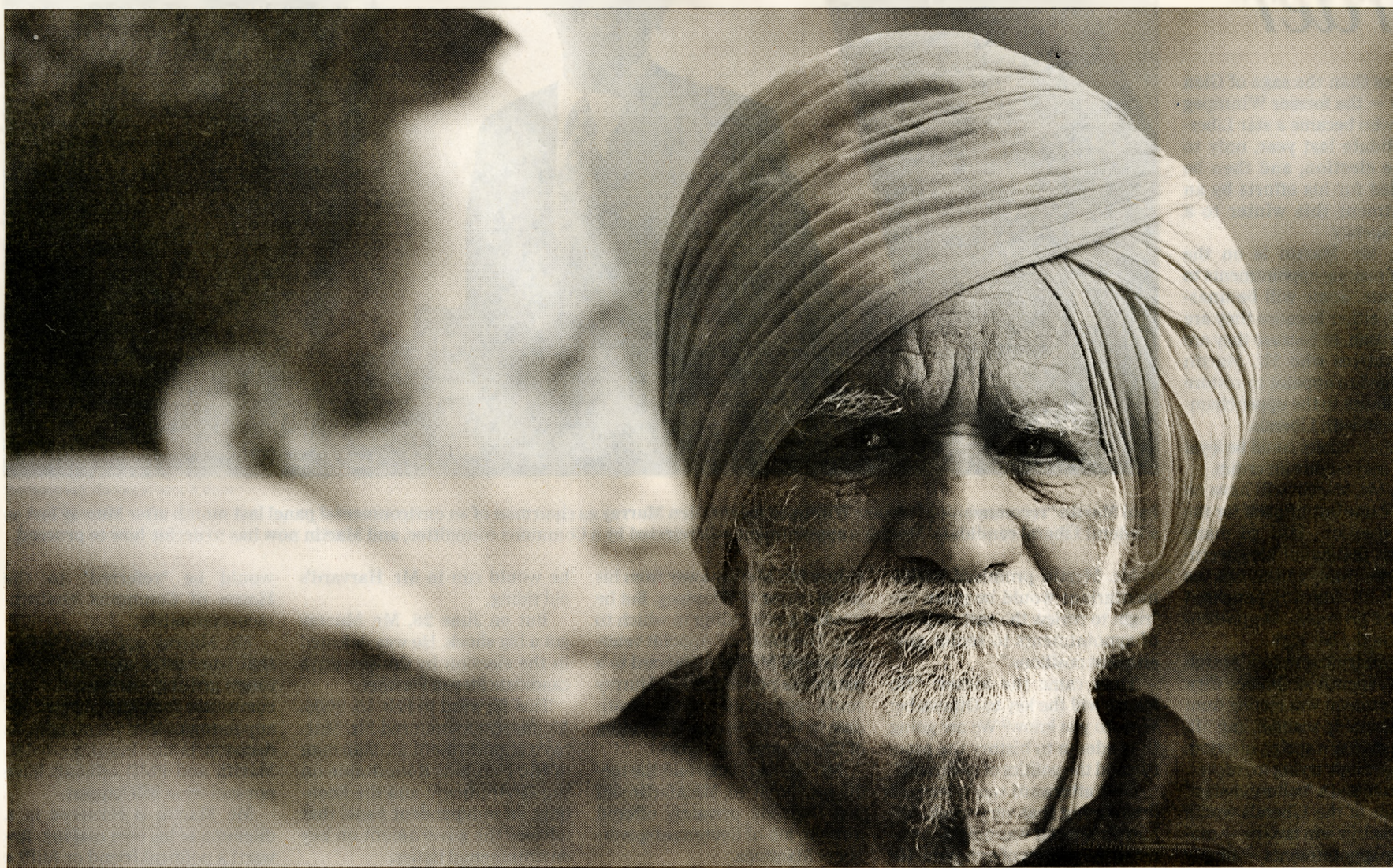


McLELLAN REJECTS CALL FOR PROBE



STEVE MC KINLEY FOR NATIONAL POST

Pritan Dhaliwal, left, and Darshan Singh discuss yesterday's verdict at a Toronto-area mall. Many Sikhs were aboard the doomed flight, Singh said.

'Justice has not been served,' says Harper in calling for inquiry

BY IAN BAILEY

OTTAWA • Deputy Prime Minister Anne McLellan says she can see little value in holding a public inquiry into the investigation into the Air-India bombing.

Families of the 329 victims in the 1985 bombing have called for a probe to review allegations of bungling in one of the largest investigations in Canadian history.

But Ms. McLellan, speaking in Edmonton, said she was skeptical about such an enterprise at this point.

"I would have to be convinced that after a year of evidence, and over 120 witnesses, that there is anything to be gained, that could be learned," said the Public Safety Minister, the Liberal government's spokesman on the verdict.

"I would have to be convinced that there is anything further after 20 years, and this trial, that is not on the public record, that we would learn."

Prime Minister Paul Martin had little to say yesterday about the verdicts, except to express sympathy for the families of the victims. "I do want to say on behalf of all Canadians that, from the very beginning, our hearts and our prayers have been with the families, and they continue to be with the families."

B.C. Supreme Court Justice Bruce Josephson raised concerns yesterday about the conduct of the Canadian Security Intelligence Service in the case, but Ms. McLellan defended the service, noting its handling of the Air-India case was approved by a review of the Security Intelligence Review Committee.

CSIS spokeswoman Barbara Campion declined comment on whether the agency was still looking at the bombing, after a Mountie spokesman said the investigation in the case was ongoing.

