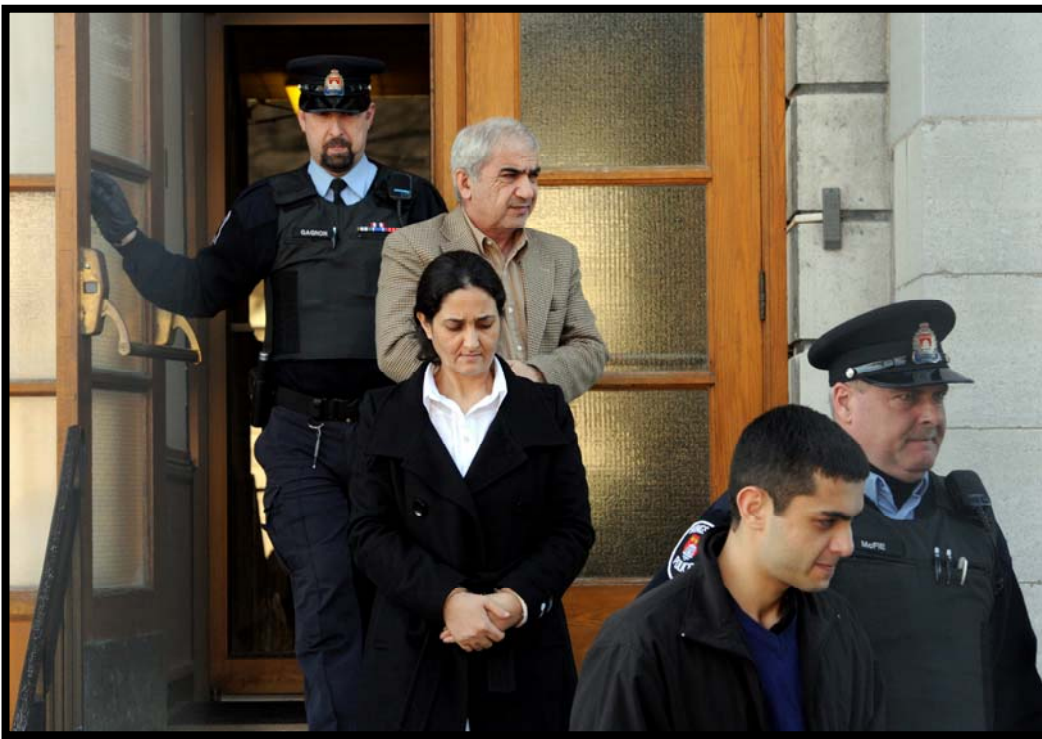


INSIDE THE SHAFIA MURDER TRIAL



A **TORONTO STAR** PUBLICATION

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CAST OF CHARACTERS

The Defendants

(all charged with four counts of first-degree murder)

Mohammad Shafia, 59
Tooba Mohammad Yahya, 42
Hamed Mohammad Shafia, 21

The Victims

Zainab Shafia, 19
Sahar Shafia, 17
Geeti Shafia, 13
Rona Amir Mohammad, 52

The Judge

Justice Robert Maranger

The Crown Attorneys

Gerard Laarhuis
Laurie Lacelle

The Defence

Peter Kemp (for Mohammad Shafia)
David Crowe (for Tooba Mohammad Yahya)
Patrick McCann (for Hamed Mohammad Shafia)

The Jury

Seven women and five men

Witnesses called

58

Exhibits entered into evidence

162

Introduction

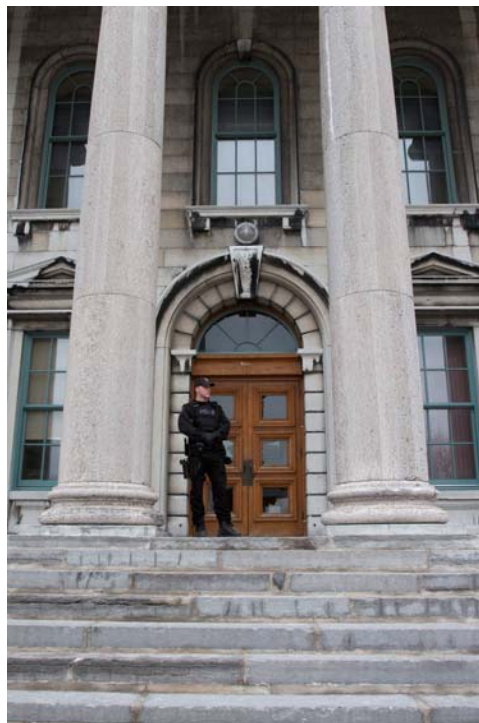
The forbidden and the profane.

This unprecedented “honor killing” murder trial — four dead females — was replete with both.

Alleged transgressions of teenage girls, their secret lives exposed. Wicked cussedness of a father, his obscenities trumpeted.

One husband, two wives, three sisters: adds up to homicide, says the prosecution; adds up to an accident, says the defence.

A decision left up to the jury — seven women and five men who’ve sat in the Frontenac County Court House through three months of evidence and testimony from 58 witnesses, nearly a week of closing submissions, one and a half days of being charged on the case and the law by Justice Robert Maranger.



The jurors filed out to begin their deliberations Friday.

In the murky waters of the Kingston Mills Locks, four bodies were discovered floating eerily inside a submerged Nissan Sentra. Much remains murky still: Death by drowning, but the how of it, the exact when of it, has never been determined. The prosecution can only speculate.

Zainab Shafia: 19.

Sahar Shafia: 17.

Geeti Shafia: 13.

Rona Amar Mohammad: 52.

On trial for first-degree murder: Mohammad Shafia, 59, Tooba Mohammad Yahya, 42, Hamed Shafia, 21.

Nearly half the Shafia family dead, with father, mother and son in the defendants’ box. The parents occasionally wiped tears from their faces, their dry-eyed boy endlessly scowled.

In the days and weeks after their loved ones were retrieved from the water, there had been overwhelming sympathy for this transplanted Afghan clan. But investigators had been suspicious from the beginning, never believing the vehicle had ended up in the canal

as the result of some ghastly misfortune, with a confused Zainab at the wheel. With the trio's arrest, shock gave way to outrage.

Word of something called "honour killing."

Word that the older woman who died wasn't an "aunt" but the first wife in a polygamous marriage.

World of several changes of lawyers.

From the moment the trial opened on Oct. 11, the public was transfixed.

Who were these people? What had they done? Did they do what the Crown alleged?

A courtroom, renovated and furnished with interpreters' booths and flat screen monitors, looked and sounded like the United Nations, as every word spoken was simultaneously translated into Farsi, French and English.

Benches increasingly filled with spectators, some of whom, at the end, waited hours for the doors to open, as if it weren't a grim murder trial but a line for concert tickets.

TV satellite trucks. Reporters tapping on lap tops. Attention from around the world.

Swirling talk about the proof or lack thereof. Forensic evidence from the vehicles. Wiretaps. A few tricks that police had up their sleeves.

An amateur sleuth, even, whose legwork the defence would rely on for its explanation of what really happened.

A daily procession from prison van — every morning and every afternoon captured by media cameras — to concrete stairs to limestone courthouse for the defendants, two of whom would take the stand.

Appearances by two other children added more melodrama. One testified, the other kissed the glass of the prisoner's box, eliciting tears from those manacled inside it.

And the dead? Their secrets were revealed, intimate photographs openly displayed. But the victims are beyond spectacle or embarrassment now.

For them, it all faded to black on June 30, 2009.

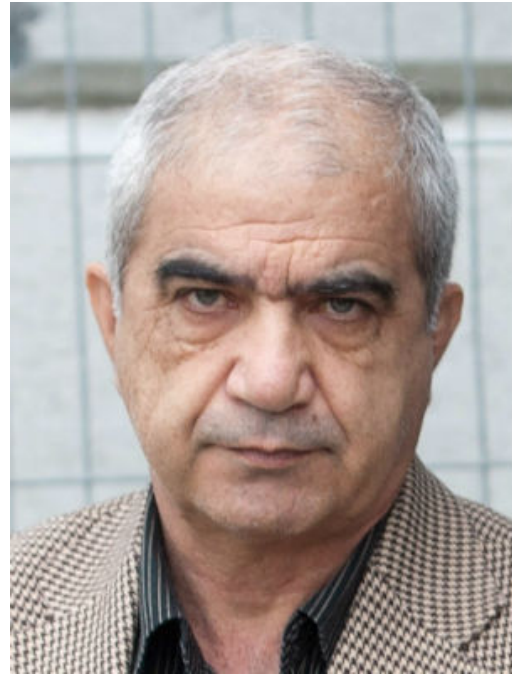
PART ONE: THE ACCUSED

Mohammad Shafia

The patriarch who called daughters' deaths God's will

The patriarch of the large Shafia clan is now 59 years old, short and squat, swarthy face heavily lined with deep dark pockets under his eyes and squirrely cheeks. Throughout trial, he rotated the same two hound-tooth check sports jackets and always sat next to his son Hamed.

On the stand, Mohammad Shafia described himself as a self-made businessman with a Grade 6 education who was working full-time in his native Kabul by the age of 18. A grandfather loaned him \$10,000 to start a business repairing electronics. He then opened a Panasonic radio franchise, expanding to include thermal bottles imported from Japan. By Afghan standards, he was an extraordinarily rich man, owning a house in Kabul and two apartments.



His first marriage, arranged by their families, was to Rona in 1979. Court saw photographs from the large reception at Kabul's most posh hotel. They appeared to be a happy couple. The only problem in their marriage was Rona's inability to get pregnant. This situation led to quarrels and Rona, ultimately, urged her husband to take a second wife, he said. Shafia claimed to have originally resisted the idea because of the added expense and the conflicts that two spouses in one household could create — which he'd witnessed with his own father's polygamous marriage. But Rona convinced him a second wife was necessary because "she said children are important for us." Indeed, Rona helped Shafia's mother choose the new wife — Tooba Mohammad Yahya, who arrived into the family in 1988. The couple would eventually have seven children, two sons and five daughters.

The outbreak of Afghanistan's civil war in 1992 left his family at odds with the new Taliban regime that seized power. "These people that came to Afghanistan, they were against women, and women didn't have the right to go out. My family was a liberal family. All the time we were under threat from them so we left."

Shafia moved his growing family to Pakistan, losing "stocks" in businesses left behind. He would sell the Kabul house in 2008 for \$900,000.

From Pakistan, the family later relocated to Dubai, then Australia, and back to Dubai for a year briefly before immigrating to Canada in 2007. All were given landed immigrant

status upon arrival. Rona, however, was temporarily left behind, joining the clan five months later.

In his original interview with police, after the victims' bodies were discovered at the bottom of the Rideau Canal, Shafia described Rona as a relative. He would later deny the Kabul hotel matrimonial photos, claiming they must have related to some other celebratory event. On the stand, Shafia conceded this had been a lie but insisted it was the only untruth he ever made to investigators. He lied, said Shafia, because of Rona's ongoing immigration case; if authorities knew he had two wives, she would have been sent away to Dubai. It was pointed out to him, however, that with Rona then dead, there was no immigration case any longer, thus no reason to continue with the fabrication. In immigration documents signed by Shafia, Rona was described as someone who "works for my family since my marriage in 1990 (sic) and takes cares of my seven children and my house."

At the time of his arrest in 2009, Shafia was an entrepreneur who owned a strip plaza in Montreal, importing shoes and construction materials from China and buying damaged cars online to sell abroad. Shafia was often away on long business trips.

He was also in the process of building a new, grand home in the Montreal district of Brossard. While it was under construction, the family lived in a triplex that was sparsely decorated.

Two wives and one husband proved one wife too much, court heard, with Rona depressed by her marginalized role in the household and being treated more as a servant than a spouse. Shafia disputed that Rona was unhappy or that she'd been in any way treated differently than Tooba. In fact, added Shafia, he spent more money on Rona.

The threesome continued in their clandestine polygamous marriage. It has unclear whether the children ever realized Rona was their father's wife. Shafia said the matter was never even discussed.

While Shafia described himself as an egalitarian, kind and generous father — he gave each of his kids (and Rona) \$100 a month allowance — several of his children complained to teachers, police and social workers that their dad was unreasonably strict and domineering. He objected to his daughters' wish to conduct themselves more like their Canadian friends. He insisted they behave like good Muslim Afghan girls. When oldest daughter Zainab fled to a Montreal women's shelter in April 2007, her three youngest siblings reported to police being afraid to go home because they feared how their father would react to Zainab's departure.

The family was not, however, particularly religious, according to the younger son who testified at trial. That boy said the family rarely attended mosque. Nevertheless, on a police wiretap, Shafia vilifies his daughters: "They betrayed Islam. They betrayed our religion . . . they betrayed everything."

Shafia was dismayed when it was discovered that oldest daughter Zainab had taken a Pakistani boyfriend. It was paternal advice he offered, Shafia testified, in trying to dissuade Zainab from the marriage she insisted upon. "I gave my advice that this person is not a good person. I discharged my duties as a father."

There were no tensions with the children, except for Zainab, said Shafia. "The problem was Zainab . . . she left the house. My other children didn't have a problem." But he and Zainab had reconciled, Shafia maintained, by the time he returned from Dubai on June 23, after a 40-day business trip during which she'd married her Pakistani boyfriend. The marriage was annulled after just one day. Yet court heard from Tooba's brother that Shafia had earlier plotted to murder Zainab by drowning her during a suggested vacation with her uncle in Sweden.

Shafia claimed he had no idea that Sahar had a boyfriend too — not until he discovered pictures, while tidying up the house in preparation for relatives arriving to attend the victims' funerals. Those photos, showing Sahar in a miniskirt, in the embrace of a young man, sent him into a tirade.

"I had so much trust in Sahar," Shafia testified. "I loved Sahar very much. I couldn't even believe these would be Sahar's pictures. She lied to me."

Shafia would have preferred that Sahar told him about her relationship so that he could have arranged for the teen's marriage. It was only after the deaths that Shafia said he became aware of the extent of his daughter's secret life.

He was only vaguely aware of 13-year-old Geeti's escalating difficulties in school, as well. The child's truancy and discipline issues had required that both parents attend meetings at school.

