



GARY HEBBARD/THE TELEGRAM

Opposition Liberals held a news conference Wednesday at Confederation Centre in St. John's to critique the new Conservative government's first 100 days in office. From left are municipal and provincial affairs critic Oliver Williams, Opposition Leader Roger Grimes and Labrador affairs critic Yvonne Jones.

POLITICS

Conservatives get failing grade

Opposition Liberals critique first 100 days of new government

Opposition Leader Roger Grimes lambasting Premier Danny Williams and his Tories a flunking grade for their first 100 days in office. Williams said he was in a position to give the government a failing grade for its effort. Not even that, he said. "I give them at this time," he said.

Grimes charge that of 134 promises made in the Tory blue book, 10 have been kept so far. He said most governments do a down 100-day report card, detailing a good job they've done, and what it appears the Tories have failed to do.

Williams' only real focus in the budget and the deficit Grimes described as an obstacle.

Grimes said the province has not been able to get movement from Ottawa on key economic areas, and has failed to open an Ottawa office, as was promised. He said he has broken a promise to the Metis regarding a court decision on traditional hunting and fishing rights. As well, she said, the Tories are cancelling health-care projects in rural Newfoundland and ignoring nursing shortages in Labrador.

Municipal and provincial affairs critic Oliver Williams said the province has failed to address the revitalization required in rural Newfoundland.

Langdon also said the province should have secured significant infrastructure funding from the federal government.

He said decisions such as cancelling the Long Island causeway project shows the Tories have no faith in rural communities' survival. The project would have cost government nothing, Langdon said, as it would have replaced the costly ferry service.

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COURT

Warrants questioned in six-year-old drug case

Defence lawyers suggest judge misled by police

BY BONNIE BELEC
The Telegram

If defence lawyers are given permission to question police officers who were involved in a 1998 drug case, and they establish that the officers misled judges, it could bring the prosecution to a grinding halt, a Montreal lawyer suggested Wednesday.

Eric Sutton, who is in St. John's representing one of the men charged — Paul Robert Newberry of Montreal — said an application filed before the Newfoundland Supreme Court is seeking permission to question police officers who obtained a number of warrants in this case, including an authorization to tap phone lines.

He said under the Charter of Rights and Freedoms, people have a right to be protected from unreasonable search and seizure.

He added the lawyers want to question the officers involved immediately to find out what information was made available to judges in order to obtain those warrants.

"If, ultimately, the examination establishes the officers misled the issuing judges or, in fact, the informants were not credible, it would be our position that the warrants, themselves, should be quashed, which would impair the entire prosecution. The whole prosecution would come to a grinding halt," Sutton said.

Proceedings delayed

Seven people were charged in 1998 with conspiracy to traffic drugs, a case still before the court due to delays, postponements and legal wrangling.

The problem now, explained Sutton, is that it recently came to the defence's attention that, "the warrants primarily were obtained on the basis of information from criminalized, drug-dependent informants whose reliability we refuse to take for granted, and we want to question the police officers to get further details as to why they attested to various judges that these informants were, in fact, reliable."

He explained the federal Crown, represented Wednesday by Jennifer Newbury, is concerned questioning the police officers could elicit evidence that could reveal the informants' identities.

Sutton said he was also concerned Wednesday that when he was trying to clarify the information the judges had when they issued the warrants, the prosecutor couldn't help.

"It sort of came as a surprise to me that the prosecutor was not even in a

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Montreal lawyer Eric Sutton

position to inform the court as to whether one of the judges who issued warrants received an edited or unedited version of the information justifying the issuance of the warrant," he said.

"If it was edited, it seems to me there is no legal way in which the warrant could have been properly issued."

Averill Baker, who represents another one of the accused, Deborah Kearsey of St. John's, said she has major issues with the informant used to obtain a number of warrants.

She said the information the informant provided led to "a very invasive

warrant," being issued.

"A warrant that allowed my client's house to be bugged, her car to be bugged, every telephone call she made to be tapped."

Missing couple

Baker said she doesn't know who the informant is and doesn't want to know, "but he apparently knew the happenings of Dale Worthman and Kim Lockyer, who have been missing for quite some period of time, which was stipulated in one of the informations to obtain one of these wiretaps, and, obviously, that's ridiculous."

Worthman and Lockyer went missing from their home on Dogberry Hill Road in St. Philip's Aug. 27, 1993.

She said given that there's a \$50,000 reward for anyone who has information on the whereabouts of Worthman and Lockyer, the Royal Newfoundland Constabulary would be interested.

"So, this is absolutely ridiculous that this person would be considered reliable," Baker said.

She said apparently the informant believed Worthman had been murdered by some bikers over a cocaine deal that went bad, and that his girlfriend, Lockyer, was working for the bikers in Ontario.

"This is ... obviously false information, and when you issue a very invasive wiretap based on information that comes from someone who's not credible, it results in a Charter breach," she said.

What's even more problematic, Baker added, is that the judges who issued the warrants in the beginning of the investigation were never told the informants had been paid.

"They finally decided to disclose that after they obtained their very first wiretap warrant."

"So that is information the judges should have had, and we believe if that had been made known there wouldn't be any charges laid in this case because none of the warrants would have been issued," she said.

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HEALTH

Nursing home restricts visitors

The St. John's Nursing Home Board is restricting visitors on units 3100 and 4200 at Agnes Pratt Nursing Home as a result of further cases of norovirus affecting residents.

The board said Wednesday residents on both units have been reporting symptoms of diarrhea and vomiting.

Monday the board imposed restrictions on the Protective Care Unit at the nursing home after six residents were reported to have the stomach virus.

A spokesperson with the nursing home board said Wednesday visitor restrictions for that unit have since

been lifted. The illness is of short duration and staff at the home have implemented isolation procedures and continue to monitor the situation.

Noroviruses are a class of similar viruses causing stomach illness including the more commonly known Norwalk virus.

The St. John's Nursing Home Board said it would like to thank the public for adhering to visitation restrictions that have been put in place at the various homes.

The board also reminds the public that anyone with cold or flu-like symptoms should refrain from visiting any of the nursing homes.

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