

York police violated teen's rights but other criticisms 'unwarranted'

BY ROGER VARLEY
Staff Writer

York Regional Police violated the rights of a 14-year-old boy charged with manslaughter in the death of his four-month-old sister, but many of a judge's criticisms of the investigation were not warranted, a review of the case concluded.

Halton Regional Police Insp. Signy Pittman, who investigated York's handling of the case at the request of Chief Robert Middaugh, found investigators took "some inadvisable steps during the statement-taking

process".

Chief Middaugh asked for the review after charges against the Richmond Hill youth were withdrawn in June, after Mr. Justice William Gorewich ruled a videotaped statement key to the Crown's case was inadmissible.

Justice Gorewich blasted homicide investigators, saying they violated the youth's rights while taking a statement, distorted information given to a doctor, ignored advice from a Crown attorney and failed to review a pertinent Children's Aid file on the youth's family, although it was

readily available.

While the boy was home alone caring for the baby and his 20-month-old sister in March 2000, he noticed the infant had breathing problems and was turning blue. He called a nearby aunt, who called an ambulance. The baby died the next day.

Insp. Pittman said the investigators should have allowed the youth's parents to be present while they took his statement, let him make his statement at his home and asked him if he wanted to leave with his uncle prior to taking his statement.

But she said information in the CAS file would not have affected the decision to charge the youth and the distorted information given to the doctor had no impact on the doctor's conclusions.

The youth told police he played with his sister before her death, but police told the doctor he said he "played games" with her. The doctor told them the baby would not have been able to play games with the injuries they suffered and investigators charged the boy.

Despite Insp. Pittman's

conclusion investigators violated the youth's rights during the statement-taking process, Chief Middaugh said he is satisfied they "conducted a thorough and appropriate investigation (and) acted in good faith performance of the duties".

He said the decision to charge the youth prior to the conclusion of the investigation "was driven by concerns

about the safety of the youth, the family — particularly a young child — and the community".

He said the force is taking steps to improve its investigation methods. These include the possibility of using portable video equipment to take statements away from the police station and greater consistency in the cautioning process.

BOO!

**Worry Free
TRICK or Treating**

**MARKVILLE
SHOPPING CENTRE**

October 31st

6:00 PM to 8:30 PM

**Look for the pumpkin at participating retailers.
You can pick up your
"Markville Trick or Treat Bag" at the
Customer CARE Booth or at
Centre Court on October 31st.**

Not eligible for rewards. One of Markville's participating retailers. Markville is wholly owned.

Come in and try our new chef Peter Britain's fabulous Fall/Holiday season menu. Starts October 25th.

Our recipes are passed down from generation to generation. (Our coupon, however, expires soon.)

Our recipes may be closely guarded, but it's no secret we serve the best food in town. And now you can sample some of our award winning dishes with this timely coupon. But hurry, because unlike our recipes, this won't last forever.

\$5.00 Off

Bluestone BISTRO

Offer valid Sunday-Thursday, 5:00 P.M.-close. Not valid with any other offer. One coupon per table. Expires Oct. 31/02.

Two lights east of Warden on Highway #7
905-475-6999

Open to the public daily for lunch & dinner

FALL DINING AT BALLANTRAE GOLF CLUB

Featuring **Northern Italy**
October 31, November 1-2
Antipasto Buffet
Table d'hôte selection of entrees
Dessert & Espresso or Cappuccino

Fall Game Festival
November 7, 8, 9
Featuring a variety of game including Pheasant, Rabbit, Bison, and Venison
Canin Creole
November 14, 15, 16
Enjoy classic and contemporary Louisiana cuisine

Highway #88 W. of Aurora Rd. East side
For further information on our teams, pricing and reservations please call 905-475-6999 ext. 305
Dress code: Casual to Smart Casual