

B.C. court makes med marijuana more legal

By Andrew Farris -

The Martlet (University of Victoria)

VICTORIA (CUP) – The quasi-legal status of Victoria's compassion clubs may have come a step closer to resolution this week after a B.C. Supreme Court ruling declared parts of Canada's current medicinal marijuana laws unconstitutional.

The law, which forbids any supplier from distributing medical marijuana to more than one patient, has forced the non-profit clubs into operating illegally, despite the consent of Victoria's police.

The judge has given Health Canada one year to review the laws and make it easier for purveyors of medicinal marijuana, both inside and outside the law, to keep patients supplied.

The verdict comes as a huge victory, especially for Mat Beren of the Vancouver Island Compassion Society. Beren was caught tending the VICS' grow-op in Sooke when police raided the facility in 2004 and confiscated 900 plants.

Although Beren was found guilty of growing and trafficking an illegal substance,

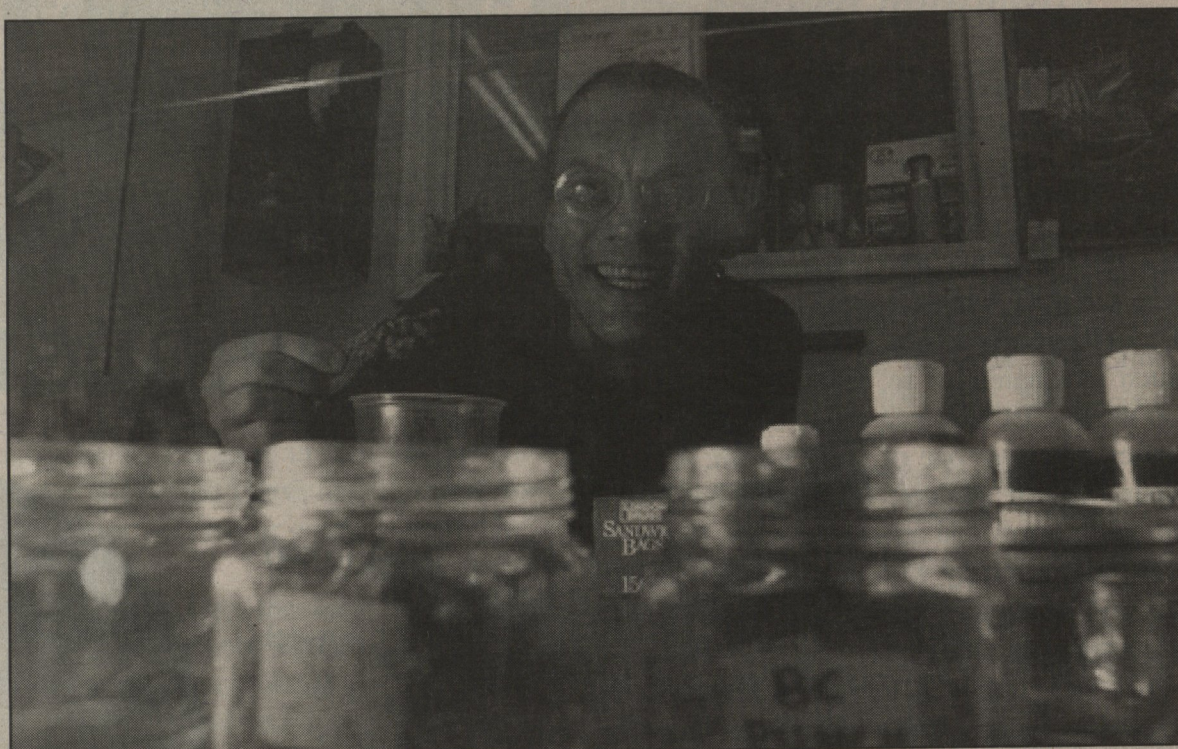
the prosecution's demands for a stiff sentence were thrown out.

Instead, the judge completely discharged the conviction, meaning that there will be no penalty or criminal record because Beren had been growing the cannabis for the club.

This ruling brings into light the legal limbo in which many organizations such as VICS operate. The Supreme Court of Canada has ruled that marijuana, which is effective for easing the suffering of those with chronic conditions, is a constitutional medicine and the government has a responsibility to provide it to those with a doctor's prescription.

Beren's defence made the case that the marijuana provided by the federal government, grown in a Manitoba mineshaft, was of poor quality and obtaining it meant jumping over "unnecessary bureaucratic delays or obstacles."

Philippe Lucas, the director of VICS, also points out that the federal application process can take weeks or months, time which can be ill-afforded by those who are in enough pain to warrant a medicinal marijuana pre-



Ted Smith shows off his product grown for the Cannabis Buyers Club. Josh Thomson/the Martlet

scription. It was because of these regulatory hurdles and the inadequacy of the federal marijuana that the compassion clubs were able to spring into existence – VICS serves more than 850 doctor-referred patients on Vancouver Island. Justice Marvyn Koenigsberg ruled in Beren's case that while compassion clubs "enhanced other people's lives at minimal or no risk to society," they "did so outside any legal framework."

The onus to reform the legal framework lies not with the compassion clubs, which

operate "openly, and with reasonable safeguards," but with Health Canada and the Canadian College of Physicians who failed to make medicinal marijuana sufficiently available for chronic sufferers, said Koenigsberg. Other compassion associations, like the Cannabis Buyers Club, a corollary of UVic's own Hempology 101 Society, have greeted the likely review of the laws surrounding clubs with enthusiasm.

The Cannabis Buyers Club has undergone six police raids on their headquarters

in downtown Victoria, and the operators have spent several nights in jail, with the charges overturned by courts each time.

Kristen Mann, Cannabis Buyers Club spokesperson, says she'll welcome what a review could mean for the club, but notes that the system still needs many changes.

"Although we have been accepted by the Victoria Police and the B.C. courts, on a federal level, we are still considered to be distributors of marijuana, which is illegal," Mann said.

York president calls for peace after wave of protests

By David Ros -

Excalibur (York University)

TORONTO (CUP) – York University president Mamdouh Shoukri has asked student groups to put aside their differences after a wave of stu-

dent protests littered the campus.

"After a long period away from the classroom and with exams fast approaching, our 50,000 students really need to be able to focus on their academic lives," Shoukri said in a Feb. 19 press release.

"Unfortunately, the return to class

has been marked by student leaders in open hostility towards other student groups and mounting demonstrations which have led to the disruption of classes for many students."

After returning from an 80-day part-time faculty strike that kept students

out of classes, Toronto's York University has been plagued with racial tensions and student union drama.

A group of students led by the pro-Israel group Hillel at York has been calling for the impeachment of the York Federation of Students for mishandling the strike.