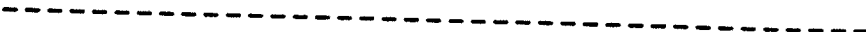


Full p/s

IN THE TERRITORIAL COURT
OF THE
NORTHWEST TERRITORIES



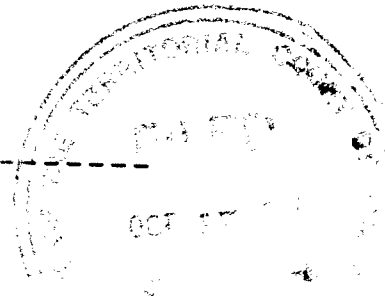
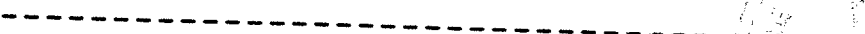
REGINA

VS.

JOHN NUNGNILK



Transcript of Reasons for Sentence given by The
Honourable Judge R.M. Bourassa, at Arviat,
Northwest Territories, on the 30th day of June,
A.D. 1995.



APPEARANCES:

U. Arvanetes, Ms.

Appeared for the Crown

Darrell Blais, Esq.

Appeared for the Defence

C.F. Cameron, Ms.

Court Reporter

(Charged under Section 271 of the Criminal Code)



CANADA
Northwest Territories
Territoires du Nord-Ouest

**WARRANT OF COMMITTAL
UPON CONVICTION
MANDAT DE DÉPÔT SUR
DÉCLARATION DE CULPABILITÉ**

To the Peace Officers in the Northwest Territories and the keeper of any common gaol in the Northwest Territories:
Aux agents de la paix des Territoires du Nord-Ouest et au gardien de prison des Territoires du Nord-Ouest :

Form
Formule 21
Section
Article 570 & 808
Court
Tribunal
File No.
Dossier n°

195-30095
RCMP # 94-343

WHEREAS
ATTENDU QUE John Nungnik hereinafter called the offender
ci-après appelé le contrevenant,
was, on the 30th day of June, 1995, convicted by
a été, le 30th jour de June, 1995, déclaré coupable par
R.M. Bourassa, Territorial Court Judge.

NAME OF
JUDGE AND
COURT
NOM DU
JUGE ET DU
TRIBUNAL

of having committed the following offence(s) and it was adjudged that the offender be sentenced as follows:
des infractions suivantes et que les peines suivantes lui ont été infligées :

a) OFFENCE: STATE OFFENCE(S) OF WHICH OFFENDER WAS CONVICTED	INFRACTION: INDIQUER L'INFRACTION POUR LAQUELLE LE PRÉ- VENU EST CONDAMNÉ	SENTENCE: STATE TERM OF IMPRISONMENT FOR THE OFFENCE	PEINE: INDIQUER LA DURÉE DE L'EMPRISONNEMENT POUR L'INFRACTION	REMARKS: CONCURRENT OR CONSECUTIVE	REMARQUES: CONCOURRENTES OU CONSECUTIVES
-----------------------------------------------------------------	------------------------------------------------------------------------------	---------------------------------------------------------	-------------------------------------------------------------------	---------------------------------------	---------------------------------------------

Sec 271(c.c.)
08 May 95
Sexual Assault
Linda Inaroluk

Three (3) Years

PENITENTIARY PLACEMENT:-----

TEMPORARY PLACEMENT: Edmonton, Alberta

[Signature] 25/07/95
SIGNATURE DATE

or
ou
b) forfeit and pay the sum of _____ dollars to be applied according to law, and also pay to
bâse la somme de _____ dollars à appliquer selon la loi, et verse également à _____
the sum of _____ dollars in respect of
la somme de _____ dollars à l'égard des
costs, and in default of payment of the said sums forthwith be imprisoned at
frais et, à défaut de paiement desdites sommes immédiatement, soit enfermé à _____
the term of _____ for
la période de _____ pour
the accused to the said prison are sooner paid, unless the said sums and costs and charges of the committal and of conveying
le transport du prévenu à ladite prison ne soient plus tôt payés, à moins que lesdites sommes et les frais et dépenses concernant le renvoi et

