

Canada: State witch-hunt of advocates for Toronto's homeless

By Keith Jones
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At the behest of the Ontario Tory government, the police and courts are mounting a campaign aimed at criminalizing one of the Tories' most vocal critics—the Ontario Coalition Against Poverty (OCAP).

Toronto Police Chief Julian Fantino has repeatedly accused OCAP of “terrorism” for its role in a riot outside the Ontario legislature June 15. To make good on his pledge that demonstrators will never again dare overturn a police barricade outside the legislature, Fantino is not only pressing the courts to deal harshly with the 29 demonstrators arrested during the June 15 melee. He is spearheading a legal witch-hunt aimed at placing criminal responsibility for the riot on OCAP organizer John Clarke.

Police have seized OCAP documents and confiscated photographs and video-tape from many of the city's main media organizations—Conrad Black's *National Post* and the *Toronto Sun* volunteered theirs—in the hopes of identifying other participants in the June 15 altercation and framing a case against Clarke. On July 21, Clarke and three other OCAP activists, Gaeten Heroux, Stefan Pilipa and Patricia Lilley, were arrested and charged with a variety of criminal offenses, including participating in a riot, assaulting a police officer, possession of a dangerous weapon, and violating probation orders (arising from previous demonstrations) to keep the peace.

To further their campaign to portray Clarke as a violent and dangerous man, the police did not ask him to appear voluntarily so he could be charged. Rather they staged his arrest on a busy Toronto street and with the media in tow.

The political purpose behind the charges is graphically underscored by the bail conditions that the court, at the Crown's request, set for Clarke, Heroux and Pilipa. In addition to being prohibited from attending demonstrations or going within 500 meters of the legislature grounds, the three are barred from communicating with each other or having any contact with OCAP.

The latter measure—whose only precedent would appear to be in cases involving members of biker gangs and other criminal enterprises—is a grave attack on the democratic rights of the accused and of OCAP and its members.

It bars the three OCAP activists from conducting virtually

any political activity, including organizing a public campaign in their own and OCAP's defence. It gives the court's imprimatur to the Tories' and police's characterization of OCAP as a dubious and potentially criminal organization. Clarke's livelihood is also threatened, since he is one of two paid, full-time OCAP organizers. And last but not least, by effectively removing key OCAP activists from the organization, the bail provisions will seriously impede its advocacy work on behalf of the homeless and welfare recipients.

Clarke's lawyer has said he will appeal the ban on Clarke, Heroux and Pilipa having any contact with OCAP on the grounds that it violates Canada's Charter of Rights. Even the *Globe and Mail*, long the voice of Canada's Tory establishment, has condemned the ban as a flagrant attack on the right to free association. “This doesn't look like an effort to ensure that OCAP leaders don't commit new crimes,” declared its lead editorial for July 26. “This looks like an act of court-sanctioned political repression.”

The witch-hunt against OCAP has multiple aims. If OCAP cannot be put out of business, the Tories and police at least hope that by stigmatizing it as violent and lawless they can discredit it with the public and disrupt its relations with the union bureaucracy and church and community groups. The Crown has given every indication that should it secure convictions against Clarke and other OCAP members and supporters, it will press for their incarceration. Shane David Paramchuck, the only person arrested June 15 whose case has yet been heard, was sentenced to four months in jail July 7 after he plead guilty to charges of participating in a riot, being a common nuisance, and employing a brick in an assault.

By making an example of OCAP, the Tories hope to intimidate all opponents of the government's right-wing program of victimizing the poor, slashing public and social services, and rewarding the well-to-do with tax cuts. Premier Mike Harris will not lose sleep over a demonstration of 1,500, no matter how noisy. But he is acutely aware that his government was re-elected in 1999 with the votes of just a quarter of the electorate and that there is growing popular frustration and anger over the impossibility of challenging big business' domination of the political agenda through the

traditional channels and institutions.