NDP MP Peter Julian chided Ms. McLellan for taking her stand on an inquiry without consulting the families of the victims.

"That was irresponsible," said the member for Burnaby-New Westminster, who said an inquiry should be launched if the Crown does not file an appeal.

British Columbia prosecutors have 30 days to decide whether to appeal the acquittals of Ripudaman Singh Malik and Ajaib Singh Bagri, who had been on trial since 2003 in a \$100-million proceeding.

Tory leader Stephen Harper, in blunt remarks during a news conference on Parliament Hill, said justice has not been served by yesterday's outcome and an inquiry is needed once the appeals process is concluded.

"The serious questions that have been raised about the investigation into the bombing deserve to be finally and unequivocally answered for the sake of the victims and their families," said Mr. Harper, suggesting the probe should target the investigation and "ultimate failing" of the prosecution.

Mr. Harper said an inquiry would probably not answer questions about guilt or bolster a prosecution. "We have to be honest with people," he said.

"For 20 years, the Canadians who have been affected by this disaster, those who have lost friends, family and loved ones have felt that justice has not been served. Frankly, today we have to say that they are right. Justice has not yet been served, and these concerns must be answered."

B.C. Attorney-General Geoff Plant said in Victoria that senior prosecutors have begun reviewing a ruling of more than 500 pages to decide how to proceed.

Mr. Plant said prosecutors had done a "great job" in presenting a complex case, and noted they would make the call on an appeal.

CanWest News Service

TORONTO

Few Sikhs surprised by pair's acquittal

'I think there was a lack of proof'

BY NATALIE ALCOBA

TORONTO • There were questions about the cost of justice and how to one day deliver closure, but there was not a lot of surprise in Toronto's Sikh community yesterday.

The two men accused of killing all 329 passengers and crew on the 1985 flight, Ripudaman Singh Malik and Ajaib Singh Bagri, were found not guilty in a Vancouver courtroom yesterday.

Many of the victims came from Toronto and its suburbs.

"I think there was a lack of proof," said Balwant Singh, leaning over a folded Punjabi newspaper as he sat in suburban Malton's Westwood Mall. Reports that key evidence was destroyed by CSIS made the sixty-two-year-old security guard question the entire investigation.

It was nearly 20 years ago, but Mr. Singh remembers that fateful night in 1985. He was watching a Hindu movie on the roof of a house in northern India when someone shouted from below. There had been a terrible disaster on a plane. The movie was turned off. Everyone gathered to discuss the crash.

Since then, Mr. Singh has followed the case sporadically. He believes the not-guilty verdict disproves the theory the bombings were in retaliation for the Indian government's attack on the Golden Temple in 1984.

He said some members of the Sikh community believe the opposite, that the

Air-India tragedy was orchestrated by the Indian government to turn public opinion against Sikhs.

But Mr. Singh said the Air-India tragedy did not further divide the Sikh and Hindu community, because many Sikhs were killed on that ill-fated flight as well. "Not even the Sikhs were very happy with the incident," Mr. Singh said. "Our religion doesn't allow these things."

Sukhdev Rai, 59, also a security guard, trusts that the judge had good reason to acquit Mr. Malik and Mr. Bagri. "They were not going to be freed for a very small reason," he said.

"The judiciary in Canada is very clean compared to India."

A short walk from the mall, at the Malton Community Centre, more than a dozen older Sikh men had gathered to play cards. One of them, who would only give his name as Singh, broke away from the crowd to recall the tense days after the bombing, when he felt singled out because of his religion. The 72-year-old recalled living in Montreal, walking down St. Catherine Street downtown, wearing a turban.

"People were looking at me and they pointed at me, [as if to say] 'he's the man who did it,'" said Mr. Singh, who now lives in Malton and considers himself neutral on the case. He does not expect the verdict to prompt the same type of finger-pointing reaction.

"I'm not happy, I'm not against [the accused]," Mr. Singh said. "I'm in between." He does believe the investigation should be deemed closed now. "They spent millions of dollars on this thing."

National Post
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COMMENT

Feeling cheated by the system

Indo-Canadian youth wonder if justice has been served

SUNNY BAINS
in Toronto

events of the past 20 years.

They have heard many debates about the accused, have witnessed bias within community circles and feel cheated by the system.

It is clearly evident CSIS botched its inquiry and wasted approximately \$130-million of taxpayers' money.

The general feeling among Indo-Canadian youth is that if this is the end result, then why couldn't we have spent that money helping victims' families? The older immigrant generation usually brings its prejudices and biases from back home, but the younger generation looks up to the Canadian justice system. I spoke with several of my friends, and they feel very frustrated.

Where have we gone wrong?

The case was one of the most complex and lengthy in Canadian history.

There have been allegations that some of the evidence was lost or destroyed and that two potential witnesses were murdered.

The common feeling among the community is that this judge could hardly, in good faith, do otherwise, given the weak case against both of the accused. But, what about the scandalous destruction of the evidence?

Canadian police have clearly failed in their efforts. Maybe, more investigation or a quicker investigation should have been done.

The Indo-Canadian community also feels cheated by the Canadian media. One of my friends cited the example of CTV, which broadcast the Robert Blake story ahead of the Air-India story. Her reaction was that the Canadian media simply does not care because it's a bunch of Indians killing other Indians. They are more interested in the story of a Hollywood actor.

Clearly, it has disappointed everyone in the Indo-Canadian community that no one has been punished for this cruel act.

National Post

Sunny Bains is news editor of the *Ajit Weekly Newspaper*, the world's largest Punjabi newspaper published from Toronto, Vancouver, New York, California and England.

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