

# Pedophiles must pay dearly: appeal court

BY FRANCES BARRICK  
RECORD STAFF

TORONTO

MARCH 23, 2002

Prison sentences for pedophiles must be severe enough to reflect the fact that these people destroy young lives and tear families apart, the Ontario Court of Appeal has ruled.

This strongly worded decision was handed down in Toronto on Thursday, the same day lawyers in Kitchener made arguments before Justice Ron Sills on what sentence former Scout leader Brian Durham should receive for sexually assaulting 20 young boys over a span of 28 years.

The Crown wants the 43-year-old former Kitchener man declared a dangerous offender and kept in jail indefinitely.

Durham's lawyer, Bruce Ritter, asked Sills to impose a jail term of between 10 and 15 years, followed by 10 years on parole. Ritter also asked Sills to give Durham four years credit for the two years he has already spent in jail, which means a 10-year sentence would amount to six years in jail.

In Toronto, the higher court ruled that sentences for pedophiles should range between upper single digit to double digit penitentiary terms to reflect society's abhorrence of pedophiles who are prepared to risk the lives of innocent children to satisfy their sexual cravings.

"The message to such offenders must be clear — prey upon innocent children and you will pay a heavy price!" Justice Michael Moldaver wrote on

**"The message to such offenders must be clear."**

**JUSTICE MICHAEL MOLDAVER**  
ONTARIO COURT OF APPEAL

behalf of Justice Kathryn Feldman and Justice James MacPherson.

If the sentence Durham receives is appealed by either the Crown or defence, this is the court that would hear that appeal.

The Toronto ruling pertained to the case of a 34-year-old pedophile identified only as D.D. to protect the identify of his four victims, ages five to eight. After being convicted in November 1998 of 11 sex-related offences, D.D. was sentenced to a total of eight years and one month behind bars. His lawyer appealed the sentence and asked it be reduced by three years, saying it was too harsh.

But the three appellant judges disagreed.

"Far from being too high, it fell at the lower end of the range of sentences for crimes as grave as those committed by the appellant," Moldaver said.

"Adult sexual predators who would put the lives of innocent children at risk to satisfy their deviant sexual needs must know that they will pay a heavy price," the judge ruled.

"We as a society owe it to our children to protect them from the harm caused by offenders like the appellant."

the c  
P  
gen  
voiv  
and  
S  
we'd  
late  
that  
infor  
real  
slight  
talkin  
it too  
At  
hour  
las, a  
yards  
(one)  
callec  
come  
are be  
airlin  
could  
An  
as we  
we we  
said c  
leave  
hunge  
have th  
An  
and we  
exactl  
An

H  
i

**Laity group member criticizes Guzzo ploy****By Sultan Jessa**

cornwall

Cornwall

A member of the Catholic Laity for Justice committee in Cornwall vehemently opposes Ottawa-area Tory MPP Garry Guzzo's intention to name names in the provincial legislature about allegations of sexual abuse in the Cornwall area.

"This is abuse of the democratic process," Tom O'Brien, co-chair of the committee, said Thursday. "I don't approve of what Guzzo wants to do."

O'Brien said the Guzzo issue was briefly discussed by the committee, but this was before more issues came to light.

The veteran MPP and the former judge should not use the protection of the legislature to reveal the names of people he considers suspected pedophiles, he said.

Guzzo, the MPP for Ottawa West-Nepean, says he believes there are other prominent Cornwall-area people who have sexually abused children who have not been charged.

He is threatening to name the alleged "pedophiles" in the legislature either in late June or in the fall if he doesn't get answers.

On Wednesday, Mayor Brian Sylvester urged Guzzo to forget about his threat to name names in the legislature.

"I feel it is wrong to purposely use the privilege of immunity from libel that the provincial legislature provides," the mayor said. "I believe any individuals named would have no chance to defend themselves."

Last week, Guzzo re-introduced a bill in the legislature asking for a public inquiry into the way police handled initial sexual-abuse allegations.

A previous attempt, called Bill 103, died in the legislature last March.

Ontario's Community and Social Services Minister John Baird, who was in Cornwall Wednesday, would not get involved in this controversy.

He said Guzzo is passionately committed to the safety of children.

"This is a difficult and challenging issue," Baird said. "He (Guzzo) wants to make sure children are protected."

The minister said he has not spoken to Guzzo on what his intentions are.

[\[Back\]](#)

**canada.com**

Copyright © 2000 canada.com New Media Inc., a CanWest company. All rights reserved.

Optimized for browser versions 4.0 and higher.

Pg. 2 of 2.

Friday, MAY 25, 2001

"LAITY GROUP MEMBER CRITICIZES  
GUZZO PLOY"

By "SULTAN JESSA"