

Opening

Your honours, my name is D. Patel and these are my co counsel R. Esmail, E. Wai, and J. Zhu.

Today, the case in question is an unfortunate case of child negligence. We, the Crown, will prove beyond a reasonable doubt that the defendant, Skye Delaney, is indictable of an offense under section 215 of the Criminal Code of Canada, for failing to provide the necessities of life for her two year old son, Jack Delaney Parker.

On the night of August 21, Skye Delaney and Jack Delaney Parker fell down the stairs of their home, and during the days following the incident, Skye Delaney's actions failed to meet the standard of care of a reasonable parent.

The Crown will call upon two witnesses to identify the circumstances of the case. The first will be Detective Constable Robin Lestrade and the second will be Dr. Blair Chao, in expert witness in pediatrics and surgery. We anticipate that you will hear of the position and environment of the fall from these two witnesses.

From Detective Constable Lestrade, you will hear of the structure of the home and of the high tension baby gates that were installed by Quinn Parker, Skye Delaney's partner. You will also hear of the past history of the family, as investigated by the Detective Constable.

From Dr. Blair Chao, we anticipate you will hear that Delaney fell down the stairs, wedging Jack Delaney Parker between her and the baby gate. You will hear that the injuries sustained by Jack Delaney Parker constituted a significant fall and that the time between the fall and their hospital visit resulted in the injuries becoming life threatening, had they not been treated immediately. Thus, Skye Delaney's decision to prolong the time between the fall and the hospital directly placed Jack Delaney Parker's life in danger.

We anticipate that you will hear of the immediate visit to the family doctor following Quinn Parker's arrival and the subsequent visit to the hospital.

However, Skye Delaney, who had spent the most time with Jack, failed to observe and neglected significant bruising on her son, despite having changed him often. We anticipate that you will also hear that Skye Delaney failed to inform Dr. Blair Chao of the incident on August 21 upon initial questioning.

And, at the end of this trial, we ask that you find Skye Delaney guilty for failing to provide the necessities of life for her underaged son, contrary to section 215 of the Criminal Code of Canada.

Thank you.

Direct of Dr. Blair Chao

- Your honour, I would like to call upon Dr. Blair Chao as an expert witness, specifically in the area of pediatric surgery
- How long have you been a pediatric surgeon?
- I'm going to show you a few photographs of Jack, tell me what we're looking at in the first one?
- Whose hands are the ones in the photo?
- What colour are Jack's bruises?
- How large are Jack's bruises there?
 - How much of Jack's torso do those bruises take up?
 - How big is Jack's Torso?

- How would Jack's symptoms of internal bleeding from this injury manifest themselves?
- When would his internal bleeding and laceration of his pancreas from the fall become life-threatening?
 - Were Jack's injuries life-threatening?
 - In your professional opinion, would he have died had you not operated on him when you did?
- When should Jack have been brought to the hospital for his condition to have been non-major?
- How quickly would Jack's symptoms worsen after the injury?
- How many times did you ask Skye Delaney about incidents that would have caused Jack's condition?
 - Did Skye Delaney tell you about the fall with Jack before or after the surgery?

No more questions your honour

Quinn Parker

- 35 years old
- Pharmaceutical sales rep
- 8277 Blue Ridge road
- Jack born on June 2, 2016
- Skye left soon after
- Got full custody of Jack after Skye left with no argument
- Skye came back and began co-parenting, later began leaving Jack overnight with Skye, no problems
- Skye and I got closer through co-parenting
- Baby gates at bottom and top of stairs of split-level house
- Jack breaking his arm
 - November 2017
 - With Skye, I would have been more careful if I were there, but playgrounds are busy places and Skye could have been distracted for a moment
 - Jack hadn't been walking for too long, so balance was an issue
- Away at a conference in Las Vegas from August 20 to August 25
- August 21:
 - Video-called
 - Everything seemed fine
- August 22:
 - Nothing
- August 23:
 - Skye said Jack seemed unwell
 - Jack had been vomiting and seemed quite tired
 - Jack has on again, off again stomach issues, not sure what the cause is
- August 24:
 - Jack was sick, let him sleep
- August 25:
 - I came back, Jack was very sleepy

- Jack vomited after dinner, clutching his stomach, saying it hurt
- I stayed with him for the whole night, he got up a few times to vomit, but was very sleepy otherwise
- August 26:
 - I took Jack to our family doctor, who thought that Jack probably had stomach flu, but he thought it was important to continue monitoring Jack
 - Bruises on stomach that I hadn't noticed earlier
 - Skye didn't know about bruises, but like kids really do be like that sometimes
 - We went home afterward
- August 27:
 - Jack woke up to vomit and seemed more unresponsive, so Skye and I took him to the emergency room around 5am
 - After the surgery, Dr. Chao said that Jack was going to be okay
 - Super surprised that Chao said Jack had internal bleeding
 - Dr. Chao asked about any recent falls or trauma, and Skye told us about a fall on the steps
- Closing Remarks:
 - Accidents happen
 - Perfect set of circumstances
 - Fall in middle of night
 - Jack's ongoing stomach issues
 - Symptoms were hard to detect
 - Don't think that Skye would intentionally let him suffer
 - Don't think I would have even been able to connect the symptoms to the fall either