

# U of T student evades jail for child porn possession

BY RINA BARON

TORONTO (CUP) — A third year engineering student won't be going to jail for downloading child pornography.

University of Toronto student Tony Crewe, 21, pleaded guilty last March to possession of child pornography and was in court Jan. 29 to face sentencing. He had downloaded 317 graphic images featuring children in sexual acts onto his university account.

Crewe was to have been sentenced earlier in the month, but

Justice Mary Hogan said she needed more time to decide on an appropriate punishment. The Crown called for a 12 to 18 month jail term, but Justice Hogan chose to give Crewe a conditional sentence. She also accepted the condition made by Crown attorney Jon Ball that the defendant have no further contact with the friend who alerted police last December of files she found on her computer. The pornographic material on the files belonged to Crewe and his possession of them was against the law and a violation of his bail terms.

Hogan banned Crewe from the use of computers except for purposes of education, business or personal correspondence. A third condition of his sentence was that he must avoid contact with children under the age of 12 unless another adult is present.

The decision made by Judge Hogan included a psychological reassessment of Crewe by a doctor and she said he must receive the "appropriate treatment immediately."

"I have to be concerned about the safety of children," the judge said in her closing comments.

The two prior assessments of

Crewe, based on July interviews, found him to be a "normal, heterosexual male" who downloaded pornographic images out of curiosity. But at the sentencing, Judge Hogan said her observation of the defendant did not fit the reports.

She said did not accept the defense argument that Crewe viewed child pornography and downloaded "a small amount" of images, out of curiosity.

"Three hundred and seventeen is not a small amount," she said.

Ball said after the proceedings

that the Crown may appeal the sentence.

"[Judge Hogan] thought hard about it," he said. "The Crown has 30 days to appeal the sentence. We're going to consider it."

Crewe, whose lawyer advised him and his father not to comment on the case, was arrested last year after an employee at U of T's Engineering Computer Facilities found unusual files in the student's account and alerted campus police.

The 12-month conditional sentence is to be followed by one year of probation.

# FitzPatrick pleads guilty in CASA fraud case

BY DAVID COCHRANE

FREDERICTON (CUP) — A former director of the Canadian Alliance of Student Associations has admitted to embezzling funds from the organization and could face up to two years in jail.

Patrick FitzPatrick entered a guilty plea to charges of fraud under \$5,000 in a Fredericton courtroom Jan. 27, bringing a year-long investigation into the alliance's finances to an end.

FitzPatrick's trial was supposed to start last September. But at the last

minute he changed lawyers and was granted a delay until his new counsel could study the case. In his first court appearance since Sept. 8, FitzPatrick showed up with a new lawyer, and a guilty plea.

"Students from across the country are just clapping," Hoops Harrison, the current director of the alliance, said.

The fraud charges stemmed from a two-month period in the fall of 1995 when FitzPatrick was serving as CASA's interim director. CASA said FitzPatrick used his position as coordinator of a national conference on

higher education to access and misuse funds.

The conference, which was eventually cancelled, ran up nearly \$30,000 in unaccounted expenses. When suspicious bills began to appear, like one for \$10,000 worth of letterhead, the organization began an internal investigation.

FitzPatrick was initially charged by New Brunswick police with fraud over \$5,000, which carried a sentence of up to 10 years in jail plus possible fines. The lesser charge of fraud under \$5,000, to which FitzPatrick eventually pleaded guilty, carries a sentence of up to two years in jail plus any fines the judge chooses to impose.

Some reports placed the amount of misused money to be as much as \$40,000.

Harrison says the result of the case provides an important lesson in how student leaders must be accountable to their constituents.

"This goes further than CASA," he said. "This goes to the whole idea of

student advocacy and students putting their faith in elected officials. You can't break your trust with students."

"It's a bit of a relief that the situation is finally over and that we can move beyond it," said Chris Adams, president of the Dalhousie Student Union (DSU). The DSU was one of CASA's founding members.

