

NEWS

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University Daycare funding in question

GORDON LOANE

THE BRUNSWICKAN

The Administrator of the College Hill Daycare Centre should learn within a few weeks whether funding from the UNB Student Union will soon be forthcoming.

The Daycare still has not received its \$3000 funding commitment from the 1995-96 fiscal year that ended in April, a matter that both SU President Joie Hellmeister and VP Finance and Administration Monique Scholten want to get sorted out as soon as possible.

"Actually we had talked about that last Friday because we are finalizing our financial statements right now for fiscal 1995-96 as a part of our audit," Scholten said.

"It is a problem for them," she said. "The Daycare is an excellent service and we would like to settle this matter very soon."

Hellmeister and Scholten first became aware of the problem after a telephone conversation with Daycare Administrator Wendi Lunney and by reading through several files left over from previous SU Executives.

Kelly Lamrock, SU President for 1995-96, expressed surprise about this matter when contacted this week.

"I had assumed the Daycare people had already picked up their cheque for the \$3,000," he said. "I see no financial or legal reason why the current executive cannot pay this commitment as it was certainly budgeted for."

Lamrock attributes the mixup to a lack of communication on both sides.

Even more surprising, though, is the chain of events that has taken place over a request from the Daycare for an \$8,100 subsidy for its operations this past summer.

Lunney wrote Lamrock on March 1, asking for \$8,100 to help defray the cost of holding fees which are charged to fifteen students with eighteen children in Daycare. By paying a \$25 weekly holding fee, students can withdraw their children from

Daycare in the summer but still reserve a space for them when the academic year begins again in September.

The Student Union never replied to the letter or met the request for funding, Lunney said.

Lamrock remembers receiving the letter. "I passed it on, as I recall, to [1995-95 VP Finance and Administration] Duncan Fulton," he said. "The normal protocol is to direct all requests for funding to the VP Finance and the SU Finance Committee."

Lamrock said he heard nothing more about the matter and since the amount was not included in the SU's 1996-97 budget subsequently passed by Council in early April, he assumed the funding request had been turned down.

For his part, Fulton told *The Brunswickan* this week he has never seen or heard about the \$8,100 funding request.

"I guarantee you that I never saw it and the Finance Committee never talked about it because I never had it to begin with," Fulton said.

Fulton does remember a conversation with a representative from the Daycare whose name he could not recall.

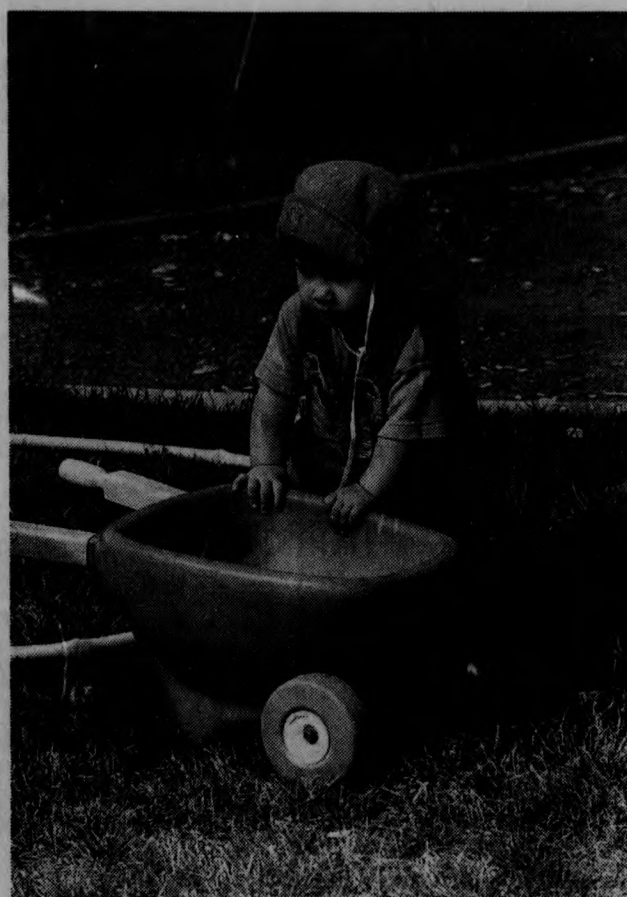
"I remember them talking about an extra three or four thousand, which is probably the \$3,000 that we subsequently allocated in this year's budget," he said.

Fulton is equally mystified about why the Daycare did not get its \$3,000 allocation in 1995-96 during his term in office.

"They should still get that money," he said. "There is no question that the money was committed and that the money is there. That is not an issue."

This week both Hellmeister and Scholten, as members of this year's SU Executive, are trying to sort out the situation.

However, Hellmeister is holding out little hope that the Daycare will see any of the \$8,100 allotment they had requested for the summer.



Oh, to be young, carefree, and blissfully unaware that the cheque isn't in the mail... PAT FITZPATRICK PHOTO

"The SU contingency fund does not contain the amount of money they are looking for. They would have to apply for it this year in order to be considered for next year is all I can say," Hellmeister said, referring to the process required to get budget approval in 1997-98.

For her part, Scholten acknowledged learning about the funding request over the course of the summer.

"The Daycare people have not talked to me about it," she said. "I do not know whether they still need the money or not, nor do I know whether they found some other way

to get financing for the summer." After her interview with *The Brunswickan*, Hellmeister met with the Daycare Administrator to discuss the situation and clarify several questions about where this year's \$3,000 SU budget allotment would be spent.

