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Defense attorney encounters problems with Saint John Jail Suspect does not enter plea in cabbie murder trial

K BROOKLAND

THE BRUNSWICKAN

Security was tight at the Provincial Court Monday morning for the appearance of Jason Barth Young, 20, accused of the murder of Standard Taxi driver Douglas Allen MacIsaac on November 15.

Mamun Patel, Legal Aid appointed lawyer for the defense, has been trying to get a medical practitioner to see Young since he was remanded to the Saint John Regional Correctional Centre.

In court on Monday, Patel listed some of the difficulties he has encountered.

The major complaint he had was the lack of cooperation on the part of the administration of the Saint John Regional Correctional Centre, where Young is being held, to get a medical practitioner to see his client.

Originally, Patel asked for the 'jail doctor' to see Young, but was told that the doctor was not available. He then asked for an outside doctor and was told by the Superintendent that if he wanted an outside doctor to come to the facility, Patel would have to pay for the visit.

"Like all correctional institutions around the province, the Saint John Regional Correction Centre contracts out with doctors to come in on a regular basis to tend to the inmates," said Steve Crawford, Information Officer for Communications, Department of Health and Community Services. "If it's part of the regular medical routine then it is covered by Medicare. If not, it is considered a third party request and the individual pays for it."

Patel agreed to this despite the fact that he did not have a certificate from Legal Aid that stating he was officially the defense attorney for Young. By Monday, November 25, the date of Young's court appearance, he still had

not been seen by a doctor.

In order for Patel to ask for a 30 day psychiatric assessment, his client must be seen by a medical practitioner, in accordance with Section 672 (11) of the Canadian Criminal Code. The medical practitioner will make a recommendation as to whether or not a psychiatric assessment is required.

Provincial Court Judge Patricia Cummings, while recognizing the difficulties Patel had encountered, said, "I must have some grounds for an order for assessment."

Patel asked for another remand. Cummings asked if it could be done within the week, and Patel said it could. Bill Corby, representing the Crown, agreed with the delay, stating that he understood the difficulties Patel was encountering.

Prior to the closure of the jail in Fredericton, communication with clients was relatively easy. Now, according to Patel, he must place long-distance calls to Saint John to speak with his client. If his client wishes to contact him, Young must phone Patel collect.

Another aspect of legal representation affected by the closure of the York County Gaol is the distance that must be traveled in order to hold meetings with clients; lawyers need almost half a workday for travel.

Fredericton City Police Station Sergeant, David Ives, said using the Fredericton Police lockup was not a feasible alternative. He said the lockup is a temporary holding facility. "We usually only hold people for a twenty-four hour period. However, it depends on the circumstances. We try to get people before a judge as soon as possible. These cells are not meant for long-term stays. They are spartan, small, and not known to be comfortable."

Bruce Kingston, Acting Superintendent of the Saint John Regional Correctional Centre was not available for comment.



Defense Attorney Mamun Patel (left) is questioned by media about the trial after an unproductive day in court

PAT FITZPATRICK PHOTO

Jane Barry, New Brunswick's Solicitor General said she does not foresee an additional facility in the Fredericton area. Currently Saint John and Woodstock receive prisoners on remand and there is no plan to change that. The document Barry tabled in the legislature last

spring outlined a three year plan for restructuring the prison system which will result in the closure of more facilities.

"Miramichi City, Campbellton and Bathurst do not have facilities so Fredericton is not unique. The New Brunswick Central Reformatory is not

maximum security and will not be used for remand," said Barry.

Speaking with media representatives after Young's appearance, Patel reiterated the problems he was having in the defense of his client. He stressed that he wanted to have a fair trial for his client but he has received little

cooperation from the administration of the Correctional Centre. "I have an issue with the Superintendent at the Saint John jail," he said.

Young will be remanded in Saint John until Monday, December 2, and will appear in Provincial Court on that date at 10:00 am.

Clash of the Titans: SUVPs disagree over \$5000 computer

GORDON LOANE

BRUNSWICKAN NEWS

A former UNB Student Union Executive member is less than happy with a recent decision to nix a proposal that would have seen \$5,000 spent on a computer with software to control purchase orders in the SU office.