Shafia told investigators he'd never been to the Kingston Mills Locks until police took him there July 18. In testimony, though, he admitted being at that location with the family on three previous occasions, including twice on a 2008 family trip to Niagara Falls.

In police interrogations and on the stand, Shafia repeatedly stated Zainab had a history of taking the car without permission even though she didn't have a driver's licence and that he'd warned her about causing an accident. In the early hours of June 30, after the family checked into two rooms at the Kingston East Motel — they were returning to Montreal from the Falls — Zainab asked for the keys to the Nissan, apparently to retrieve some belongings. "Zainab came and said, 'Mom, give me the (car) key.' She gave the key."

Shafia is adamant he had nothing to do with what befell the victims that awful night, nor did Tooba and Hamed.

After their deaths, Shafia was recorded on police wiretaps calling the girls "whores" and saying "may the devil sh-- on their graves." This, he suggested to the Crown, was an Afghan expression. "To me, it means the devil will go out and check their graves."

The girls were treacherous, he said, and brought dishonour on their family by their behaviour. But he said he didn't kill them. "I never do some things to my children and I love them more than my own body."

He did not deny his daughters had deserved to die.

"I swore at my children" after their death. "They did treachery to me. They lied to me. They hid everything from us.

"My children did a lot of cruelty to me."

Crown Attorney Laurie Lacelle asked: "You believe their actions brought about their rightful deaths, don't you?"

"Yes."

But it was God's will, not his, he said. "This is God who determines the date of someone's death, no one else."

Lacelle: "You believed your daughters deserved to die for their treachery?"

Shafia: "That's up to God."

Lacelle: "Their treachery brought dishonour to you and your family."

Shafia: "We believe that."

How could anyone kill those four women, Shafia continued, cleaving to his insistence that it was all a dreadful accident, caused by Zainab.

"You might do it if you thought they were whores," Lacelle shot back.

Shafia: "Respected lady, that was only Zainab, and Sahar, that later I learned. The others were innocents."

On the stand, Shafia broke down in tears three times. His testimony was also interrupted for several days when he was taken from prison Nov. 2 because of a medical treatment described as "fairly serious" by Justice Robert Maranger. He was treated at a hospital in Napanee.

Shafia appeared no worse for wear upon returning to court the following week, nor more sympathetic toward the victims.

"What they did, they were bad things. They killed themselves. They didn't just kill themselves, they killed us too. It's 10 people they've all killed."

Tooba Mohammad Yahya

The dominant wife

She drives, she never wore the hijab in court and she was adamant about having been the only wife who shared her husband's bed.

Tooba Mohammad Yahya is not a typically shy, shrinking and submissive Afghan married woman. In conversations captured by police intercepts, there were occasions when she spoke sharply, derisively, to the father of her seven children — of which only four then remained alive, though grief does not appear to have overwhelmed. On the witness stand, over a gruelling six days of cross-examination, there were precious few tears for the victims but often sarcastic rebuttals. The lady was no pushover and relinquished nothing of evidentiary value, regardless of matter how Crown attorney Gerard Laarhuis approached his prey, combatively or beseechingly.



But in an earlier interview, the day she was taken into custody, Tooba gave up one crucial admission. She put herself, husband Mohammad Shafia and their son Hamed at the scene the night her daughters and sister-wife went into the water at the Kingston Mills Locks. She put Shafia at the wheel of the Nissan. And she put all three of them in the frame of what the prosecution contends was a mass “honour killing,” though carefully removing herself and Hamed from culpability, rendering them innocent bystanders to an event allegedly beyond the scope of detailed memory — because she'd fainted at the sound of the “splash,” thought even then, uncomprehendingly, that Shafia had somehow saved the car's occupants. Recanted it all the next day, of course, but that concession remained a vital component of the case against the defendants at trial, where she repeatedly insisted the story had been a lie, extracted from an exhausted and distraught mother.

Mother of three purportedly problematic teenage girls, co-wife in a clandestinely polygamous marriage, with an eminently fertile womb unlike that of her rival, which was what brought Tooba into the union by connubial transaction. A photograph of her wedding day in Kabul shows Shafia with a wife on each arm, Tooba and the older Rona Amir Mohammad, neither woman smiling.

Not a pretty girl, Tooba. As her own uncle would scold Shafia years later, upon learning that he was allegedly scheming to murder oldest daughter Zainab, how could he even think of committing such a dreadful crime when fatherhood had motivated the second marriage to a woman “not as beautiful” as Rona.

Plain, homely but fecund Tooba — a fact that surely made her the dominant wife in that household, endlessly bossing Rona around, as court has heard, threatening to send her packing back to Afghanistan for being such a burden.

It was in 1986 that their respective families — with Rona in on the selection process — agreed that Tooba would make a good match for Shafia, a successful Kabul businessman. The prospective couple met at a restaurant to talk. Tooba said Shafia told her: “I don’t want this marriage to be forced.” But Tooba, whose own mother was a second wife — there were 16 children in her family — was agreeable, so the deed was done. Tooba also came from a well-heeled background; her pharmacist father owned three stores in the capital.

When the growing clan fled war in Afghanistan, moving to Dubai in 1996, Tooba got a driver’s licence and sent her two oldest children to a private, English-language school. “The problem was we knew just one language, Farsi,” she testified. “We need an interpreter or a family member who knew English.” Following a brief migration to Australia, then back to Dubai, the Shafias relocated to Montreal, primarily to obtain, she said, an affordable post-secondary education for the children — though both Zainab and Sahar complained they were forcibly kept home from school as punishment for disobeying house rules and associating with boys.

In this country, as elsewhere, Rona was a respected member of the family and never mistreated, Tooba testified. Outside the bedroom — Tooba’s domain — both wives were equally provided for by Shafia, at least in the manner that he bestowed them with jewelry. “Whatever jewelry he bought for me, he bought for her, too.”

Tooba denied domineering Rona or preventing her from eating meals with the family. She described their disputes as insignificant spats, quickly forgotten. Yes, she had asked Rona to refrain from making overseas calls to relatives until after 4 p.m., but admonition arose after one of the children had been unable to get through on the phone from school because “Mother Rona” had tied up the line for more than an hour. I told her very nicely and she said, yes, it was the wrong thing to do.”

So close and mutually trusting were the two women, Tooba reminded, that she had given her own third child, Sahar, to Rona to raise as her own, and thereafter never interfered in their relationship. Sahar was the daughter that Tooba described, on the stand, as having a drama queen, with a “habit” of exaggerating grievances and constantly threatening to commit suicide. “If she was missing a movie she wanted to see she would say, ‘I’ll kill myself.’”

Like Shafia, who testified in his own defence before her, Tooba characterized the household as relatively liberal, with no rules preventing the women from wearing make-up and no obligation to don the traditional head scarf, except during prayers. The girls wore the hijab in their Dubai passport photos, she said, because that was the law in the country. There’d never been any discussion about banning bathing suits because “in our home, nobody was swimming.”

Proscriptions against taking boyfriends had been established in Dubai. “We decided that until the children graduated, they are not to have a girlfriend or a boyfriend, or get married.” Yet Tooba relented, she said, and agreed to organize Zainab’s marriage to a young Pakistani man she’d set her heart on — even though the suitor was considered unsuitable — while Shafia was out of the country. That wedlock was annulled after just one day after a fiasco of a wedding reception. “It was difficult for us, but it was easy,” Tooba recalled. “Zainab was crying that night but after it was okay.”

In her testimony, Tooba was evasive — claimed not to remember or was too distressed by events to have a focused recall — when questioned about events leading up to the tragedy at the locks. It was she who’d been driving the Nissan, with the four soon-to-be-victims as passengers, on the night of June 29, 2009, as the family returned to Montreal from a vacation in Niagara Falls. They stopped outside Kingston because Tooba was feeling tired and ill. Hamed and Shafia, in the second car, a Lexus SUV, went on ahead to find a motel. Tooba said she parked on the side of the road somewhere, couldn’t identify the spot, and waited until they returned, then followed the Lexus to the motel. She didn’t know the proximity of the spot where she’d waited to the Kingston Mills Locks.

Yet she was hardly a stranger to that location, having been there at least twice before, once the previous year — stopping for a barbeque at the site while en route to Niagara Falls during another vacation — and once just a few days earlier, when the two-car motorcade was westward bound. Her previous stops at the canal were not mentioned to police by Tooba in her initial interviews.

On July 18, she, Shafia and Hamed returned to Kingston at the request of police, who took them to the locks. Police had just bugged their van and told them there was a video surveillance camera at the locks that might have recorded the events at the lock station the morning of June 30.

In fact, it was a ruse to get them talking. Court has heard those conversations, with Tooba and the others weighing the possibility of camera footage seized. Tooba was skeptical there’d been any camera.

On one key detail, Tooba was insistent, however: Zainab had come into her room at the Kingston East Motel after the family checked in and obtained the key to the Nissan, ostensibly to retrieve some articles of clothing. The family contends Zainab, who didn’t have a driver’s licence, must have taken the car for a joyride — at 2 o’clock in the morning, with her three doomed passengers, somehow steering the Nissan into the canal. She stuck doggedly to that scenario throughout the prolonged cross-examination, though provoked to angry interjection when Laarhuis finally set out the Crown’s accusatory narrative:

“I’m putting to you that one of you drove the Nissan to that place with the bodies inside and drove it to the edge of the canal wall and that the plan was that someone would drive it up to the canal wall. You needed a place where the car would drop straight down and be under the water.

“It couldn’t be a place where the car would get caught driving into a lake or something like that. It had to fall and go right under the water, and that, in part, was why you left the Pontiac Montana (another, larger family vehicle) at home and bought a new car just one day before this trip. You wanted a car that was lower and cheaper. Do you agree with that?”

Tooba: “No, not. Never.”

Laarhuis: “You took this lower and cheaper Nissan, you or Hamed or Shafia, with the bodies inside and somebody drove it to the other side (of the locks) and somebody positioned it on that plateau at the edge of Lock No. 1, where the Nissan went in. And somebody left the car running, this was part of the plan, rolled down the window, put the gear shift in neutral, aimed the wheels of the car so that it would go between the two (lock winches), with the bodies inside, the seats reclined, the headlights off, the dome light off, the wipers off, got out of the car, closed the door, reached through the open window, put the car from neutral into (first) gear, thinking that on its own power the Nissan would go into the water.

“What none of you expected, what was not part of the plan, was that the Nissan would get hung up. Do you agree with that?”

Tooba: “Never, no.”

Laarhuis: “When the Nissan got hung up there was an emergency because now you had bodies inside of a car, hung up on the edge of a canal and you and Hamed, or you and Shafia, were in the Lexus, positioning it behind the Nissan. There wasn’t enough room so you had to do it at an angle, which is what caused the Nissan to rotate as it was pushed in . . . and that’s what caused the damage to the headlight of the Lexus, that’s what rubbed the “S” and the “E” off the back of the Nissan, two pieces that Hamed for whatever reason didn’t pick up. Do you agree with that?”

Her voice cracking and tears now flowing, Tooba shot back: “No, sir. We are not murderers. We were a very sincere and collected family. This crime, we will never do such a crime. Don’t ever tell me such a thing. I am a mother. If you are a mother then you could have known that what’s the heart of a mother for a child...

“Don’t ever tell me that I killed my children, never.”

Tooba turned 42 during the trial. If convicted of first-degree murder, she would receive an automatic life sentence with no parole eligibility for 25 years. That would make her 67 upon release.

Hamed Shafia

The quiet disciplinarian

Hamed was always the authoritarian.

In the hours following the gruesome discovery of four bodies — three of his sisters and his father's first wife — drowned in the dark waters of the locks at Kingston Mills, journalists descended upon the family home in the working-class Saint Leonard neighbourhood of Montreal.

They were let into the house, where Hamed's father Mohammad Shafia and mother Tooba Mohammad Yahya sat, shed tears and opened up photo albums for all to see.

Shafia, with what little English they had, tried to tell the story of what happened. It was Zainab . . . She took the car . . . She was always taking the car.



Yahya mostly held her fingers to her lips as if to suggest she had no words. When she did speak, she echoed her husband's story.

Found dead in a submerged Nissan Sentra at the Kingston Mills Locks on June 30, 2009, were Hamed's sisters, Zainab, Sahar and Geeti, 19, 17 and 13, and his father's first wife in the polygamous marriage, Rona Amir Mohammad.

That morning inside the Shafia residence, a modestly furnished house with bare walls, it was like a tomb. The other surviving children, four in all, were somewhere in another room, sleeping.

Photographers took pictures. Journalists asked questions.

Until Hamed emerged from one of the rooms and shut it all down. No pictures, he decreed, glaring. No questions.

Just go.

It would later become clear during the trial that he was also his father's stand-in, the household head and disciplinarian when Shafia was off in Dubai on business.

He allegedly didn't hesitate to use corporal punishment.

The values upon which he based his views of right or wrong? A hint may be found in a composition he penned in high school: "Traditions and customs are to be followed till the end of one's life . . . tradition and customs of a person is like his identity and what makes him special even though living in another country."

So when Geeti and her siblings came home late from a trip to the mall, it wasn't just her father who laid down the law. Shafia pulled her hair and hit her face, she told police, but Hamed also "hit her in the eye with his fist."

This revelation came out in court in an agreed statement of facts, as gathered by a Montreal police officer who responded to a call to the home. It was read aloud by the prosecutor.

The call to the police was placed in April 2009 because the children were afraid of what would happen once their father knew Zainab had run away from home.

The sisters were rebellious, dressing in western style and provocative clothing, taking unauthorized boyfriends. Zainab wanted to get married. They all wanted out of the house.

Sahar also told the officer that she had been slapped by Hamed and had seen the violence her other siblings endured.

Still, if Hamed was the authoritarian, it's not clear whether he was the belligerent, yelling type or whether he doled out discipline quietly, surgically, to keep his sisters in line.

He appeared, in general, to be quiet. His voice is typically the same passive monotone, captured in every wiretap and videotape recording. That goes for intercepts in the house and car even while his mother and father are alarmed or hysterical, as well as during an hours-long interrogation by police.

