



THE CAPITAL AND VANCOUVER ISLAND

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Baby-death case ends in acquittal

LOUISE DICKSON
Times Colonist

A Japanese student wiped away tears of relief and exhaustion Tuesday as a B.C. Supreme Court jury found her not guilty on charges relating to the birth of her dead child.

The jury, which began deliberations late Monday afternoon, filed into court around 11 a.m. and acquitted Narumi Bito, 21, on charges of disposing of the body of her dead child to conceal the fact she had given birth on Sept. 17, 2010, and offering an indignity to human remains.

Bito came to Canada in July 2010 to enrol in an international studies course at the University of Victoria.

She was arrested Sept. 27 after her homestay host, Gayle Floyd, discovered the dead baby in a plastic bag behind a chair in Bito's bedroom.

As she waited for the verdict, Bito sat nervously in the prisoner's box, her translator on one side, her surety on the other. Cheryl Schellenberg, a Victoria woman who put up \$10,000 bail and took Bito into her house after her arrest, put her arms around Bito, comforting and hugging the young woman. Floyd, who sat through the two-week trial, was not present.

After the verdict, Justice Austin Cullen thanked the jurors for their care, and told them they had acquitted themselves well.

Bito, wearing white running shoes, jeans and a long ruffled shirt, seemed happy and relaxed as she walked out of the courtroom.

"The circumstances were tragic and disturbing and we respect the verdict of the jury," said Crown prosecutor Dan Scanlan.

Defence lawyer Christopher Mackie said he was very relieved and glad the case was finally over for his client.

"It's been a long, not just 2½ weeks for a trial, but it's been a long period of months since she's been here," said Mackie. "The

trial has been very emotional for her and exhausting."

Bito is anxious to go home, said Mackie. "And her mother is certainly anxious to have her daughter back home."

Bito's testimony — telling her story of giving birth alone in the bathroom that night — was crucial, said Mackie.

The jury was able to get a better understanding sense of the human being behind the charges and the circumstances she was faced with that night.

Bito was in a very difficult circumstance and didn't want to trouble others, said her lawyer. It's also reasonable to conclude Bito was in denial about the pregnancy.

"The circumstances she was faced with were extraordinary and brought a considerable amount of stress to bear upon her, so the kind of thoughts she may have had, certainly may have been stress and bewilderment."

Bito testified that she woke up in pain on the night of Sept. 16 and delivered her baby head down into the toilet bowl.

She testified she couldn't call for help because she was in too much pain.

Bito said she tried to find scissors to cut the umbilical cord, but could not stand up. The baby did not make any noise and was not moving.

When the placenta came out, she tried to scoop up the baby, but passed out.

When she regained consciousness, she picked the baby and the placenta out of the toilet, but passed out again.

She testified she put the baby in a plastic bag in her room because she "just wanted to be together."

According to Mackie, Bito has no plans to continue her studies in Canada. She voluntarily withdrew from her program.

"An event of this magnitude and the tragic nature will have repercussions for her personally for many years to come," said the defence lawyer.

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Balloon's water warning



ARNOLD LIM, TIMES COLONIST
Sean O'Keefe, a promotions co-ordinator for the Red Cross, hoists a balloon promoting water safety on his back at Willows Beach Tuesday. There are an average of 50 drownings each year in B.C., but 95 per cent of incidents in the water are preventable, the Red Cross said.

Commercial salmon deal reached

JUDITH LAVOIE
Times Colonist

After years of conflict over sockeye salmon sales by First Nations in the Alberni Valley, commercial sales will now be legal under an agreement signed this week by the Department of Fisheries and Oceans and the Tseshah and Hupacasath First Nations.

The deal, based on First Nations receiving 33 per cent of the commercial sockeye catch in Alberni Inlet and the Somass River, is a victory, said Tseshah fisheries manager Andy Olson.

"We haven't had a commercial sockeye agreement for 10 years," Olson said.

"We had one before that, but the problem has been the allocation formula."

The pilot sales agreement, started in the

1990s, was supposed to be renegotiated every year.

But for the past decade, the DFO has demanded a sliding scale, with the aboriginal commercial fishery receiving a decreasing percentage during good runs and the bulk going to the non-aboriginal commercial fishery.

That was unacceptable, but 33 per cent is a better offer, Olson said.

"Now we have been able to reach an agreement with DFO that allows Somass First Nations to commercially sell sockeye, chinook, coho and chum," he said.

The deal was approved last week by Tseshah members in a 49 to nine vote.

Some aboriginal fishermen are likely to sell their catch to commercial fish buyers, but others will put

their fish on ice and sell at roadside stalls, Olson said.

The roadside sales, which have continued despite the lack of an agreement with the DFO, have been an annual bone of contention.

Although it is a good sockeye run this year, with a prediction of more than one million fish, prices are low, and the aim will be to get the best price for the product, Olson said.

"We are working on getting a brand so we can market fish on our own," he said.

That could include commercial ventures such as smoking or canning fish.

Somass First Nations, like many other coastal B.C. bands, claim their economy historically included fish sales and argue they should be allowed to sell salmon as

well as catch food, social and ceremonial fish.

