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PANEL PRESENTATION



JAY I. BERNHOLTZ
Barrister & Solicitor
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JIM MACDONALD, M.B.A.
Investment Advisor - Nesbitt Burns
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Race questions allowed

BY KATHLEEN GRIFFIN
Staff Writer

The issue of racism will be explored at the inquest into the shooting death of teen Faraz Suleman — but in a very limited way, Coroner Dr. William Lucas ruled yesterday.

Lawyer Paul Copeland, acting for Suleman's mother, Shaheen Kamadia, prompted the ruling after arguing that unless the issue was discussed, no one would know for sure whether racism was a factor in Suleman's death.

The Markham teen was shot by a police officer during a sting. He was wanted in connection to two armed carjackings.

"If, at some point, the issue of race comes out, there would be no way to explore it unless I ask these questions," he said. "If I'm not allowed to explore it, people will look at this inquest at the end of the day and say why not?"

Coroner's counsel Brad Kelneck and three police lawyers argued against allowing race to be considered by the three-woman, two-man jury. They insisted it's not relevant.

"The fact that various victims in the carjackings gave various descriptions of the attackers is not evidence of potential racism," Kelneck said, referring to the fact Suleman was at different times described as non-white, black and Iranian. "There are no facts to believe (police) targeted a particular group."

Lucas agreed.

"I do not believe racism is relevant in this particular inquest based on the evidence heard thus far. However, I believe it would be fair to allow limited questions," Lucas ruled, adding he considered Kamadia's concerns in his decision.

But he applied stringent parameters. No personal questions will be allowed and officers may only testify to their own opinions, not those of other officers or of the force in general.

"If it does become apparent race was a factor I will make a determination at that time as to the extent it will be explored," Lucas said.

The ruling was made during the testimony of Sgt. Bisson Ramdewar, who was involved in trying to arrest Suleman the night he was shot.

Copeland asked him if, when dealing with different ethnic groups, he ever thought a particular group had a higher probability of carrying weapons.



FARAZ SULEMAN

"No, sir," Ramdewar replied.

Copeland also asked him if had he known the weapons involved in the two armed carjackings were replica guns, would he have changed his approach to the arrest that night.

"No, sir. I would have gone out well-prepared to deal with weapons. It wouldn't have made a difference to me if it was a large gun, small gun or an air gun. A gun is a gun to me."

Ramdewar testified there was no real takedown plan in the early morning hours of June 19, 1996. He said the robbery squad officers — Dets. Bob Wiche and Dan Kierstead — took control because they had more information on the carjackings. Markham officers were there to assist, he said.

Det. Wiche and Kierstead were the ones appointed to do the surveillance on Millie's (doughnut shop) and if the Jeep showed up, we have radio communication and we would be advised what to do," he said.

Kamadia and family friend Aryn Mohamed had devised a plan where Suleman, already out of touch for a week and driving the stolen Jeep, would show up at Millie's between 3 and 3:30 a.m. in the hopes of meeting a buyer for the vehicle.

Ramdewar said he knew nothing about that plan, but spotted the Jeep as it sped past him on Old Kennedy Road. Two undercover cars — including Wiche's — followed closely behind.

Chase details were transmitted over the radio and Ramdewar followed, but by the time he turned onto Trafford Crescent, Suleman was dead, shot by Wiche.

Ramdewar said Suleman was slumped back in the driver's seat and he couldn't detect a pulse. The Jeep's engine, started with a screwdriver jammed into the ignition, was still running and beginning to smoke.

Wiche was holding another youth, the passenger, when Ramdewar approached.

"(Wiche) looked very dazed and very traumatized. I observed him limping. I don't remember what leg it was. He was in a state of shock. I wasn't sure if he was hurt in any way," he said.

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Hospital covering for nurses, mother says

BY RICK VANDERLINDE
Staff Writer

Nurses who were assigned to monitor a 10-year-old Thornhill girl the day she died at the Hospital for Sick Children should have been fired, her mother says.

"The hospital is refusing to admit any responsibility at all. They've been trying to cover up their actions," Sharon Shore said. "The fact that the nurses are still working there at all is upsetting."

Shore's daughter, Lisa, died in the pediatric hospital Oct. 22, 1998, after she was admitted to treat acute, but non-life-threatening leg pain.

A coroner's inquest into the unexplained death was postponed until January after the hospital offered contradictory statements over the reliability of a heart and respiratory monitor.

Dr. Jim Cairns admonished the hospital last week for springing surprise evidence on the inquest, when a witness suggested a possible malfunction may have caused a corometric monitor not to sound an alarm after Lisa's heart stopped.

But hospital lawyer Patrick Hawkins contradicted that evidence, saying the 200 corometric monitors still being used by the pediatric hospital are safe.

"We've fully investigated the monitor and were satisfied with them," Hawkins said Tuesday.

The inquest has been postponed so the coroner's office and the company that manufactures the monitors can do their own investigation.

But Shore and her lawyer Frank Gomberg claim the monitor never sounded an alarm because nurses failed to attach one to Lisa as they were ordered to by Dr. Markus Schily.

"Our position is she was never on a monitor —



LISA SHORE

period," said Shore, who was sleeping in her daughter's hospital room when she died.

The inquest jury has heard that nurses failed to check doctor's orders detailing how Lisa should be monitored while she was being treated for pain.

Schily placed the orders on an in-house computer, using a hand-written chart to remind nurses to check the computer.

Schily has testified he was "shocked" to later learn the computer-generated orders were never accessed.

The nurses, who are being represented by the hospital's lawyers, have yet to testify.

In an interview Tuesday, Shore said the hospital failed to fully inform the family about Lisa's medical care, despite repeated questions.

In a written response to the family's questions, the hospital replied that doctor's orders had been placed in the system for Lisa to be monitored.

But Shore said the hospital never told them the orders remained unread in the computer system.

"They didn't lie, but they didn't fully disclose everything either," she said.

But Hawkins said both the hospital and the nurses have fully co-operated with the coroner's investigation into Lisa's death.

"I think it's inappropriate to suggest a cover-up or anything of that sort," Hawkins said.

Prior to the inquest's opening, the hospital made a financial settlement with the Shores, which specifies no liability.