

Manitoba

Action/Route Slip

DATE: January 13, 2006

LOG NUMBER: JUSM05-02742

TO: Ron Perozzo

FROM: Janis Bernel

JUS Deputy Minister
110 Legislative Bldg

Special Assistant to the
Honourable G. Mackintosh
Minister of Justice
104 Legislative Building

RF

RECEIVED
JAN 16 2006

Telephone: 945-3728
Fax: 945-2517

Subject: Ms Victoria Sveinson
Letter regarding Crystal Taman who was killed by a drunk driver on February 25, 2005

Action: Further correspondence - please forward to Marty Minuk. Thank you.

Due Date: January 30, 2006

RECEIVED
DEPT OF JUSTICE

REC'D FROM
JAN 16 2006

JAN 17 2006

ASSISTANT ATTORNEY GENERAL

Callahan
JAN 25 2006

Jan 17/06

Can you please forward this
correspondence onto Marty Minuk.

Thank you
Tammy

Minister of Justice

SVEINN & VICKI SVEINSON

JAN 11 2006

Der Sir,

I appreciate the letter from your office letting me know that my correspondence of August/2005 was received and would be brought to your attention. However, as I stated in that letter, I didn't just want it brought to your attention, I wanted you Sir, to personally read it, all of it, so that you could get a genuine sense of the utter devastation that a death under these circumstances brings to the victims. Perhaps you did read it, if so, I hope it had the impact that was intended and I hope you will read it again along with this one even sharing it with others who might be spurred to serve as catalysts for change. I realize that you probably think that you do understand, but I must assure you that you can not even come close to truly understanding our situation unless you have experienced it. That is why I tried to share my family's feelings of devastation to drive home the hell that victims are put through in addition to the dreadful tragedy that took our daughter's life. It is like waking up every single day to the worst nightmare anyone could ever imagine. Simply being written off as a distraught, neurotic, grieving mother is one of the things that contributes to this hell we've been living in since this horrific event. As I tried to communicate in my first letter, I am grieving because I lost my daughter. I am distraught and neurotic because of the horrific circumstances that surrounded my daughter's sudden violent death. She was rammed from behind by a drunk driver at 7 A.M. in the morning while she waited at a red light. He was able to refuse the breathalyzer so that his impairment could never be proven. The court proceedings take years to complete and for what? He will most likely walk away with a conditional sentence. Many will feel sorry for him as he may lose his job, or will he? No one really knows for sure! Shouldn't he lose his job, a job that was supposed to protect the public? No one even knows where he is right now. Will he appear for the court case whenever that will be? My daughter and her family have lost a lot more than a job. So I may be neurotic, but that is largely because our Justice system is not just. If proper consequences, the kind that mirror the value of an innocent life that was lost, were imposed on these impaired drivers that cause death, it would serve as a deterrent to many who might be in a position to perpetrate such crimes. Only such consequences can drive home the seriousness of impaired driving. By the lenient sentences being imposed, these crimes that cause the deaths of innocent victims are viewed by many as simple misdemeanors. As a result, more and more of these crimes are occurring to the point of a lawyers' firm being able to base their entire business on such cases. [see enclosed article] Is that not disgusting? Under the guise of helping innocents, such lawyers simply manipulate the system against itself to aid criminals. This perverse type of justice is the reason that I am distraught and neurotic. I truly believe that many deaths, and very likely my daughter's death, would have been prevented had our justice system imposed proper consequences in previous cases.

My perception, from speaking to different ones, indicates that people in positions of some authority, from police, to lawyers, to government officials disregard most media reports not even reading them let alone listening to them. They disregard them as situations blown out of proportion or as outright lies. But, as I complained in my original letter, most information about actual cases is kept hidden from the public, the media and even the victims involved, only coming to the fore after the fact when it is too late. And it is only the media that make the public aware of any results in these cases. Granted, some reports may not be totally accurate, but that too is a result of information being covered up or hidden. And, it is only through the media that people in positions of authority, like your self can know how the public really feel about this perverted justice. There has been a great public outcry against the many conditional sentences imposed. And also, the only way victims have by which they can be heard is through the media. There are countless reports of victims of other crimes, especially those involving deaths, who also feel victimized further and betrayed by our justice system. Each time I hear about another of these ridiculous sentences my neurosis increases. The scales of Justice concept has been totally lost. Since such reports are ignored, that is why I wrote to you, in the hope of making you aware of the many, many victims like myself out here, suffering horrifically, because "the powers that be" arrogantly continue to think they know what is best for all us neurotics.