Perhaps he was simply better able to keep himself in check. For instance, when his younger brother — who cannot be named — called him from a foster home before their arrests, and said, "Look Hamed, you are 100 per cent caught," Hamed admonished him.

The police "are making up stuff, don't say these stuff on the phone . . . it's like easily recorded," Hamed said.

When it comes to the alleged crime itself, the prosecution does not try to suggest who actually killed the girls that dark night. For certain aspects, the evidence doesn't suggest a specific person. Who, for instance, drove the Lexus SUV the Crown contends had to push the Nissan into the canal when the undercarriage got stuck on the concrete edge?

The defendants are all charged with first-degree murder.

But there were certain tasks it appears Hamed might have been more capable to perform. Among them, a flurry of searches on the family laptop. It has come out during the trial Shafia was not good with computers.

In the month before the alleged killings took place, the searches were peculiar. On June 3, 2009, a Google search for, “Can a prisoner have control over his real estate?” This happened apparently when Hamed and Shafia were on a trip to Dubai.

After that, many searches of bodies of water in Quebec and Ontario.

Then, on June 20: “Where to commit a murder.”

In court, Hamed’s younger brother attempted to take the blame for that one. He said he’d been suicidal and typed in “murder” when he meant “suicide.”

Then there was the fact that a tower signal placed Hamed’s cellphone in the Kingston area on June 27, even though the family was supposed to be in Niagara Falls on holiday.

When the trio was arrested, Hamed steadfastly denied being at the canal that night of the deaths. During his interrogations he asked repeatedly to know what evidence the police had against them.

That all changed, however, in a bizarre twist to the case. A Queen’s University graduate student, who volunteered to translate for the defence, turned himself into a kind of amateur sleuth. Moosa Hadi was paid by Shafia to probe into things.

Surprisingly, Hadi ended up eliciting Hamed’s version of events, which was presented to the court in an audio recording.

Hamed told Hadi that he was, in fact, at the locks that night, court heard. From the motel where they rented two rooms, Zainab took the Nissan for a spin with the other women. Rona went along to buy a phone card.

Despite the very late hour, Hamed was about to head back to Montreal, apparently to take care of family business. Zainab, however, didn’t have a licence. He couldn’t rouse his sleeping parents, so he followed the Nissan.

The gas station was closed, so the women tried to find a place to turn around but couldn’t. They ended up on Kingston Mills Rd., which kept getting narrower.

Finally, his Lexus SUV struck the Nissan. They couldn’t reverse and so they had to go forward. Hamed started picking up the pieces of broken headlamp.

Suddenly he heard the splash. He went over and saw the car lights showing from under the water. He put down the pieces of headlamp and went back to the Lexus, honking the

horn to attract help. Then he threw a rope in the water, but no one took hold. He was there for seven or eight minutes doing that.

He didn't notify the police. He didn't tell his parents. He simply drove away. To Montreal.

The pieces of the broken Lexus headlamp that he gathered near the canal were later used in a staged "accident" in an empty parking lot there.

Hamed explained to Hadi why didn't he call police when the car went into the canal: "First I thought if I call the police, they would blame me that 'she didn't have licence and you brought her here' ... I was scared to tell mom and dad."

Though defence lawyers placed his mother and father on the stand to testify, Hamed didn't get the chance. This remains his version.

In the prisoner's box, Hamed has mostly remained as quiet and bereft of emotion as always.

In another intercepted late-night telephone call before his arrest, Hamed's younger brother warns him and the others not to commit suicide. The brother tells Hamed to think of their youngest sister.

Hamed doesn't offer his sibling much reassurance.

"Hamed make sure you don't (do something stupid) okay?"

"Yeah," Hamed answers.

"Think of (our sister) before you guys do anything."

"Yeah," Hamed repeats. "Our life is over for us. That's all I'm telling you."

PART TWO: THE VICTIMS

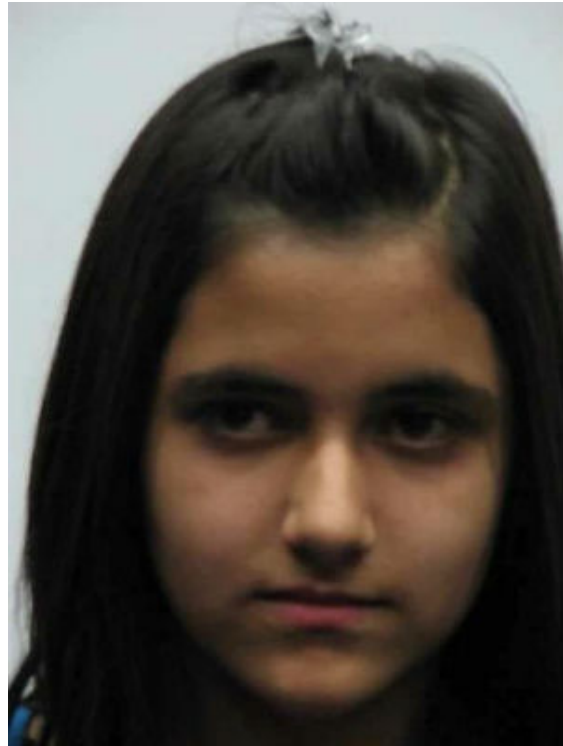
Geeti Shafia

The child who fought back

It was Geeti, who'd be 16 today were her life not cut so short, who bore the greatest resemblance to her mother, Tooba Mohammad Yahya. Yet it was also Geeti, the youngest of the three sisters to die at the Kingston Mills Locks, who was most determined to leave her mother and the household she thought was so dysfunctional.

Geeti was only 13 when she was allegedly murdered in a plot by family members consumed with righting the sisters' dishonourable behavior — at least as the prosecution sees it.

She was a handful, by all accounts. She defied authority. She came home late. She was caught shoplifting. She skipped school, where she had discipline issues. During her last semester, she failed three of four subjects. She was sent home, as well, for dressing too provocatively.



When her other siblings lost their nerve in denouncing their father and brother to authorities, or softened their stances once things got serious, she did not. Her spine remained stiff.

In April — two months before she was found floating in the submerged Nissan Sentra, dead along with her sisters Zainab and Sahar, and their father's first wife Rona Amir Mohammed — she and her other siblings asked a stranger to call police.

Zainab had run away and the children were terrified of what their father, Mohammad Shafia, would do.

When police arrived, Geeti didn't hesitate to tell them that a week earlier, they got home late and Shafia pulled her hair and struck her face, she claimed. He often threatened them, she told police. Her older brother, the patriarch when Shafia was away, had also hit her before, she said.

When Shafia came home that night, the children clammed up, and one of them recanted the story. The police constable on scene believed there was enough evidence to support a

criminal charge of abuse, but that decision lay in the hands of child welfare authorities, and it never happened.

Geeti, however, repeated the story to a detective who interviewed her at school the following Monday — although this time she was more “evasive.”

Geeti told the detective she wanted out of the house. She wanted to be placed immediately with a foster family. “I asked her, why do you want to be placed?” Det. Laurie-Anne Lefebvre recalled. “She said she had no freedom, she wanted to be like her friends, to go out.”

The detective couldn’t gather enough evidence to support a charge. The file was closed.

It wasn’t the end of Geeti’s agitations to leave the household, however. Her angst resurfaced a month later at school when she was crying and begging to be removed from the family home.

“I was also crying because I didn’t know what to do anymore,” Nathalie Laramée, her school vice-principal, said in court. “Many events were piling up on each other.”

Apparently Geeti and Sahar, 17, had hatched a plan to run away together.

There had already been a meeting at school at the end of April about the problems. School officials were worried because of the discipline issues and also the allegations of abuse at home.

“Dear Sahar,” Geeti wrote to her sister. “I don’t know what I’m going to do if you leave the house one day???? I promise that before I die, I am going to make sure that all your wishes come true. I wish that we are never separated. Best sisters.”

Together the two would not run away but, rather, die.

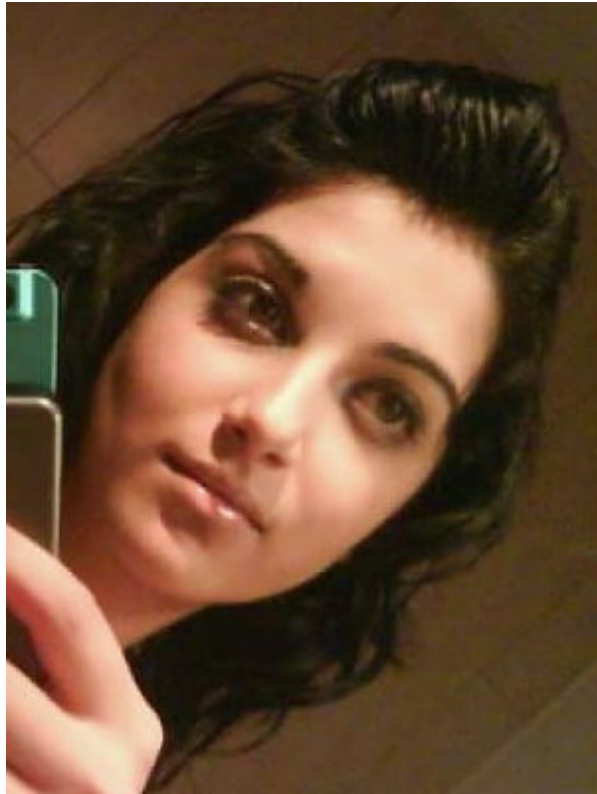
Sahar Shafia

The favourite daughter who betrayed her father

Sahar is the daughter who was given away 40 days after birth — Tooba Mohammad Yahya's gift of motherhood to her barren co-spouse.

The second oldest of five girl children born to Tooba and Mohammad Shafia, she appears to have been a favourite of her dad, until he discovered her "treachery," a forbidden boyfriend kept secret, the sexy clothes into which she apparently changed upon leaving the house many mornings, the stories of abuse in the family she'd related to teachers.

Brother Hamed had a photograph of Sahar wearing lingerie, tucked into the suitcase he'd packed for another trip overseas that was never taken, the arrest on murder charges precluding any flight, as was allegedly planned. It's believed Hamed had already shown that picture, among others, to his father when joining him in Dubai a month before Sahar, Zainab, Geeti and Rona Amir Mohammad were found dead in the Kingston Mills Locks.



Sahar had spoken of her desire to become a gynecologist, moved by the poor health circumstances of women in Afghanistan. But at 17 — her age at death — that was still all far in the future, when she had every reason to believe she had a future, waiting.

When Tooba delivered the healthy newborn in Afghanistan, she had already decided to bestow the baby on Rona. Thus began what seems to have been a never-bridged estrangement between mother and daughter, a distancing and detachment. Sahar would grow up sleeping in Rona's room, sometimes with Geeti — her most beloved sister — lying alongside. Geeti dreamed of a day when Sahar would manage to flee the family home, and take her too, the two of them fantasizing about their own apartment, a life untethered from their parents' suffocating restrictions.

Close to the end of her life, Sahar found love with a boy, Ricardo Sanchez, who was neither Afghan nor Muslim and therefore utterly unacceptable to her parents. He was an immigrant from Honduras, spoke no French and little English, yet they managed to communicate, finding in each other a soulmate. Clandestinely, they'd "dated" for four months.

In court, Sanchez read an ode of devotion he'd sent Sahar: "You are like the air that I breathe every morning, the sun that warms me up every day. You are like the moon that lights up my night. I love only you, I want only you to be the owners of my heart. The only thing I would wish for in the world is to have you every day in my life. If now, at this time, I had the moon, the sun, the sky and the seas or all the stars, I would give all of it to you, my love."

They had planned an elopement, to seek refuge with Ricardo's family in Honduras. Sahar had actually contemplated revealing all to her father during their vacation in Niagara Falls but Ricardo dissuaded her; said that an announcement could wait until she got back to Montreal. Of course, she never got the chance.

In any event, the prosecution has argued that Shafia knew of Ricardo's existence by the time the family set out on their holiday in late June 2009, hearing of the boy perhaps from Hamed or another daughter or his younger son. This youth, court was told, had once spotted Sahar with Ricardo at a restaurant near school and brazenly confronted the pair, demanding to know: "Are you my sister's boyfriend?" Ricardo denied it, even wrapped his arms around another girl to deflect suspicion. On the stand, the brother refuted that had ever happened, claimed he'd never even heard of Ricardo until the trial started. "The first time I ever saw the guy — what's his name? — I saw him on the news," he testified. "I never saw him before."

While the youth claimed his sister had been a happy, untroubled girl, court heard quite a different account from others who testified, describing Sahar as chronically melancholy, clearly distressed by the situation at home, chafing under the thumb of her parents and Hamed, who had allegedly struck her at least once.

Her French teacher testified that she became concerned over Sahar's frequent absences from school. Upon probing, Sahar opened up about problems she was experiencing at home, that others in the family had been directed not to speak with her, and that she felt herself rejected by Tooba. "She was sad, some days she was very sad," said Antonella Enea.

There was friction between mother and daughter because Tooba had decided it was time Sahar donned the hijab — although she denied this on the stand. Sahar did not want to wear the head covering. She particularly did not want to wear it to school.

In her diary, a worried Rona wrote about Sahar's clumsy suicide attempt. "One day Tooba told Sahar to come and peel some potatoes. Sahar told her sister Geeti to go and bring the potatoes to her. Tooba said (to Sahar): "You bootlick and fawn on others but will not come (to do my bidding)." She summoned Sahar to her and gave her a tongue lashing.

"Later, Sahar came home and (mixed) the medicine named Paizin (sic) (which is found) in handbags for preservation (sic) in some water and drank it. When I came and saw what

had happened I was very upset. I (slapped) myself and said: “Why do you want death? Why did you take medicine (to commit suicide)?”

“Her mother said: ‘She can go to hell. Let her kill herself.’”

Sahar felt she was being spied on by her younger siblings, fretted her younger brother would tell their father she was a “whore.” On one occasion, her mother went to the school and interrogated a teacher about whether Sahar had been seen kissing a boy. This was unacceptable conduct, said Tooba.

