

# Prisoners treated in sadistic manner, court told

By Peter Mills  
A bad situation in a police van was made worse by the actions of 12 men within it, a Halton Regional Police hearing was told.

Dr. Alexander Allan, an associate professor of mechanical engineering at the University of Toronto, told the hearing Friday he estimated conditions within the van "must have been very bad. With the outside temperature and the number of men inside, it would have been terribly uncomfortable."

The hearing is being held in a Milton court and stems from charges made by the prisoners in the van they were mistreated during a ride to the Metropolitan Toronto West Detention Centre from Milton court on August 14, 1978.

Charged with discreditable conduct and neglect of duty are Constables Arnold Vanclief, 35, and Annesly Raj Swaminathan, 39. Vanclief has been a policeman for 12 years, and Swaminathan has been with Halton Regional Police for the past nine years.

Judge William E. Colter is presiding over the hearing. The outside temperature that day was measured at 32 degrees, making it one of the hottest days of the year, testimony indicated.

Dr. Allan, who specializes in engines and thermodynamics, testified he examined the Halton Regional Police van on Jan. 9, 1979, and said he found the only source of ventilation in the van was a circular vent on the roof. It would be primarily used for allowing air to escape.

Dr. Allan also said there were ways for air to get into the rear portion where the prisoners were seated. One was through a sliding window connecting the van cab with the rear portion. The other was through a normal ventilation fan which would blow air into the compartment.

Previous testimony indicated the sliding window was closed. Dr. Allan pointed out the conditions in the van would be bad, even if all forms of ventilation were open.

"The roof opening was smaller than any of the others. Given the speed of the van and the size of the prisoners' compartment and the size of the roof opening, you'd only get about five or six changes of air per hour." Dr. Allan explained a "change of air" is the time it takes for the air in the van at a given moment to escape through the roof hole and be replaced by incoming air. He testified this speed would amount to "slow circulation", which would increase as the speed of the van increased.

"It got to the point where the body was no longer able to lose its own heat. The longer you were in it, the worse it got. As it got worse, the men inside would get closer to heat prostration." Dr. Allan said he estimated the temperature inside the van to be over 40 degrees. He based it on studies done previously. "A stationary man gives off 400 British Thermal Units (BTU) so the 12 men would be giving off close to 5,000 BTUs. That's if they were stationary." Under questioning, Dr. Allan said the heat radiation would increase by as much as three times if the men were physically active.

Previous testimony indicated the men were quite active in the van. Delbert Hesch, one of the prisoners, testified he and several of the prisoners had tried to kick the back doors open to allow more air into the van. "Any ventilation we could have had was closed off," he said, describing the conditions in the van as "stuffy and suffocating."

Hesch also said the prisoners were yelling at Vanclief, driver of the van, and Swaminathan, who sat in the passenger seat, in an attempt to get them to turn down the heat in the van. (Several prisoners had testified the heater in the van was running). Hesch said the police (Continued on Page 6)

# The Canadian Champion

VOLUME 118 — NUMBER 39

MILTON, ONTARIO, WEDNESDAY, JANUARY 24, 1979

28 PAGES — 20 CENTS

## Chairman's announcement blows open Site F case

Expanding the scope of the Ontario Municipal Board Hearing on Site F was approved by chairman W. T. Schrives Thursday.

Following debate with legal representatives from Halton, Milton and the Tremaine-Britannia Citizens' Group, Mr. Schrives made the decision after calling a recess and discussing the matter with OMB colleague A. J. C. Chapman.

A spokesman for the citizens' group said Mr. Schrives' decision expands the scope of the hearing since it allows evidence on the other proposed sanitary landfill sites to be heard.

The hearing had originally been confined to Site F. However, evidence on other sites was repeatedly brought to the attention of the hearing through the testimony of witnesses.

The event triggering Mr. Schrives' decision came during Fred Leitch's cross-examination of Grant Anderson. Mr. Leitch is the lawyer representing the town.

Mr. Anderson is an hydrogeologist from the consulting firm of Gartner Lee Associates Ltd. He is the fourth witness to be called by Edgar Sexton, the lawyer representing the region.

Because Mr. Leitch was asking questions about Site A in Burlington, Mr. Sexton rose to say he objected.

He said the hearing was on Site F. It should remain true to its purpose. Mr. Schrives decided debate should be allowed and gave Mr. Anderson permission to sit down, the first witness so allowed.

Arguments were heard from Mr. Sexton, Mr. Leitch and David Estrin, the lawyer representing the citizens' group.

Debate centred on the question of whether the hearing should expand to allow evidence on other sites.

Mr. Sexton was opposed while Mr. Leitch and Mr. Estrin were in favor. The OMB members have asked for restraint and co-operation between the three lawyers. On Thursday, Jan. 11 the hearing adjourned early in order to allow the OMB to clear lines of procedure with the three lawyers.

