

THE VANCOUVER SUN

Having faith in the law is a tall order: MPs get skittish on hit-and-run, Air India suspects are acquitted, a judge gives a rapist a break

Vancouver Sun
Thursday, March 24, 2005
Page: B1 / FRONT
Section: Westcoast News
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Source: Vancouver Sun

IMAGES



Bill Keay, Vancouver Sun
If the legal process seems soft on some, transit users can take heart that TransLink's police are getting tougher -- they're to carry guns.

It's been a rough couple of weeks for the average law-abiding British Columbian who wants, more than anything, to keep the faith in our country's system of legal accountability.

Sometimes, though, it's just too hard.

In Ottawa, for instance, they've been squabbling over **Carley's Law**, a private member's bill from Abbotsford Tory MP Randy White, named after 13-year-old Carley Regan.

Carley was struck and killed by a hit-and-run driver while rollerblading with her sister and a friend on a country road in Aldergrove in 2003.

Paul Wettlaufer, who was driving while under suspension and who kept right on driving after mowing down the girls -- leaving Carley to die on the road -- pleaded guilty and was sentenced to 18 months in prison. He served 10.

Bill C-275 was first introduced by White in 2003 and is now up for a second reading. It proposes stiffer penalties for hit-and-run convictions, equating the offence to attempted murder with a minimum four-year sentence, maximum life. In the event of a fatality, it proposes a charge of manslaughter, minimum seven years, maximum life, with no room for plea bargaining.

A hit-and-run conviction currently carries a maximum of five years, a sentence that White contends has rarely, if ever, been imposed.

Carley's Law sounds logical and appropriate, doesn't it? If you hit someone with your car, injuring or killing them, and then cowardly flee the scene, you should serve time that fits the crime.

Puzzling, then, that it's making some politicians nervous.

A number of Bloc, Liberal and NDP MPs criticized the bill for violating fundamental rights under the Charter. One even suggested it defies the principle that "there should be proportionality in the criminal penalties with respect to the harm."

To which a law-abiding British Columbian can only say: Tell that to the Regans, and the family of Richmond RCMP Const. Jimmy Ng, and all the other loved ones of the countless innocents killed by hit-and-run drivers, who, if they are caught and convicted, serve jail time roughly equivalent to that of a repeat shoplifter.

Just as we were trying to get our head around that debate, the Air India verdict was delivered and found no one accountable, leaving us to wonder just how our justice system, once again, can so cruelly abandon victims, this time 331 murdered men, women and children.

Meanwhile, a B.C. judge was busy knocking a day off the two-year jail sentence of convicted rapist Sritharan Kanthasamy -- one of four men who kidnapped and raped an Abbotsford prostitute in 2002 -- so as to allow him to appeal his deportation to his native Sri Lanka, where, he claims, he will be killed for his political beliefs. The conviction, by the way, is his third for a criminal offence since coming to Canada as a refugee claimant in 1995.

Good news, though.

We might be soft on rapists and people who kill with their cars, but we sure won't be tolerating anyone who tries to ride SkyTrain for free.

This week, B.C.'s normally level-headed Solicitor-General Rich Coleman announced a brand new police force to calm our commuting fears: 86 special officers trained to fire a gun, and stand on guard for thee and me on the buses.

You'll soon be cheek by jowl with these loaded weapons on SkyTrain, the WestCoast Express and the SeaBus, where the officers will be busting bad guys and, one assumes, frowning at the folks riding for free.

In which case, you'll want to be careful when loading up the kids and taking the train down to Science World to check out the Blue Nile exhibit. Wouldn't want to get caught in a crossfire at, say, the Broadway and Commercial SkyTrain station, the sweet spot for drug dealers working their day job.

Oh sure, there's all kinds of reassurance that the new sheriffs in town, officially called the Greater Vancouver Transportation Authority Police Service, already have policing experience and will receive the best firearms training.

Why, then, does it seem like so much overkill?

Why don't we use the money to hire real cops to clean up the criminal activities around the stations?

If TransLink is worried about fare scofflaws -- it's estimated that close to one in 10 SkyTrain riders doesn't pay -- why didn't they put in turnstiles when they built the system?

Why, if rapid transit is so dangerous in the big city, don't the Toronto, Montreal and Calgary transit systems have armed guards?

What's next, gun-toting civil servants manning our airports, borders and ferries?

Don't know about you, but the bureaucrats, politicians and judiciary looking after our backs these days are starting to scare me more than the criminals.

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Illustration:

- Colour Photo: Bill Keay, Vancouver Sun / If the legal process seems soft on some, transit users can take heart that TransLink's police are getting tougher -- they're to carry guns.

Idnumber: 200503240138

Edition: Final

Story Type: Column

Length: 780 words

Keywords: HIT & RUN

Illustration Type: Colour Photo