

Cabbie sentenced

BY HEATHER POLISCHUK, LEADER-POST AUGUST 2, 2012

In the words of Crown prosecutor Kim Jones, the outcome of a cab crash in which a toddler was struck in the backyard of a daycare was nothing short of a miracle.

"It is truly miraculous nobody else was injured or even killed," Jones said. "Equally miraculous was that the victim ... was not more seriously injured."

The cab's driver, 62-year-old **Shajan S. Bhat** pleaded guilty at Regina Provincial Court Wednesday to dangerous driving causing bodily harm. After hearing submissions from Crown and defence counsel, Judge Murray Hinds imposed a conditional discharge with an attached 23-month probation term - meaning if **Bhat** successfully completes the terms of the order he won't have a criminal record.

Bhat was also handed a three-year driving prohibition - something court heard **Bhat** himself had suggested.

Court heard the unusual Oct. 20 crash left frightened children, parents and staff at the Stepping Stones Child Care Co-op scrambling to get out of the way of the minivan as it crashed through a fence that surrounded the centre shortly after 5 p.m.

Court heard **Bhat**, then a cab driver with Co-op Taxi, had taken a fare to pick up her two children at the daycare on the 500 block of Broad Street. Moments after the cab left the centre with the three passengers, **Bhat** was involved in a minor collision with another vehicle.

Jones said **Bhat** had intended to pull over in the parking lot of a nearby convenience store but panicked, mistaking the gas pedal for the brakes. When his vehicle didn't stop, **Bhat** thought his brakes had failed and continued to press on the pedal, accelerating some distance before smashing through a retaining wall and then the vinyl fence that surrounded the daycare. The cab came to a stop only once it hit a support pole on the daycare, causing the pole to fall.

It wasn't certain whether it was the pole or the van itself, but one or the other struck a two-year-old boy.

When emergency crews arrived - called by a number of people, including **Bhat** himself - they located the injured toddler. The boy was taken to hospital but fortunately escaped serious injury. Although physically his injuries were limited to bruising and scratches, court heard he suffered nightmares for some time after. Victim impact statements filed by the boy's family and others at the scene suggested more than just the toddler experienced psychological trauma following this incident, Hinds noted.

But defence lawyer Nicholas Robinson said his client has also suffered as a result of the crash.

"He feels horrible about what happened," the lawyer said, noting **Bhat** quit his job as a result and has "all but stopped driving," even quitting subsequent jobs because they would have required him to drive.

"I will never forget for the rest of my life ...," [REDACTED] said on his own behalf. "I never intended to harm anyone. It was an accident that will haunt me for the rest of my life."

In handing down sentence, Hinds noted [REDACTED] is a man of good character with no previous criminal record who has expressed "real remorse" for what is believed to have been an isolated incident.

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