Twice, school staff were so alarmed about what Sahar was telling them about her home life that they called youth protection services. The first time a call was made, in May of 2008, teachers feared Sahar was both suicidal and being subjected to physical violence. She’d complained about being assaulted with a pair of scissors. But Sahar would not speak to the counsellor summoned after being informed that their conversation would be relayed to her parents. Her parents and Hamed denied any ill-treatment of Sahar or her siblings, though Hamed acknowledged Sahar was not happy with Tooba’s decision that the two oldest girls should wear the hijab. He explained this was a part of their custom and religion for females when they reached a certain age.

But Shafia was furious about the complaint. He wanted to know who’d made it. He said the allegations were lies.

A social worker spoke to Shafia again two days after the parent-principal meeting. On that occasion, Sahar was wearing the hijab. She claimed things had improved at home. Her mother was now talking to her. A child protection worker found the complaints Sahar had made were legitimate but determined the teen didn’t need to be removed from her home — and, indeed, didn’t want to be removed from home. The file was closed.

In a second instance, a year later, Sahar told her teacher she was afraid of her father, who was about to return from a business trip abroad. Specifically, Sahar was in a state of high anxiety that Shafia had learned of her relationship with Ricardo. Child protection authorities were contacted again. That call was made June 5, only 25 days before Sahar’s death.

The social worker who saw her on that date, June 5, told court that Sahar had disclosed her hopes of renting an apartment. “She was asking me to help her set aside money so she could leave the home as soon as she reached (legal) age. She was submitted to a lot of control by her older brother. He wanted her to wear the veil, he wanted to pick her friends.”

The worker assured Sahar she would help her find a job. They agreed to meet again the following day — but Sahar never came back.

When he took the stand in his own defence, Shafia insisted he knew nothing about his daughter’s secret other life and said he’d seen a shocking photo of Sahar only after her

death, in an album discovered while he was tidying the house in preparation for relatives arriving to attend the victims' funerals. He could not believe his eyes. The picture sent him into a towering rage, he conceded. "She had a short skirt and a guy hugging her. I swore because I did not expect this from my children. I did not expect that." Especially not from Sahar. "I had so much trust in Sahar. I (never) even raised my voice at her. I loved Sahar very much. I couldn't even believe these were Sahar's pictures. She betrayed me. She lied to me."

What Shafia had said about Sahar, captured on a police intercept: "Even if they come back to life a hundred times, if I have a cleaver in my hand, I will cut (her) in pieces. Not once but a hundred times, as they acted that cruel toward you and me. For the love of God, what had we done to them? What excess had we done to them? What excess had we committed . . . that they undressed themselves in front of boys."

The last phone conversation between Sahar and Ricardo was June 28. Between June 30 and July 3, he would make 22 calls to her cellphone. All went to voicemail.

It was several days before a friend told him Sahar was dead.

He mourns her still.

Zainab Shafia

The beauty who embraced rebellion

A sultry beauty, Zainab was the oldest of seven children born to Mohammad Shafia and his second wife, Tooba Mohammad Yahya.

Like most teenagers, the 19-year-old enjoyed pop music, listened to Britney Spears, liked clothes and dressed fashionably, taking numerous cellphone pictures of herself, sometimes wearing only lingerie and posing provocatively. That cellphone was registered to her oldest brother Hamed.

In the Shafia household, dating boys was forbidden. This was but one of the many restrictions that aggravated Zainab, the source of endless conflict between the teen, her parents and her brother. Hamed, she often complained, was the surrogate disciplinarian in the family, responsible for keeping his sisters in line while their father was away on his frequent business trips overseas.



In early 2008, Zainab received a Valentine's Day card from a boy she'd met at the English high school they attended. That young man, Ammar, got an email from Zainab in return that laid out "rules of friendship," specifically how to avoid scrutiny from Hamed. She warned: "Be aware of my bro . . . and if my bro is around act like a complete stranger. i will call you when we are at skool from the public telephone."

However, Hamed discovered the relationship a month later and Zainab was ordered to discontinue the friendship. At that point, court heard, Zainab was prevented from going to school and was, indeed, kept home for nearly a year, eventually allowed to attend night courses at another school with her brother.

A year later, it was Zainab who reached out again to Ammar, hoping to resume their relationship. They met secretly at a library near the Shafia residence and occasionally in restaurants close to the French-language high school to which Zainab had transferred. "I called her Angel," Ammar told court.

The suitor had been deemed unacceptable to the family because he was Pakistani rather than Afghan and appeared to have no prospects.

“She told me her dad was mad at her for what she did. That’s why they took her out of school. It took some time for them to forgive her so she could go back to school.

“She said that she stayed in her room all day, coming out only for meals to avoid ‘getting mean looks from her father and brother.’”

When both her parents were out of the country, Zainab invited Ammar over to the house but had him hide in the basement when Hamed came home unexpectedly. Hamed discovered Ammar in the garage and asked him to leave.

That incident reignited the family’s distrust of Zainab and she was again subjected to harsh treatment and stringent rules. Zainab had told Ammar that she was suffering physical abuse from her brother.

Under cross-examination from Shafia’s lawyer, Peter Kemp, Ammar agreed that Zainab had never accused her father of physical violence toward her. “No. She never said that he hit her. She said she was getting looks and verbally she was being attacked — but not physically.”

It was Zainab, said Ammar, who abruptly decided the couple should marry, though he counseled waiting until he found a job and an apartment for them. But Zainab had made up her mind. On April 17, she fled the family home, taking refuge in a Montreal women’s shelter, cutting off contact with most of her family.

One of the counselors at the shelter, Passages, testified that Zainab was unlike most of their usual residents. “She seemed to be well off. She came in with expensive clothing. She was very friendly.”

Zainab showed no signs of physical injuries upon arrival but the girl told workers she was afraid of her father and that Hamed had been physically abusive.

The other children, court heard, were terrified of how their father would react to Zainab’s unprecedented defiance. On the afternoon that she disappeared, the younger kids, on their way home from school, had a neighbor call 911. The children reported that their mother was “afraid for their lives because the oldest daughter had left the house,” according to a Montreal police constable.

Both police and, later that evening, a children’s welfare worker responded to the call. But the children recanted their story when Shafia arrived home in the middle of the interviews. Another officer, a child abuse investigator, interviewed Zainab at the shelter. “She told me she left the house because it was too strict.”

The file on the children’s original complaint about violence in the house was closed.

Two days after she ran away, Zainab’s father and Hamed went to a police station seeking help in tracking down their wayward girl. They complained Ammar had kidnapped

Zainab. Ammar brought Zainab to the station to prove that she was 18 years old and had no desire to return home. Police accompanied Zainab to her house so that she could retrieve her identification documents. But Hamed and Shafia continued hounding Ammar by phone, urging him to reveal Zainab's whereabouts, which he declined to do.

Finally, Zainab agreed to meet with her mother for a discussion. Tooba pleaded with Zainab to come home, allegedly agreeing that her marriage to Ammar would be permitted. Tooba went as far as claiming that, if Zainab agreed, she, Tooba, would take her and her sisters and move away as well. Zainab relented.

By that point, according to Zainab's youngest brother — who can't be named, though he testified in court — his prodigal sister was having “second thoughts” about moving to the shelter. “She told me she regretted leaving home and it wasn't the way she thought it would be. She thought there would be room service.”

Two weeks after striking out on her own, Zainab returned home on May 1, the same day her father came back from Dubai.

Tooba was not, in fact, an ally for her daughter. She'd asked an uncle, Latif Hyderi, to try dissuading Zainab from marrying Ammar. But Zainab was insistent, even while indicating it was not a compulsion of love and romance: “Uncle, this boy doesn't have money and he's not handsome. The only reason I'm marrying him is to get my revenge. I will sacrifice myself for my sisters. At least they will get their freedom after me.”

Shafia was again out of the country when Zainab and Ammar signed the *nikah* — a Muslim marriage contract, officiated by a mullah — on May 18. Though now wed under Islamic rite, the marriage had not yet been officially registered under Quebec law.

A wedding reception was planned for the following day at an Iranian restaurant. It proved to be a disaster. Ammar's parents refused to attend — they'd also objected to the marriage and his mother had been trying to arrange an engagement for her son with a prospective bride in Pakistan — and there were no members from the groom's family on hand.

In front of her own gossipy relatives, Tooba was mortified. She fell into a swoon. Horrified, Zainab flung herself upon her prostrate mother. Hyderi testified: “She threw herself on the chest of her mother and was crying. She said, ‘I will reject this one. I will reject this boy.’”

Right then and there, the marriage was annulled, although the formal un-yoking would need to be conducted later by the mullah.

Over the next few days, Hyderi suggested his own son — who'd earlier been gently declined as a husband for Zainab — marry the girl instead. After the young people discussed this proposal, they agreed to the marriage.

Hyderi believed the scandal had been resolved. He phoned Shafia, then still in Dubai, to explain the developments but was shocked by the other man's reaction. Shafia was furious with Zainab. He believed she'd deliberately set out to dishonour him by picking the Pakistani.

In that phone conversation, Shafia called Zainab a "whore" and a "black snake."

"She is dirty. She is a curse to me. She is a dirty woman."

About the scene at the wedding reception, Shafia added: "If I was there, I would have killed her."

Hyderi told court that the severe rules Shafia imposed on his daughters were unrealistic in Canadian society. "They were (like) political prisoners. This is completely against humanity, against the situation in this country."

It was alleged that Shafia had, in fact, earlier plotted to kill Zainab in a different drowning scenario. Tooba's brother, Fazil Javid, who lives in Sweden, testified he received a phone call in May from Shafia — a man he'd barely spoken with over the previous two decades. Javid alleged Shafia sought his complicity in a murder scheme. What Shafia suggested, court heard, was for Javid to invite Tooba, Zainab and his youngest child to Sweden for a holiday. Then Shafia would join them.

Javid was to "take them to a barbeque, close to a beach or some place where there's water. And when we got close to water, Shafia would throw Zainab into the water." If Zainab died in Sweden, Javid claimed Shafia told him, "no one would suspect him."

Javid wanted no part of the plot and hung up. He then phoned Tooba, warning his sister of what Shafia was planning and urging her to avoid going on a picnic or vacation with her husband. In an interview with police, Tooba admitted that Javid had told her that Shafia wanted to murder Zainab. "He had told my brother, yes."

When he took the stand in his own defence, Shafia insisted that he'd only been looking out for Zainab's welfare in objecting to the marriage with Ammar. "I gave my advice that this person is not a good person. Your life will be ruined. I discharged my duties as a father."

Father and daughter had reconciled, he continued, when he returned from Dubai following the annulled marriage. "We had greetings and she said, 'Daddy, I want to offer my apologies to you that I didn't want to listen to what you told me,' and started to cry.

"I said, 'I have already forgiven you'...I gave her a hundred dollars and I kissed her face. I didn't say anything else to her."

Shafia testified that, of all his children, Zainab was the only one who'd caused him problems with disobedience and rebellion — at least until he learned more about the disgraceful conduct of his second-oldest daughter, Sahar, following the deaths.

“The problem was Zainab . . . she left the house. My other family members did not have any problems. And Zainab was sorry for what she did.”

This view was shared by the youngest brother who told court Zainab had rued her behaviour toward their father when they talked about it on the eve of the family's motoring holiday. “She was actually feeling pretty guilty about the way she'd treated my father.”

This brother provided crucial testimony in his evidence of what happened the night his sisters and Rona disappeared.

The youth, who was 15 at the time, recalled checking into the Kingston motel and Zainab entering his room — at precisely 1:53 a.m. — asking to borrow his cellphone. In an earlier police interview, the boy had said it was Tooba looking for the phone. Now, under oath, he was almost completely certain it had been Zainab.

This runs contrary to what Shafia, Tooba and Hamed told police in their interviews — that Zainab had asked for keys to the Nissan in order to retrieve belongings, not that she was looking for a phone.

Crown attorney Gerard Laarhuis jumped on the key discrepancy, accusing the witness of inventing a scenario to support the family's version of events: “The story was supposed to be Zainab came and asked for the keys. You got it mixed up. You said she came and asked for a cellphone.”

The youth also added veritas to the oft-told story that Zainab routinely drove the Nissan without her parents' permission, stating she'd done the same thing in the parking lot of their hotel in Niagara Falls the night before the family set out for Montreal, driving in circles with him as a passenger.

In early June, just a few weeks before that vacation and not long after her brief marriage had been annulled, Zainab made a 911 call to police in Montreal, complaining that Ammar was threatening to “kidnap me or something.”

On the 911 tape, Zainab says: “Since, like, uh, I found out he has a fiancé and I'm thinking, like, that's cheating on me and stuff, and so he got all pissed and everything so now he's, like, um, you know, calling my house.”

Yet when an officer contacted Zainab, she retracted the complaint, saying she'd made the call only because her mother was upset.

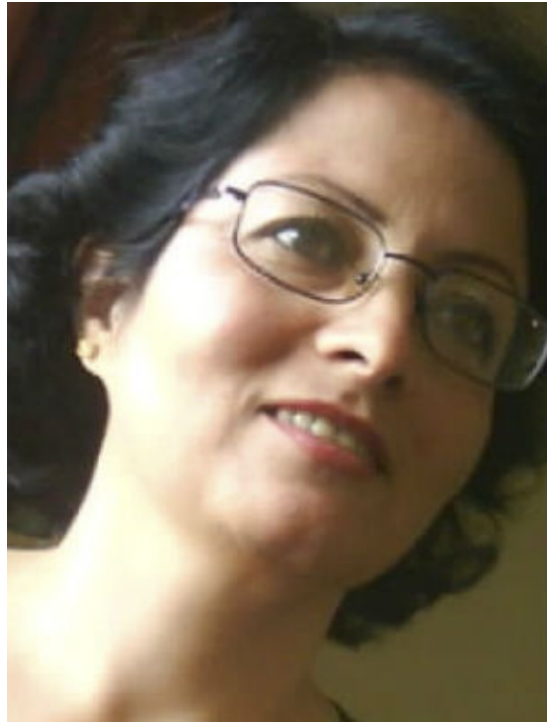
On June 2, Zainab had sent Ammar a text message, pining that she missed him. It was eerily prescient.

