

PROVINCE

MISSING WOMEN CASE

Trial or no trial? Judge to rule Wednesday

by GREG JOYCE
Canadian Press

PORT COQUITLAM — A provincial court judge will rule Wednesday whether to commit accused serial killer Robert Pickton to trial on 15 counts of first-degree murder.

Final submissions at the preliminary hearing ended Monday — one day after police began searching a wetlands area in the Fraser Valley in their continuing investigation into the disappearance of women from Vancouver's seedy Downtown Eastside.

Crown prosecutor Mike Petrie spent about an hour summarizing evidence presented during the hearing, while defence lawyers decided to make no submissions.

The wrapup of the preliminary hearing in a crowded courtroom came a day after about 60 anthropologists and police moved onto the new site about 65 kilometres east of Vancouver.

The RCMP-Vancouver police joint task force on the missing women said the new site was identified from evidence uncovered in the search of Pickton's Port

Coquitlam pig farm.

Pickton, 53, is facing 15 charges of first-degree murder in connection with a list more than 60 women, most of whom disappeared from the Downtown Eastside over the past two decades.

The new search site near Mission is a marshy, slough-like property belonging to the Kwadwen First Nations adjacent to the Fraser River, in a high-traffic area beside the Lougheed Highway.

If Pickton is committed for trial, the case likely won't begin until sometime next year.

He was charged after police raided a farm owned by him and his brother and sister on Feb. 6, 2002.

The accused is charged with the murders of Serena Abotsway, Mona Wilson, Diane Rock, Jacqueline McDonell, Heather Bottomley, Andrea Joesbury, Brenda Wolfe, Jennifer Furringer, Helen Hallmark, Patricia Johnson, Georgina Papin, Heather Chinnock, Tanya Holyk, Sherry Irving and Inga Hall.

Outside the courthouse, Crown spokesman Geoff Gaul said one phase of the lengthy judicial proceeding was nearing an end.

Minor injuries from ferry's 'hard landing'

VICTORIA (CP) — A "hard landing" by a ferry at the Swartz Bay terminal caused several minor injuries to passengers, damaged the ferry's berth and disrupted service between Victoria and Vancouver on Monday evening.

"We did have a mechanical problem with the vessel when it was coming in to Swartz Bay at about 6:30 p.m.," said Deborah Dykes, spokeswoman for B.C. Ferry Services. "As a result, there was a hard landing."

The passengers were apparently injured after falling when the ferry, called Spirit of Vancouver Island, suddenly jolted after hitting the dock just as people were getting into their vehicles.

An ambulance was dispatched to the scene on a non-emergency basis to examine one person.



CP photo

An RCMP officer talks with a member of the crew working on clearing a piece of land in Mission that is a new site investigators are working on in the case of the missing women from Vancouver's eastside.



CP photo

OIL'S NOT WELL — The Honourable Joyce Murray, Minister of Water, Land and Air Protection, and Gianni Zenone of New Westminister demonstrate the damage used oil has on the environment at Monday's news conference to launch the industry-led used oil recycling program.

Man steals car with kids inside

COQUITLAM (CP) — A Lower Mainland man is facing charges of unlawful confinement, dangerous driving and theft after being accused of taking two children for a frightening ride, Coquitlam RCMP said Monday.

On Saturday evening, a Coquitlam mother left her kids, aged five and 11, inside a locked car with the windows partially open while she went into a local business.

While she was in the store, said RCMP, a 32-year-old Port Coquitlam man reached into the car and unlocked the door.

The 11-year-old girl grabbed the keys out of the ignition and screamed for help, but RCMP alleged the suspect took the keys and drove off with the children.

Their mother said she tried to stop the vehicle by grabbing at the driver through the window, but she was thrown from the car and suffered a sprained ankle.

The car was stopped a short distance later and the children were let out unharmed.

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Government must pay abused woman

VICTORIA (CP) — The B.C. government has been ordered to pay \$125,000 compensation to a 21-year-old woman who was sexually abused by her father after being released while a teenager into his care by social workers.

The Victoria woman sued the province, as well as her father, who was convicted of sexual assault and incest last year.

B.C. Supreme Court Justice Dermot Owen-Flood ruled the government was at fault, even though the woman was not a ward of the province at the time of the assaults.

"I find that once the ministry has assumed the role of guardian, it must exercise special diligence in granting custody to anyone

whether by foster placement or by returning the child to a parent," he said in a written judgment.

"For these reasons, I conclude that the ministry owed a duty of special diligence to (the woman) with regard to its decision to withdraw from her care."

After being convicted, the woman's father received a conditional sentence of 23 months, plus 18 months probation.

