

Caledon Citizen

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Unprecedented challenge for Ontario justice system

Just weeks after the arrests of 17 men suspected of operating the first terrorist cell in Canada since the FLQ's bombings of the late 1960s, it's already crystal-clear that our justice system is facing enormous challenges.

Back in 1970, long before we had a Canadian Charter of Rights and Freedoms, Pierre Trudeau invoked the War Measures Act so police could round up huge numbers of known and suspected Quebec separatists, many of whom languished in jail without being charged, and only a handful of whom were ultimately convicted of participating in the bombings or the kidnapping of British diplomat Richard Cross and the murder of Quebec Labour Minister Pierre Laporte.

The situation today is markedly different. There have been no bombings or kidnappings, and those arrested are alleged to be no more than homegrown terrorists in waiting, who seemingly had fewer resources than members of Le Front de Libération du Québec had, and certainly have a lot fewer supporters.

As well, we do now have the Charter, on the one hand, and anti-terrorism laws on the other - a situation which obviously calls for our courts to engage in a balancing act of a sort never before faced.

We also have a recent sad history of "megatrials," which until now have been aimed at drug-trafficking gangs. Those have tended to last far too long, cost the taxpayer inordinate sums and resulted in relatively few convictions.

The first tests of the justice system will come as lawyers for at least some of the 17 accused try to secure their clients' release on bail. The lawyers' argument will no doubt be that their clients (in most cases) have no criminal records and have done little more than talk grandiosely of carrying out heinous acts ranging from bombing such sites as the Peace Tower in Ottawa or the CN Tower in Toronto and possibly storming Parliament Hill.

In an era that has witnessed not just the destruction of the World Trade Center in 2001 but the more recent bombings in London and Bali, such plots clearly must be taken seriously. And since no Ontario jury

has ever faced the task of deliberating the guilt or innocence of alleged terrorists, it will be interesting, indeed, to see how our cherished rule of law will be maintained when the 17 accused finally come to trial.

Were we in charge of the prosecution, one of our first moves would be to use as much separation as humanly possible, and not just by trying to get some of the accused to plead guilty and testify for the Crown in exchange for light sentences.

Beyond that, we think most of the accused now being housed at the huge Maplehurst Detention Centre (apparently in solitary confinement) should be moved to other prisons and be treated as if they are, as the Charter requires, innocent until proven guilty.

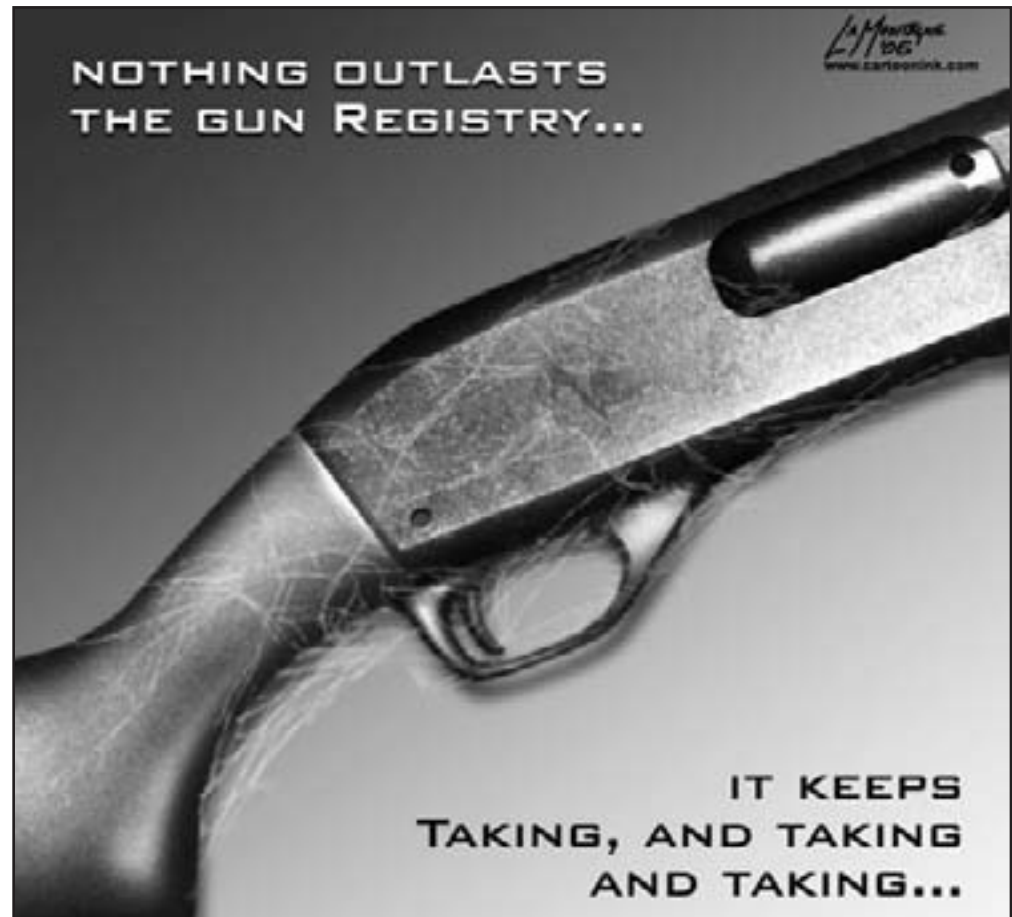
The Crown should also move quickly to divide the 17 into at least three groups - one for those under age 18, who at least initially are subject to the Youth Criminal Justice Act, one for those alleged to have been directly involved in purchasing what they thought was three tonnes of ammonium nitrate, and one for the remainder.