A further aim of the witch-hunt is to justify and legitimize the police's actions on June 15. While the Tories and the media have raised a hue and cry about OCAP's alleged violent intentions, the truth is it was the police who ran amok. In a predictable bit of political theater, a small group of OCAP supporters turned over a police barricade, to protest the government's refusal to allow representatives of the homeless to address the legislature. The police then quickly regained the initiative, but rather than working to defuse the situation, they launched a brutal assault, including a charge by 20 policemen on horseback, on anyone and everyone on the legislature grounds.

The final and most important aim of the witch-hunt is to deflect attention away from the desperate plight of the homeless and the violence that the Tory government has wrought on the poor by slashing welfare rates and eliminating social housing and rent controls. Canada's wealthiest city has 30,000 to 40,000 homeless people and tens of thousand more are escaping a similar plight by doubling up with friends and relatives and/or relying on food banks. In the past eight months homelessness has contributed to the death of at least 22 people on the streets of Toronto.

A key role in the witch-hunt is being played by the press, including the semi-official mouthpiece of Canadian liberalism the *Toronto Star*. There were few if any media protests, when Police Chief Fantino and police union head Craig Bromwell succeeded in forcing Toronto City Councilor Olivia Chow to resign from Police Services Board, the civilian agency charged with overseeing the police's actions. Chow was called to the scene of the riot, by her husband, fellow Councilor, and fellow New Democrat Jack Layton. Outraged by the police violence, Chow reportedly clashed with the deputy police chief and others commanding the operation to disperse the OCAP-led demonstration. Bromwell subsequently charged that Chow, in violation of her mandate as a member of the Services Board, also instructed several rank-and-file cops to stop attacking fleeing demonstrators. He launched a petition campaign to force her resignation, while Fantino ordered the force's internal affairs section to investigate the "actions and involvement of some politicians who were present during the violent confrontation." Earlier this year, popular outrage compelled the press to speak out forcefully against the police union's efforts to raise funds to target "anti-police" politicians. A few months later, the press quietly acquiesced when Chow was driven from the Services Board for having had the temerity to question the police's role in the homeless "riot."

Police claims that OCAP was intent on storming the provincial legislature on June 15 strain credulity, yet they have been parroted by most of the media. Likewise, the police's admission that at least a month of planning went into their actions outside the Ontario legislature, has not been cause for journalists to question why then they could not prevent a

full-scale riot from erupting; rather it has been cited as proof of police foresight.

There has been a similar lack of journalistic probing of the charges against Clarke and the other OCAP leaders. According to Christie Blatchford, a *National Post* columnist who enjoys intimate ties to the police, the case against Clarke will focus on two long ropes that OCAP activists allegedly intended to use to lasso around the legs of police. Yet prior to Clarke's arrest on July 25 there was no mention of ropes and lassoing in police and press accounts of the June 15 riot.

In the case of Heroux and Pilipa, a key piece of evidence according to Crown attorney Vincent Paris is a can of paint found in Pilipa's house; the same kind of paint was found on Heroux's shirt and this was "consistent with that [i.e. paint] thrown at the riot." As OCAP lawyer Jeff House stated: "The fact that someone has paint on his shirt and the fact that colour is the same as that at the demonstration, what does that prove? Nothing."

The *World Socialist Web Site* is highly critical of the politics of OCAP. Faced with a brutal big business offensive that threatens all the social conquests of the working class and the abject capitulation of the unions and social-democratic NDP, it has nothing to propose apart from more muscular protests aimed at generating maximum media attention. These differences, however, do not weigh in the face of the Tory-police legal vendetta against OCAP. The witch-hunt must be vigorously opposed by all socialists, defenders of the poor and upholders of democratic rights, for it is aimed at bolstering reaction, strengthening the police, stigmatizing the homeless and their defenders, and undermining vital civil liberties. All the charges against the OCAP defendants should be dropped and a political and legal campaign mounted to prevent the courts using bail provisions to restrict anti-government activists' and organizations' rights to conduct their political work.

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