

R. V. Suggashie, 2017 ONCJ 67, Ontario Court Of Justice (Gibson J.), 18 January 2017

March 09, 2017

Download the entire [Aboriginal Legal Issues e-Newsletter – March 9, 2017](#).

The Ontario Court of Justice sentenced two Aboriginal men in relation to charges of break and enter with an intent to commit mischief. The underlying offences took place on the evening of 27 June 2015 at the police detachment in the Pikangikum First Nation. Approximately 300 to 500 people had gathered outside the detachment to protest the arrest of a community member earlier that day which had involved the use of a taser device. The protest evolved into a "violent, dangerous riot". In the much-publicized Reasons for Judgment, Justice Gibson provides a discussion of not only the background of the two accused, but the circumstances of the Pikangikum First Nation itself. He stated:

It is true that the rule of law and administration of justice must be respected if we are to remain a country governed by laws and not by force exercised by either the strong or the irrational and intemperate passions of the mob. But it is also true that the administration of justice must be guided by understanding or risk losing that respect.

It would be wilful blindness not to recognise that Pikangikum is going through a terrible and deteriorating health crisis. I have travelled to this community on average once a month for the last 24 years, first as a lawyer and lately in my capacity as a Judge of this Court. I have seen first-hand the steady and rapid increase in the size of the community, the explosion in violent crime and the deterioration of living conditions. There are many good people here and the conditions they are living in are a national disgrace.

It is shameful that a country as wealthy as ours tolerates that any of its citizens should live as many of the people of Pikangikum do. But it is not only the appalling lack of basics like reliable electricity and water and sewer that is striking here. It is the fact that within one elderly person's lifetime, a small group of people, whose ancestors lived off the land, who developed deep understandings of the spirit of the land they inhabited for millennia, could one day meet strangers in the wilderness with such devastatingly consequences for their children and grandchildren.

The Court credited the two accused with 16 months of time already served, and suspended the passing of sentence for two years upon certain terms.

<http://www.canlii.org/en/on/oncj/doc/2017/2017oncj67/2017oncj67.html?resultIndex=1>

<http://www.canlii.org/en/on/oncj/doc/2017/2017oncj67/2017oncj67.pdf>

By

[Scott Kerwin](#)

Expertise

[Indigenous Law](#)

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2025 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.