There might also be an advantage in not having all the trials take place in the same Brampton court complex. At a minimum, one trial should be in Toronto.

As for the immediate future, we think a good case could be made for at least some of the accused to be released on bail with stringent conditions, one obviously being that they have no access to the Internet and no contact with anyone known to be sympathetic with Islamic terrorism.

One thing we clearly must avoid is what might be called the Guantanamo Syndrome - a situation where seemingly endless incarceration has been a breeding ground for hatred, to the point where it can be assumed that those released will indeed engage in terrorism somewhere.

As Chief Justice Beverley McLachlin said in a speech in 2003: "We must remember that history teaches that in times of crisis, fear and prejudice rise, and that spurred by these emotions, there is greater danger of going too far in the curtailment of liberties than of not going far enough."



Our Readers Write

Caledon traffic woes persist

The following letter, to John Tory, MPP Dufferin-Peel-Wellington-Grey, was submitted to the Citizen.

I read with interest the excitement surrounding the announcement of the extension of Highway 410 to Mayfield Road and subsequently to Highway 10 in Caledon. It certainly made a splash!

I must have missed, however, the subsequent announcement that would see the widening of Highway 10 through the Village of Caledon to accommodate the increased traffic from the 410 extensions.

For several years now both talk and action has led the residents of northern Caledon and beyond, to assume that help was on the way. Politicians have touted the need to widen the road and redevelop the intersection of Highways 10 and 24 in the Village of Caledon. Action has seen the province of Ontario purchase houses and board them up, presumably to await demolition.

The old town hall was relocated with much fanfare to its new location away from the new road allowance. The corner gas station was closed to complete an environmental inspection; again presumably to allow for its purchase for the road widening. Highway 10 has had considerable improvements made to it both south of Caledon Village and north of the village, as well. As for the village itself, we wait! And we wait!

The latest "prediction" is it's not in the provincial five-year plan to widen the road through Caledon Village. What happened?

The excitement has waned. Stores have closed and moved to other locations. Traffic counts have increased. The beat goes on.

The creation of a greenbelt area by the province has forced many families to look north to Orangeville, Shelburne, Tottenham, Grand Valley and others to buy and build their homes. This includes travelling south each morning to work. Travelling south means taking Highway 10 through Caledon Village or using the Caledon sideroads,

which are not built to handle such a flow of traffic. The emphasis on travelling to Collingwood and other Georgian Bay area villages for recreation and adult living has created more movement through this northern corridor.

At the present time the Village of Caledon is a blockage area for traffic from all directions. The intersection is much too small to allow for the hundreds of daily transport trucks serving the automobile industry in Alliston and the gravel needs to the Toronto area. The situation is not only offensive to beauty and development needs of the village; it is downright dangerous from a traffic flow point of view.

As our representative to the provincial government, Mr. Tory, I would request that you provide an update as to what is going to be done with regard to the traffic flow in Caledon Village. I would appreciate some attention to a matter that seems to be both lost and contrary to the excitement created by the announcements during the last few weeks.

I await your response.

Doug Beffort
Caledon

Music program lauded

As the school year comes to a close, we wanted to say a big **thank you** to the wonderful staff at the Humberview - in particular the music staff.

Our kids have been involved in the Humberview music program since our eldest was in grade 7 - 11 years ago. That means that we have had the privilege of attending more than 22 Humberview music concerts! Humberview Music offers a variety of instrumental and vocal ensembles for musicians in all grades.

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Caledon Citizen



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