

Sentence reduced to house arrest

MOTHER BURNED DAUGHTER WITH HOT ICE CREAM SCOOP

The Ontario Court of Appeal has overturned a jail sentence for a Markham mother convicted of repeatedly burning her daughter with a heated kitchen utensil, ordering the woman serve her sentence on house arrest.

In a decision released Friday, Justice Kathryn Feldman concluded the woman has made significant strides in repairing the relationship with her daughter and family.

"The situation has changed. This court has been provided with fresh evidence of what has transpired for this family since May 2004 and particularly for this mother and child and the very significant progress that has been made toward complete recovery of the family unit and relationship," the decision reads. The woman and "her family have made significant progress in the process of re-establishing the trust relationship and in reintegrating the family as a functioning unit. To remove the mother again and put her into custody to serve the balance of her sentence would be disruptive to the success already achieved and would not be in the best interests of the children, including the daughter."

The 42-year-old mother of two pleaded guilty last year to assault with a weapon and aggravated assault after admitting she heated a metal ice-cream scoop on a stove and used it to burn her nine-year-old daughter's arms, hands and legs as a disciplinary measure.

A vice-principal at the girl's school reported the situation to police.

The woman's identity was not released to protect the child.

The woman entered into several rehabilitative programs since her arrest and conviction.

She was released on bail pending the appeal after serving 49 days of a nine-month sentence.

The appeals court sentenced the woman to nine-months' house arrest and upheld three years probation.

— Martin Derbyshire

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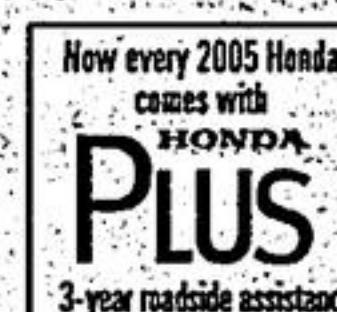
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ES1,350 Petro-Canada Pre-Paid Card expires Dec. 31/06. Applies to new 2005 Accord purchased/leased between May 1st and May 31st, 2005. Fuel cost amount is fixed and has been determined as follows: a) estimate of annual fuel consumption is based on an Accord Sedan with 2.4L engine and automatic transmission driving a distance of 20,000 km, with a mix of 55% city driving and 45% highway driving. A detailed calculation of annual litres used is available at www.vehicles.gc.ca b) fuel cost estimate is \$0.814 per litre which is the Canadian national 4-week average cost of fuel up to the week of Feb. 8/05. More information is available at the Canadian Petroleum Products Institute website, www.cppi.ca. Lease and finance offers are from Honda Canada Finance Inc., on approved credit. Δ Based on a 2005 Civic Sedan DX, model ES1515PX (Δ Civic Coupe DX, model EM2115P) (Δ Civic Sedan Special Edition, model ES1535PX) (Δ Civic Coupe Special Edition, model EM2125PX) (Δ Accord Sedan DX, model CM5615E) (Δ Accord Sedan EX-L, model CM5665JN). Lease for 60 months (Δ 48 months) at \$198.00 (Δ \$198.00) (#\$218.01) (\$267.99) (Δ \$331.76) per month plus applicable taxes with 120,000 km (Δ 96,000 km) allowance (12¢/L exceeding allowance). Δ (\$/L) # \$0 (Δ \$4,719.00) down payment or equivalent trade acceptable to dealer (\$0 down on approved credit from Honda Canada Finance Inc.). Initiation payment of Δ \$279.70 (Δ \$302.71) (Δ \$5,783.04) (Δ \$5,856.37) includes down payment, first monthly payment, registration, security deposit of \$0, freight and P.D.E. and taxes. PPSA is additional. Δ (\$/L) # Total freight & P.D.E. is \$1,195.00 (Δ \$1,280.00). Total lease payment is Δ \$13,714.00 (Δ \$15,094.69) (Δ \$20,267.90) (Δ \$23,788.00). Option to purchase at lease end for Δ \$6,480.00 (Δ \$6,920.00) (\$11,430.00) (Δ \$13,545.00) and taxes. Civic leases calculated with finance rate of 3.2% (Δ Accord 3.5%). Rate may change effective June 1st, 2005 and will affect down payment, security deposit, residual value and initiation figures. Dealer may lease for less. *2.9% purchase financing is available on select 2005 Civics and Accords for up to 36 months. Finance example: \$20,000 at 2.9% per annum equals \$580.74 per month based on a 36-month term. C.O.B. is \$906.64 for a total of \$20,906.64. Dealer may sell for less. Δ Recent university or college graduates may be eligible for an allowance of up to \$760 on certain models. See dealer for details. Δ As reported by Canadian manufacturers in calendar year 2004. Δ Recent university or college graduates may be eligible for an allowance of up to \$760 on certain models. See dealer for details. Δ As reported by DesRosiers Automotive Consultants, Jan. 2005.