour.
16 That simply means stay out of trouble. You are not to
17 communicate with Grace Sammortok, directly or indirectly, or
18 have anything to do with her whatsoever. If you complete that
19 term of probation successfully, that will be the end of the
20 matter. If you disobey any of the terms of the probation or if
21 you are convicted of a criminal offence while you are on pro-
22 bation, you can be brought back to this court, and I can
23 sentence you for the assault that you visited on Grace. I can
24 impose any sentence upon you that I think is appropriate and
25 sentence you on this, the original charge. Do you understand
26 that?

27 Secondly, with respect to the assault that occurred



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six days later, I have already indicated to you, I think, that although there were no injuries involved, and it only involved a punch, it is just as serious in that it occurred after you signed a promise to be here in court, knowing full well that the Court was going to deal with that first assault.

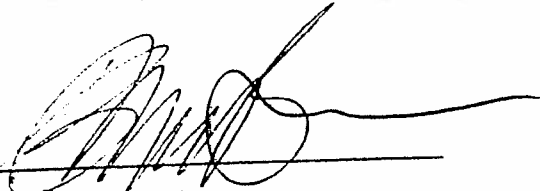
On that, I am going to impose a \$150 fine; in default 20 days in jail Do you require time to pay the fine?

THE ACCUSED: Yeah.

THE COURT: How long do you require?

THE ACCUSED: A month.

THE COURT: Thirty days to pay the fine. You will have to wait and sign your probation order.



R. M. Bourassa
Territorial Court Judge