Duncan Fulton, who served as Acting VP Finance and Administration in 1995-96, had talked with SU auditors at accounting firm Doane Raymond about setting up a system that would automatically update a budget for any club or organization once a purchase order was requested.

According to Fulton, the system would allow a purchase order to be typed in, the computer would print out the purchase order and automatically deduct that amount from any budget allocation.

"When the budget allocation got to zero the computer would issue a warning sign and would refuse to print any more purchase orders," said Fulton.

The system would prevent two things, according to Fulton.

"You could never accidentally go over budget and no matter what the

circumstances you could not spend more money than is allocated in the budget unless Council gives its approval."

"The system would be a vast improvement over the current one where purchase orders are manually recorded and then transferred to the main accounting ledger several weeks later," Fulton said.

Fulton told *The Brunswickan* he had lunch one day last spring with Larry Munroe, an auditor at Doane Raymond. "He thought it was a great idea," said Fulton. "He said if it was applied it was going to work."

Fulton said the whole point of introducing the new computer control system was to prevent the kind of situation he encountered upon taking office last Fall.

"I had to make nearly \$100,000 in budget cuts because expenditures had gotten so out of hand," he said.

In recent months, Fulton said he has been hearing several excuses from the current SU Executive as to why the system he had proposed will not be implemented.

"There are at least two excuses making the rounds," said Fulton. "They will say

that the accountant advised them this is a terrible idea."

"I know this is not true," he said. "The second excuse I am hearing is that the SU office staff don't want to learn the new system."

Fulton admits he is thoroughly annoyed with the decision not to go ahead with the computer proposal.

"This was probably the wisest \$5,000 that the Student Union could ever budget for because this was going to be a system that was going to protect the SU from going severely over budget," he said.

Current SU VP Finance and Administration Monique Scholten said the possibility of introducing a new purchase order system was investigated shortly after she assumed office in May.

Scholten indicated a meeting was held with the office staff and an auditor from Doane Raymond who is in charge of the technical aspect of software programs available to different businesses.

"After the auditors explanation it became clear the software program would not do what Duncan Fulton had hoped it would," said Scholten. "It required twice as much work."

"The computer package that the

accountants had available for us would have required that all data be inputted twice," she said. "It could not be run in conjunction with our AccPac accounting system, so it would have

doubled the workload on the SU office staff."

Scholten does admit the new purchase order system is a good idea and said if the SU could find a software program

that would suit their needs it would be purchased.

"The software program available to us at the time just wasn't suited for our needs," Scholten said.

Haggerty sees no reason not to make it public.

"There is nothing to hide. We would want people to understand it," he said.

Just when the budget will be made public is up to a committee which first met about three weeks ago when questions arose about the costs of a football program.

The original committee included Louis Visentin, Terry Haggerty, Jim Born, Mike Dollimore and UNB SU President Joie Hellmeister.

Haggerty was appointed spokesperson for the committee at that meeting.

Students will be asked to support an annual \$10 levy for varsity football through a referendum scheduled in conjunction with SU General Elections in February.

Questions raised in the university community in the last number of weeks have prompted a complete review of all costs associated with a prospective varsity football program.

The group 'Friends of UNB Football' had projected start-up costs of \$133,000 and first year operating costs of \$110,000.

Both those amounts were questioned by UNB's Dean of Kinesiology Terry Haggerty and Vice-President Academic Louis Visentin.

"We are now gathering more information at this stage to make sure that everything is being included in the budget," said Haggerty in an interview with *The Brunswickan* this week.

"There may be some other areas that those more closely associated with the

university might be able to indicate that should be looked at," he said, in an apparent reference to any direct or indirect costs that might be associated with a football program.

Also on the drawing board is a full three to five year budget plan for any varsity program that would expand on the one year plan originally developed by Mike Dollimore and the Friends of UNB Football.

Haggerty confirms that he, Athletic Director Jim Born and Dollimore intend to meet in the next several weeks to share information and focus on the budget. No date for the meeting has yet been set.

"It is all a question of how quickly we can pull all of the information we are seeking together," said Haggerty.

Once a budget has been agreed upon

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LAST CLASS BASH

Wednesday, Dec 4 Featuring The Blushing Brides

For members and guests only



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