



Taking part in the first Oath of Office Ceremony at the New Brunswick Youth Centre were, from left, front row: Allyson Fitzpatrick, Randy Foran, Wendy Sheasgreen, Linda Cooney, Joanne Bernard, Stella Ward, Nomi Theriault-English, Brody Sisk, Amanda Sullivan; second row: Aaron Landry, Glen McGraw, Jennifer Fraser, Edison Jardine, Mike Bushey, Shawn Howe, Mike Martel, Ricky Foran, Marc Cormier, Mark Ralston and Tammy MacDermaid; back row: Len Davies, Minister of Public Safety and Solicitor General John Foran and Mike Johnson.

New correctional officers sworn in

Public Safety Minister and Solicitor General John Foran recently welcomed 20 new correctional officers to the Department of Public Safety's New Brunswick Youth Centre.

The new officers, who were appointed last spring, were taking part in the first oath of office ceremony held at the Youth Centre. The ceremony marked the completion

of their appointment as corrections officers.

"Every civilized society needs a correctional system that protects the public, treats sentenced people humanely, and offers and promotes opportunities for rehabilitation and reintegration," Foran told the officers.

In addition to recognizing the appointment of the officers, the

ceremony also gave witness to the fact that each officer was taking an oath. In doing so, they pledged to honour the requirements of a peace officer.

"Through your dedication and commitment to our mission of working together to build a safer New Brunswick, you all play a role in making New Brunswick secure and self-sufficient," Foran said.

Council accepts report on rink merger

by Darcey McLaughlin

Miramichi city council has agreed to accept a management agreement regarding the amalgamation of the city's two arenas.

The management report was on the agenda for discussion during a special finance committee meeting on Tuesday, Oct. 9. The actual discussion took place in committee of the whole, meaning the media, public and others not directly involved were excluded. However, during the hour-long session, the raised voices of councillors could clearly be heard through the closed doors of the council chamber as they discussed the report.

Twice during the discussion, Coun. Marty McIntyre left the council chambers to join others waiting outside. On both occasions, he expressed frustration at the lengthy discussion and the tone it was taking.

Meanwhile, council has opted not to release information about the actual content of the report. That information will not be

made public until the report is accepted by council at the regular meeting later this month.

A Feb. 16, 2006, report from city manager Doug Chase to the council outlined an initial plan for an arena merger. In that report, Chase suggested the operation of the Lord Beaverbrook Arena come under the authority of the city.

"In my opinion, the Lord Beaverbrook Arena should operate on a six- to seven-month period," Chase wrote in that report. "After this time frame, if ice is to be rented, it should be on a break-even basis. Arena employees would be assigned to other departments during the 5-6 months off season."

Chase also wrote that "...all the Lord Beaverbrook Arena employees other than the manager would be absorbed in the city's operations during the off-season. The Lord Beaverbrook manager's position would be eliminated and his duties taken over by the present city staff, such as scheduling, payroll and general accounting."

His report suggested these measure would result in considerable savings.

"Annual savings to the city, considering the reduction of salary for the Lord Beaverbrook's manager plus reductions of duplication, would amount \$50,000 to \$60,000," Chase wrote.

Following the committee of the whole meeting on Oct. 9, council passed a motion that the final management agreement between the Chatham Rink Association Inc and the city of Miramichi be approved as circulated.

While the motion passed unanimously, councilor Reg Falconer said he was not completely happy.

"I want it let known that I am going to support this agreement," Falconer said. "[But] there's things in it I don't agree with. But you can't have everything your own way. I want to see these two rinks amalgamated and that's why I'm supporting it. There's definitely things in it I don't agree with, but I have to bend."

Jackpot: Defence argues for delay

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Black's recently appointed Legal Aid lawyer told the court she would need six months to go through the large amount of disclosure and prepare for trial. Danielle Bastarache argued the delays to get to trial were not always the fault of the accused.

In her argument for severance, Johnson presented a timeline of what has occurred in court since Black was charged in September 2005. After a number of appearances, he elected trial by judge and jury and was scheduled for a preliminary inquiry in October 2006.

He was not represented by counsel and waived the right to the preliminary inquiry. In January 2007, Black was denied Legal Aid and a month later filed a formal request for state-funded counsel. In March, he was approved for Legal Aid and Morgan Peters was appointed as his legal counsel.

In April, Matt Amos' defence lawyer, Maurice Bastarache, filed a motion to cross-examine RCMP officers on the search warrants. The two-week judge-and-jury trial, scheduled to begin May 22, was adjourned. Other lawyers subsequently filed the same motion.

It was adjourned again and rescheduled for a third time when Peters requested time to prepare for trial. Trial dates were set for Nov. 5-16 and Dec. 3-14.

On Sept. 17, the scheduled date to begin arguments on motions,

Peters asked to be withdrawn from the case because of illness. The Crown indicated that day it would be seeking severance for Paul Black.

By Oct. 12, Black's new lawyer, Danielle Bastarache, was in court representing him — but Black wasn't. McNally ordered all the accused to be in court with their lawyers on Friday.

Johnson argued it was in the interest of society to have the accused brought to trial as soon as possible and the Crown had an obligation to do that, even if the accused waived their right to have a trial within a reasonable time.

Danielle Bastarache, in arguing against the severance, said as long as what she called "the alleged" accused were tried, then the interests of society would be served — and wondered aloud if the public is even aware of or cares about the timetable for the trials before going on to question the Crown's motives in making the request for severance in the first place.

The defence lawyers for the other accused argued against the severance as well.

Robin Charest's lawyer, Gilles Lemieux, argued that the public might be more concerned over the waste of resources in having two separate trials on the same charges.

