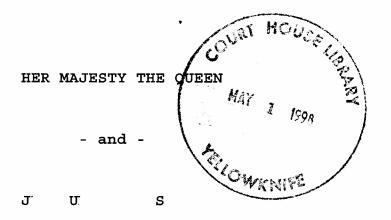
TC CL 98 010

The Carlotte Carlotte AL

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES
IN THE MATTER OF:



Transcript of Reasons for Sentence delivered by The Honourable Judge R.M. Bourassa, sitting at Baker Lake, in the Northwest Territories, on Monday, February 2, A.D. 1998.

APPEARANCES:

Mr. D. Littlefield:

On behalf of the Crown

Mr. T. Boyd:

On behalf of the Defence

(Charges under Sections 266 and 267(1)(a) of the Criminal Code)

THE COURT:

a charge of assault and assault with a weapon on her 10-year-old daughter. I cannot take it in aggravation, but I condemn a parent who is drunk at the time of the offence and forces, by a plea, that her daughter come to court and testify. What do little children know? They love their parents, they don't know why they are being hurt. They still love them even though they are being hurt. Here is someone who was drunk at the time and does not remember what happened and refuses to accept what her little girl had to say and makes her come to court and testify. As I said, I can't take that in aggravation, in law, but I don't like it.

I have to sentence this mother for

It is unfortunate that the accused did not plead guilty and, therefore, avail herself of the mitigating effect of such a plea.

How many people in this community have gone to jail for being drunk and beating up their spouses? Shooting, stabbing, beating them. Here is a woman who is drunk and attacks her little daughter. I don't doubt for a minute that raising two little girls by herself, especially one who is sick, is difficult - I don't doubt it for a minute - but resorting to abuse of alcohol does not make the difficulties go away.

Here is a bright little girl who probably has a future if she is cared for and loved. What does she gets from the hands of her mother - someone that she

obviously loves, someone that she is entitled to look to for protection, for guidance, for succor, and what does she find? Biting, scratching, slapping, and hit with a knife. This is awful.

I don't think I have any choice but to consider a term of imprisonment. Half, if not more, of the docket I am dealing with today has to do with acts of violence in a domestic environment. To attack a small child has to be the worse aspect of a domestic-violence situation.

If Miss S is so out of control or unable to control herself with her drinking, she should seriously look at doing something about her drinking. Failing that, she is not fit to have children, and they will be taken from her permanently. There is a lot at stake for Miss S There is a lot at stake for the two little children.

This Court has to underline that violence in the home will not be accepted, and violence against defenceless children will be condemned in the strongest way.

Stand up, please, Miss S . Is there anything you want to say before I impose sentence? THE ACCUSED: (Negative non-verbal response).

On the charge of assault, there will be a term of imprisonment of three months. On the charge of assault with a weapon, there will be a term

THE COURT:

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of imprisonment of ten months, concurrent. While you are in custody, Miss S , I would strongly recommend that you do something about alcohol abuse and take whatever help or counseling is available to you while you are in custody so that, when you come home, it won't be necessary to have a party to celebrate your safe arrival and you will be able to provide a home for your children that they are entitled to. Good luck. Certified pursuant to Practice Direction #20 dated December 28, 1987 Jané Romanowich Court Reporter