

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- v -

ANDREW MATTHEW ANDERSON

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Transcript of an Excerpt of the Reasons for Sentence  
delivered by The Honourable Judge R. D. Gorin, sitting in  
Yellowknife, in the Northwest Territories, on the 19th day  
of November, 2015.

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APPEARANCES:

Ms. J. Scott: Counsel for the Crown

Ms. A. Vogt: Counsel for the Accused

(Charge under s. 253(1)(b) of the Criminal Code of Canada)

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1 THE COURT: Mr. Anderson, your performance  
2 while in this program has been excellent. What  
3 have you gotten out of it; can you tell me?

4 THE ACCUSED: I finally -- I think I got,  
5 finally, to realize what life is about. It's not  
6 about the booze and all that other stuff, making  
7 people happy. Now I truly understand what life  
8 can be worth. It's given me back so much, so  
9 much.

10 I'm starting to get reconnected with my kids  
11 and I'm on the right path for that. And not only  
12 that, I'm with somebody now that loves me for me.  
13 I got a -- we got place together. Got a home to  
14 call my, call my home. So it's given me so much,  
15 so much, and showed me, showed me a new way to  
16 live, and that's the way I want to live. I don't  
17 want to go back to that old road. That's  
18 terrible. And I just want to keep going forward,  
19 keep doing what I've been doing. And the  
20 outlook, it looks great. It looks great. It's  
21 given me my life back, this program.

22 THE COURT: Well, good for you. I  
23 certainly appreciate, having dealt with you in  
24 the past and having read what I have read in the  
25 summaries put before this court during these  
26 proceedings, that you had an incredibly difficult  
27 background when you grew up. In fact, to borrow



1           some of the words that have been used by the  
2           Supreme Court of Canada called R. v. Ipeelee: It  
3           is quite difficult, if not impossible, to see how  
4           somebody who suffered what you suffered when you  
5           were being raised could not end up being  
6           troubled, being seriously troubled. It would be  
7           very difficult for a mere mortal not to be very  
8           troubled if one suffered what you suffered when  
9           you were a young person.

10           Your record is very serious when it comes to  
11           offences of this nature, and notwithstanding your  
12           background, were it not for your participation in  
13           this program, I think that public safety would  
14           have demanded a penitentiary term, to be quite  
15           honest with you, and probably a lifetime driving  
16           prohibition as well. But I think that the public  
17           is now better protected as a result of your  
18           participation in the program. I think that the  
19           long-term protection of the public has been  
20           enhanced as a result of your completing the  
21           programs that you have completed. So I certainly  
22           commend you for that.

23           I, once again, think that your attendance  
24           has been excellent. I realize there has been a  
25           lot of hard work on your part, a lot of  
26           dedication, a lot of soul-searching, and a lot of  
27           effort. It is very difficult to stay away from



1 the alcohol when one has an addiction as severe  
2 as yours.

3 You of course appreciate that you are an  
4 alcoholic, you will continue to be an alcoholic,  
5 but you are a recovering alcoholic, and I am very  
6 happy to be able to say that.

7 I do not think I need to repeat what counsel  
8 has said about what you did while you were in the  
9 program. You attended all of the meetings that  
10 were required of you and A.A., counselling with  
11 your case manager, and, most notably, you took  
12 that intensive residential program in Calgary.

13 So, under the circumstances, I have no  
14 hesitation in imposing the sentence that is being  
15 asked of by both counsel. So there will be the  
16 mandatory minimum term of imprisonment, but with  
17 credit for your pre-trial detention before you  
18 entered the Wellness Court program, accordingly,  
19 I will impose one day in jail served by your  
20 attendance here today. So that is nominal only;  
21 you do not go to jail.

22 There will be a three-year driving  
23 prohibition. I will not make it consecutive to  
24 the other driving prohibitions that you are  
25 under. So it will run concurrently for three  
26 years. You will be prohibited from operating any  
27 motor vehicle on any street, road, highway, or





1 other public place for a period of three years  
2 from today's date. You know what that means, but  
3 the clerk will review that with you nonetheless.  
4 I note that you have bought some motor vehicles  
5 recently. That is fine. You cannot use them  
6 while you are on this prohibition or any other  
7 prohibition, just so you know. And just so you  
8 know, I have only imposed a prohibition in  
9 respect to motor vehicles here today rather than  
10 vessels and aircraft, other equipment, the forms  
11 that I can. But, in my view, for what it is  
12 worth, a motorboat is also a motor vehicle; it  
13 can fit in both categories, just so you know  
14 that.

15 THE ACCUSED: Yeah.

16 THE COURT: It is a motor vehicle and a  
17 vessel.

18 I wish you the best. Is there anything else  
19 you would like to say at this point?

20 THE ACCUSED: I'd like to say I really  
21 appreciate you giving me the opportunity to go  
22 through this Wellness Court. You're the one that  
23 recommended it at the beginning and I thank you  
24 for that.

25 THE COURT: I can honestly say it has been  
26 my pleasure as well.

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Certified Pursuant to Rule 723  
of the Rules of Court

Jane Romanowich, CSR(A)  
Court Reporter

