

# Court hears how witness wanted Gyles 'removed'

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Staff

A Malton businessman accused Cliff Gyles of bribery because the Mississauga councillor was a roadblock to his lifelong dream, defence lawyer Alan Gold told a Brampton court yesterday.

In his second day of cross-examining Rick Benisasia, Gold said the Crown's witness against Gyles had experience in "breaking the rules."

On Monday, Benisasia testified he had pleaded guilty to a charge involving a "false document" to help get his brother, a refugee claimant from Guyana, landed immigrant status here.

Benisasia said he paid a fine — he couldn't remember the amount — for the offence he committed in the late 1980s. He received a pardon some time in the 1990s, he testified.

The crime involved marrying his brother's girlfriend to help her obtain permanent residency, with the pair divorcing a year later so she could marry the brother to keep him from being deported, Benisasia testified.

The businessman told court he knew it was wrong but did so in response to pleas from his mother, who feared her other son would die if he was deported. Benisasia and his brother were charged after the woman report-

ed the scheme after a family quarrel.

After a coffee shop meeting with Gyles in late 2000 in which, according to Benisasia's testimony, the politician demanded a \$100,000 payoff that was negotiated down to \$50,000, Benisasia talked to a few friends about the bribe, asking them if people in this country take bribes, he testified last week.

"That certainly sounds like you're exploring a possible resolution to what you saw...as a roadblock to your project," said Gold in court yesterday. "Mr. Gyles is an opponent standing in the way of this...project."

Benisasia told the court Gyles demanded the payoff for assurance that a rezoning application would be approved.

It was Benisasia's "dream" to build a funeral home on land he purchased for \$1.5 million in the area of Derry Rd. and Goreway Dr.

But court heard Gyles was opposed to that plan.

Cliff Janic, Benisasia's real estate agent during this ordeal, testified yesterday that his client came to him after the meeting where the bribe was demanded.

He told Janic what had occurred.

"I told him that wasn't right and he should go to the police," Janic told Madam Justice Bonnie

Wein.

Janic said he told Benisasia to bring a tape recorder with him to that meeting, but "Rick laughed and didn't want to do it," he testified.

Benisasia was initially afraid to go to Peel Police because they had a relationship with Gyles.

Benisasia thought "it would be futile to go that avenue," Janic said in his testimony.

Janic instead called the OPP, with Benisasia present, and told an officer that Benisasia was afraid to go to Peel Police because he thought they were "corrupt."

But the OPP officer said that was nonsense, and advised Janic to go to Peel Police, court heard.

In cross-examining Janic, Gold said a goal would be accomplished if Benisasia went to police.

"If he went to police, one way or the other, this would remove (Mr. Gyles) from the issue," Gold said.

Janic agreed.

Gyles, 59, is charged with two counts of municipal corruption and two counts of breach of trust for allegedly accepting bribes of \$25,000 from Benisasia and \$10,000 from Malkit Dhaliwal in return for his support for their unrelated rezoning applications. He has pleaded not guilty to all charges.