But the guilty plea does not mean FitzPatrick's legal troubles are over. It only applies to charges stemming from his actions while in New Brunswick, mostly in connection with the failed conference.

Harrison says his organization is considering a separate legal complaint in Ontario. While serving as the alliance's interim director, FitzPatrick also had access to a CASA-funded credit card. Charges to the credit card during that period include bills for pizza, a stay at the Chateau Laurier in Ottawa, and \$169 at The Gap.

FitzPatrick and his lawyer could not be reached for comment.

FitzPatrick will be back in court Apr.

28 for sentencing.

CASA was just a few months old and had a total annual budget of \$128,000 when the money went missing. The scandal gave a black eye to the fledgling student group and almost crippled the organization financially. Several student councils even reconsidered their CASA membership when news of FitzPatrick's financial liberties broke.

But in the wake of the FitzPatrick scandal, the alliance made some organizational changes that some members say will prevent similar difficulties in the future. This included having more than one person sign cheques for the organization and devolving some authority from the executive to the membership.

"We've established a structure right now that I think is fair, works better for the membership and assures that this will never happen again," Adams said.

CASA represents 13 student unions and more than 200,000 students across the country.

# New university raises funding concerns

BY ANDREA BREAU

WINNIPEG (CUP) — The Manitoba government has endorsed the creation of a fourth provincial university, raising funding concerns.

The new institution will incorporate the three colleges currently under Manitoba's Mennonite College Federation into one. The institution will have a status equivalent to a free-standing university with full degree-granting authority.

The colleges, catering to Manitoba's substantial Mennonite population, are primarily religious-based, but do offer secular courses. Non-Mennonites can attend the schools.

Harry Olfert, president of Concord College, one of the three members of the federation, says the creation of the new university will complement the province's other post-secondary institutions.

"Students will have more courses to choose from. We will be adding additional services to students," he said.

Carrie Schellenberg, a student at both the University of Winnipeg and Concord College, shares Olfert's enthusiasm.

"What students want is a lot of choice. From a Mennonite's perspective, it's exciting to keep the Mennonite history alive. As a university student, it's exciting because it gives me more choice," she said.

The new university will receive a provincial grant of just over \$2.6-million in its first three years of operation. This will replace the current structure of separate grants allotted for each of the Mennonite colleges.

This funding, however, has faculty and students at at least one Manitoba university concerned.

"Funding for universities [in Manitoba] has been very tight in the past few years. We've been hit by both large and niggling cutbacks. I'm concerned that [the new university] will

be created at the expense of the other ones," said Allan Mills, president of the University of Winnipeg's Faculty Association.

"Hearing that \$2.6-million is going to the new university [most] likely means that there will be \$2.6-million less for the rest of the universities," he added.

Jared Winters, a U of W student, says he doesn't think Manitoba needs another university.

"There's only so much money to go around. All of this may mean our tuition is going to go up again, and I don't want that," he said. "The other three universities are sufficient enough to serve the needs of Manitoba."

Provincial officials say funding to Manitoba's current post-secondary institutions will not be affected by the creation of the new university.

"This is new money for post-secondary education," said Dan Smith, a policy analyst for the provincial government's Council on Post-Secondary Education, the government body that oversees Manitoba's colleges and universities.

"The other universities shouldn't be losing any funding, but I can't yet say for certain if there's going to be new money [for post-secondary education] overall," Smith said.

Michael Thomas, president of the University of Manitoba's faculty association, says he is pleased to welcome a new university into Manitoba's academic community, adding that the addition is good for all post-secondary institutions in the province.

"I think this decision is recognizing the importance of post-secondary education. I think the government is putting more emphasis on post-secondary education," he said.

The yet-to-be-named university will be opened in 1999.

With files from Chrystie Kroeker

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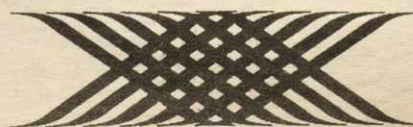
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