

Upfront

"THIS GROUP DOES NOT HAVE ANY RESPECT FOR THE PAST."

—Dogwood Monarchist Society divided >11

COMMUNITY CENTRE

OUR Spaces moves forward



"There's a number of spaces we are looking at that have potential," said Laura McDiarmid, one of nine people elected to the new board of OUR Spaces on April 19. CHRIS HOWEY PHOTO

Directors elected at first AGM

Natasha Barsotti

VANCOUVER'S OUT UNDER THE Rainbow Spaces Society (OUR Spaces), tasked with building a multipurpose queer community centre, elected a nine-member board of directors at its first annual general meeting on April 19. Six members of the new board — Laura McDiarmid, Gerry Kasten, James Beresford, Tony Correia, Sakino Sepulveda and Sean Cummings — were part of the 12-member temporary executive that formed OUR Spaces and registered it as a non-profit in BC last December.

Initially, the six were presented as a slate to continue the work already begun by the temporary executive.

But that proposal quickly raised concerns among attendees that the new society would be board-driven rather than membership-driven.

"I always prefer an organization that is membership-driven, not board-driven," said Little Sister's co-owner Jim Deva.

Another three members — Andrea Hector, Rick Lipus and Kim Kinakin — were subsequently nominated and elected from among the 25 people present at the AGM.

The fledgling society's first AGM comes eight months after a town hall meeting harnessed longstanding community debate about creating a vibrant, well-funded multipurpose queer centre in a new, accessible home.

Kasten outlined the society's

goals, which include raising \$70,000 in the next year.

As of April 1, the society has just under \$500 in its bank account — mostly membership money, Beresford announced.

So far, the new group has conducted four membership drives, three in the West End and one on Commercial Dr, Correia, a columnist with *Xtra*, noted.

In one month, 54 new members have signed up.

"A lot of people were throwing money at us, which was scary and wonderful," Correia said. "Everyone is like, 'It's about time.'"

The new centre has to be a "destination everyone wants to come to for a number of different reasons," he emphasized.

For Correia, the biggest challenge is establishing the difference between Qmunity, which describes itself as a queer social services provider, and OUR Spaces, which intends to create a community hub, home to queer groups, performance and gathering spaces of all kinds.

McDiarmid said there's a lot of goodwill from the mayor and city council to see a new centre happen.

She said she's also had conversations with different developers that see a new centre as a "very, very likely proposal."

She said the search for a site for the new centre will be focused in the West End "because this is the hub of our community."

"There's a number of spaces we are looking at that have potential — can't say right now — but certainly if those came up, we'd push for that, and then we'd be absolutely approaching city hall," she said.

HIV ON TRIAL



Dr Richard Mathias told the BC Supreme Court the accused had a 0.04 percent chance of infecting his boyfriend every time they had unprotected anal sex.

NATHANIEL CHRISTOPHER PHOTO

HIV-POSITIVE GAY MAN ON TRIAL

You're trying to minimize your responsibility, defence lawyer accuses complainant

Nathaniel Christopher

A GAY HIV-POSITIVE MAN IS ON trial in Vancouver for allegedly failing to disclose his status before having unprotected sex with his boyfriend.

The accused is charged with aggravated sexual assault.

The boyfriend did not contract the virus.

Justice Lauri Ann Fenlon ordered a publication ban on the names of both the accused and the complainant in the case.

The complainant told the court he first met the accused at Toronto Pride celebrations in July 2003. He said they had sex, hit it off and agreed to enter into a relationship with each other.

"I really loved him," he testified. "I was really attracted to him and excited."

He said that shortly after he met the accused, they had a conversation in which the accused told him he was HIV-negative. The accused moved to Vancouver in late summer 2003 to live with the complainant.

The two men shared the apartment with a woman who had known the accused since 2002. Last week she told the court the accused disclosed his HIV status to her in summer 2003.

"I think he wanted to wait and see how the relationship was going to go before he told [the complainant]," she testified.

She said this made her a bit uncomfortable but she kept her promise not to tell. "I trusted that he wasn't putting [the complainant] in harm," she testified.

After the couple broke up, she told the complainant that the accused had known he was positive all along.

The complainant, who was the top, told the court that he and his boyfriend had practised safer sex until Dec 13, 2003, when a night of dancing at an after-hours club led to unprotected sex. He admitted that his use of ecstasy that evening possibly impaired his judgment but said his trust and love for the accused played a role in his decision.

"You are aware of the potential of deception in relationships?" asked defence lawyer Jason Gratl.

"Correct," the complainant replied.

The complainant told the court he made an agreement with the accused to use protection in recognition of the risk of HIV transmission, and was aware that such a risk existed in their relationship.

He admitted to being in a state of uncertainty about the accused's HIV status at the time of their first discussion about safer sex, which is why he chose to use condoms when having sex.

The accused allegedly revealed his HIV-positive status to the complainant in March 2004, a month before they broke up.

"How could he have had numerous unprotected encounters with me, physically enjoying our level of intimacy, knowing that each time my penis is in him is when I might contract HIV?" said the complainant. "That is despicable."

The accused testified he contracted HIV after being drugged and sexually assaulted by two men during Pride celebrations in 2002. The men, he said, did not use protection.

As a result, the accused said when he began his relationship with the complainant the two made a "solemn pact" and a "sworn promise" to abstain from unsafe sex until the accused procured

a "stamped and approved" negative test.

The accused admitted that he should have revealed his status from the very beginning.

"Why didn't you?" asked defence counsel Jason Gratl.

"Because mentally, when I got diagnosed two weeks prior to meeting [the complainant], I wasn't in any state to say the letters HIV in relation to my name," he told the court.

"I did everything in my power to let him know the risk that was there, including the rape. I told him. I was terrified of getting a test. I told him so many clues never to take this upon himself and that we had to have safe sex."

Dr Richard Mathias said the accused had a 0.04 percent chance of infecting his partner every time they had unprotected anal sex.

Crown counsel Brendan McCabe asked Mathias if he was aware of any individual incidents in the gay community of the virus passing from an HIV-positive bottom to a negative partner.

"No," said Mathias, who has worked in public health for 35 years and conducted research on HIV and AIDS.

Mathias said the risk in the case of the accused would be 4 in 10,000 per act, but that number would multiply with each encounter.

McCabe suggested that if the accused and complainant had had five unprotected encounters then the risk would be 20 in 10,000.

Mathias said the risk is comparable to protected sex between an HIV-negative bottom and an HIV-positive top.

The trial continues this week.

For more on this story go to xtra.ca