“Even one day if sum thing happens to us like dead i won’t die with out my dream being full filled . . . we had an amazing love story 2getehr I’m gonna write it down . . . with all mine and ur pictures . . . i will always keep that book and on top of it i will write true love story . . . n maybe one day if we meet when we r all old then i will give it too u to see . . . love u take care . . . zainab.”

Rona Amir Mohammad *The Shafias' 'servant'*

Rona Amir Mohammad, daughter of a former Afghan army colonel, began her married life happily enough. But it ended in utter misery, her dreading each day in a house with a husband and a competing, second wife, both of whom would later be charged with killing her.

Rona's diary, with its cogent autobiographical and emotional details, formed a dramatic exhibit at the trial of her husband, Mohammad Shafia, the second wife, Tooba Mohammad Yahya, and their son Hamed. Rona died at age 52, along with three of Shafia's daughters, Zainab, Sahar and Geeti. All were found, drowned, in a car submerged in the canal at Kingston Mills.



Her wedding to Shafia, a little-educated but successful businessman, took place in grand style at the Intercontinental Hotel in Kabul. She had finished Grade 11. But after six or seven years of marriage, her future darkened as Shafia began to incessantly complain about her. Despite medical treatment, she couldn't produce a child. He would pick on her, she'd write, and find excuses to harass her. "It reached a point where I had to say "Go and take another wife, what can I do?" And so he did.

Enter Tooba. And soon, many babies. Seven in all. Rona's stature in the family slowly but surely diminished, she believed, until the second wife went so far as to call her her "servant."

The family moved from Kabul to India, back to Kabul, then to Pakistan and Dubai. During that time, Tooba tried to "separate" Rona from her husband. She'd demand Shafia sleep most nights with her. And then, finally, not to sleep with Rona at all.

"Little by little," Rona wrote, "(Tooba) implemented all the schemes she had and drove me deeper into misery without allowing any blame or censure for herself."

Meanwhile, Tooba started driving lessons, bought gold and took control of the household finances.

The family tried to move to New Zealand, but Rona's medical clearance was rejected. They tried Australia, but after a year the country booted them out. Returning to Dubai at

great expense and financial loss, Shafia blamed Rona for everything, she said. “This is all because of you,” Shafia apparently told her.

Then, one day, he said, “Go back to Kabul, I can’t keep you as my tail wherever I go.”

Rona’s place at the foot of the family totem was complete.

Shafia began to beat Rona, she wrote. The children came to her defence, but according to Rona, he lied and said she swore at Tooba and insulted her, and that she deserved the beating.

After that, whatever she did came with blame and castigation. “In short, he had made life a torture for me.”

The family eventually immigrated to Canada, but Rona, given the polygamous marriage, had to stay behind, staying with siblings in France with a visitor visa that was obtained for her.

In Canada, where polygamy is illegal, Rona would always be referred to as Shafia’s cousin, or the children’s aunt.

She missed the family and the children terribly. When she reunited with them, Tooba was vicious. “Sometimes she would say, ‘Why did you have to leave France? You should have stayed there.’”

When Sahar was a baby, Tooba handed her to Rona to raise as Rona’s own, which gave her some joy. Sahar was her special child. When Sahar, after an argument with Tooba, apparently tried to commit suicide, Rona writes, Tooba and Rona locked horns. “She can go to hell. Let her kill herself,” Tooba said, and then threatened to kick Rona out of the house.

Rona reminded Tooba that she, too, was Shafia’s wife. “You are not his wife,” she replied. “You are my servant.”

The diary only goes up until 2008. But she was clandestinely in contact with others, recounting these and other events.

“He would humiliate her. She said he would pull her hair, kick her with his foot. Almost every time she called, she’d be crying and crying and crying. She was hurt a lot,” Fahima Vorgetts, a distant relative of Rona’s and human rights worker in Virginia, told the court.

Rona was too afraid to leave. “She said if she left the house, her husband said he would kill her . . . or send her back to Afghanistan. Her husband’s family had a lot of power and money and they would kill her there.”

Shortly after the canal deaths were discovered, Rona's sister Diba Masoomi was in contact with the Kingston police. She told the police chief in an email that Rona had been fearing for her life. "For some time, my sister, as well as the ... oldest daughter, Zainab, had been receiving death threats for social, cultural and family reasons," she wrote, sending along a photo of the couple at their wedding to prove they were married.

In court, Masoomi also recounted how her sister had wanted a divorce, and how Rona had overheard a troubling conversation between Tooba, Shafia and Hamed.

"Rona heard Shafia say he would (go to Afghanistan), sell his property, then come back and kill Zainab," Masoomi testified. Someone then asked, "What about the other one?"—which Rona thought meant her.

Rona was found dead in the black Nissan Sentra, along with the three girls, on June 30, 2009.

Her place in the vehicle upon its discovery was fitting: the back seat.

PART THREE: THE EVIDENCE

Where They Died

A grisly scene, a disturbing sequence of events



What really happened, in the dark, during those wee morning hours of June 30, 2009?

The sequence of events — horrid, by any version promoted — can only be theorized, reassembled according to forensics, expert analysis that suggests some answers but only takes the inquiring mind so far.

The Nissan was found in an unusual location at the picturesque Kingston Mills Locks, wedged into a small and relatively inaccessible space, in shallow water, between the lock wall and a push bar used to lift the gate.

Crown counsel contends the vehicle was pushed into the water by the Lexus, the second automobile in the Shafia family’s two-car vacation convoy, and that this was done deliberately — a diabolical “honour killing” to salvage a family reputation besmirched by the victims’ conduct.

The defendants insist it must all have been a terrible, tragic accident, with Zainab at the wheel of a car she had no licence to drive. If so, the misfortune arose from drastically improbable circumstances.

Closest road access to the spot where the car was found was blocked by locked gates. The next access from the road would have required a driver to maneuver over a concrete curb, make a U-turn around a rocky outcropping, then another U-turn onto an embankment that contained machinery to operate the lock gates, before arriving where the vehicle plunged into the water. At that point, there would have been only one foot of clearance on either side of the Nissan.

Stonework at the edge of the canal wall was found scuffed and broken.

It was a navy diver who happened to be aboard one of the boats waiting to proceed through the locks who first went down for a look after puzzled parks staff discovered a car blocking lock traffic into Colonel By Lake. In the past, employees have found vehicles, bicycles, even a snowmobile dumped in the canal. This, they assumed, was likely another teenagers' prank.

When the navy diver jumped into the water — only some 2.5 metres deep — he was confronted by a grisly sight: two bodies as far as he could make out.

An OPP diver, Const. Glenn Newell, arrived shortly thereafter. He would film a 14-minute video of the Nissan in watery situ, which was shown to the jury, with Tooba Mohammad Yahya dramatically asking to be excused from the courtroom.

On the stand at trial, Newell said he was bewildered by both the position of the car and the fact that none of the four people inside appeared to have tried escaping via the open driver's seat window. They hadn't been wearing seatbelts.

Even a non-swimmer, if conscious, would have surely attempted to clamber to the car's roof, which was only a metre below the surface of the water.

"In that shallow water, it would have made it simple for anybody who could get to that window to get out," said Newell.

There were boaters nearby, spending the night on their craft — a sailboat and a houseboat waiting to proceed through the locks from the Cataraqui River — who would have heard cries for help. Acting lockmaster Kevin Notel said the houseboat operator told him afterwards about hearing something in the middle of the night "like screeching metal."

Newell estimated it had taken the Nissan one to two minutes to sink.

Reflectors on the Nissan's front end captured ambient light, throwing the scene into an eerie, blurred glow.

A young female seated in the driver's side rear seat was extracted through the back door. That was Sahar. Rona was next out, seated in the middle of the back seat. Both bodies in the rear of the car were seated normally, with their feet on the floor.

The third body removed, closest to the driver's side window but not completely in that location was Geeti, floating with her head facing into the backseat and one arm draped around the headrest. Zainab was in a dead man's float near the front passenger seat, feet and hands down.

It was difficult to tell which person would have been driving and that troubled Newell. In 90 per cent of cases, he said, the driver would be "in the proximity of the driver's seat area . . . both people partially in the front seat, their legs were between the two bucket seats. That didn't make any sense. I was quite perplexed by it."

Contents of the car — a teddy bear, cellphones, a blanket — had, inexplicably, not floated to the surface of the canal.

Early in the trial, the jury went to the site to see for themselves, peering intently at the locks' complexities, taking note of the lockmaster's house with its public toilets and the turning pond.

For the locks field trip, Shafia and Hamed attended as well but they did not exit the grey van in which they'd been transported.

The Journey

Cellphone signals helped track the family's route

Kingston Det. Steve Koopman presented at trial a 400-plus page report compiled from cellphone records that tracked the Shafia family's movements during their vacation to and from Niagara Falls. Police recreated the itinerary using cellphone signals registered at relay towers.

Actual cellphones were also retrieved from the submerged Nissan with memory cards still functional on two of them. Police relied heavily on communications technology to make their case against the accused.

Zainab's phone was registered to Hamed and not active to make or receive calls during the holiday. The account had been deactivated June 19. But the data it contained could still be accessed by forensic experts.

Sahar's cellphone account was in Tooba Mohammad Yahya's name.

The family of 10 had set out from Montreal on June 23. Rona and the children were told they were going on vacation but there was some confusion as to where the convoy of two vehicles was actually headed.

Throughout the trip — from June 23 to June 30 — the family kept in contact using cellphones operated mainly by Hamed and Sahar.

Oddly, the travellers headed in a circuitous route, going first northeast to Mont-Laurier, Que., where they stayed overnight. Hamed's cellphone had been used in this area three days before, on the 20th, the same day a Google search on "where to commit a murder" was entered onto a laptop of which he was the primary user.

On June 24, the family left Quebec and made their way through Ontario. Cellphone records show they stopped in Kingston for a period of time on that day. Sahar's cellphone pinged off the tower at Station Road for 40 minutes, between 8:36 and 9:16 p.m. That tower is about 1,300 metres away from the Kingston Mills Locks.

By 9:23 p.m., Sahar's phone was recorded sending an outgoing text from the tower at Centennial Drive in Kingston, further west from the locks. Records show Hamed and Sahar's cellphones using towers at various points further west from Kingston toward Niagara Falls. By 10:04 a.m. the next day, Sahar's phone was recorded using towers in the Falls.

The family stayed in Niagara Falls between June 25 and June 29. Sahar's cellphone was never recorded outside of the Falls during those days. But Hamed's phone was on the move. It was recorded receiving a call from Sahar's phone at 8:24 p.m. from the Westbrook tower located between Kingston and Odessa. This location is approximately 16 kilometres from the Kingston Mills Locks.

In his testimony, Shafia claimed he was the one who was in that area, with Hamed's phone, at that time. He'd intended to return to Montreal to take care of some business matters but changed his mind and returned to Niagara Falls after told by his family that everybody wanted to go home.

Hamed's phone had no further activity until 7:45 p.m. the next evening, using a tower in Welland, southwest of Niagara Falls. This suggests he — or whoever was using his phone — had driven from the Falls to the Kingston area and then back again.

On June 29, the family checked out of the Days Inn in Niagara Falls, where they'd stayed in two rooms. They checked out of one room at 11:06 a.m. Hours later, at 6:46 p.m., they vacated the second room and left Niagara Falls at about 8:20.

The route taken involved going through downtown Toronto. By 10:56 p.m., the family was in the Ajax area, where they stopped at a service centre and ate at McDonald's. At 12:31 a.m., June 30, they were recorded at a tower in Belleville. At 1:16 a.m., Sahar's cellphone was recorded receiving an incoming text from the Odessa cellphone tower.

Finally, at 1:36 a.m., Sahar's cellphone was once again recorded receiving a text message at the tower at Station Rd. This was the last transmission and text message received by Sahar's phone.

At 1:50 a.m., Hamed and Mohammad showed up at the Kingston East Motel on Highway 15, near the Highway 401 exit, about 2 kilometres from Kingston Mills.

Hamed and Mohammad awoke manager Robert Miller to book two rooms but, as Miller testified, were weirdly uncertain as to the number of people in their party.

Miller had asked the standard question: "How many people would there be in the rooms?"

There were 10 family members who'd embarked on the vacation. But at first the men said there would be six staying at the motel.

"Then the younger gentleman said there might be nine," Miller recalled. "I said, well, how many people *is* there? And they settled on six."

Checkout was 11 a.m. The following morning, however, after being reminded that the guests were expected to leave by that time, Shafia went to the front desk — it was around noon — to enquire about staying for another day. By this point, four members of Shafia's family were missing, as well as the Nissan.

"He was asking could he get a discount," said Miller.

"Can't you give me a better price?" Shafia was quoted as asking.

The answer: "No."

The trio presented themselves at a Kingston police station shortly after noon on June 30, reporting the Nissan was gone and the four females were missing.

From Koopman's report: "Sahar's cellphone appears to stop sending and receiving transmission after 1:36 a.m. on June 30. This is the approximate time when police believe the four deceased females were (situated) at the Locks, where their bodies were later located in a Nissan Sentra underneath the water."

Sahar and Zainab had used their cellphones to take numerous photos as well — of themselves and their boyfriends. Many were shown to the jury, including intimate pictures of Sahar in a bikini and Zainab in lingerie. Copies of two of these photos — Sahar posing with her boyfriend Ricardo — were found in the centre console of Shafia's Lexus after it was seized by police.

When police searched the Shafia residence in Montreal, they also found a printed copy of another photo from Sahar's cell in a suitcase. That suitcase contained an itinerary for a trip to Dubai that had been booked by Hamed. It contained Hamed's passport as well. But he and his parents were arrested in Montreal before Hamed could ever make that trip.

The Diary

Tales of a sad and lonely housewife

Rona Amir Mohammad kept a diary. She poured all her sadness and loneliness onto its pages. The diary was entered as an exhibit at trial. These are some extracts, edited:

“My name is Rona, daughter of Amir Mohammad in Deh Afghanan, Kabul. I do not remember my early childhood, but when they put me into school at the age of 5 I kept crying. They had placed me beside a boy at school, and I was crying and protesting that I didn’t want to sit beside a boy. My brother, Noor, who was a teacher at Istiqlal School came to me and said, ‘It doesn’t matter, the boy is like a brother to you, don’t cry,’ but I kept crying.

