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Tuesday, March 20

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(Posted 11:30 a.m., March 12)

Murder victim's parents angered over retrial ruling

By Fred Sherwin
Orléans Online

View point
by Fred Sherwin

Updated March 19

The Magster

Updated March 13

This week's poll

How would grade the Conservative budget?

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It's been almost five years since Dapo Agoro was stabbed to death in a Byward Market dance club, robbing Bashir and Biola Agoro of their only son.

They thought their ordeal was over when the man who killed their son, Carl Michel Balance, was found guilty of second degree murder in September 2003 and sentenced to life in prison with no chance of parole until 2013. Now they face the mindnumbing and emotionally draining prospect of having to relive the ordeal all over again after the Ontario of Court of Appeal recently granted Balance a retrial on the grounds that the trial judge failed to properly instruct the jury on the legal definition of provocation.



Biola and Bashir Agoro hold a portrait of their son Dapo, who was stabbed to death in a Byward Market dance club in June 2002. Fred Sherwin/Photo

"My heart almost burst out of my chest," says Biola in describing the moment last week when she was informed about the decision by someone from the Ottawa Police Service. "I couldn't believe it. They told us he was going to appeal, but we didn't think he would get it. Just to relive the whole process again and bring back all that pain and sorrow and anger inside me.

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It is just like putting a knife in my heart."

Bashir Agoro slowly shakes his head as he listens to his wife.

"I don't understand how they can say there is grounds for a retrial. He went there with a knife and he stabbed our son. If you don't have intent go in there with your fists, not with a knife. Or at least threaten the person, but you don't stab him four times. What do they think? It was an accident? It was not an accident," says Bashir.

Since his death not a day has gone by that the Agoros have not thought about their son. An end table in the living room is filled with photos of Dapo who was two weeks short of graduating from high school when he was killed.

His room is still as it was when he died with soccer medals and photos sitting on his book shelf and hanging on his wall. He was killed on June 7, 2002, two weeks shy of his grad dance and a week before he was to travel with the Lester B. Pearson senior boys soccer team to play in the provincial 'AA' soccer championship.

Dapo's old soccer teammates and high school buddies from Lester B. Pearson still come over to the house on special occasions or to just talk with his parents.

When he was alive, Dapo was a very outgoing young man who was regarded among his peers as a peacekeeper. After he was killed his parents established the Dapo Peace Award which is presented to a deserving Lester B. student every year. The Agoros are also in the process of setting up the Dapo Agoro Foundation and his friends still organize a Dapo Fun Day at the Blackburn Arena every August.

One of the most poignant memorials to Dapo sits on the wall as you enter the family's modest Blackburn Hamlet townhome. It's a picture of Martin Luther King with the words "True peace is not merely the absence of tensions, it is the presence of justice" written on it.

"Dapo bought that the year before he died. I didn't know that it meant to him at the time, but he really wanted to put it here," says Biola, fully cognizant of the irony the message contains in light of the Ontario Court of Appeals decision

Since the ruling, the Agoros have been contacted by Crown Attorney Mark Holmes who told them that it could take several weeks before a retrial date is set.

"They told us that they are doing the trial all over again with a new jury. Hopefully, they will see the same thing the other jury saw and will give him the same sentence," says Biola.

The Agoros were also told that Belance was transferred from a maximum security prison to a minimum security detention centre after his appeal was granted. The family's biggest fear is that Belance's sentence will be reduced to manslaughter, in which case he could be granted a conditional release for time served.

Such a move would be totally unacceptable to the Agoros who say Belance has yet to utter a single word of remorse for what happened to their son. Nor have they received any correspondence from his family that would indicate any remorse on their part.

"They say time heels all wounds, but it is not true. It is like a life sentence. When you lose a child to an illness sometimes they say it is God's will. This is not the same. It is not God's will that Dapo died. He died at the hand of this man," says Bashir.



This week:
Rainer Bloess



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Phil McNeely
Posted March 8



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"You raise your child for 19 years and you get to know him and then all of sudden he is taken from you. He went out with his friends and he never came back."

Besides his parents, Dapo was survived by his older sister Shola, 30, and his youngest sister Moji who is now 17.

(This story was made possible thanks to the generous support of our [local business partners](#).)

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