

Caledon Citizen

Publications Mail Agreement Number 0040032702

Covering all of Caledon

Office Administrator: Cheryl Phillips
Email: admin@caledoncitizen.com

Telephones: 905-857-6626 or 905-857-5846
Fax: 905-857-6363

Website: www.caledoncitizen.com

Main Office: 25 Queen Street, North, Bolton L7E 1C1

Owned and operated by
Caledon Publishing Limited

Publisher: Bruce R. Haire
Advertising Manager: John H. Archibald
Editor: **Mark Pavilons** Email: editor@caledoncitizen.com
Staff Reporter: **Alan Liczyk** Email: alan@caledoncitizen.com

14-year-olds and murder: two very troublesome cases

Without a doubt, Steven Truscott's murder conviction as a 14-year-old and the 48 years he spent serving a life sentence (initially in jail and latterly on parole), certainly deserved the label given them by the Ontario Court of Appeal, a "miscarriage of justice."

But it may be many years before the same label is applied universally to the treatment accorded another for his alleged actions as a 14-year-old, Omar Khadr.

In 1959, Truscott was convicted and sentenced to be hanged for the rape murder of a schoolmate, 12-year-old Lynne Harper. His conviction and nearly half a century of limits on his freedom stemmed from a blinkered police investigation that was based mainly on the assumption that the last person seen in the victim's company was no doubt her killer.

Although Steven denied any involvement in her death and insisted that he saw her getting into a car on Highway 8, it now seems that the OPP didn't even consider the possibility that she was the victim of a sexual sadist, much less actively search for other possible suspects.

As for Khadr, only six years have passed since the incident in Afghanistan that has led to him facing what some would see as an officially sanctioned miscarriage of justice - trial before a U.S. military tribunal where he stands accused of murdering a U.S. military hero and trying to murder other U.S. soldiers by throwing a grenade in their direction from a hut that was being attacked by U.S. forces.

All we know for a fact is that he was 15 at the time, was severely wounded and had no business being in Afghanistan, having been taken there by a now-dead father who was undoubtedly close to Osama bin Laden.

A new military appeals court in Washington, D.C., reserved judgment on a bid by the Bush administration to have the trial take place without the government having to first establish that he is an "unlawful" enemy combatant, as required by Congress under new rules written last year.

The prosecutor, retired Colonel Francis Gilligan, argued that it's a technical matter and Khadr isn't entitled to protections offered to regular prisoners of war. "It's very clear he's an al-Qaida fighter who was engaged in hostilities against the United States," he told a three-judge panel that was hastily assembled after the Khadr case was

thrown out in June.

Defence lawyers contend the "unlawful" designation is a critical element of guilt or innocence in what is a fundamentally flawed military tribunal system. They questioned the legitimacy of the court itself, saying it didn't exist a couple months ago, and officials didn't follow proper procedures when they set it up."

As the only Canadian citizen being held at Guantanamo Bay, his plight has been ignored equally by the Jean Chrétien and Paul Martin Liberal administrations as well as by the Stephen Harper Conservatives.

If the appeals court agrees with the defence lawyers, he might have to spend a lot longer before even going to trial, since the case might have to go back to square one while the government gets his designation changed.

The stakes Khadr faces are incredibly high, since a conviction could lead to the death penalty in a country that even has state murders of alleged accomplices of killers who themselves haven't hurt anyone.

Even the Truscott case is far from past history. There remains the difficult task of deciding the issue of compensation.