“I attended this school up to Grade 4. When I was in fourth grade, the French sponsors of the school planned to tear down the old school building and build a brand new one on its place, so the students had to go to school at Shahr-e-Nao, behind Zaynab Cinema. I completed Grade 6 at this location. In grade 7, I entered Malalai School because I was now older and there were few girls at Istiqlal School. There were many more subjects and I failed the math exam. I studied hard with my brother Haji during the three months’ winter recess and I took the math exam and passed. I was very happy at Malalai School because I had a lot of girlfriends and fortunately I came from a liberal-minded family so there were few restrictions imposed on me. Sometimes after school I used to go watch basketball matches between different schools and there was no objection from my family.

“I told Tooba everything, how life was so difficult for me here, and expressed the hope that she would help me. She promised me that she would.”

“On my part, I kept their trust in me (and did not do any thing offensive) but then, I was a very shy and timid girl.

“So life passed like this: home and school. My father was a retired army colonel and had served long years in the armed forces. We were nine siblings; three sisters and two brothers from one wife and three sisters and one brother from another wife. My father was my father’s second wife.

“We were a middle class family. I had just finished 11th grade when my brother Noor married. Shirin Jan, who was a distant relative on my father’s side, had come to my brother’s wedding reception and saw me sitting there, quiet and subdued. She liked me and asked for my hand in marriage for her son from her first husband. After visiting our house several times, she invited all of us to her house so that her son could have a good look at me. After our visit her son announced his consent. I knew nothing about such things, so when my elder brother came to ask me whether I accepted the union, I said

‘Give me away in marriage if he is a good man; don’t if he is not.’ They asked around and found out that the suitor was a good man but not educated, since due to family problems he had not been able to complete his education.

“In short, we became engaged. After two years our wedding took place at the intercontinental hotel. After getting married, my lot in life began a downward spiral, right up to today that I am writing these memoirs.

“My husband told me that I should go and see a doctor because I wasn’t getting pregnant. The doctor gave me some injections. After six months and no positive result, I went to see a very renowned gynecologist. She also told me that I was going to conceive and that there was nothing to worry about. In sport, I spent some six, seven years like this but could not get to bear a child. Finally, my husband started picking on me. He wouldn’t allow me to go visit my mother and at home he would find fault with my cooking and serving meals and he would find excuses to harass me.

“It reached a point where I had to say, ‘Go and take another wife, what can I do?’ It was thus that he married a second time and I was visited with a new catastrophe. My husband’s second wife (Tooba Mohammad Yahya) conceived after three months. His first child was born in India and was christened Sadaf as a first name and Zaidaf as a second name. We came back to Kabul when Sadaf was a year old. Her mother became pregnant again and my husband’s treatment of me, which was not bad, began to deteriorate and his second wife schemed to gradually separate me from my husband. Wherever my husband went and whatever he brought home, he treated us both equally but his second wife didn’t like this and after their son Hamed was born happiness left me. Until Hamed was 8 months old I did the chores at home for a week and then it was my co-wife’s turn to do the household chores for a week.

“I was sitting on the roof of the one-storey house above a solarium and Hamed was in my arms. I do not know how it happened but I moved a little and Hamed and I both fell down. Hamed’s leg and my head, arm and leg were badly hurt. My husband treated me very badly after that and he used say time and again, ‘You dropped my son,’ and I used to replay, ‘I didn’t do it on purpose, I was hurt too,’ but he used to say ‘I don’t care about you, you hurt my son.’

“Hamed’s mother had conceived once more and at the time of Hamed’s fall she had Sahar, her third child, in her womb. When Sahar was 40 days old, her mother gave her to me and said, ‘She is yours and you will have charge.’ It was Tooba who initiated this and I was very happy. Night and day I worked hard and did not allow Tooba to do any housework so that Sahar would not be discomfited. When Sahar was 4 months old her mother said that Shafia should stay three nights with her and one night with me. Because she had given Sahar to me, I agreed.”

The family fled Afghanistan for Pakistan and then Dubai. Tooba had four more children.

“We came to Dubai in April of 1996. Tooba didn’t conceive for five years, meaning that she didn’t want to get pregnant again. It was during this period that she shed all worries. She separated Shafia from me forever (in regard to sleeping arrangements), she bought a lot of gold, she took driving lessons, and she took away the financial management and power of the household from me. Finally she permanently separated (Shafia) from me — not aggressively, through shouting and quarrelling, but gently and smoothly, without putting herself at risk of any censure. She put the (responsibility for the arrangement) squarely on Shafia’s shoulders and miserable me who wouldn’t question Shafia in regard to anything swallowed everything without a word, because I had no option.

“Little by little, Tooba implemented all the schemes she had and drove me deeper into misery without allowing any blame or censure for herself. Before moving to Australia, Shafia first filed a case of immigration to New Zealand. Everyone was cleared for immigration except me. My medical clearance was rejected. Shafia’s friend suggested to him, ‘Let’s all go to Australia.’ Shafia obtained a business visa granting us one year’s

“It reached a point where I had to say, ‘Go and take another wife, what can I do?’”

residence in that country. A woman who was the head of an association of Afghan immigrants in Australia advised the government that Shafia was not a desirable person. This provided an excuse for the government to tell Shafia: ‘You came here to engage in business but you haven’t

done anything for Australia. The fact you bought and sold property here was for your personal gain.’ So they expelled us from that country. We went back to the Hyatt Regency in Dubai. We stayed there for three months. Shafia had to sell a house he had in Kabul to pay for the expenses. So he was always in a bad mood and took it out on me. He used to say, ‘This is all because of you — we had been accepted for resettlement in New Zealand but all this loss we have incurred is because of you.’ Every day he used to sit together with his second wife and ventilate against me. One day he said, ‘Go back to Kabul, I can’t keep you as my tail wherever I go.’

“He began hitting me. The children came in and said to him, ‘Dad, stop hitting her,’ and he replied, ‘I am beating her up to punish her because she swore at your mom and insulted her.’ He lied because he didn’t want to lose face in front of the children. Whatever I did, if I sat down, if I got up, if I ate anything, there was blame and censure attached to it. In short, he had made life a torture for me.”

Without Rona's knowledge at first, the family applied for immigration to Canada. It was granted after two years. For Rona, Shafia arranged a visa to Germany, sponsored by her brother. Everybody flew out on the same day, but Rona headed to France, a temporary shelter with another brother.

"I was so emotionally close to the children that (the separation) was really unbearable. I couldn't even read the Qur'an. This was the first time I had been separated from my husband's family. I would feel better after talking to them on the phone or seeing them over the Internet."

After returning to Dubai, Shafia came back to collect Rona and accompany her to Canada because a visitor's visa had been obtained.

"After some days, Tooba sometimes used to say, 'Shafia was so bored at Dubai. He can't live for a minute without me.' She was picking on me. Sometimes she would say, 'Why did you have to leave France? You should have stayed there.' Or she would say, 'You might stay here on a visa for two years, three years, but finally you would have to go.' Or she would say, 'Your family got rid of you. Who would want a dead weight around their necks?' She would make me so miserable and upset. Sometimes she wouldn't speak with me, so I would go and speak with her because she had my passport. Tooba used to say, 'Your life is in my hands.'

"Every day I had to put up with sometime. Once, Shafia's daughter said to me, 'Swear upon my head that you haven't slept with my father.' I said, 'Even if I have/do there is nothing shameful in it because he is my husband, but it is not appropriate for you to ask such a question.'"

Rona recounts an incident where Sahar, after a tongue-lashing from Tooba, ate some preservation material contained in a leather handbag.

"When I saw what had happened I was very upset. I slapped myself and said, 'Why do you want death? Why did you try to commit suicide?' Her mother said, 'She can go to hell. Let her kill herself.' I said, 'Why did you give her to me in the first place? I don't want this to happen.' She said, 'This will be the last day for you here.' I said, 'You can't kick me out. You are one wife of his, I am another.' She said, 'You are not his wife, you are my servant.'

"Shafia was furious at me. I said, 'What is it that I am to blame for? What have I done?' After a couple of days, Shafia sat me down and proceeded to preach to me, telling me that I should try to get along with Tooba. He put the blame (for the clash) on me, even though I was innocent. Each and every time since Tooba entered our family, Shafia has sided with her, even when no blame attached itself to me. This sort of injustice I cannot put up with anymore.

"I was so frustrated. I used to wander in parks and cry. When I returned home no one would speak with me except for Geeti and Sahar, furtively, when their mother was not

there. It was very painful for me, very difficult. She wouldn't allow any of the children to sleep in my room. I always had to go out to call my family in order to calm down. Then I used to come back and prepare something for myself to eat. Tooba and I would not speak to each other for some five to six months.

“Then, one day, when it was my birthday, Tooba bought a cake and sent it to me by the hand of her daughter and I went to talk to her to thank her. At this juncture, I told Tooba everything, how life was so difficult for me here, and expressed the hope that she would help me. She promised me that she would.”

The diary continues with a description of the family's vacation to Niagara Falls in 2008. They would make it again a year later. But on that occasion, Rona would not make it home alive.

The Laptop

Clues in the computer

The family owned a laptop purchased by Mohammad Shafia but allegedly used primarily by his son, Hamed.

Police seized the computer and retrieved information about data searches undertaken.

On June 1, when Hamed arrived in Dubai to join his father, who'd been on a business trip, a Google search conducted in English (as all subsequent searches would be) sought information on: "Can a prisoner have control over their real estate?"

Ten days after that search, Hamed and Shafia returned to Montreal.

For June 15, police found evidence of Google Map searches along Highway 401, including one for the Middle Rd. area. The next day, someone searched for "facts and commentaries on murders."

On June 17, there were more searches for boxes and containers, apparently related to the family's importing and exporting business.

On June 20, Hamed's cellphone was recorded as being in a wilderness area several hours north of Montreal, then back in the city that evening. Between 7.54 and 8.04 p.m., there were Internet searches about that same area of rural Quebec. Then, "where to commit a murder" appears. Thirteen minutes later, additional searches were conducted for directions back to the Quebec wilderness area.

At trial, the Shafias' younger son — whose name is subjected to a publication ban — claimed he was the one who conducted the "where to commit" Google search.

The son said he was depressed and suicidal in the spring of 2009 and sought information on how to kill himself — but he didn't know the correct word to use. He typed in "murder."

"I wasn't familiar with the term suicide. I thought murder was the same thing."

Throughout June, several other searches were conducted on that laptop for various bodies of water. There were also searches for mountains near water, crossings of the Ottawa River, boat rentals, bags and metal boxes.

Numerous maps and photos with a focus on bodies of water were searched and viewed.

Two days after "where to commit a murder" was searched, Shafia bought a used car for \$5,000 — the 2004 black Nissan Sentra that was discovered June 30 submerged at the Kingston Mills Locks.

The Wiretaps

What they revealed

Police planted bugs at the Shafia family's Montreal home and inside their Pontiac Montana minivan, the only vehicle left to them. Their phones were wiretapped.

An investigative trove of incriminating statements was captured from the intercepts.

These are some excerpts:

July 19, 2009, 9.16 p.m., in the van:

Mohammad Shafia: "Whatever she (Zainab) threw in our way, she did. We lost our honour . . . even if they were to wear clothes made from the Qur'an (pages), the four of them, even if they were to scatter the pages in front of me, I wouldn't tell to their face."

"Even if they come back to life a hundred times, if I have a cleaver in my hand, I will cut (her) in pieces. Not once but a hundred times. As they acted that cruel toward you and me, for the love of God, what had we done (to them)? What harm did we done to them. What excess had we committed, that they . . . undressed themselves in front of boys?"

"I swear by God, every night when I see shed tears of blood in your eyes. Every night I used to think of myself as a cuckold. Every day I used to go and gather (her) from the arms of boys. If we remain alive one night or one year, we have no tension in our hearts (thinking that) our daughter is in the arms of this or that boy, in the arms of this or that man. God's curse on them for generations. May the devil sh-- on their graves! Is that what a daughter should be? Would (a daughter) be such a whore?"

"Shameless girl, with a bra and underwear. I swear to God that even those who do ads of such clothes are not like that."

July 20, 7.33 p.m., in the van:

Shafia: "We were not a strict family, we were kind of a liberal family. But we don't accept this behaviour."

Tooba Mohammad Yahya: "They say, (their father) was meddling in (their affairs)."

Shafia: "What did I used to meddle in? For God's sake, what affairs of (Zainab) did I meddle in? You tell me. What was inappropriate in what I said (to her)? I leave you to judge . . . (her behaviour) was off-centre since childhood. We both used to tell her."

"We used to admonish her not to hang around with boys, not to go about with (this or that) girlfriend . . . That wasn't bad advice. Give me one reason, tell me one instance

where I meddled in her affairs. Sometimes I used to say wear scarf but you and I both agreed on that.

“She could have found a decent person. She could have found an Afghan. If she had said about someone from our relatives ‘Give me away to (this man),’ may God blast me to hell if I had said ‘no.’ Even this Pakistani guy . . . she just ran away with him. Is this the way one takes a husband, to run away with him?

“Tooba, what she did does not fit (the tenets) of the (holy) book of neither Hindus nor Muslims, that is the crux of the matter. You keep saying, ‘You meddled in our affairs’ . . . you tell me which affair of hers did I meddle with? Except this boy, whom she went and got as a (boy)friend and brought home, and then ran away with...

“In God’s name, is this the way matrimony should be? You tell me. Next day, he would have divorced her.

“Tooba, except for their sinning and fornication, whenever did I call her filthy . . . except when she ran away.

“Apart from that one time Geeti . . . when she was out late one night, you tell me when I have hit any one of them?

“They’ve gone now, sh-- on their graves.”

July 20, 8:21 p.m., in the van:

Tooba: “I know Sadaf (Zainab) was already done, but I wish two others weren’t.”

Shafia: “No, Tooba, they messed up. There was no other way. Look, Tooba, consider all the options. However you look at it . . . she (Zainab) messed up big time.