"I am satisfied that the \$3,000 will be used to subsidize the cost of Daycare for the children of students," Hellmeister said after the meeting.

The request will now be reviewed by the SU Finance Committee.

Hellmeister is hopeful the UNB Student Council will finally give its approval in the next few weeks.

Twelfth annual Take Back the Night March tonight

Thousands of women across Canada are joining together tonight to march in protest against the threat of violence associated with simply walking alone. Fully sixty percent of women feel worried when walking alone after dark.

KATE ROGERS

THE BRUNSWICKAN

"Our lives begin to end when we begin to be silent... so let's make some noise!"

This declaration is the theme of the twelfth Annual Take Back the Night March sponsored by the Fredericton Sexual Assault Crisis Centre. Women have been organizing marches in the streets of their hometowns since the 1970s to protest violence against women.

"By raising our voices and marching in the streets, women are refusing to be silent about the violence done to us," says Lorraine Whalley, Director of the Sexual Assault Crisis Centre.

The threat of violence is so real that fully sixty percent of women in Canada who walk alone in their area after dark feel worried doing so, according to Stats Canada (1993). Whalley explains that the march is an opportunity for women to protest.

"The March is held at night because the night symbolises society's attitude towards violence against women," says Whalley. "The night often cloaks such violence and fears." By raising their voices and marching in the streets, women are refusing to be silent about the violence done to them, and women are refusing to accept a society which condones the exploitation of women.

This year, thousands of women across Canada will join tonight's demonstration. In Fredericton, the march will begin with an opening rally at City Hall at 8:00 pm. It will then proceed along some downtown streets in a circular route, ending back at City Hall for the closing speeches. A reception will follow at the Fredericton Sexual Assault Crisis Centre.

Past marches have hosted between 100 to 150 women. Whalley hopes for an even greater turnout this year, and encourages people to get involved. "By giving just a couple of hours of your time, you can show society that you care."

Although everyone is invited to cheer marchers and participate in closing speeches at City Hall, only women will march. Whalley explains that it is necessary for women to express their right to walk at night without fear. The march also celebrates women's strengths as they join together in the struggle for the end of violence against them.

Previous marches have concluded with a guest speaker at City Hall. Whalley says this year will be different. "Because the theme is one of speaking out, this year's march will feature a few guest speakers, followed by an open mike session." Whalley urges students to participate by voicing a statement fitting the theme.

Whalley stresses that this is not the only opportunity that people have to fight violence against women. The Sexual Assault Crisis Centre strives to be more than a Band Aid service, working towards the eradication of sexual assault against women. The Rape Crisis Hot line receives between 100 and 125 crisis calls yearly. "To fulfil this mission, we need community volunteers," says Whalley. "We're unique in that volunteers become part of the centre."

For those interested, meetings will be held Wednesday evenings from October 2 to November 7. Women are needed to council hotline calls, public education, and all other aspects of the centre's work.

Smith found not guilty of sexual assault, guilty on one count of assault

Continued from page 1
not remember."

Crown Attorney Drain suggested the reason he did not use a condom with complainant A was because he did not have time to put one on. "You dragged her in the room, pushed her on the floor, took your penis out and had sexual intercourse, so you did not have time to put a condom on," said Drain. Smith responded that that was not so.

The Crown then asked, "All three

women consented to sexual activity?" "Yes," responded Smith. "Yet you had a girlfriend at this time?" asked Drain. "Yes," said Smith, adding they had been going out for two years and that they broke up on November 7, 1995.

Ryan then began the defense's closing argument, reviewing the details brought up in testimony of the witnesses and closed with the argument that "what had happened was consensual sex."

Drain then began the Crown's summation and suggested that "if he (Smith) was doing anything he was entitled to be doing, do you think he would leave the room in such a hurry?"

After the Crown's summation, Madam Justice Margaret Larlee began her instructions to the jury. She reviewed the evidence as both the defense and the Crown interpreted it, explained the general rules of law, listed the verdicts which were open to them, and said the presumption of innocence is the most fundamental principle of law.

"Mr. Smith does not have to prove anything. It is up to the Crown to prove guilt," said Larlee. She explained the concept of reasonable doubt and also pointed out that "a complainant's previous sexual experience is irrelevant."

In law, in order to prove sexual assault, seven criteria must be met, said Larlee: the identification of the accused; the time and place of the sexual activity; applied force direct and indirect (physical contact which does not have to be violent); the accused must have intended to apply the force (it must be

deliberate); the complainant did not consent to the force; the accused knew that the complainant did not consent; and finally, the assault was of a sexual nature.

For the lesser, included offence of assault, the law asks that numbers one to six of the requirements for sexual assault be met.

The jury retired to consider its verdicts at 5:20 pm. Five minutes later, the jury informed the sheriff they had a question for the judge. They asked Larlee to review the seven conditions needed for sexual assault.

At 8:55 pm the jury informed the sheriff they had reached verdicts.

Smith studied each and every juror's face as they filed back into the courtroom. He displayed no emotion as the jury foreperson read off the not guilty findings for each count of sexual assault. He also remained impassive when found guilty on one count of assault against complainant B.

Despite Ryan's argument that Smith remain on his own undertaking, as he has been for the last ten months, Larlee ordered Smith to be remanded and taken into custody immediately.

The court ordered a pre-sentence report and will reconvene at 1:30 pm, September 23 for sentencing.

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