Scientology fined \$250,000 for spying on police

By Bob Brent and Wendy Darroch TORONTO STAR

The Toronto branch of the Church of Scientology has been fined \$250,000 for spying on police and the government during the mid-1970s.

But despite almost a decade of court battles since the largest police raid in Ontario history in 1983, church leaders say they're not about to give up.

The church's odyssey through the courts has spawned a legacy of ground-breaking legal decisions interpreting the ability of the state to prosecute the non-profit church.

Along the way, the founder of the Los Angeles-based church, science-fiction writer L. Ron Hubbard, died in 1986 at age

Yesterday's sentencing began the next round. Defence lawyer Clayton Ruby said the church will appeal both the conviction and sentence for breach of trust.

Mr. Justice James Southey of Ontario Court, general division, said the crown's request for a \$1 million fine against the church was excessive. But he ruled that other corporations had to be deterred from taking similar actions.

Ruby said the sentence places "a burden on the practice of religion, a constitutionally protected practice."

Ruby had sought a nominal fine against the church after entering unaudited financial statements into evidence to show the church is \$8.8 million in debt.

"We're just going to continue on," church vice-president Earl Smith said yesterday. "Our whole membership is being asked to pay for something they didn't do. I think that's completely unjust."

The church and lawyer Morris Manning

already must pay a \$2.1 million libel award—the largest in Canadian history—to Crown Attorney Casey Hill for remarks Manning made at a 1984 news conference while representing the church in its criminal case.

In June, the Toronto church was found guilty of two counts of breach of trust for operating a spy ring that infiltrated the Ontario attorney-general's ministry, the Ontario Provincial Police and the Royal Canadian Mounted Police.

Three former members were convicted for their part in the spy ring.

Jacqueline Matz, a so-called case officer, was convicted of two counts of breach of trust and was fined \$4,500.

"Plants" Janice Wheeler and Donald Whitmore were fined \$2,000 for one conviction of breach of trust.

During the trial, the jury was told they

operated as spies for the Guardian's Office
— a separate intelligence arm of the
church — to obtain unauthorized copies of
government and police files.

As part of their investigation of the church, the OPP seized more than 2 million documents from the church's Toronto offices in March, 1983 — the largest raid in Ontario history.

A year and a half later, the OPP charged the church and 19 members with theft, breach of trust and possession of stolen property. Five people eventually stood trial after a preliminary hearing in 1988.

Ruby said the church's fight to have the search deciared unconstitutional will have a lasting impact on all Canadians. Mr. Justice Ted Matlow of Ontario Court, general division, declared the seizure illegal last fall, saying it violated the Charter of Rights and Freedoms.



CLAYTON RUBY: Says church will appeal conviction and sentence.