Owen-Flood also ruled the woman's father should pay her \$10,000.

In his ruling, the judge described how, prior to the abuse, the then-teenager was placed in foster homes, where she "testified that she

was miserable ... and was desperately seeking any kind of placement that would allow her to have a stable family life."

Her father showed interest in getting custody and the teenager "saw it as her last hope for a stable family life," the judge wrote, so she was sent by the

then-Ministry of Social Services to live with her father in November 1996.

The following month, the ministry withdrew from legal custody of the teenager, saying there was no cause of concern for her safety or well-being.

But the sexual assaults began three months, wrote the judge.

Group wants city to ban dolphin imports

VANCOUVER (CP) — A battle could be brewing over whether to import playmates for the Vancouver Aquarium's sole dolphin.

The city parks board was scheduled Monday night to hear from a delegation calling for a comprehensive ban on bringing whales and dolphins to the aquarium, located in Stanley Park.

But aquarium president John Nightingale said he believes a lease negotiated with the Vancouver parks board in 1998 allows him to continue placing dolphins in the aquarium, regardless of whether the current board votes to halt the practice.

Nightingale wouldn't say what he would do if the board voted to implement such a ban, but said the aquarium's current lease allows him to continue bringing in whales and dolphins until it expires on Jan. 1, 2014, providing

the sea creatures were not taken from the wild after September 1996.

"If the park board is going to change something, it's going to be quite a process," he said.

Nightingale said he wants to import two or three more Pacific white-sided dolphins to join the aquarium's existing dolphin, Spinnaker, acquired from a Japanese aquarium in 2001.

But Vancouver Coun. Tim Lewis, who voted to ban importing whales and dolphins while he was a park board commissioner, said he believes passing a new bylaw would mean an end to bringing more dolphins and whales to the park.

"If what the aquarium is saying is correct, then any city council could bind the hands of all future city councils simply by entering into a contract with a third party never to amend

bylaws," Lewis said.

Regardless, the park board would not vote for any kind of ban without gauging public opinion first, said board vice-chair Anita Romaniuk.

She said while she and other members of the board personally oppose keeping whales and dolphins in captivity, none would act without first asking staff for a way to measure public feeling on the issue.

"We would certainly not be guided by our own personal opinion, but would try to gauge what public opinion on this is," Romaniuk said.

Lewis was one of 14 people scheduled to speak against keeping whales and dolphins in captivity at the board's last public meeting before a summer recess.

Angels ready to party in Langley

LANGLEY (CP) — As many as 500 Hells Angels are expected to descend on a Fraser Valley township just west of Vancouver for a two-day bash starting today.

The bikers are celebrating the 20th anniversary of the club's suburban White Rock chapter, which keeps a clubhouse in nearby Langley Township.

Local RCMP said they have talked with the bikers and expect full co-operation during the celebrations.

The bikers have already passed through several B.C. communities, including Kelowna, on their way to the meeting.

"We are anticipating anywhere from 400 to 500," said Cpl. Dale Carr, Langley RCMP spokesman. "I spoke this very morning with Kelowna detachment and I was told that the bikers were quiet and low key."

But he did say additional officers have been assigned and that RCMP will be working with other Lower Mainland detachments "for a unified response to policing issues."

Doman wins another extension

VANCOUVER (CP) — Doman Industries has been granted another extension of its court protection from creditors while it slowly pieces together a restructuring plan that has seen many delays.

The company now has until Sept. 30 consider a confidential proposal from a group of unsecured bondholders.

"I did tell the court today that the new plan does address their position by effectively proposing to buy them out," Michael Fitch, Doman's lawyer in charge of the restructuring process, said Monday.

Doman expects the new plan will involve exploration of alternative financing alternatives, which may take up to two months.

The court rejected a previous proposal by Doman that would have seen the unsecured bondholders swapping \$600 million of their \$1 billion in debt for equity, giving them an 85 per cent stake.

The judge was responding to objections raised by secured noteholders.

Despite the turmoil, Doman reported a \$52.2-million profit for the first quarter as the rising Canadian dollar produced a foreign-exchange gain on long-term debt.

But KMPG Inc., which is acting as a monitor during Doman's restructuring effort, said the exchange rate fluctuations and reduced lumber and pulp prices are expected to depress operating results over the long term.

So while it supports the extension, KPMG "is also of the view that all stakeholders must endeavour to work together to present a viable plan as quickly as possible," it wrote in a recent update.

That will at least minimize uncertainties that are adding to Doman's financial challenges, it said.

Doman's restructuring plan has been delayed several times since the court's December deadline was missed. It obtained court protection under the Companies' Creditors Arrangement Act last November.

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