## Town must hustle for downtown loan

It will require fast action on the part of the town, but a \$150,000 loan will be available from the provincial government to be used to beautify the downtown area.

The money can be used to buy land, he said to be used for parking purposes. Mr. Henderson told council the BIA group wasn't expecting an immediate answer on the loan but wanted to advise council what was available.

Mr. Henderson also pointed out it is mandatory to have a minimum standards by-law before the town is eligible for the loan.

Councillor Gord Krantz said he believed time was of the essence because the loan applications were being considered on a first-come, first-served basis, and the deadline is Jan. 31.

Mr. Lakoseljac said the Ministry has a total of \$5,000,000 to be loaned out to qualifying communities. If each community were to ask for the maximum (\$150,000), just 33 loan applications would be approved before the money ran out.

Mr. Henderson also pointed out it is mandatory to have a minimum standards by-law before the town is eligible for the loan.

Mr. Henderson also pointed out it is mandatory to have a minimum standards by-law before the town is eligible for the loan.

Mr. Henderson also pointed out it is mandatory to have a minimum standards by-law before the town is eligible for the loan.

Mr. Henderson also pointed out it is mandatory to have a minimum standards by-law before the town is eligible for the loan.

Mr. Henderson also pointed out it is mandatory to have a minimum standards by-law before the town is eligible for the loan.



"THE GREAT ONE" had plenty of cause to feel great Saturday night, as more than 150 friends and elected officials attended a banquet in honor of Milton's Citizen of the Year, George Swann. Mayor Don Gordon, the Hon. James Snow, Minister of Transportation and Communication and Milton Chamber of Commerce President Marie Reis were among those celebrating the occasion.



IT LOOKS MESSY, but tasted great. Beth Perham, a grade six teacher, at W.I. Dick Middle School was one of the fortunate staffers to get involved with the annual cream pie-eating contest Wednesday afternoon as part of the Dick Winterfest. More photos on Community page, C1. (Champion photo by Peter McCusker)

## Site F perpetrators 'should be shot', says Planche

Shooting the people responsible for inflicting Site F on Halton was suggested at regional council Wednesday.

Oakville Councillor Ron Planche said, "The people who got us into this Site F mess should be shot."

The remark was made after Halton Solicitor Dennis Perlin asked council to approve recommendations to shore up the region's case before the Ontario Municipal Board (OMB) hearing on Site F at Halton Centennial Manor.

The recommendations ask the region to express willingness to acquire lands adjacent to Site F, including the property of 33-year-old Bessie Smith. Miss Smith's solicitor Peter McWilliams of Milton appeared before council.

"She doesn't want to sell her land," he said. "She has lived there all her life. Her grandfather farmed the land in 1846."

He said she is opposed to locating a regional landfill dump at Site F around her property. "She doesn't want to be surrounded," he said. The region's proposal drew fire from Milton's representatives.

Mayor Don Gordon said, "I am beginning to feel personally responsible." "She (Miss Smith) does not deserve to be hassled."

"I am against this," he said. Mr. Perlin had approached council with the recommendation to apply to Milton for approval to acquire the lands required in connection with the proposed sanitary landfill Site F.

The lands of Mogil Properties and the lands of Kowal and Micallet together with the lands of Bessie Smith."

However, having received negative feedback, he said it appeared as if the region was proposing expropriation. Consequently, he amended his proposals. The amendment dealing with the proposed acquisition was amended to say the region would be willing to acquire the three properties "after planning, financial and environmental approvals are received."

## Village will wait for snow removal

When it comes to saving money or shovelling snow, Milton Council opts for the former. Director of Public Works Joe Pitushka presented a report to council Monday recommending a local contractor be hired to remove snow in Campbellville because existing equipment was tied up in other areas, and it couldn't be spared to remove Campbellville's snow.

Council was told Halton Region considers snow removal on regional roads in Campbellville a low-priority item. Council did too, voting to reject the recommendation. Members said the existing equipment would have to do, and if the equipment didn't get to Campbellville until "four days or so" after a snowstorm, that was all right.

## Inside Today

- 2—Citizen of the Year
  - 3—Regional News
  - 4—Editorials, columns.
  - 5—Letters; Milton's housing to boom in 1979.
  - 9—Meritorious Service award.
- SECOND SECTION**
- B1 to B4—Sports news.
  - B5—Cross-country skiing at African Lion Safari, where the "fellow" on the other side of the fence may be a lion or tiger.
  - B6 to B9—Classifieds, real estate.
- THIRD SECTION**
- C1—Wildcat Winterfest at W.I. Dick.
  - C2—Focus this week looks in on Harold Penson, firefighter.
  - C3—Family page.
  - C4—Farm news.
  - C6—Rural development seminar.
  - C7—Columnists Robinson, Byers.



WHERE IS EVERYBODY RUSHING? See Page C-1

(Continued on Page 8)