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## **Basi - Virk trial fogged in technicality and secrecy**

The seemingly never-ending legal proceedings surrounding the takeover of BC Rail by CN Rail have plunged further into a legal fog. It is not clear when—or even whether—there will ever be a trial to deal with the charges that followed RCMP raids on certain legislative offices. Even whether anyone else will be charged—and who might be called as witnesses—is still in doubt.

In recent months, most of the legal argument has surrounded the provision of evidence by the prosecution to the defence. The judge ordered that the defence was to have ‘full disclosure’—an order that resulted in a last-minute blizzard of documents. The defence naturally asked for more time to examine them.

Over the past week, an in-camera hearing which started on

December 3 has apparently been proceeding, although it was not noted on the daily court calendar. This hearing appears to be about whether an unnamed prosecution witness can be heard in secret—so secret that even the defence lawyers may not be present. The secrecy appears to be contested by the defence and some media lawyers. However, this information cannot be confirmed.

Ever since the original charges were laid, rumours about the involvement of certain prominent politicians have swirled about the case.

It is now, apparently, a secret that the court’s time is now secretly occupied in secret hearings as to whether a secret witness may be heard in secret. ✍

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