

THE BROCK PRESS ONLINE EDITION

Issue of Tuesday, September 15, 2009

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Mother pleads guilty to manslaughter

Katherine Gottli

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On Feb. 18, 2008, Astrid Hueller phoned 911 to report that her 17-year-old daughter, Courtney Wise had died.

Hueller, a mother of four, had brought her children from British Columbia to the Niagara Region to escape the abuse that her then husband, Steven Wise, had inflicted on herself and her children.

Once Hueller had settled in the region, she began to rely on the support of social service agencies to assist her and her family - most importantly, aid her in the upbringing of her daughter, Courtney.

Courtney relied heavily on the care of her mother, as she had Cerebral Palsy - a condition that causes physical disability in human development. Courtney was also non-verbal and because of her developmental disability, was confined to a wheel chair and had to be fed through a feeding tube.

Hueller received funding through the Ministry of Long Term Care to ensure Courtney was supplied with the proper medications and meals - approximately five cans of meal-replacements a day, and medication for severe seizures - yet, at the time of her death, Courtney was just over four feet tall, and weighed 35 pounds. Between 2001 and 2008, Courtney was receiving between one and two cans of meal replacements a day.

Although local agencies were concerned about the level of care Courtney was receiving, when she died doctors deemed it caused by a combination of starvation, dehydration and bronchitis.

Hueller was charged with second-degree murder and failure to provide the necessities of life, however the second charge was dropped when Hueller pled guilty to manslaughter, which is set to be sentenced in court on Oct. 8, 2009. News surrounding the death of Courtney has caused much discussion as to where the blame should be placed. According to interviews with Hueller's family members, Courtney was well taken care of, and Hueller was a good mother and worked tirelessly to ensure that her daughter was provided with the care that she needed. Yet, comments have not been made by either Rick Monette, the assistant Crown attorney involved with this case, nor by Hueller's lawyer.

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Professor Richard Mitchell from the Child and Youth Department believes the hardest position to be in this case is that of the judge in charge of sentencing Hueller. Mitchell believes that Hueller must have been in "dire straits" to let her and her family's situation end up as such, and simply pointing the finger at Hueller would be pinning her as the scapegoat for a much larger and far more complex problem.

Though Canada does have a ratified document, The Convention on the Rights of the Child, which was brought into place 20 years ago during the Mulroney government, the key players in the lives of children often are ignorant as to what the convention contains, though according to Mitchell, many people have beliefs and opinions that they believe to be true.

Thus, more often than not, the rights of children are violated and no one is held accountable.

What is more disturbing, Mitchell believes, is the fact that most children do not even know that they have their own set of rights and freedoms, let alone what they are, a fact made more poignant by the senate report published in the 2007 entitled, Children - The Silenced Citizen's.

"The adoption of the Convention and its very existence seems to me, a bunch of words written on a piece of paper, a lot of them have not been implemented in my life, and I have not seen any evidence of those rights actually affecting me," said Hawa Mire, during the 2006 Senate Human Rights Committee hearings. "It is also interesting when you consider the idea that those people that have those rights have no idea that they even exist."

According to Mitchell, we as a society are to blame because of our own ignorance. Children are not objects, and have the same entitlement to their own rights that one would assume an adult does. When those rights are being neglected or violated, it is our duty as responsible Canadians to ensure that those in violation are held accountable.

"[Courtney Wise] was our neighbour," Mitchell said, and as such, we are all responsible for her well-being.

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