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2 Youths Violating Courts' Trust Get Jail For Protection Of Public

The public must be protected by the courts from young people who repeat their criminal mistakes and don't take advantage of an opportunity to lead the life of a good citizen when they are given it, Provincial Judge Russell Pearce said Thursday last week as he cracked down on three 17-year-olds who have put police and local residents to a lot of trouble and expense because of their antics.

Judge Pearce sentenced two of the youths to terms in reformatory and gave a third a chance to prove himself at the House of Concord Salvation Army residence for boys in Vaughan. This third youth being a first offender, still has a chance to avoid jail and may get probation.

2 COURT DUTIES
When one defense attorney argued that the court should try to rehabilitate his client, Kenneth Fisher, 17, a Scarborough youth who had been at the House of Concord when he got in trouble, Judge Pearce disagreed.

"He was in a place of trust and rehabilitation but he did this crime. I don't think probation for him is the answer for the protection of society. I must get across to the public in this

House of Concord because the stresses and strains of life were getting too much for him. The House of Concord will take him back. His mother and father are separated. Although he has some support there, he sees his father and can get some support there. He sees his father and can be with him on weekends. Probation or jail won't help unless he gets professional assistance. His father can't afford it but he would have it at the House of Concord," said the defense lawyer.

BREAK-INS ALARMING
"The number of break, entry and thefts in this area are very alarming. It's setting ludicrous. People can't cope with it and the police can't handle it because they haven't enough men to go around. Especially in the more rural areas around Richmond Hill the people can't even go on a holiday because of the possibility their house will be broken into. Even around houses being built the materials can't be left."

These were Judge Pearce's remarks as he sentenced Milan Kalvoda, 17, of Kennedy Road, Lot 3, RR 1, Milliken to three months in reformatory and two years probation.

Court NEWS

area that I'm here to protect them as well as to rehabilitate where warranted. A short period in jail shows them (the convicted) what it's really like," said the judge.

He gave Fisher four months in jail, after which he will be on probation for two years. During his probation he is barred from using drugs or alcohol, from entering any place where liquor is sold, from leaving the province or from getting into further trouble. Any breach of probation can get him both a further fine and jail sentence.

6 MONTHS JAIL
When Fisher's lawyer argued the youth had already spent six weeks in jail waiting for his trial to end, Judge Pearce said that had been taken into account and the sentence would otherwise have been six months in jail.

Crown Attorney Frank Moscoff asked the judge to note Fisher demolished the Mustang car he took from Levesque Plymouth Chrysler Limited in Concord July 14 and injured a nine-year-old child in the process. It was a deliberate theft during the final period of probation for a previous offence while resident at the House of Concord.

"It was a clear violation of the trust the court had in him in June, 1971," said Moscoff. **DENIES RECKLESSNESS**
Fisher's lawyer argued it wasn't reckless driving that caused the accident, but failure of the steering in the car.

Judge Pearce said it was the boy's fault if he took a car he didn't know was mechanically fit.

The defense attorney argued Fisher was severely handicapped by his upbringing. "The best thing for him is some sort of professional assistance and guidance, because he needs it. He admitted himself to the

Kalvoda pleaded guilty to stealing nearly \$200 worth of lumber belonging to Rockwin Construction Company July 8 to build a stable where he wanted to keep horses for a fee.

MUST PROTECT PUBLIC
"The public wants protection, not probation again and again," said the judge, noting the youth committed the crime at age 16 while on probation for a previous break-in conviction.

Kalvoda's attorney asked for a further term of probation for his client, arguing the youth already had spent a week in Don Jail and had his fees paid for a course at Seneca College in the fall.

LACKS PARENT CONTROL
Randy Pachal, 17, of 22 Grandview Avenue, South Thornhill, was also up for sentence on several admitted theft convictions. As in the case of the other two 17-year-olds, a presentence report had been prepared on this youth by a social worker.

Pachal admitted stealing a dune buggy July 25 from Douglas Phillips and also admitted stealing rear view mirrors and a gear changer from motorcycles July 24.

His lawyer said his client appeared to suffer a lack of effective parental control. "His mother is over-indulgent and doesn't rule with a firm hand. The father also seems sort of 'wishy washy' in the matter. The boy seems to be subconsciously looking for a firm hand, trying to get attention. He can't get it at home."

RELEASED ON TRIAL
Judge Pearce said he'd consulted the House of Concord about Pachal and they agreed to accept him for a few trial weeks.

THE WONDERFUL WORLD OF BOOKS

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Participatory Democracy

Recently, there has been a growing demand by people for more influence in, and understanding of, decisions affecting their lives. Many people are beginning to experience this development at first hand, not only in other parts of Canada and in metropolitan areas but in Richmond Hill, as people realize that they can play a significant part in making the decisions which concern them.

The first and best book investigating this phenomenon with a Canadian orientation is James Draper's **CITIZEN PARTICIPATION: CANADA**. A wide range of provocative essays present divergent points of view on ratepayer's associations, the responsibilities of politicians to their constituents and the ethics of social activism.

The Ontario Government has also become interested in the question of involving citizens in public decision making and has published two books: **CITIZEN INVOLVEMENT**, which was prepared for the Committee on Government Productivity, and **DEMOCRACY IS US** by Maureen Quigley for Department of Municipal Affairs. **CITIZEN INVOLVEMENT** discusses some characteristics of the citizen participation trend, the pressures generating demands for participation, whether the government should encourage such participation and if so, what would be the initial step. **DEMOCRACY IS US** is more concerned with examining cases of citizen participation in Toronto.

broader issue of the emergence of organized groups of citizens and their effect on city government, as well, is James Lorimer's book **THE REAL WORLD OF CITY POLITICS**.

POLITICS AND THE GOVERNMENT OF URBAN CANADA, by Lionel Feldman and Michael Goldrick also studies the operation of Canadian city politics, although from a more theoretical point of view. Such issues as "Small Town Power and Politics", "Total Amalgamation in Metropolitan Toronto" and "Canadian Local Governments" are discussed by Canadian authorities.

Another book which examines urban governments and how they plan the town and city environments is Harold Kaplan's **THE REGIONAL CITY**. Kaplan looks at how decisions concerning such matters as zoning, expressways, housing and parks are made, as well as the limitations or advantages of these methods.

The final books on this list, which would increase our understanding of the decisions which affect our surroundings is Gertler's **PLANNING THE CANADIAN ENVIRONMENT**. He looks at the planning process and such problems as land speculation, adequate recreation facilities and city sprawl.

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