

Trial Begins for Vancouver 5

Fifth Estate Collective

1983

The Vancouver Five are activists from British Columbia who are currently facing 17 counts of sabotage and conspiracy. Besides being charged with destroying an environmentally damaging hydroelectric generator and fire-bombing a porn shop, they also are accused of a massive bomb attack on a Toronto cruise missile plant. Our report is from a Toronto supporter of the Five.

The Vancouver Five have undergone a tedious month in the courtroom as the first of their trials has proceeded as far as jury selection. The pretrial motions which preceded the actual trial dealt with the whole issue of "Trial by Media." The defense presented a very strong case that media coverage immediately following the arrests on January 14th severely prejudiced the chances that the Five would be able to receive a fair trial.

A survey drawn up by New York-sociologist Jay Schulman and conducted by a volunteer staff found that 59 per cent of the people polled in the area from which the jury would be selected considered the Five to be guilty. In addition 53 per cent of those polled had derogatory or invidious opinions of the Five. Schulman has previously worked for the defense in cases such as the Attica trials, Wounded Knee and the recent Brinks' robbery trials in New York State.

Two other "expert" witnesses corroborated Schulman's testimony. The Judge of course was not about to give in to the defense's demand for a stay of proceedings. He did however, in what seems to be a sop, allow the defense to question potential jury members. This procedure is very unusual in Canadian courts. The defense is actually quite satisfied with the selection of the jury. They were given great leeway in being able to reject jurors they did not like. The significance of this cannot be determined until they actually give their verdict.

There has been the usual petty harassment of the defendants. A glass partition separates the men from the women. This hampers them in trying to develop a joint defense. Brent Taylor was severely chastised at the beginning of the trial for trying to communicate around the barrier. The court staff had also denied the Five use of a common room below the court to collectively meet with their lawyers. This was done on the grounds that "unauthorized physical contact" had taken place. The judge ordered that access to the room be restored but on the condition that no contact take place. This does show that consciously or not, the state tries to break down the emotional character of the defendants.

One main debate surrounding support for the trial is the whole question of "civil liberties." However much we might know that civil liberties are a rather tenuous concept if the state is out to get you, the demand of a "fair trial" keeps surfacing. It is without a doubt the one issue in the case with which one can most appeal to others. Yet it raises the obvious problem of what if the Five are convicted in what appears to be a fair trial. Will these concerned citizens then conclude that justice has been done? Does one contribute to the fraud of trials?

If one wants to raise civil liberties issues one could select virtually anyone appearing down at the county court house. Undoubtedly, they probably had their civil liberties violated in some way or another. Yet the state's ability to stomp on people is more held in check when they are aware that they are being observed. This is a real dilemma facing support groups; that of watering down the politics in order to appeal to a larger number of people. No easy solutions have offered themselves.

This problem also affects the way in which the Five conduct themselves at the trials. One possibility is for them to refuse absolutely to have anything to do with the charade of justice. This comes however at a very high price. It guarantees maximum convictions and sentences. The other possibility is to play the game, raise civil liberties aspects, use lawyers and try to cut the losses. These are very difficult questions involving principles and many years of one's life.

The Five face four trials altogether in B.C. Then charges arising out of the bombing of Litton will probably follow. This first trial clears up many of the specifically criminal charges, B&Es (burglary), possession of restricted weapons, auto theft, possession of stolen goods, etc. This trial will go well into the new year. The second trial will involve the firebombing of the Red Hot Video outlets. Ann Hansen is preparing her own defense on this charge.

The road ahead for the Five promises to be a difficult one, and support for their efforts is crucial. Financial contributions for the defense work should be directed to the FREE THE VANCOUVER FIVE DEFENSE GROUP, Account 91740-1, c/o CCEC Credit Union, 205 E. 6th Ave., Vancouver, B.C. V5T 1J7 Canada.

Anyone wishing to write to any of the 5 incarcerated-Julie Belmas, Ann Hansen, Gerry Hannah, Doug Stewart, and Brent Taylor-can do so by addressing their letter to Oakalla Prison, Drawer "O", Burnaby, B.C. V5H 3N4 Canada.

Up to date information on the trials of the Five and efforts to aid in their defense may be obtained from the Free the Vancouver Five Defense Group, P.O. Box 48296, Bente Station, Vancouver BC V7X 1A 1.

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See "Free the Five, protect the Earth," FE #312, Spring 1983.



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