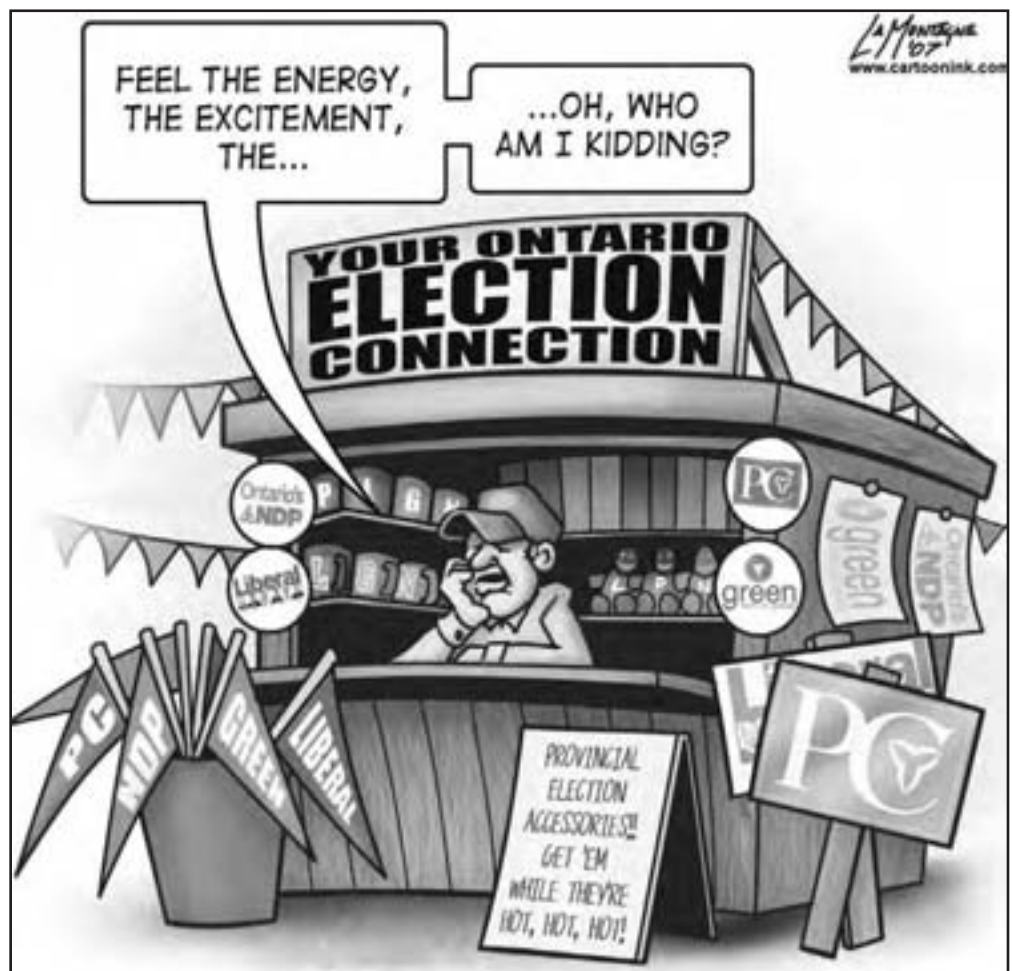
Other victims of wrongful murder convictions, such as Guy Paul Morin and David Milgaard, have been appropriately compensated, but their innocence was fully established because of the advent of DNA evidence that excluded them as the killers.

Attorney General Michael Bryant has asked Sydney Robins, a former member of the Ontario Court of Appeal, to recommend an appropriate compensation package, and we suspect it will be based mainly on the sad fact that Truscott spent a decade of his youth behind bars.

As for Khadr, it was interesting to see the Canadian Bar Association ask the federal government to follow the example of Britain and Australia and ask the U.S. to send him home to be dealt with by our justice system.

Even if Khadr were to plead guilty to all the charges he now faces in the U.S., and even if he were tried as an adult (a most unlikely situation) the maximum penalty he would face would be a life sentence with no more than six years in "closed custody."

If time spent at Guantanamo would count, he'd be immediately eligible for parole, instead of lethal injection.



Our Readers Write

Global warming bashing

I don't often read Claire Hoy as he rarely has a viewpoint one could consider constructive and unbiased, but his column "Has the worm turned on global warming" caught my eye. Initially, I thought there might be some new twist on climate change policy at the federal level, but no, it was just another slow news day for Claire, so he rushed off another

global warming-bashing article.

He should have spent a little more time checking his sources.

His main quoted proponent is Stephen McIntyre, who Claire introduces as "a former mining executive." While that may be true, depending on how you define executive, Claire doesn't tell you that Stephen McIntyre is currently a petroleum and oil exploration consultant.