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death, confirmed through the media by the Chief Provincial Judge [not just a report, I heard him speak] as well as by the Crown Attorney. Yet, they try to pacify victims by encouraging submission of victims' impact statements. What good will such statements do when the judges propensity is always toward these conditional sentences. Do you think he/she would care if I told them how this tragedy has consumed my life, created a void that can never be filled, ripped my family apart resulting in deep grief, bouts of depression, anger and frustration with an unjust system? Would that cause them to change their ruling? Do you think they would care if I told them how this tragedy has almost destroyed my grandchildren, who in their anguish have not been able to express grieve openly or to share their grief with loved ones to the point of redirecting their anger against those who love them and alienating themselves from their mother's family? So in effect, we have lost 4 loved ones as a result of this crime not just one. Would that cause them to stop sanctioning crimes that cause such horrors? Does the spreading neurosis caused by such horrific circumstances matter to those in authority who make the decisions that contribute to that neurosis? Do they even consider how devastatingly hurtful and grossly unfair their decisions are to victims while any concern shown is only for the criminal, to make the situation easier for that one, the one who is not the innocent party? After this non-sentence, does anyone even care how the victims are coping? No one really wants to know, because I believe they already know that victims can't be doing well under such circumstances. No one wants to deal with victims because they are sad, angry, hurting, paranoid, depressed, even unstable, emotionally and mentally. They aren't much fun so it's easier to "sweep them under the carpet." Most people prefer to ignore their pain, pretending everything is okay now, (how can such a death ever be okay?) or else treating them like lepers. Others adopt the view that says "Oh well, this happened to you, it's too bad but deal with it and move on". There is never any thought given to the idea that true justice does help victims. Many validate their own views by calling this revenge. But, only true justice soothes victims by telling them that their dead loved ones were of some importance in this sick world and that their loved one's life was worth at least as much as the life of the person who robbed them of that one. Therefore, it's not revenge but retribution that victims need from a system that advocates justice. There is never any thought given to the idea that victims are the only ones who have experienced both sides of the issue. Therefore, their perception of what true justice is might be better than that of those in authority who are only caught up in their own wisdom with objectivity as their "God". True justice is honest, fair and righteous. Therefore it must be felt, it can never happen through total objectivity.

As I also stated in my first letter, there is no justice. Is it justice when MPIC 's no-fault insurance can circumvent any other laws like the "Fatal Accidents Act" for example? What type of Legislators in their right minds would institute such gestapo-like rulings? This is a dictatorship imposed on a so-called democracy whose subjects presumably should have some human rights. Is it justice when " fair play" is applied only to criminals while innocent victims are stripped of all rights to any action as well as the right to information surrounding their dead loved one's case? (ie. we were even denied our daughter's autopsy report). Is it justice when judges apply blanket sentences because our jails are too full? Is it justice when those who kill others serve only a few months or no time at all, while people are jailed for crimes involving only money like fraud, or for daring to speak out against a corrupt system (contempt)? My desperate hope was that perhaps someone in authority might care enough about such atrocities to persevere aggressively and persistently against these miscarriages of justice, even at the risk of their own personal political aspirations or before being shuffled to another cabinet post! All we do see are courts and legislators who show concern only about such things as the sexual preferences of abusers, of perverts, even of children, or about the rights of drug addicts, murderers, and pornographers. They move quickly to enact laws that give these the rights they want, but laws that would protect innocent lives, provide some victim's rights or return the balance of true justice are ignored or pushed aside. Just like with grief, the most difficult part is accepting the reality of the situation and crawling back under "the so-called carpet". The reality here is There is no Justice and little hope of finding any in a system corrupted by perverse thinking and "political correctness". Since only victims seem to perceive the true balance of justice, victims stripped of all rights and energy, who can fight for it? (MADD, hasn't even had much success). We are now a most pitiful society.

- Completely disillusioned and still grieving,
Mother of Crystal Taman - Victoria, B.C. 1993

Law group offers legal help to impaired drivers

TALIE POMA
The Paper

taliepoma.com

three things you need to know if you've been charged with drunk driving in Manitoba. There's a help, there's hope, and there's a group providing it is new to our province. The Impaired Driving Office (IDO) set up in Manitoba earlier this month and has been working on city buses. According to the site of the organization, founded in 1995, it is a group of Western Canadian defence lawyers specializing in impaired-driving law. We believe that when you focus on one

area of law you get really good at it," reads the IDO website. "It is this focus that gives us an advantage over lawyers who do not specialize in this highly complex area of law."

"Our lawyers achieve superb results because they are dedicated to their clients," Winnipeg lawyer and IDO member, Saul Sturmdorf, said. The network of defence lawyers specializing in impaired driving is an experiment of sorts.

"It just says to various members of the public there are some lawyers choosing to do more of this type of work," he said.

With drunk driving as the No. 1 litigated

section of the Criminal Code, there will be no shortage of work for the lawyers of IDO, said Rod Suddary, president of Mothers Against Drunk and Driving Manitoba.

"So there's lots of business there," he said. Allen Finelbit, CEO of the Law Society of Manitoba, said yesterday he had not seen the ads but he's had questions about them. Law advertising is governed by the society, Finelbit said.

"Some people think it isn't dignified and doesn't comply with our rules," he said, adding he has not dismissed the possibility of an investigation.

Impaired driving offences have made no shortage of headlines in Manitoba recently.

Last week, police veteran Darren Cole, 36, was off duty when the vehicle he was allegedly driving collided with another vehicle at the intersection of Bruce Avenue and Ferry Road. He was charged with impaired driving and refusing a breathalyzer.

Sarfer, this month, Michael Smith, 25, pleaded guilty to two counts of dangerous driving causing death for the Dec. 20, 2001, crash that killed two people. Though he drank at a Christmas party, he had refused a breathalyzer. Impaired driving charges were dropped