

## NEWS LOCAL

### Crown seeks jail time, defence house arrest for former Big Brothers Big Sisters of Peterborough executive director in \$119,486 fraud case



By Jason Bain, The Peterborough Examiner  
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Darlene Edwardes-Evans makes her way out of Peterborough Ontario Court of Justice alongside lawyer Murray Shore after sentencing submissions were heard in her fraud case on Tuesday, September 19, 2017 in Peterborough, Ont. JASON BAIN/Peterborough Examiner/Postmedia Network

The former executive director of Big Brothers Big Sisters of Peterborough paid more than \$107,000 in restitution to the agency before donating an additional, tax-free \$19,000 as sentencing submissions were heard Tuesday in her fraud case.

Darlene Edwards-Evans, 50, of Ennismore, pleaded guilty June 1 to one count of fraud over \$5,000 for defrauding the organization of \$119,486.32 between Aug. 9, 2005 and Oct. 17, 2014, while she was executive director.

She paid the full restitution amount of \$107,016.94 Tuesday before making the donation, a "contribution to the community" for which she did not seek a tax receipt, said her lawyer, Murray Shore of Toronto firm Heller, Rubel Barristers.

In their submissions, assistant Crown attorney Lisa Wannamaker argued for an 18-month jail term followed by two years of probation, while Shore sought a conditional sentence - one served at home with jail-like conditions - of two years less a day.

Edwards-Evans opened a bank account in the Big Brothers Big Sisters' name, unbeknownst to the agency's board of directors, at the Scotiabank on Hunter St. on Aug. 10, 2005.

She deposited cheques totalling \$119,486.32 without the organization's knowledge and between 2009 and 2014, transferred \$107,016.94 to her own account at TD bank.

It was a deliberate act of fraud that took place while she was in a position of trust, Wannamaker said, arguing how it took money directly away from children in need.

"This is only what can be characterized as a large-scale fraud on our community," the prosecutor submitted before Madam Justice Esther Rosenberg. "She has the keys to the vault and she used them for her own benefit ... the only apparent motive was greed."

The indirect impact of the fraud was highlighted in a victim impact statement jointly written by members of the agency's board, Wannamaker added.

They called it the most difficult two years of the agency's 53-year existence because of the negativity and mistrust created by the fraud. The loss of long-time donors has greatly impacted fundraising efforts, they said, writing "The recovery has been slow and painful."

In his submissions, Shore said Edwards-Evans' conduct has "almost certainly" made it impossible for her to find future work in "an area she loved." She's working again, but not in the field "she worked so hard to get to," he added.

A conditional sentence in the case would still provide significant denunciation and deterrence, the lawyer argued.

Edwards-Evans has suffered enough as a result of the extensive media coverage of the case across Ontario and even into western Canada, Shore said. "One can only imagine the shame and humiliation my client has experienced."

People, ranging from neighbours to complete strangers, treat her differently now, he said. "The coverage has been extensive and taken its toll on her."

Wannamaker, anticipating those submissions, had earlier pointed out that the media attention flows by virtue of her position. "It is a natural consequence of a breach of trust."

That means this sentencing proceeding represents a meaningful opportunity to send a strong message to deter others from such acts, the prosecutor said, referring to a similar case where a 16-month prison sentence was imposed.

Shore began his submissions with background on his client, including how she grew up in the "epitome of a dysfunctional family" before leaving home at age 16 and having three children. She eventually left her abusive first husband and raised them herself, he said.

The kids - ages 31, 28 and 27 - while supportive of their mother, were not in court Tuesday because Edwards-Evans wanted to "protect them from the glare of publicity," Shore said.

The oldest child also faces continuing, serious health issues that have also taken a "significant toll" on his client, he said.

Edwards-Evans has only recently reconnected with her "frail, elderly" parents and should a conditional sentence be imposed, weekly visits with them will be among the exemptions sought by the defence, Shore said.

The lawyer went on to detail the training Edwards-Evans completed to improve her professional standing, as well as the many accolades Big Brothers Big Sisters acquired during her time as executive director - including three national awards.

Edwards-Evans was fired on March 2, 2015 after 15 years with the agency. She was charged by city police with three counts of fraud over in early April 2016 and further charged with money laundering, fraud over and uttering a forged document last October.

The other charges are expected to be withdrawn upon the completion of sentencing.

Edwards-Evans' husband, Robert Bestard, who was also charged with fraud over \$5,000 last October, made his own donation of \$19,000 to Big Brothers Big Sisters on Tuesday. He wasn't in court, but his lawyer was - Joseph Markson of Toronto firm Markson Law.

Bestard made the donation "to mitigate his errors of judgment in this matter," Wannamaker said, before the Crown formally withdrew the charge.

Shore has earlier pointed out that Edwards-Evans and Bestard, who were married in 2006, are now separated. "The emotional toll this case has taken ... has caused that."

Rosenberg reserved her sentencing decision until Nov. 8 at 2:15 p.m. in court room number three.

Several members of local non-profit agencies were in the body of the court Tuesday, including Mark Shuwera, who replaced Edwardes-Evan at the agency.

Asked for reaction afterwards, he said "you reap what you sow" before pointing out how glad the organization is that the end is near.

"I was hoping today was the end. But its been a long, tough haul for us and we can weather the storm for another couple of months if we need to," he said. "There is light at the end of the tunnel and we look forward to the conclusion."

Shuwera didn't say if he agreed with the custodial sentence sought by the Crown. "We've been through hell and would like to see justice served."

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