Kevin Black's lawyer for his drug charges, Randall Maillet, argued that "... it seemed somewhat attenuated to parcel one off" from the other accused.

Matt Amos's lawyer, Maurice

Bastarache, questioned Crown's rationale for filing the motion on Oct. 4.

"We're this late down the road — and they file for a severance? Everyone waived delay. It's a moot point."

Bastarache asked just who would benefit from a delay.

In her rebuttal arguments, Johnson said it is the accused who benefit from delays and cited case law to support her argument.

"The Supreme Court of Canada recognized that accused try to delay judgment day as long as possible to their benefit."

In his decision on severance, McNally said there was no indication from the Crown that the severance was being sought for any motive other than to proceed with the trials in a reasonable and timely fashion.

However, McNally did deny an additional motion from Crown to have court exhibits entered into evidence during a preliminary trial against Paul Black released.

The Crown had asked the court to release the exhibits, including an optical disk, into the custody of the RCMP so it could be used to prepare for other trials related to Operation Jackpot and to prepare for the upcoming conspiracy trials.

McNally said there was no provision in the Criminal Code to release the evidence and rules of procedure by the court could not override it.

The judge added control of the exhibits had to be maintained by the court.

COURT BRIEFS

Man must apologize to police

A man is facing \$672 in fines and six months' probation for traffic offences, and has been ordered to write a letter of apology to the Miramichi Police Force. Alfred McCrae, 20, was sentenced after being found guilty of several offences Oct. 11 in Miramichi Provincial Court. Police had issued traffic tickets in May for driving a vehicle with no safety inspection, failure to produce a licence and proof of insurance and driving with improper lights at night. After receiving the tickets, McCrae went to police headquarters and was subsequently charged with causing a disturbance after screaming and shouting at front-counter staff.

Impaired driving ending in accident costs man total of \$1,380

Todd Richardson, 45, of Miramichi, pleaded guilty in provincial court before Judge Fred Ferguson on Monday to having a blood alcohol level of more than .08. Crown prosecutor Bill Morrissy said Richardson took a ditch on Nov. 16, 2006, and that Richardson showed signs of intoxication. He blew .190 and .170 when he took a breathalyzer test. Judge Ferguson said because his intoxication resulted in an accident, he was fining Richardson \$1,200 plus a victim impact charge of \$180. Ferguson also suspended Richardson's license for a year. Richardson has until Apr. 14, 2008, to pay the \$1,200 fine.

Hash stash nets \$100 fine

In provincial court Monday, Bruce Joseph Allard, 23, of Miramichi pleaded guilty to possession of marijuana on Aug. 17, 2007. The police report said Allard was stopped for going the wrong way on a one-way street and when the officer noticed a pipe in the accused's pocket, a search of the vehicle turned up three grams of hashish. Provincial Court Judge Fred Ferguson fined Allard \$100 plus a \$15 victim impact surcharge. He has until Nov 13 to pay the \$100 fine.

Woman fined \$500 for driving suspended

Provincial Court Judge Fred Ferguson fined Tanya Michelle Pollock, 29, of Miramichi, \$500 plus \$100 victim impact charge on Monday for driving while suspended on July 20, 2007. The police report said Pollock was involved in an accident at the time of the offence. Judge Ferguson gave her till January 21 to pay the \$500 fine.

Police officer nabs impaired driver after following her from hospital

Janice Mary Waye, 25, of Miramichi pleaded guilty in court Monday to impaired driving. According to the police report, a Miramichi Police Force officer followed after observing Waye leaving the hospital on Aug. 10 and pulled her over after she failed to stop while making a right turn on a red light. When the officer administered a breathalyzer test, Waye showed blood alcohol readings of .130 and .120. Judge Fred Ferguson fined Waye \$1,000, plus a \$150 victim impact surcharge. She has until April 21, 2008, to pay the \$1000 fine.

Ontario man to elect mode of trial Oct. 29

Christopher Siambaba of Fort Erie, Ont., will elect for trial on Oct. 29 at 9:30 regarding multiple fraud charges. Siambaba and two accomplices — Jessica Mimeault of the Montreal area and Chiek Ibrahim Bamba, also of Montreal — were charged with several fraud-related offenses in early September and will have their first hearings in early November.

Young offenders face theft charges

Two 17 year old male young offenders appeared in Provincial court Wednesday, Oct. 17, to face charges of theft and breach of probation laid as a result of a vehicle theft from an eastside residence Tuesday. One of the accused was placed in remand and appeared for a bail hearing Friday morning. He pleaded guilty and will remain in remand until sentencing Oct 26 at 9:30 a.m. The other was released on an undertaking and will appear for plea on Oct 26 at 9:30 a.m.

Chamber: Recipients thank colleagues, families

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Smith said

"People like Darcy and all the small businesses that are represented here tonight are the makings of success. I'm glad to be here tonight to present him with this award."

Taylor thanked Giberson for helping him to get started and the many Miramichi businesses whose patronage over the years have helped bring his enterprise to the level of international successful that it now enjoys.

Miramichi businessman George Smith presented Losier with his award.

"I can assure you it is with a profound sense of humility and pride that I was chosen to present this next award to Dr. Gerard Losier,"

"With his skill and with his many gifts, he could have set up his practice anywhere in the world and have had great success ... but he didn't, and the reason he didn't is because he loves this area — the Miramichi," said Smith. "He's not going anywhere else and we are the benefactors because of that. It's been 25 years since he opened his door for business here ... This year is a perfect time to present this award to Dr. Losier."

Losier thanked the chamber for the award and spoke at length about the early beginnings of his family business, beginning with his father and grandfather and ending with words of praise for his own family, particularly his wife, Judy.

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