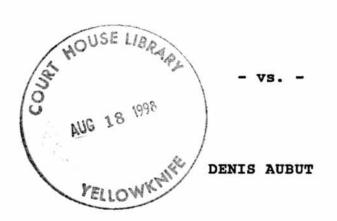
## IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

## IN THE MATTER OF:

## HER MAJESTY THE QUEEN





Transcript of the Reasons for Sentence of The Honourable Judge Dolores M. Hansen, at Iqaluit in the Northwest Territories, on Friday, June 19, A.D., 1998.

## APPEARANCES:

B. Allison, Esq.:

Counsel for the Crown

D. Garson, Esq.:

Counsel for the Crown

M. Chandler, Esq.:

Counsel for the Accused

Charges under s.465(1)(c) of the Criminal Code of Canada and s. 5(1) of the Controlled Drugs and Substances Act

1 THE COURT: Thank you, Mr. Allison, and thank 2 you, Mr. Chandler.

The horrible consequences for this type of activity, particularly in a small community, goes without saying.

I am not going to review in detail how the notions of specific deterrence, general deterrence, and denunciation fit into the global sentence that has been recommended.

I am prepared to accept the joint submission, and I do so for the following reasons:

One, Mr. Aubut has acknowledged responsibility for the activity, which, in itself, has saved enormous time and cost for the Court and also for other individuals who would have been called to testify on the matter. I suspect, given his complete cooperation with the police, that there will be a rather significant impact on other related prosecutions.

Mr. Aubut has a terrible record spanning some twenty years; however, in reviewing the record, and as has been pointed out to the Court, there are two prior related matters, each a simple possession, and they appear on the record to be dealt with by way of a fine.

Mr. Aubut has been in pretrial custody for a period of three months and clearly should be given credit for that time.

Accordingly, if I am permitted to use the 1 2 shorthand language that has been used at the time of the representations on sentencing, with respect to the conspiracy, there will be an order of imprisonment for 5 three years. With respect to the trafficking in cannabis, there 6 will be an order of imprisonment for six months, 7 concurrent to the time ordered with respect to the Я 9 conspiracy. With respect to the trafficking in cocaine, there 10 will be an order of one year imprisonment, concurrent 11 12 to the three years. 13 So, all matters are concurrent to give effect to a 14 global disposition of three years. 15 I also want to make it clear that I quite agree with the submission with respect to location, and I 16 would certainly support and recommend that Mr. Aubut be 17 given the opportunity to serve his time in a 18 penitentiary as close as possible to Winnipeg so that 19 20 he will have an opportunity to see his children and 21 other family members.

With respect to the time in default, do I have to do anything with that? I do not think so.

24 THE CLERK: No.

25 THE COURT: As a matter of fact, I do not think
26 I even have the authority to deal with it, actually. I
27 think it just simply goes on the record that everyone

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1		agrees, right?	
2	THE	CLERK: Yes	•
3	THE	COURT: All	right. Was there anything
4		further?	_
5	MR.	CHANDLER: Not	hing for the defence, Your
6		Honour, thank you.	
7	THE	COURT: Tha	nk you. Mr. Allison, thank you
8		very much for your repr	esentations. Mr. Chandler,
9		thank you for yours; Mr	. Garson.
10	(AT	WHICH TIME THE PROCEEDI	NGS CONCLUDED)
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13			tified pursuant to Practice ection #20 dated December 28, 1987
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16			ncey Hoffman, art Reporter
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