

Aunt of teenaged accused tells court that he confessed to shooting

GALEN EAGLE
Sun Media

The 14-year-old Warkworth boy accused of murdering his mother confessed to his aunt while she cradled him inside an OPP interview room, court heard Thursday.

The Crown saved its most startling evidence until the end of its case, calling the victim's older sister as its last witness.

The woman's emotional testimony built up in intensity as she described the hours, days

and then weeks following her sister's disappearance.

She spoke about initially being angry with her sister, believing she had taken off on her son, leaving the rest of the family to care for the teenager.

That anger turned into fear as family members and friends posted missing persons signs and searched for the victim's car in the rural roads of Warkworth, she said.

The victim was last seen May 27, 2008. She was found buried in her backyard 16 days later, shot eight times, court

heard. Her son, now 16, is on trial for first-degree murder in Peterborough's Superior Court.

He has been charged alongside his common law uncle who is being tried separately.

The sister, who remained composed on the witness stand but appeared to be fighting back tears, talked about reaching out to her nephew, reassuring him even when he became a serious suspect, court heard.

Her testimony built to a crescendo in the mid-afternoon as she described an inti-

mate moment with her nephew in an interview room at the Campbellford OPP station.

It was June 12, 2008 when she learned her nephew had been arrested for her sister's murder, she said.

She was placed in an interview room alone with the boy where the two embraced, she said.

"He started saying 'I didn't do it. I didn't do it,'" she testified.

He told her that his uncle had instructed him to lie to

police but he was being charged as an accessory because he was in the house, she said.

"I said 'This doesn't make sense, you need to tell the truth,'" she said. "Your story doesn't make any sense."

She asked her nephew if his mom had hurt him, she said. He laughed at the suggestion and said his mom was trying to keep him away from his girlfriend.

That's when the boy confessed to the shooting, she said.

"He says he just kept screaming at me so I picked up the gun and shot her," the woman testified. "He said when she wouldn't stop screaming at me I shot her again."

The boy told her he had shot his mother with his grandfather's gun, which was given to his common law uncle in 2005, court heard.

Before that conversation, the woman said she did not know her sister had been shot.

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COURT

Murder trial halted until Wednesday

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PETERBOROUGH - The cross-examination of the sister of a murdered Warkworth woman was halted Friday after she told court she had taken notes of her sister's disappearance that were not disclosed to police or the Crown.

In shocking testimony Thursday the sister told court her 14-year-old nephew had confessed to shooting his mother. The statement came while she and her nephew were talking privately in an interview room in the Campbellford Ontario Provincial Police detachment the day of his arrest, she said.

Her nephew, now 16, is on trial for first-degree murder in Peterborough's Superior Court. He has been charged alongside his common law uncle who is being tried separately.

The boy can't be named under the Youth Criminal Jus-

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COURT

Trial resumes Wednesday

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tice Act. *Northumberland Today* isn't naming the victim to protect the boy's identity.

Defence lawyer Howard Goldkind began his cross-examination of the sister, who was the Crown's last of 33 witnesses, Friday morning.

Under questioning, she told court she had been taking notes since her younger sister's disappearance May 27, 2008 and up to the time her nephew was arrested for her murder June 12, 2008.

Goldkind asked to see the notes and the woman said she needed to get them from her car.

That's when Mr. Justice Alexander Sosna excused the jury for an early lunch. When jurors came back in the afternoon, Sosna said the lawyers had legal matters to debate and excused the jury until Wednesday morning.

"An important issue has arisen," Sosna explained to jurors. "It's something we have to resolve before we can continue."

Northumberland Today cannot report legal arguments made in the absence of the jury.

Earlier in his testimony, Goldkind pressed the sister on her relationship with the victim.

"Did you always get along?" Goldkind asked.

"No. We were sisters," she replied. "We loved each other as much as we fought each other."

"What type of temper did she have?" Goldkind asked.

"When provoked... we called her the Tasmanian devil," she responded.

Goldkind asked about the victim's social life.

"She was young, beautiful and single," the sister replied, characterizing her sister's social life as active.

She told court that she would sometimes give money to her sister, who had been out of work for some time. She suspected her sister had sold marijuana to provide for her son.

"She needed to feed and clothe her child as a single mom without support," she said.

She denied the suggestion her sister smoked crack cocaine in the past.

"I do not believe in any way that my sister had done crack," she said.

When asked if her nephew saw his common law uncle and co-accused as a father figure, the woman smiled and said no.

"No. (The uncle) isn't exactly a father figure. He's more of a buddy; a pal," she said.

When her sister went missing, the boy refused to help in the search and the uncle did not offer to help, she testified.

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TRIAL

Woman described her sister as a risk taker

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It was information the police did not reveal to family members or the public, court heard.

As she left the room, she gave the boy a kiss on the forehead and told him she loved him, she said.

Outside the station she vomited. She didn't know what to do, she said.

"Somebody had just confessed a murder to me," she testified.

She drove to Cobourg and

spoke to a lawyer before going to the police station to disclose the confession, she said.

Earlier in her testimony, the woman described her sister as a risk taker.

"(The victim) was the wild child in the family, the one that took risks," she said. "She was the brave one. She was the strong one."

But she said her sister loved her son and would do anything for him.

"Everything she did was for him ... was about him," she said.

The last words she exchanged with her sister were the evening of her disappearance during an MSN Messenger conversation, she said. Her sister was fighting with the boy about his poor school attendance at the time, court heard.

Her sister started the conversation by saying "I'm alive, better than most," court heard.

The Crown alleges she was murdered shortly after.

The boy's lawyer, Howard Goldkind, will challenge the sister's testimony as he begins his cross-examination today.