

Doctor cries on stand

MD regretted calling Children's Aid about safety of newborn

By DAVENE JEFFREY / Staff Reporter

A Halifax doctor cried Thursday as she told a jury she felt she had brought trouble on a Halifax couple involved in an armed standoff with police last spring.

"I felt I had opened the biggest can of worms and the matter was not going to be put to rest," an emotional Dr. Dawn Edgar said.

Larry Finck, 51, and his wife, Carline VandenElsen, 42, are on trial in Nova Scotia Supreme Court in Halifax on eight charges, including weapons offences and obstruction.

Dr. Edgar testified that an old friend, Mr. Finck's sister, contacted her in December to ask if she would treat Ms. VandenElsen, who was moving to Halifax from Ontario.

On Dec. 23, 2003, with Dr. Edgar's assistance, Ms. VandenElsen delivered a healthy baby. But on Christmas Eve, Dr. Edgar phoned Children's Aid because she feared the baby might not be safe.

"It was a combination of things" that led her to make the call, she testified.

Ms. VandenElsen wanted a home birth, and when the doctor refused, she insisted on leaving the hospital as soon as possible. Also,

the couple was vague about their other children staying with relatives.

But Dr. Edgar was most concerned that a nurse had told her the couple had encountered difficulties with Children's Aid in Ontario.

"She had heard the story that you had kidnapped your children, thrown them in the back of your car and drove them over the Mexican border," Dr. Edgar told Ms. VandenElsen in the courtroom.

But after observing the couple with their baby on followup visits and no longer having any worries for the baby's safety, Dr. Edgar called Children's Aid again.

The society worker asked whether the doctor had concerns for the parents' mental health or the care of the baby. Dr. Edgar testified she told the official she had no concerns. And then the official told her about outstanding family court issues in Ontario.

The couple are representing themselves in court.

After several more of Ms. VandenElsen's questions to the doctor were overruled, Mr. Finck jumped to his feet to object and then

refused Justice Robert Wright's order to sit down.

"I'm removing myself. I'm done," he yelled as sheriff's deputies led him from court.

With her husband gone, Ms. VandenElsen refused to continue questioning the witness.

Justice Wright eventually told the doctor she was free to leave.

Earlier in the day, against Justice Wright's advice, Mr. Finck entered his file from a national police information database into evidence.

"It's to your own peril, sir," Justice Wright warned Mr. Finck.

"It's so outrageous and sick that I think the jury has a right to see it," Mr. Finck said, explaining that he wanted jurors to see how police can damage people's reputations.

Mr. Finck had Det. Const. Peter Webber read portions of the document to the jury.

Officers in Strathroy, Ont., had entered warnings that Mr. Finck might be mentally unstable, violent and carrying a contagious disease.

Another entry from police in London, Ont., warned of violence and family violence.

Mr. Finck asked Det. Const. Webber whether he has an obligation to correct misinformation on the countrywide system. The officer explained that it is up to the police department that enters the information to correct it.

"Did you ever come to me and ask me whether these are true?" Mr. Finck said. The officer said he had not.

Mr. Finck began to ask another question about what the officer may have seen when the Crown cut him off.

"I'm not really sure if he wants to go down this road," Rick Woodburn interjected.

"It's a suggestion. I'm trying to take the high road here."

Det. Const. Webber said he uses information on the database as a guide. He said he formed his own opinions after interacting with Mr. Finck.

The battering ram that police used to try to break down the door of 6161 Shirley St., where Mr. Finck, his wife, baby and mother were barricaded for three days, was also entered into evidence.

Mr. Woodburn appeared to handle the ram with ease, carrying it with one hand and swinging it up onto the floor of the witness box where it landed with a heavy thump.

Mr. Finck told the court last week that when the ram was slammed into the door, the entire house shook.

The trial will continue on Monday.