“For the love of God, look at what they did! For Sahar, it was neither the time for her (to marry), nor did she have the talabgar (a suitor who formally request’s a girl’s hand in marriage.)

“No Tooba, they were treacherous. They betrayed both themselves and us.”

About the risqué cellphone photos that Zainab and Sahar had taken of themselves in a bikini and lingerie, Shafia says: “Whenever I see those pictures I am consoled. I say to myself, ‘You did well. Would they come back to life a hundred times, for you to do the same thing again.’ That is how hurt I am. Tooba, they betrayed us immensely. They violated us immensely. There can be no betrayal, no treachery, no violation more than this.

“By God! You and I, we carried these children on our backs, we took them to (Pakistan), Dubai, here and there with the use (of) money, we subjected ourselves to hardships, we

took on drudgery for them, we (used to) wash their sh-- and pee, we . . . take them to school and bring them back . . . take them on picnics on Fridays, after all should this have happened? Home and cars and money, everything was there. We used to give them money, we used to spend on them and for them, the only thing we inhibited them was (promiscuity) — that was the only ‘wrong’ we did them.

“From associating with boys, you (and I) have inhibited them because I couldn’t bear it.

“We haven’t committed any treason against them . . . they have committed treason themselves. It was all treason, they committed treason from beginning to end.

“They betrayed kindness, they betrayed Islam, they betrayed our religion and creed, they betrayed our tradition, they betrayed everything.”

July 21, 11:12 p.m., in the van, discussing the possibility that there had been a camera recording events at the Kingston Mills Locks — actually a ruse played on them by police:

Hamed: “I tell you, there is no camera.”

Shafia: “If there had been a camera, why would they take the cars?”

“But I am happy and my conscience is clear they haven’t done good and God punished them. No need to talk about it at home.

“My conscience, my God, my religion, my creed aren’t shameful.

“Even if they hoist me up onto the gallows, nothing is more dear to me than my honour. Let’s leave our destiny to God and may God never make me, you or your mother honourless. I don’t accept this dishonour. Either you see them doing those bad things or hear that they did, but they did wrong.

“Who knows what we went through . . . we know what we have been through. We eat and do our routine work. We are not ashamed of our conscience, neither you nor your mother. Be like a man. Your mother is also like a man.

“This is my word to you, be I dead or alive, nothing in the world is above than your honour . . . even if, God forbid, they hoist us onto the gallows. Isn’t that right, my son? Whatever the eventuality . . . we accept it wholeheartedly.

“I have worked all my life and collected whatever I have for you and all kids. God is great. There is nothing more valuable than our honour. I know it hurts. I have passed more experience in life than you. Don’t worry at all. Don’t regret or wish that this would have happened or that would have happened.

“I am telling you now and I was telling you before that whoever plays with my honour, my words are the same . . . there is no value of life without honour.”

July 22, from their home, after the three younger children had been removed by child welfare authorities. The son, who can't be named, calls his parents at 2:56 a.m. from the residence where he and two sisters had been placed. He then speaks to Hamed, recounting his interview with a Kingston detective who said police believed Shafia, Tooba and Hamed had committed the murders:

Brother: “Hamed, what they say, if they suspect something, they are not gonna set you free.”

“Look Hamed, you are 100 per cent caught, see.”

Hamed: “They are making up stuff . . . don't say this stuff on the phone...”

Brother: “Okay, you mean, okay, it's not safe to talk. All I'm saying Hamed, keep a sharp ear okay?”

At the end of that phone call, Hamed discusses with Shafia what his brother had told him.

“They said . . . we are one hundred per cent proof, that the Lexus vehicle hit (the Nissan) from the back.”

Shafia: “They are saying it because of the paint.” (Scrapings taken from the Lexus indicated it had struck the Nissan.)

The younger brother calls back at 3:23 a.m. and speaks first with Tooba, saying police claimed Hamed had gone from Kingston to Montreal the night the women died, and that they believe the trio of suspects staged the accident.

Tooba: “Are they saying that they have one hundred per cent proof or just suspicion?”

Youth: “The man told me that I believe that those three did it.”

Hamed then takes the phone from Tooba and his brother says police had asked him: “Where did you guys stop and everything. They said there was a complaint and everything that they used to hit Zainab . . . I was like, yeah, but you know, I used to do the most bad stuff and all that but they didn't kill me...”

Hamed instructs the boy not to say anything to his two sisters.

Brother: “So is that the ending then?”

Hamed: “I guess then if they are telling us so many times that you guys did it, then what option do we have?”

Brother: “But if they don’t have proof I don’t think they can do nothing, Hamed.”

Hamed: “We’re gonna tell the truth. We’re gonna say we didn’t do it. Whatever they want to think. . .”

Brother: Like, what are we going to do till the end? If nothing happens the best thing is everyone suicide. Or we can fight till the end.”

The boy sounds frightened that Hamed might take a drastic step, maybe commit suicide.

“Hamed, but I’m just saying, don’t do nothing stupid okay? Cause Hamed you guys think of suicide and all that don’t do it, okay.”

Hamed: “Yeah, yeah.”

Brother: “You’re not lying to me, right?”

Hamed: “As long as you people don’t do anything stupid too, you know?”

Brother: “Like I said, as long as we don’t hear anything stupid from you guys. Okay don’t do nothing, Hamed? I have a feeling you’re going to do something stupid.”

Hamed: “Why?”

Brother: “Hamed, make sure you don’t okay?”

The Vehicles

An abandoned minivan, a submerged car and a damaged SUV

The Shafia family owned three vehicles: A black Nissan Sentra, a silver Lexus SUV and a Pontiac minivan.

The Sentra was purchased used for \$5,000 on June 22, one day before the family of 10 left Montreal on a motoring vacation. They took the Nissan and the Lexus even though the minivan would have provided more room for such a large clan.

At 8:30 a.m. on June 30, 2009, the Nissan was discovered by Parks Canada staff at the bottom of the Kingston Mills Locks. It had been blocking movement of other vessels through the locks. Four bodies were inside: Zainab, Sahar, Geeti and Rona Amir Mohammad. An OPP diver brought the victims to the surface one by one.



The submerged Nissan was, oddly, facing the lock wall from which it had apparently plunged, wedged at a 45 degree angle. Hoisted out of the canal by a crane, the Nissan was found to be in first gear — usually used to traverse steep or mountainous terrain — with the driver's seat pushed back into an acute reclining position from which it would have been impossible to see over the dashboard. The keys were in the ignition. The driver's window was completely open.

The letters “S” and “E” were missing from “SENTRA.” These were found by parks employees on concrete stonework and a grassy area adjacent to where the car went into the water.

The taillight assembly on the rear driver’s side of the Nissan was smashed and there was significant damage to its rear bumper, also on the driver’s side. Police spent several days collecting evidence from the Mills site and examining the Nissan. A theory quickly developed that the Nissan had been pushed into the lock rather than plunging into the water as the result of driver error or confusion.

“It is my opinion the Lexus was used to push the Nissan over the edge of the canal into the water,” testified OPP Const. Chris Prent.

At trial, the prosecution argued the Nissan was driven off the Kingston Mills road over a curb and into the northern lock area, around a rock outcrop in a circuitous, sweeping “s” movement, and then dumped into the water with the four women inside.

Accident reconstruction experts concluded an attempt had been made to nudge the Nissan into the canal but the car got hung up on a small set of steps connected to the lock gate. The Lexus was then brought up behind the Nissan to push it ahead. As the Nissan edged forward at a slow speed, under the power of the Lexus, the front wheels dropped over the edge of the wall, causing the Nissan to scrape and grind on the edge. Eventually, gravity pulled the front end of the car into the water and the rear left tire bumped against the lock gate leaving a visible black skid mark.

Friction between the underside of the Nissan and the edge of the canal wall would have slowed its movement, an expert testified. It would have required a certain amount of force applied to the rear of the Nissan to keep it moving. With the Nissan stuck, the Lexus was brought up to the left corner of the Nissan. It entered the water at a slow rate of speed.

As it fell, the car turned and floated before sinking against the lock wall. When it settled at the bottom, it was facing forward toward the wall from which it had fallen.

At 7:30 a.m., June 30, Hamed Shafia called 911 in Montreal to report a single vehicle accident in the parking lot of a shopping mall near the Shafia residence. He told the responding officer he’d collided with a guardrail at the side of a supermarket. Investigators say this “accident” was staged to explain damage to the Lexus sustained hours earlier at Kingston Mills. Hamed had driven to Montreal in the middle of the night.

Hamed parked the Lexus at home and then drove the Pontiac minivan back to Kingston. During Mohammad Shafia’s interview with police on July 1, he gave police permission to examine the Lexus left in the family’s Montreal garage. Officers seized pieces of a headlight assembly found in the rear of the Lexus. Those pieces were later matched by a forensic crime lab with pieces of plastic found on the lawn at Kingston Mills. They also retrieved assembly pieces collected by Montreal police from the mall parking lot. Marks

and damage to the left front side of the Lexus were documented. The Lexus was seized by police July 10.

Fragments of plastic from the parking lot fitted together with pieces found in the garage. Damage to the left rear of the Nissan matched damage to the left front corner of the Lexus. Scrapes to the undercarriage of the Nissan lined up with those found on the edge of the lock wall, as did undercoating substance scraped from the car and found on the stonework.

Green paint found on the front bumper of the Lexus was similar in colour and chemical composition to paint on the Parks Canada 45-gallon garbage drums located metres from where the Nissan went into the canal. Forensic analysis later confirmed that a pink/red-coloured plastic deposit recovered from the left headlight of the Lexus was composed of the same type of plastic as the Nissan's broken left taillight.

Officers lined up damage to the Lexus with marks left on the guardrail. Some matched and some didn't.

The Lexus had been seen at a Kingston motel where Mohammad and Hamed Shafia took two rooms around 2 a.m. June 30. The night manager testified he never saw the Nissan.

In November 2009, three months after his arrest, Hamed gave a digitally recorded statement to a man, Moosa Hadi, hired by his father to assist in preparing a defence. In that statement, Hamed claimed Zainab had taken the Nissan from the motel parking for a spin after the family checked in, with Sahar, Geeti and Rona as passengers.

Hamed told Moosa he'd tailed the Nissan because he was worried that Zainab — who did not have a driver's licence — may have an accident and had hoped to encourage his sister to return to the motel. The two vehicles, he said, ended up at the Locks, where he accidentally struck the Nissan's rear taillight with the driver's side front of the Lexus. It was this collision, said Hamed, that caused the Lexus headlight to break. Further, while he was picking up pieces of the headlight assembly, he saw Sahar get out of the Nissan and assumed that she was switching places with Zainab. He told Moosa he watched the Nissan go up on to the grass and then heard a splash but did not see the car go into the canal.

Hamed admitted staging the accident in Montreal to cover the damage caused by the collision at the Locks. He said he'd taken one of the pieces of the headlamp and put it on the ground at the scene in Montreal. Then he called 911.

The Pathologist

Dr. Christopher Milroy

The four females found dead in the Rideau Canal on June 30, 2009, drowned.

And that's just about all that Dr. Christopher Milroy could say with dead certainty.

Testifying on Nov. 28, the forensic pathologist who conducted the four autopsies — on the Shafia sisters and their father's first wife — was unable to state how or where the drowning had occurred.

“Whether they were alive and drowned elsewhere and placed in the car ... I cannot say with any certainty whether they were conscious or unconscious when they were drowned.”

Also unclear was the cause of bruising found on the tops of the heads of three of women — all but Sahar — which Milroy described as being “fairly substantial” in two of the cases, Geeti and Rona Amir Mohammad.

“It clearly requires explanation,” he added, but the veteran pathologist was unable to offer one. “All of the bruising is fresh. They could have occurred in the period just before death.”

Peter Kemp, lawyer for Mohammad Shafia, suggested the bruising may have been caused by the victims flailing about in the Nissan as it went into the water. They could have struck their heads against the ceiling of the vehicle or the windshield. They might have knocked into one another, struggling to reach the air pocket above as the Nissan sank and quickly filled with water.

Milroy granted that was possible. Yet the driver's side window was open, the victims were not buckled into seat belts that might otherwise have entangled them, and none had managed to escape.

Kemp questioned whether a blow to the head might render a person unconscious, while not actually cracking the skull. “It would be unpredictable when they would lose consciousness,” the witness responded. “People don't tend to die rapidly from a blow to the head. It's a very unpredictable matter.”

Toxicology tests found no trace of substances for which screening had been conducted, including Valium and anti-freeze.

There were no significant injuries either, beyond the head bruises. The defence argued that, had the victims been forcibly submersed while conscious, there should have been some evidence of a struggle. Milroy concurred. “I think it's unlikely you could deliver three blows and render them unconscious with just three blows.”

But Crown attorney Gerard Laarhuis, in re-examination, suggested that if the victims' arms and legs were restrained during a forced drowning — whether in the turning pond at the Locks or in the sinks in the public washroom nearby, as the prosecution has intimated — there would have been only minimal struggling and thus no bruising to the limbs.

Asked how long it would take to drown a person just to the point of unconsciousness, Milroy replied: "It could be 14 minutes in total."

In his documents, the pathologist's core conclusion for all four victims was the same: "Acting on the authority of a Coroner's Warrant for Postmortem Examination I hereby certify that I have examined this body, opened and examined the cavities, organs, and tissues as indicated, and based on my findings and information made available to me, in my opinion the cause of death was: Drowning."

A Question of Honour

Key theme in Shafia trial

At the heart of the trial of Mohammad Shafia, his wife Tooba Mohammad Yahya and their eldest son Hamed is the allegation that they killed over honour.

Honour killings, according to experts, are on the rise in the world. They take place most often in the Middle East, North Africa and parts of South Asia. As many as 5,000 women and girls are murdered every year in these types of killings, according to a 2000 United Nations Population Fund report. In 1999, at least 1,000 women were killed in Pakistan alone.

Sexual chastity and virginity are often at the centre of these cases. Many of the women who are killed have been raped, and the perpetrator is often a member of their own extended family. In some places, the perpetrators of the honour killing are excused or given light sentences since the family's "dishonour" is taken into account.



Since the Shafia case began, there has been a sharp focus on the jarring disconnect between the lives the young victims were trying to lead in Canada, and that which the defendants would allow.

