

More evidence of police brutality produced at Toronto 'riot' trial

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Further evidence of systemic police brutality and provocation emerged last week at the trial of three anti-poverty activists charged with riot offences in connection with a June 2000 demonstration at the Ontario legislature in Queen's Park, Toronto. The trial, which represents a major government attack on the right to protest, has been under way in Toronto for more than three months.

York University political science professor David McNally testified that he saw police commit an unprovoked beating on one of the three defendants, Gaetan Heroux. McNally said he did not leave after violence erupted at the demonstration because he wanted to "bear witness" to the "harsh police response" against legitimate protest.

McNally said he was at Queen's Park with a delegation of about a dozen members of the York University Faculty Association when he observed Heroux "on the ground, face-down, almost spread-eagled, being hit by police officers with truncheons."

"I thought that he was being badly beaten," McNally said. "Mr. Heroux tried at least once to get to his knees and then he got knocked down. There was no one near him. I didn't see him do anything that one could construe as causing that behavior."

McNally said he leaned over Heroux, tried to pull him up, called for a medic after noticing that Heroux was "somewhat dazed but not bleeding badly," and then moved on after a medic arrived. McNally said a couple of moments later he was forced to dive behind a tree after police horses charged "indiscriminately" toward the crowd.

In what amounts to a political witch-hunt, Heroux, 47, is charged with participating in a riot, as is Stefan Pilipa, 27. A third man, John Clarke, 48, a leader of the Ontario Coalition Against Poverty (OCAP), is charged

with counseling participation in a riot and counseling to assault police. It is the first time for decades in Canada that such draconian charges have been laid against political protesters. The charges could lead to jail terms of up to five years.

Asked by defense lawyer Peter Rosenthal why he did not leave Queen's Park when the demonstration took a turn for the worse, McNally replied that he thought the use of horses against the crowd was an affront to human nature, and that he and the other members of the faculty association delegation felt obliged to "bear witness" to "an extraordinarily harsh reprisal" against legitimate protest on behalf of the homeless.

About 1,500 people joined the Queen's Park demonstration to protest against five years of vicious welfare and public housing cuts imposed by the Ontario Tory (Progressive Conservative) government. Government and police authorities refused to allow a delegation to enter the legislature. Police then provoked a violent confrontation by allowing demonstrators to overturn an outer line of barricades before charging into the crowd with horses, batons and pepper spray.

Testifying on April 14, Clarke said the demonstration was meant to be "a poignant way of trying to win respect for homeless people." He told the jurors the rally was planned to protest several policies of the Conservative government, including massive cuts to social assistance and the reduction of protection for tenants, which caused the number of evictions "to skyrocket."

The demonstration was also designed to pressure Ontario Premier Mike Harris to rescind his government's Safe Streets Act, which Clarke said placed severe restrictions on panhandlers "as a way of removing, or socially cleansing, homeless people from areas where they were not wanted."

OCAP sent letters to the premier, the speaker of the legislature and several cabinet ministers, asking to address the legislature. “I thought we had a snowball’s chance in hell of addressing the legislature,” Clarke admitted, but said he thought it might be possible to achieve something less, such as speaking to some cabinet ministers.

Clarke expressed shock at the violent police reaction, saying “the use of force actions (by the police) went right off the Richter scale.”

The Tory government, now headed by Harris’s handpicked successor, Ernie Eves, has devoted vast police and financial resources to prosecuting the case. Some 20 police witnesses have been called to testify and dozens of photos and videotapes have been shown to the jury. Police officers have flatly defended scenes of police, both uniformed and undercover, beating, kicking and manhandling demonstrators.

Police commanders have admitted not asking demonstrators to leave the area before police advanced and not “reading the Riot Act” to warn participants that they would be arrested if they refuse to clear Queen’s Park.

Testifying on March 19, Inspector Wes Ryan, unit commander of the force’s public safety unit, said five-meter banners bearing messages such as “Leave now: force will be used,” “Leave now: pepper spray will be used” and “Leave now: horses will be used,” had been brought to the scene but were not displayed to the crowd.

Ryan, who was in charge of coordinating officers at the scene, agreed with defense lawyers that it would have been “wiser” to have the banners with him on the front steps to the legislature. Ryan said police had brought a loudhailer to the scene, which could have been used to address the crowd, but not used it.

Earlier, Ryan said that before the protest started he ordered two officers to patrol the front lines with large canisters of pepper spray as a clear “show of force.” Asked if protesters might assume they would be sprayed by police, he replied that was “exactly what I wanted people to think.”

His testimony only served to confirm that the Queen’s Park confrontation was deliberately precipitated by the government and the police. Nevertheless, the judge has ruled that it is not possible for the defense to cast doubt on the conduct of the

speaker of the legislature and his security staff on the day or to question their judgment.

The Eves government is determined to use the ongoing trial to intimidate its opponents and suppress political dissent more generally. The WSWS continues to demand that the trumped-up charges be dropped. They are an affront to basic democratic rights.



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