Claire also doesn't tell you that the published article he's referring to was co-authored by Ross McIntrick, who is a fellow of the Fraser Institute (Canada) and a "subject matter expert" for the George Marshall Institute (United States), and that these two organizations have, over the past few years, received over \$1 million of funding from ExxonMobil for research on climate change. Claire doesn't tell you that these articles were in non-peer-reviewed publications, and that our own National Research Council disagrees with the conclusions.

In an apparent attempt to add credibility to his own article, Claire references supporting comments from Lorne Gunter, a contributor to the National Post, and Rush Limbaugh, an American evangelical telejournalist, both of whom are avowed "neo-cons" - that puts them in the same league with George W., Paul Wolfowitz, Donald Rumsfeld, Tom DeLay, Dick Cheney, 'Scooter' Libby, Alberto Gonzales, etc. etc.

It really must have been a slow news day!

Andy Priede
Hamlet of Claude

Talented LO trades

I just read John C. Tysoe's letter in your Sept. 5 edition (Applicator taken to task) and my biggest decision was whether or not to respond. Is it worth a response?

To John, we at Landscape Ontario do not see ourselves as "self-anointed guardians of the planet" as he stated and "not much good." Where did that come from?

Do you know the talent that comes from the LO trades? Do you go to the LO presentation of Canada Blooms with all its beauty and complain about all you see?

John, you appear to be up on Better Horticultural Practices. This is not the norm as when we have booths at fairs and such, most people want to know more regarding turf maintenance.

Regarding village idiots, Hudson, Quebec put a complete pesticide ban in place years ago. After the ban was in for 10 years, the results showed most people had lush green, weed free lawns at the same time, pesticide sales went through the roof at the local hardware stores. No licenced applicators, just homeowners using just as much chemical as before the ban.

"Lesser minded village idiots?" You decide.

Brian Perras
BP Landscaping

P.S. John, it is obvious many people want to keep a green, weed free lawn and with out chemicals would be my first recommendation, why isn't it yours?

Send us your letters

We welcome letters to the editor. Drop them off, mail, fax or e-mail to editor@caledoncitizen.com.

Caledon Citizen



Distributed throughout the Town of Caledon, the Citizen is published every Wednesday in the year by Caledon Publishing Ltd. from production offices at 34 Main Street W., Beeton, Ont.
Visit our website: www.caledoncitizen.com

Member Canadian Community Newspapers Association,
Ontario Community Newspapers Association and the Ontario Press Council

The CALEDON CITIZEN is a member of the Ontario Press Council, an independent body set up by the newspapers of the province to uphold freedom of expression and deal with complaints from readers. The Press Council encourages complainants to first give the newspaper an opportunity to redress their grievances. If not satisfied, they may then write to the Council, enclosing a copy of material that is the subject of the complaint, at 80 Gould St., Suite 206, Toronto, ON M5A 4L8.

Subscriptions: \$37.50 + G.S.T. within 65 kilometres
\$54.00 + G.S.T. beyond 65 kilometres and in towns with letter carriers
Advertising Representative: Aileen Robbins
Printed by Central Ontario Web Ltd., 705-733-1349

ADVERTISING RULES: The advertiser agrees that the publisher shall not be liable for damages arising out of errors in advertisements beyond the amount paid for the space actually occupied by the portion of the advertisement in which the error occurred, whether such error is due to the negligence of its servants or otherwise, and there shall be no liability for non-insertions of any advertisement beyond the amount paid for such advertisement.

All advertisers are asked to check their advertisements after first insertion. We accept responsibility for only one incorrect insertion unless notified immediately after publication. Errors which do not lessen the value of the advertisement are not eligible for corrections by a make-good advertisement. There shall be no liability for non-insertion of any advertisement beyond the amount paid for such advertisement. We reserve the right to edit, revise, classify or reject any advertisement.

DEADLINES: Unfortunately deadlines do not allow us to take ads after the following specified times:

DISPLAY ADS and CLASSIFIED ADS: Monday at 10 a.m.

All ads must be paid in advance by deadline or the ad will not run. WE ACCEPT VISA, MASTERCARD & AMEX PAYMENTS OVER THE PHONE.