The Shafia family hails from Afghanistan, though they also lived in several places, including Dubai, before settling in Montreal. The dead are three sisters, Zainab, 19, Sahar, 17, and Geeti, 13, and their father's first wife, 52-year-old Rona Amir Mohammad.

By some accounts there was a kind of liberalism that prevailed. The sisters were not often seen wearing headscarves, at least by neighbours.

But inside the house there was darkness and chaos. The restrictions were apparently stifling. The girls complained about the heavy hand of their brother, Hamed. They yearned for more freedom, to be like their Canadian peers. They complained of abuse to teachers and police.

At one point, Zainab ran away to a women's shelter. Sahar tried to kill herself after an argument with Tooba. Geeti implored a detective to place her in foster care. All three

dressed sometimes provocatively, sometimes taking pictures of themselves on their cellphones. Geeti was sent home from school for her attire. The eldest daughters also had secret boyfriends. Zainab got married to hers, though it was annulled after just one day.

Rona, meanwhile, apparently asked for divorce at one point.

The Crown's last witness in making its case was an expert in honour killings. Shahrzad Mojab is a University of Toronto professor who co-edited a book called *Violence in the Name of Honour*.

Mojab acknowledged that honour killings are not restricted to Islam, though the UN report suggests it's more prevalent in these societies.

"It doesn't have any direct connection with religion at all," Mojab testified. "It is not unique to any particular religion. We see it among Hindus. We see it among Jews and Christians in the (Middle East) region. It is also not limited to the Middle East or the Arab world."

Mojab took pains to explain that underpinning the violence is, in fact, the idea of control of the female members of the family in a patriarchal society.

"If a man cannot control his own household, which is represented by the behaviour of the female members of the family, he cannot be trusted for any other public matters, including financial relationships," Mojab explained.

"A woman's body is considered to be the repository of family honour," she said, mentioning that Arab adage, "A man's honour lies between the legs of a woman."

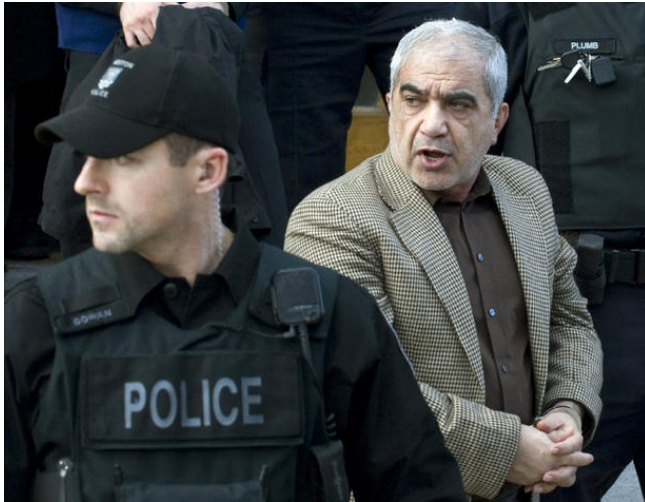
For some, an honour killing may even be seen as an act of mercy, she continued. "It is part of the continuum of love and care. Living as a dishonoured member of the family — the suffering of that is greater than death."

So if a woman's reputation is perceived to be tainted, through premarital sex or rape, taking an unauthorized boyfriend, asking for divorce, even exerting her independence, "Cleansing one's honour of shame is typically handled by the shedding of blood," Mojab said.

"It's really about men's need to control women's sexuality and freedom."

PART FOUR: THE VERDICT

Shafia family members guilty of first-degree murder



This is blessed Canada. They won't be "hoisted onto the gallows," But they're going to prison for life.

Mohammad Shafia: Guilty on four counts of first-degree murder.

Tooba Mohammad Yahya: Guilty on four counts of first-degree murder.

Hamed Shafia: Guilty on four counts of first degree murder.

And may the devil s—t on their graves.

In our country, men and women are equal. A female's life is worth as much as a male's.

In our country, femicide is homicide.

In our country, even the most wicked and palpably culpable of defendants are guaranteed a fair trial, a vigorous defence, which is what these three grotesque individuals got, with all the courtesy and respect court could offer.

On Sunday afternoon, after 15 hours of deliberation, a jury of five men and seven women sealed the fate of the accused.

And Justice Robert Maranger, who presided over a trial that began last October, clearly concurred with the verdict.

Glaring at the defendants, now the convicted felons, the judge intoned: "It is difficult to conceive of a more despicable, more heinous, more honourless crime.

"There is nothing more *honourless* than the deliberate murder of, in the case of Mohammad Shafia, three of his daughters and his wife; in the case of Tooba Yahya, three of her daughters and a stepmother to all her children; in the case of Hamed Shafia, three of his sisters and a mother.

"The apparent reason behind these cold-blooded, shameful murders was that the four completely innocent victims offended your twisted concept of honour, a notion of honour that is founded upon the domination and control of women, a sick notion of honour that has absolutely no place in any civilized society.

“For these crimes, for these murders, the sentence is mandatory as set out in the Criminal Code of Canada — imprisonment without eligibility of parole for a period of 25 years — and that’s the sentence of the court for each of you.”

Justice — 31 months removed from mass homicide at the Kingston Mills Locks.

Justice *and* vindication for Zainab, Sahar and Geeti Shafia, for Rona Amir Mohammad.

Justice — the best legal representation they could afford and presumption of innocence for all the accused — but a final day of reckoning for them at the Frontenac County Courthouse.

They’d waited for the verdict in the basement cell. It arrived at just after 2 p.m. From the flat expressions on the faces of the accused, it was obvious they sensed what the decision would be.

The other surviving children of the Shafia parents — one of whom had testified for the defence, the other who had rushed into the courtroom last week and planted a kiss on the glass partition behind the defendants — were not present.

Mohammad Shafia is 59.

Tooba Mohammad Yahya is 42.

Hamed Shafia is 21.

They did not have the good grace to bow their heads in shame. Instead, they protested their innocence.

At precisely 1:58 p.m., the jury filed in, their seating arrangement altered so that the designated foreman could address the court from closest to the judge’s bench. The panel’s verdict was handed to a court official who presented it to Maranger. It was then read aloud by the foreman.

Mohammad Shafia, as on the indictment, heard his fate first: “The verdict is guilty of first-degree murder.”

At that point, Hamed, who had shown no emotion throughout the trial and never took the stand in his own defence, raised his hands to his face and began weeping. Shafia first rubbed gently at his son’s back, then patted the top of his head. An honourable boy, as Shafia had indicated on the wiretaps, his pride and joy.

Perhaps, if some mercy can be spared for a killer, a victim himself of the cultural misogyny that condemned his sisters and surrogate mother to a horrible death. Bad Afghan boys don’t end up drowned in a canal. Bad Afghan boys can stay out till 3 a.m. with their little brothers and not get slapped across the face for it. As Crown Attorney

Laurie Lacelle had told the jury in her closing submissions: “The rules are different for boys. They couldn’t become sexually compromised. They couldn’t become *whores*.”

Tooba, didn’t move a muscle as she heard her fate. Then came Hamed, standing between his parents, leaning heavily on the railing.

All made statements to the court, when invited to do so.

Shafia: “Your honour, we are not criminals. We are not murderers. We didn’t commit the murder. This is unjust.”

Tooba: “I’m not a murderer. I am a mother, a mother.”

Hamed: “Sir, I did not drown my sisters anywhere.”

Only after the judge and jury had left, the youngest juror crying, did the convicted killers turn to each other. Tooba stared daggers at her husband. Then she, too, sobbed into her palms before manacles were once more placed on all their wrists.

Defence counsel for Tooba and Hamed made it clear the verdicts would be appealed. This is a routine step in first-degree murder convictions.

Peter Kemp, lawyer for Shafia, said afterwards: “He wasn’t convicted for what he did. He was convicted for what he said.”

The albatross police wiretaps — as close to a smoking gun as it got.

The Shafia sisters were still in their teens when their lives came to an end in the early morning hours of June 30, 2009. Gorgeous Zainab was 19. Sultry Sahar was 17. Rebellious Geeti was 13. And Rona, sad, doomed, betrayed Rona, Shafia’s first wife in a clandestinely polygamous Afghan marriage, was 52.

Remember them. The jury did.

Before his arrest, patriarch Mohammad Shafia had declared boastfully on the intercepts, oozing self-righteousness: “Even if they hoist me up onto the gallows . . . nothing is more dear to me than my honour.”

No doubt that thought will keep him warm at night in his jail cell.

But who thought of the crime first, to eliminate half the Shafia family?

Lacelle, addressing the jury, speculated it had been the patriarch, Shafia, a man of diminutive proportions, wizened, who looks like a gnome, a lawn ornament: “It was Shafia who set the plan in motion and offered the first concept for the murders — drowning.”

As trials go, jurors faced a complex task. They had to consider more than three months of proceedings, including the testimony of 58 witnesses, 165 exhibits, physical evidence, forensics, wiretaps, laptop searches and diametrically opposing arguments from the Crown and the defence.

At the core of the trial was the key question: Were the deaths the result of a tragic car accident, as the defence contended, or murder driven by outrage over family honour besmirched?

The criminal chronicles of Zainab, Sahar, Geeti and Rona began on the morning of June 30, 2009, when the family's newly purchased second-hand Nissan Sentra was found submerged in a lock at Kingston Mills. A civilian diver subsequently discovered people floating inside.

This grisly discovery would eventually lead to first-degree murder charges for each of the defendants and national hand-wringing over the phenomenon of "honour killings" imported to Canada from abroad.

At trial, where opening statements began on Oct. 20, the prosecution would formalize its theory that this was not just a mass murder, but a mass honour killing, provoked by the victims' behaviour — conduct so offensive to parents and brother (and, in Rona's case, husband) that homicide was the only remedy, a toxic salve for the Shafia reputation.

At the trial's conclusion, Maranger instructed the jury they were to find the defendants guilty of either first-degree or second-degree murder or not guilty. A finding of manslaughter was not an option.

First-degree murder would imply premeditation. In the case of second degree, the planning element would not apply. Both mean life sentences, but with no chance of parole for 25 years in first-degree murder and parole after anywhere from 10 to 25 years for second-degree, at the discretion of the judge.

Would that have made a difference for these convicted felons? For Hamed, no doubt, but even facing a quarter century behind bars, he'd still be only in his mid-40s upon release.

A finding that one or more of the accused aided or abetted the principle offender in the case would still apply to either first or second-degree murder, Maranger had explained to the jury last Friday, in his lengthy instructions.

He also reminded the jury, as did the Crown, that although an abundance of evidence was presented to that effect, a "motive" — honour killing as argued by the Crown — was neither needed nor proof required.

The case had revolved, as the judge noted, on a "great deal of circumstantial evidence."

The Crown said all three defendants participated in and contributed to a planned mass murder. They searched the Internet on such subjects as “where to commit a murder,” and scouted out sites, prosecutors documented. They chose the locks at Kingston Mills on a return family trip from Niagara Falls. They drowned their intimates somewhere on the site, placed them in the Nissan and attempted to tip that vehicle off the precipice of the northern-most lock. The Nissan got caught up on the concrete ledge, however, and the Lexus was deployed to push the smaller vehicle into the water.

That episode, unplanned, obviously, caused damage to the Lexus’ headlamp, pieces of which were found at the canal and in Montreal where Hamed admitted to staging an accident with a guard rail in a parking lot, specifically to cover up damage to the SUV. Damage to the two vehicles would later be matched up by accident reconstruction experts.

Intercepted communications also recorded Shafia using caustic language to refer to his daughters, calling them “treacherous” and “whores.”

And he was unrepentant: “Even if they come back to life a hundred times, if I have a cleaver in my hand, I will (them) to pieces. Not once but a hundred times. . . .

“If we remain alive one night or one year, we have no tension in our hearts, (thinking that) our daughter is in the arms of this or that boy, in the arms of this or that man. God curse their graduation! Curse of God on both of them (Zainab and Sahar), on their kind. God’s curses on them for a generation.

“May the devil shot on their graves! Is that what a daughter should be? What a daughter be such a whore?”

For the trio of defence counsel, this was always portrayed as a dreadful accident, with a confused Zainab, who had no license, at the wheel, driving the Nissan catastrophically into the canal.

That it was an honour killing, said Patrick McCann, who represented Hamed, was “preposterous.”

Kemp offered a timeline that suggested four people couldn’t have been drowned with enough time to spare such that Hamed could be back in Montreal by 6:48 a.m., when he took a call on his cellphone in that city, information retrieved from the unit. The prosecution dismantled that proposal, countering with a different timeline.

Hamed was wisely kept off the stand. But Tooba testified and tried to deflect suspicion from her dear boy, even if that meant throwing her husband under the bus.

And Shafia, who dabbed a handkerchief to his eyes at various junctures of the trial, maintained innocence on the stand, but cut the victims, Zainab and Sahar especially, no slack for their sins. God, he said, had chosen the time and place of their death.

His conscience, as the intercepts showed beyond a doubt, was at peace: “I (am) happy and my conscience is clear. They haven’t done good and God punished them. My conscience, my God, my religion, my creed, aren’t shameful. Even if they hoist me up onto the gallows . . . nothing is more dear to me than my honour.”

So perchance he will console himself with that.

Outside court afterwards, Crown attorney Gerard Laarhuis, clearly exhausted by the long trial, but rejuvenated by the outcome, said: “This verdict sends a very clear message about our Canadian values and the core principles in a free and democratic society that all Canadians enjoy and even visitors to Canada enjoy.”

Lead investigator Det. Sgt. Chris Scott praised the Crown lawyers for allowing the four women to finally be heard.

“They gave these victims a voice when they had none and I appreciate their work.”

On those damning wiretaps, Shafia had advised and reassured his son: “We are not ashamed of our conscience, neither you nor I nor your mother. Be like a man. Your mother is also like a man. . . Even if, God forbid, they hoist us onto the gallows.

“Don’t think about it, don’t worry about it, whatever the eventuality, it is from God. We accept it wholeheartedly.

“There is nothing more valuable than our honour.”

Exposed as murderers, convicted as murderers, they have none.

