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Arsonists sentenced to three months jail

BY FRANCES NIBLOCK

The Acton Tanner

A former Acton couple — described by the Crown as “ordinary people who did something terribly wrong” — were each sentenced to three months in jail for torching their dream home for financial gain.

Ken and Joan Thomson, both 37, held hands and tried to hold back tears in a Milton court on Friday as Justice David Crane passed sentence.

Crane agreed with arguments from both of the Thomsons' lawyers that the Jan. 25, 1992 arson at their Young Street home was an out-of-character, one-time act and neither was a threat to society or likely to re-offend.

Noting that the family, including children aged 8 and 13, had lost everything and was living in poverty in British Columbia, the judge said that, “while incarceration is reasonable and just as a general deterrent, removal of both parents is more onerous [on their children] than just

one of them serving time.”

The husband and wife were taken into custody after they hugged each other and family members in the court. Ken Thomson was taken to Maplehurst Correctional Centre in Milton where he is expected to serve his time.

Joan Thomson was taken to a Hamilton jail with facilities for women, but outside court her lawyer told her family that she might be able to serve her time in a half-way house where she could continue treatment for an emotional breakdown.

The Thomsons were found guilty of arson threatening life and arson with intent to defraud an insurance company after two deliberately set fires did extensive damage to their home.

Although the Thomsons and several of their friends testified they were at a party in Toronto at the time of the fires, the jury found them guilty, largely based on the testimony of a neighbour who said he saw one person pac-

ing beside a car that looked like the Thomsons' and another person enter the house several times about 20 minutes before the house burst into flames with fires starting in the basement and on the main floor. A bag of gasoline found on the second floor sprayed a firefighter when he touched it with his axe.

Crown James Cornish said the couple's crushing debt load and imminent second eviction from their heavily-mortgaged home led them to set the fires and attempt to collect insurance money. The insurance company refused to pay the claim and six months after the fire the Thomsons were charged.

Pointing to positive presentence reports, the Thomsons' lawyers argued probation, not jail time, was warranted but Cornish called for a sentence of between 15 and 24 months.

“If these two can be driven to it [arson] then others like them can be deterred [by incarceration],” Cornish said.

Town wants legal advice

Town lawyers will be asked to quickly review and report back to Council on a suggestion from local environmental groups for a Town by-law banning landfills in quarries in Halton Hills.

Speaking for P.O.W.E.R., I.C.E. and E.A.G.L.E. environmental groups, quarry neighbour Doug Young urged councillors to pass the by-law as another piece of ammunition to fight plans by Reclamation Systems Incorporated (RSI) to turn a mined-out portion of the quarry into a massive landfill site.

Young warned Council that it must be cautious in light of Provincial plans to make the landfill search process “more user-friendly” and RSI's attempts to have the

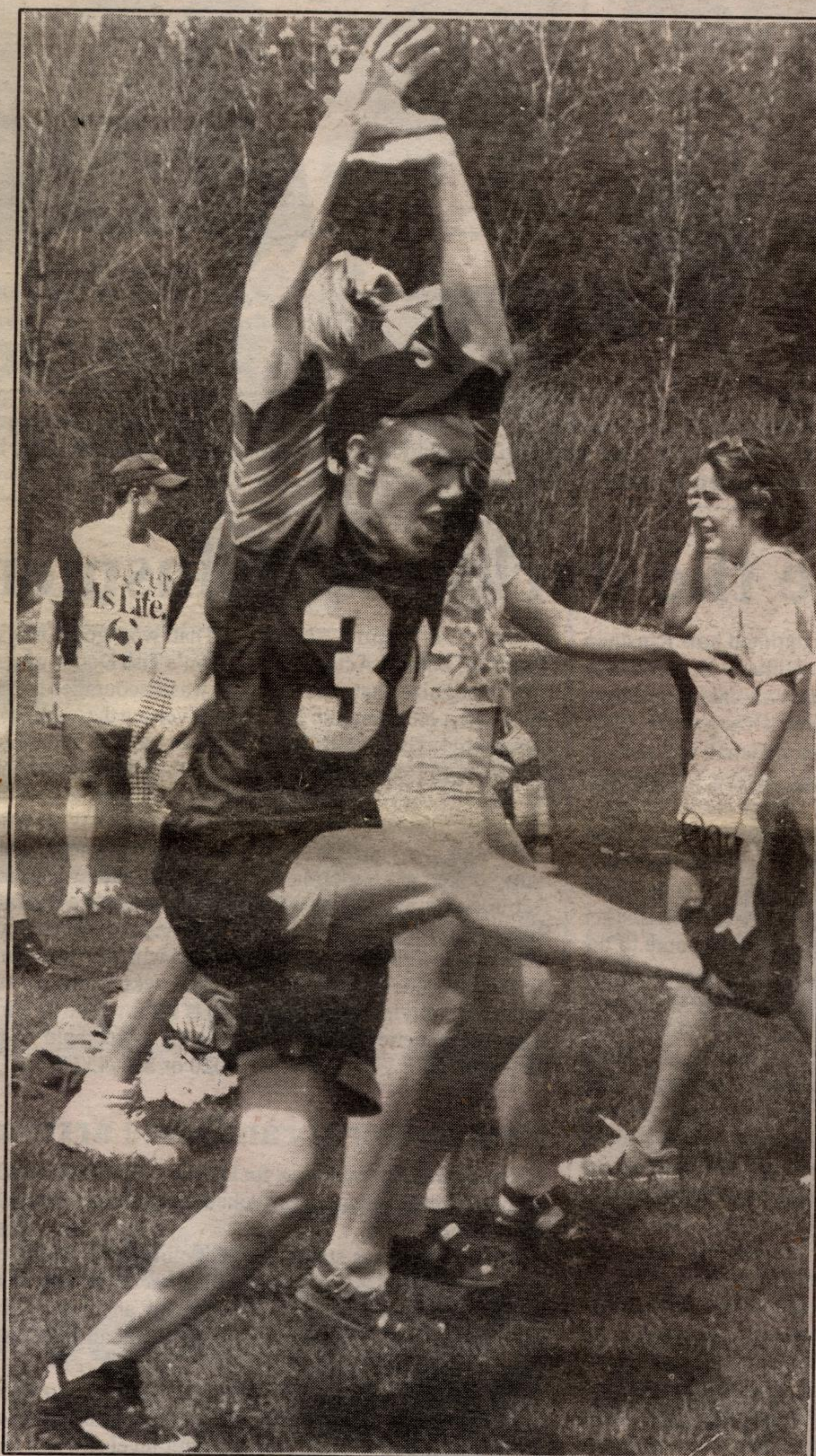
quarry land removed from the Niagara Escarpment Planning Area, which bans all waste management facilities.

“Things are afoot. We need to take some action and we ought to protect our Town,” Young cautioned.

Young told Council they need not worry about being sued if they passed the by-law because he'd had a legal opinion that Council could not be sued for taking such action.

Acton Councillor Norm Elliott pointed out most Councillors were facing a lawsuit involving a development control by-law preventing a recycling proposal—a by-law Council passed after being assured they would not

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EXTREME!

Acton High School held its first annual Extreme Spirit Day last Wednesday. James Metcalfe shows his school spirit during an aerobics “seventh inning stretch” group exercise. (Karen Wetmore photo)

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