YOU ARE HEREBY COMMANDED,
IL VOUS EST PAR LES PRÉSENTES ORDONNÉ,

in Her Majesty's name, to arrest the offender if it is necessary to do so in order to take the offender into custody, and to take and convey
au nom de Sa Majesté, d'arrêter le prévenu, si cela est nécessaire pour l'amener en détention, et de le conduire sûrement
him/her to Any Common Gaol or Federal Penitentiary and deliver him/her to
le gardien à qui il est par les présentes ordonné de recevoir le prévenu et de l'y incarcérer pour la durée de sa peine, et pour ce faire, les
the keeper thereof, who is hereby commanded to receive the accused into custody and to imprison him/her there for the term(s) of his/her
sentence, and this is a sufficient warrant for so doing.
présentes vous sont un mandat suffisant.

Dated this 30th day of June, 1995
Fait le 30th jour de June, 1995
at Arviat
in the Northwest Territories.
aux Territoires du Nord-Ouest.

[Signature]
CLERK OF THE COURT, JUDGE OR TERRITORIAL COURT JUDGE
GREFFIER DU TRIBUNAL, JUGE DE PAIX, JUGE OU
JUGE D'UN TRIBUNAL TERRITORIAL
R.M. Bourassa, Judge



1 THE COURT: The accused, John Nungnilk, has
2 pleaded guilty to a sexual assault. It used to be
3 called rape. I would only note, as I'm sure
4 everybody in this court room accepts, that there
5 isn't a society on the face of this globe that
6 accepts, tolerates or condones the violent sexual
7 assault of women.

8 Sentences imposed for crimes are a way of
9 showing how wrongful the acts are. The Court of
10 Appeal is very clear, and the law is very clear on
11 what's to be done with men who sexually assault
12 women. The terms of imprisonment are lengthy. I
13 would only muse that years ago people were shot,
14 hanged, quartered for doing the same thing. It's
15 wrong. It's very, very wrong. The starting point
16 as described by the law is three years.

17 In my view, there are some very significant
18 aggravating features here. First of all, that the
19 woman was tricked. Nungnilk must have obviously
20 had a plan in mind or formulated a plan at some
21 point. He used his trust and friendship to get
22 her into the car and virtually abducted her,
23 taking her out of town where she was helpless.

24 Second: She was seven months pregnant.
25 Hardly in a position to really defend herself, run
26 away or do anything to prevent him. Not only did
27 the assault amount to an outrage on her, it might

Gabe's

1 possibly have compromised the pregnancy. That
2 danger exists.

3 Third: It seems that there was some force
4 used, and there is no question but that the victim
5 stated very clearly that she wanted nothing to do
6 with this man. But he ignored her.

7 In my view, something closer to four years,
8 having regard to the starting point and the
9 aggravating features would be appropriate. I take
10 into account that he's pleaded guilty at virtually
11 the first instance, and I agree with defence
12 counsel that that's the most significant
13 mitigating factor.

14 Nungnilk has admitted that what he's done is
15 wrong and he is, by his guilty plea, showing some
16 remorse. I have to apply the law. Stand up, Mr.
17 Nungnilk. Anything you want to say before I
18 impose sentence?

19 MR. NUNGNILK: No.

20 THE COURT: Three years in a federal
21 penitentiary.

22 -----
23 SENTENCING CONCLUDED

24 -----

25

26

27

Gabe's

1 I, Colleen F. Cameron, hereby certify that I
 2 attended the above Sentencing and took faithful
 3 and accurate shorthand notes, and the foregoing is
 4 a true and accurate transcript of my shorthand
 5 notes to the best of my skill and ability.

6 Dated at the City of Calgary, Province of
 7 Alberta, this 17th day of July, A.D. 1995.

8
 9
 10 

11 Colleen F. Cameron, Ms.
 12 Court Reporter.