

Remarks on Sentence by the  
Honourable Mr. Justice  
Morrow on Feb 9th 1971  
at Frobisher Bay in the  
cases of

R v Adam E7-1238

R v Coloolleeakto E7-1229

The Court: Stand up, both of you.

I always find that sentencing people, particularly young people, such as you, is the most difficult part of my job. No matter what I do I have the feeling perhaps I am not right.

The situation here in Frobisher Bay is familiar to me. In almost everyone of the communities that the court has to sit in these days we hear the same story. A whole generation of young native people - I say native people because the majority of the people in the Northwest Territories are either Eskimo or Indian. The majority of these people coming before the court are young men, who apparently have no incentive, and if they have incentive, no opportunity to make a worthwhile contribution.

In 1968 <sup>made</sup> a report that I ~~have~~ as a Commissioner under authority of the Government of Canada, I said that if employment was not provided, and a carry through on education was not provided, that whole generation of people like you would probably be processed through

the court. I am sorry that my forecast is coming true, so quickly. I do not think in effect the court should become a paddy for our economic problems involving indigent people like you. I can't see really any deference or any useful purpose in the court having to put you people in jail just because you are unable to get work, unable to show whether you can become citizens or not, because you have no opportunity. It may be that you are no good anyway, but I am not able on the report that has come to me today to decide whether you would or would not have been any good. I don't even know whether you can still be any good. It's not the fault of the police, it's not the fault of the Crown Prosecutor, it's not the fault of the Court.

Again, I don't like the idea of imposing sentences longer than they should be in proportion to the magnitude of the offence, taking everything into consideration, merely so that you can get education in some correctional institute, although it may be that that is what should take place. I wish I had the powers that the judge of Greenland has, where I could send you to some other community and put you in the custody of a Eskimo Kanger, where perhaps you could be occupied to some useful purpose, but I don't have that power, under the Criminal Code, so what I am going to do today is I am going to adjourn sentencing you two boys, and

I am going to put you into the custody of Mr. Hunter. You will be allowed to leave and go home, and you will be required to report to him every week at a time that he shall fix.

I will be back in April, and then I will ask him for his report, and depending on what has happened between now and about the 10th to 15th of April when I am back here, we will decide what we are going to do with you.

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