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Rockwood couple killed at rail crossing

'Worst' drunk driver pleads guilty to causing fatal crash

STEPHANIE HOUNSELL
Special to The IFP

A Milton man has owned up to causing the deaths of an elderly couple at a local train crossing in what the Crown attorney says might be the worst case of drunk driving in Ontario history.

At a court appearance last Thursday, Ingram Rahim Bakhsh, 29, pleaded guilty to two counts each of impaired driving causing death and failing to comply with conditions of a release before a courtroom packed with a dozen of the victims' family members and three of his own.

He admitted to having a blood alcohol level nearly four times the legal limit July 19 of last year when his car slammed into the back of a vehicle carrying Rockwood couple Andrew and Henrietta Miller, aged 66 and 65, sending it spinning into the path of an oncoming GO train crossing at Trafalgar Road just south of Halton Hills.

They were killed instantly.

The case has received close media attention, largely because of Bakhsh's history. The year before, he was charged with several drinking and driving-related offences in a couple of separate incidents in Peel.

At the time of the tragedy, he shouldn't have been driving or drinking in accordance with release conditions.

Crown attorney Brian O'Marra said after the plea outside the Oakville courthouse that this is possibly the worst such incident he's ever seen.

"This is one of the most egregious examples of impaired driving I've seen in my many years as Crown," he said, adding, "This may well fit the description of worst offender, worst offence."

Earlier, Bakhsh had looked resigned and slightly sullen as he sat handcuffed in the prisoner's box, listening to O'Marra read an agreed statement of facts to Justice Richard LeDressay.

The victims' seven-year-old grandson listened quietly in the front row with his mother.

Court heard that at 7:20 p.m., Bakhsh was speeding in a Mercedes southbound on Trafalgar Road, south of Hwy. 401.

When he approached the CP railway crossing in the area, the lights were activated and the stop arms were starting to go down, court heard.

There was one southbound car—the Millers' vehicle— stopped for the train, while two others were stopped on the other side of the tracks.

The Mercedes hit the Millers' car— being driven by Andrew— from behind, causing it to spin onto the tracks. It was struck by the GO train and projected off the tracks into a light post.

Meanwhile, Bakhsh's car skidded all the way across the tracks, out of the train's path. He collided with a Honda Civic on the other side, but that driver wasn't seriously injured.

The driver of the Civic said Bakhsh was yelling and completely irrational, O'Marra said.

Bakhsh was arrested later that night after he was transported to Milton District Hospital.

When a police officer attempted to take a breath sample, Bakhsh wouldn't blow hard enough, court heard. When blood was collected that night, Bakhsh had 310 mg of alcohol in 100 ml of blood.

Charges of dangerous operation of a vehicle causing death (two counts), refusing to provide a breath sample and driving with over the legal blood alcohol level were stayed Thursday. O'Marra later explained they were covered by the other more serious charges.

O'Marra told the court he will seek to have the previous charges laid in Peel consolidated with the more recent charges.

Later, he told reporters he will seek a "significant" penitentiary sentence.

The maximum penalty for impaired driving causing death is life in prison.

Bakhsh has been in custody at Maplehurst since the crash.

Family members of the Millers hugged and consoled each other after the court appearance. They didn't want to speak to the media.

Bakhsh's parents and young wife exited the courtroom quietly.

His father, Ike Bakhsh, said his son did the right thing pleading guilty.

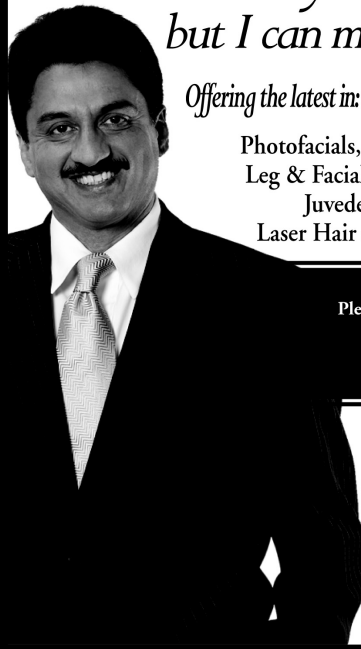
"It's a sad situation on both sides," he said. "He did what he did and he's got to admit his faults."

Bakhsh's lawyer, Bruce Daley, said afterward his client has taken responsibility for his actions.

Sentencing will take place August 21 in Burlington.

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