Tseshah and Hupacasath were not part of a Nuu-chah-nulth lawsuit, led by Ahousah First Nation, which in May saw the B.C. Court of Appeal affirm the right of five First Nations to sell fish in their traditional territories, but it has had an effect, Olson said.

"It forced DFO to come to the table with a more reasonable allocation offer," he said.

No one from the DFO was available to comment Tuesday.

In the 1990s, the Somass-Alberni agreement with First Nations drew accusations of a race-based fishery and protest fisheries by opponents, including then-Reform Party MP John Cummins. jlavoi@timescolonist.com

Saanich first in region to go 'local' on food

KIM WESTAD
Times Colonist

Saanich is set to become the first municipality in the region to focus on local food for its events, moving toward having the same for all its food services.

Coun. Dean Murdock, chairman of the Healthy Saanich Advisory Committee, said he's not aware of any other municipalities with such a local food procurement policy, although the University of Victoria does.

"With a population of

about 20,000 students, that means they serve an awful lot of local food," Murdock said.

"My hope is that, by following UVic's lead, we may be able to set an example for other municipalities and businesses."

The motion will go to council next week, but Saanich has long been in favour of green practices.

Now, food for events is bought from a variety of vendors.

Under the potential policy, food would come from local producers as much as

possible. It might be slightly more expensive at the start, Murdock said, but that cost would lower as more people bought local.

"The more the local marketplace grows, the more competitive the cost becomes."

It also creates a market and need for locally grown food.

Currently, Vancouver Island provides five to 10 per cent of the food it needs.

With more demand, Murdock said, residents can keep their dollars local and

keep farmers in business, so that productive working farms aren't sold for residential estates.

The cost of farming is high, and parcels of land that could be farmed are increasingly being sold and used for large residences.

Buying local also reduces greenhouse gas emissions as the food doesn't have to be transported as far.

Murdock would like to see the policy eventually extend to cover food served in Saanich facilities as well. kwestad@timescolonist.com



ADRIAN LAM, TIMES COLONIST
Defence lawyer Christopher Mackie speaks after Tuesday's verdict.



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Narumi Bito outside court after a hearing earlier in the case.

No bus rider left behind? Ferry tales take twists

BILL CLEVERLEY
Times Colonist

Recent changes to Saanich Peninsula's transit service may get buses to the ferry terminal faster but they're leaving the riders behind, some residents say.

But B.C. Transit says it has listened to concerns and changes will make the bus more attractive to the user.

B.C. Transit announced a number of changes late last month, saying it was simplifying the existing schedules, creating more direct routes and expanding service. At the same time, buses began using the new McTavish Transit Exchange.

But Haji Charania, president of the North

Quadra Land Use Protection Association, said not all the changes make sense or enhance service.

One move was to eliminate the bus stop at McKenzie and the Pat Bay Highway for the 70 Express bus to the Swartz Bay Ferry Terminal and back.

Charania estimated the change eliminated 29 buses a day on weekdays, a 50 per cent reduction, and 11 buses on weekends, a 25 per cent reduction in service.

"Exactly what are they thinking? Are they trying to get the buses to the [ferry] terminal quickly or are you trying to get the people to the terminal quickly? Come on," he said.

The key to transit should

be to get the people moving efficiently while making the experience pleasant, Charania said.

But transit spokeswoman Joanna Linsangan said Charania's estimates are inaccurate and, in fact, transit has revised the proposed changes so once the fall schedule kicks in there is no reduction in service.

She said service was dropped at that stop due to the summer schedule. However, the stop is still being used by the 72 bus and 75 bus.

"So, if we were to accurately compare apples to apples and see how service was for the past year during regular service and what we will be introducing this

coming September, it's virtually the same. So no service is lost at all."

Charania said the 72 T takes 16 to 18 minutes longer to reach Swartz Bay ferry terminal.

Linsangan said the Pat Bay-McKenzie stop is underused, with an average of less than one person boarding per trip.

Initially the McKenzie-Pat Bay Highway stop for the 75 to Saanichton exchange and Butchart Gardens had been eliminated but transit changed that decision after hearing from users.

Another annoyance is the 70 Express no longer goes to Royal Oak Exchange, Charania said. Instead, it stops at the east and west

on and off ramps of the Pat Bay Highway at Royal Oak Drive.

People are now forced to walk over the overpass or take the slower, less frequent 72, which does use the Royal Oak Exchange, he said.

Linsangan said the stop at the flyover, which is considered part of the Royal Oak Exchange, is 180 metres from the actual exchange.

"There is a dedicated pedestrian pathway for our customers. If they don't want to walk along that pathway, they do have the option of taking the 72," she said.

Saanich Mayor Frank Leonard, a transit commission member, said he's been

receiving complaints which he plans to bring up at the next transit commission meeting Sept. 13.

"I gather they're just picking up at Uptown and Royal Oak and they've dropped McKenzie. So I've asked B.C. Transit staff for some background as to why they would pick that one [stop] to drop," Leonard said.

"McKenzie is a major connection for us," he said. "Although it's a north-south route, it's affecting the east-west McKenzie run. I'm finding it quite frustrating."

Leonard said he's also had complaints about the 70 Express and the Royal Oak Exchange. bcleverley@timescolonist.com