

12-year-old boy charged

COURTS: It results from an incident on a schoolyard that put another boy in hospital

By **JOE BELANGER**

A 12-year-old London boy faces a criminal charge after a schoolyard clash last month put an 11-year-old boy in hospital with a fractured skull.

The aggravated assault charge laid yesterday is a rare example of such a young person being held criminally liable, one local expert said.

"Very rarely are children under 14 charged with anything, let alone a serious criminal charge for assault," said Alan Leschied, a psychologist at the University of Western Ontario's education faculty.

Twelve is the youngest age anyone can be charged under the Criminal Code of Canada.

The boy, whose name can't be published to protect his identity, was charged in a Sept. 23 incident at St. Theresa Catholic school in Byron in which Raymond Trudell, 11, was punched so hard in an after-recess lineup, he needed brain surgery and three metal plates inserted into his head.

The punched boy's parents, Vince and Rosemary Trudell, have filed a \$3.7-million negligence lawsuit against the London District Catholic school board, school employees, the accused boy's parents and the boy himself.

Leschied said it's seldom that 12-year-olds are charged.

"Normally, the course is not to charge but there's still an accounting," such as through counseling or therapy, "but it doesn't have to be through the courts," he said.

"That's usually the last resort."

London police Deputy Chief Ian Peer agreed it's "unusual" to lay such a serious charge against a 12-year-old.

Trudell's parents declined comment yesterday.

In their statement of claim in their lawsuit, filed last week, the couple contend school officials didn't respond seriously enough to their son's injury, nor did they act to stop what they described as a history of bullying of their son.

The Trudell lawsuit contends their son has been left with "lasting permanent and personal injuries including but not limited to headaches, short-term memory loss, fatigue, nausea and dizziness.

A statement of claim is a document containing allegations not yet tested in court.

Trudell was picked up at school by his mother, then taken to hospital where doctors diagnosed the skull fracture.

A school board official declined comment, noting the case is before the courts. The accused is scheduled to appear in court Nov. 10.

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