

GUN VIOLENCE

Time for Bentley to keep his predecessor's promise

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Chris Bentley was quieter yesterday. Under fire for a second day about why a man with a violent past was roaming Toronto with a gun in his hand, the Ontario Attorney-General stopped talking about the evil empire in Ottawa that was preventing him from making the streets safe.

"This is not a partisan issue," he said after facing questions in the legislature about the weekend shooting death of Bailey Zaveda, an innocent bystander caught in the crossfire when she stepped outside a pub to have a cigarette.

As it happens, this is a 180-degree turn from Mr. Bentley's assertion a day earlier that the federal Conservative government was thwarting Ontario's attempts to get tough on violent offenders. He said then that Opposition Leader Bob Runciman should direct his ire about gun violence at Prime Minister Stephen Harper.

It was an argument that caught the attention of federal Justice Minister Rob Nicholson, who yesterday fired back that he was "deeply concerned about the misleading comments" made by Mr. Bentley. He said "what you failed to mention" was that federal Liberals blocked minimum sentences for firearms offences.

This intervention by a federal minister in provincial affairs through an "open" letter - no one around Queen's Park could recall a similar rebuke - is an apt response to the Attorney-General's initial ham-handedness in dealing with Ms. Zaveda's death.

A swirl of questions surrounds the man police accuse of firing the fatal shots, Kyle Weese. News reports say he was released on bail earlier this year despite an assessment by the National Parole Board that it was concerned about an "undue risk" that he might reoffend. And there are reports that he plea bargained his way out of seven charges after a 2005 shooting that left one man wounded.

It's this whole ball of wax that alarms ordinary people who can't sort out that Ottawa is responsible for parole while the province deals with courtroom decisions such as plea bargains. All they know is that it seems a little less safe out there with every passing year.

Mr. Bentley may have abandoned the strident partisanship he showed on Monday, but he still hasn't risen to the occasion to calm the fear that people he calls "the dangerous, the violent and the out-of-control" are flouting the justice system. It is not enough to assert, as he frequently does, that "the Crown has always taken public safety as the paramount consideration."

No one is suggesting that prosecutors are acting unprofessionally by putting the public at risk.

And it's certainly not enough to say, as he did yesterday, that plea bargaining is a complicated thing and that "it may or may not be the result, in all cases, that somebody who doesn't know all the facts and the law might think is appropriate."

Mr. Bentley won't talk about the facts in the Weese case because he said he doesn't want to interfere with the police investigation. It's a generous interpretation of *sub judice* - which

means "under judgment" or before the courts - because the case is not yet in court. But it's the convention that applies, and, besides, it's what ministers of all parties do when they get into a pickle.

Such defences provide few answers that the public can live with, however. So here's a challenge for Mr. Bentley. Nearly five years ago, his predecessor, Michael Bryant, didn't suggest that Ottawa was the problem. He pledged, "working with the laws that we have," to fight case by case for stiffer sentences for gun crime to "send a message to the streets that gun violence won't be tolerated."

How does the Attorney-General square that with Ms. Zaveda's tragic fate?