judge gambles on Michael Hickey

Can a leopard change his spots? Can a 31-year-old man given to a life marred over the past few years with break-ins and over-indulgence in alcohol turn it all around with one act of faith?

That's the question raised by County Court Judge E. Richard Lovekin, who risked the wrath of public opinion last week and gave a suspended sentence to a man accused of stealing \$2,700 worth of furs and stereo equipment from a Homark Avenue home in Mississauga last February

Judge Lovekin, who said he had no compunctions about putting "bad apples" in jail - "and throwing away the key" decided to take a "gamble" on Michael Hickey, and place him on three years' probation "on the fond hope of experts" that he was salvageable.

Hickey, who perhaps had never

before in his life witnessed such a show of support, wiped away a tear of gratitude.

This is a critical turning point in your life," Judge Lovekin said. "If



you don't make it now, you never will; you'll be a social wash-out for the rest of your life.

"I'm not given to sloppy sentimentality," Judge Lovekin said, "but I'm impressed by the number of people

During his 10 months in jail at Milton and Metro West Detention Centre awaiting trial, Hickey defend-

ed a prison guard against hostile action from other inmates. "This was a courageous thing to do, and gives me reason to believe there is some hope for you," the judge

Psychiatric reports showed no evidence of psychotic or dangerous behavior, and prison officials felt jail would serve no purpose for the man who had been in trouble with the law on several occasions, and still faces charges in Toronto.

Social worker Ruth Morris told the court that as a member of the volunteer program for the Quaker Committee on Jails and Justice she came to know Hickey in prison after he requested help.

that she has arranged for Hickey to stay with her, her sociologist husband and their four children upon his

The man has pleaded guilty and is willing to admit that he made a mistake, Judge Lovekin said, thus saving the taxpayer from a costly jury trial.

"I have no sympathy for your alcohol problem; if you want to stop, you can," Judge Lovekin said. Hickey is required to seek help as part of his

Judge Lovekin made it clear that he does not regard break and enter as a

'By ransacking a home, you have declared war on society

'If a bunch of idiots are allowed to run around ransacking homes, then we have anarchy, and an angry public

would take the law into its own hands and blow someone's head off. The crime cannot be tolerated, but by going to the aid of the guard, you have indicated that you are willing to change sides; and if there's one chance in ten you can be rehabilitated, we should take the chance

"But the ball is squarely in your court," he warned "If you don't make it this time, you're cooked.'

A stunned Crown Attorney was too speechless to comment, but a jubilant Ruth Morris, in response to my rather skeptical, "I hope he makes it," scribbled these words on a piece of paper, and handed it to me, smiling.

'An act of love that fails is as much a part of the divine process as an act of love which succeeds."

I hope he makes it



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In the estate of DONALD PETER HICKEY, late of the City of Municipality of Peel, Letter Carrier deceased

All persons having claims against the estate of DONALD PETER HICKEY, late of the City of Mississauga, in the Regional Municipality of Peel, Letter Carrier, deceased, who died on or about the 16th day of July, 1978, are hereby notified to send particulars of same to the undersigned on or before the 28th day of February, 1979, after which date the estate will be distributed. with regard only to the claims of which the undersigned shall then have notice.

DATED at Mississauga, this 5th

day of January, 1979. OHN CHESTER HICKEY

Administrator By his Solicitors
T. LEIGHROY GERHART Barrister & Solicitor 1651 Lakeshore Rd. W. Mississauga, Ontario



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