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Export date: Thu Mar 28 16:56:30 2024 / +0000 GMT

Reeve?s charges quashed

By Jim Eadie

Charges against Wollaston Reeve Graham Blair were quickly quashed in Bancroft's Ontario Court of Justice just before the matter was to go to trial on June 20.

Blair had been arrested on Oct. 9, 2016 by Bancroft OPP following a single car accident on the Old Hastings Road, and charged with impaired driving and operating a motor vehicle with more than 80 milligrams of alcohol in 100 millilitres of his blood. Crown counsel had told Judge Geoff Griffin that he was prepared to withdraw the second charge, and proceed with the impaired driving charge alone when defence attorney Leo Adler pointed out that the charges had not been properly laid by the police in the first place. It is clear that his car accident lawyer knew what he was talking about in relation to the charges.

The procedure to lay charges requires the police officer to attend before a justice of the peace and swear to an "information," and if accepted by the justice, both sign the document. At that point, a charge has been formally laid and the case will go before the court. The "information" is a special court document laying out in detail the charges, and the name of the accused. The "information" in Blair's case was signed by the officer, but had not been signed by a justice of the peace.

"The officer signed it, but the justice of the peace did not sign," agreed Griffin. "Probably inadvertent ... but this is not properly before the court. It is quashed."

The office of the Crown attorney will now have make a decision whether to start the case all over again with fresh charges at this point.

On March 14, Blair was convicted following a trial in the Ontario Court of Justice in Bancroft on an earlier charge of operating a motor vehicle with more than 80 milligrams of alcohol in 100 millilitres of his blood, dating back to Feb. 9, 2016. Adler told *Bancroft This Week* that the conviction in that case is under appeal, and will be heard in the Superior Court of Justice in Belleville on July 5, 2017.

"There are several grounds, but mainly they deal with legal errors committed by Justice Hunter," said Adler. "There are charter issues, and his asking questions which should have been left the Crown to ask ... or not ... which he then used as a basis to convict my client."