

VIEWS FROM THE LAW OFFICES

BY SAUL ISSITOR

I'VE SPOKEN TO TWO VERY HIGH PROFILE DEFENCE LAWYERS RE: HOW THEY MIGHT DEFEND ALLEGED CHILD PORN POSSESSOR/IMPORTER **RAYMOND LAHEY**. NEITHER OF WHOM WANT THEIR NAME USED IN THIS INSTANCE.

The **Halifax** defence lawyer told me his first move would be to ensure there was full disclosure with the Crown.

"You get all the notes from the **Border Services** people, find how they came about. You look at **Section 8** of the **Charter (of Rights)**, examine carefully whether or not any Charter rights have been violated. See if there's a possibility the ownership of the computer is in doubt," the lawyer explained.

"Take your shadow copy of the hard drive. Get your expert, de-

termine what the **files** are, how they arrived there, who had access to that computer, what the settings and protection arrangements were. Were the images hidden? How were they stored? Weird things can happen in the wireless world. And you go from there..."

The second well-known, I myself would say brilliant, defence lawyer is from **Sydney**.

I spoke to him the day the first search warrant in the **Bishop Raymond Lahey Roman Catholic Church Porno Scandal** became public.

He laughed.

"I'd cut a deal on this one," he said.

The charges against the 69-year-old former **Bishop of Antigonish** have not been proven in court.

THE LAHEY WARRANT (READER CAUTION ADVISED)

THE **SEPT. 15 OTTAWA** POLICE SEARCH WARRANT, WHICH CAN BE OBTAINED FROM THE ONTARIO COURT SYSTEM, DESCRIBES THE IMAGES THE **CANADIAN BORDER SERVICES** FOUND ON **RAYMOND LAHEY'S** LAPTOP.

After he was flagged at **Ottawa** airport customs, Lahey went to a second customs counter and was met by **Canada Border Services** agent **Carolyn Barnett**, who began to search Lahey's laptop contents.

[Note: search warrant document quoted verbatim. Readers are advised of graphic content.]

Agent Bennett viewed three images and described them as follows:

- a. first image of two adult males receiving fellatio from a young male (determination was made by Agent Barnett to continue with search.)
- b. second image of a young male with an erect penis with some hair growth (determination was made to continue with search)
- c. third image of a young male with no pubic hair development with his erect penis being held by another young male. Agent Barnett determined that this photo was child pornography and arrested Lahey for smuggling prohibited material into Canada.

[On **September 16**, Canada Border Services Investigator **Carl Letourneau**, a compu-

ter forensic examiner, removed the hard-drive from Lahey's laptop and placed them "in a viewable format on a forensic computer."]

[On **Sept. 19**, Canada Border Services Investigator **Coni Grills-Reid** viewed the images Letourneau had retrieved. Again, quoting verbatim:]

(Investigator) Grills-Reid found the following images:

image 1 - Small male with dark complexion and his left arm on a bench. He appears to be 8-10 years of age and not wearing clothes, the focus of this picture is on his genitals.

image 2 - A young boy on a tree log, without clothes, with his right foot on the log exposing his penis he appeared to be 10-12 years of age.

image 3 - A young blonde male standing on a wooden bridge or deck with his white underwear around his knees. He has a small penis and small testicles, the focus of this image is on the genitals. He appears to be 9-12 years of age.

image 4 - Two naked males sitting on a couch. Each male has their hand on the other's male's penis. They do not appear to have any pubic hair, and appear to be 10-12 years of age.

image 5 - Two young males in a swimming pool. One male is performing fellatio on the other male sitting on the edge of the pool. The male sitting on the pool edge has his arm ex-

CYBER BAN

BY SUE PRESS

DUE TO COURT-IMPOSED BAIL CONDITIONS, EX-ANTIGONISH **DIOCESE** PATRIARCH **RAYMOND LAHEY** IS NO LONGER ABLE TO FOLLOW ME ON **TWITTER**.

Aside from other lifestyle restrictions reported elsewhere, and in addition to his ban from Twitter and **MSN** chat rooms, Lahey can not possess any device capable of **Internet** access, such as a cellphone (he had **two** at the **Ottawa** airport), and web-browsing is out of the question.

The court has rendered Lahey, reportedly known in those heady, pre-Y2K days as "**Computer Chip**" for his voracious Internet surfing, a **Luddite**, and handed the tech-savvy former Bishop the life of a medieval monk.

I am pleased to report Lahey did not respond to a **Frank Magazine** interview request via his old **Antigonish Diocese** email address.

The email instead went to an unusually helpful **Halifax Diocese** spokesperson **Marilyn Sweet**, who informed me the Diocese has "no contact" with Lahey, and suggested I try his high-powered **Ottawa** lawyers.

Lahey paid his own **\$9,000** bail, confirms **Ontario Attorney-General** mouthpiece **Brendan Crawley**.

tended behind him and does not appear to have any pubic hair and appears to be 8-10 years of age.

Investigators Grills-Reid and Letourneau stopped viewing the contents ... in anticipation of a search warrant to be executed by the Ottawa police.