

Pussy Palace Oral History Project
Oral History Interview with Brenda Cossman
Conducted on June 1, 2021 via Zoom
Interviewed by Alisha Stranges and Elio Colavito on behalf of the
LGBTQ Oral History Digital Collaboratory (Elspeth Brown, Director)
Transcribed by Rev.com and Faith Lapointe

Summary: Brenda Cossman is a 61-year-old, white lesbian from a working-class background. At the time of the interview, Cossman was living in Toronto, Ontario during the COVID-19 pandemic and working at the University of Toronto in the Faculty of Law. She holds degrees in law from both Harvard University and the University of Toronto. Her teaching and scholarly interests include family law; and sexuality, gender, and the law. The interview mostly concerns Cossman's experience as a patron of the September 2000 Pussy Palace bathhouse event, the night it was raided by Toronto police, and the details of the legal trial following the raid. Cossman discusses her experience writing for *Xtra* in the late 1990s and early 2000s, when police presence in Toronto's LGBTQ+ communities was escalating; her efforts to bear witness to the police action during the raid; her role in assisting the volunteers as they were being questioned by police; her involvement in the legal trial that followed the raid; the contours of the defence's legal strategy; and other topics. Toronto, Ontario is the only location mentioned. Cossman discusses the time period between 1997 and 2021, but focuses on the period between 2000 and 2002.

Keywords: LGBTQ+; Queer; Lesbian; Law; Legality; Surveillance; Censorship; Bathhouse; Police Raid; Activism.

Brenda Cossman (00:05):
Okay, it says it's recording.

Alisha Stranges (00:07):
Perfect. So, this is Alisha Stranges and Elio Colavito from the Pussy Palace Oral History Project and we're here in Toronto, Ontario interviewing Brenda Cossman on June 1, 2021. Brenda is also in Toronto and is going to tell us a little bit about the experience of being a patron of the Pussy Palace bathhouse event on the night of September 14, 2000. Specifically, talking about the time when the police were actually in the space. So, Brenda, do we have your permission to record this oral history interview?

Brenda Cossman (00:40):
Yes, you do.

Alisha Stranges (00:43):
Thank you. So, before we get into your experience, we do like to ask a couple of sort of demographic questions so just to get you to tell us a bit about yourself. Can you tell us your full name, your age, and your preferred gender pronouns?

Brenda Cossman (00:57):
Brenda Cossman. I'm 61. I go by she and her.

Alisha Stranges (01:04):
And how would you describe your gender and sexual identity today, in 2021?

Brenda Cossman (01:09):

I would describe myself as female, and I would describe myself as lesbian.

Alisha Stranges (01:15):

And is there any way in which those kinds of categories might have been different for you back in 2000 when the Pussy Palace event happened?

Brenda Cossman (01:24):

I don't think so. I don't think so.

Alisha Stranges (01:26):

What about racial, ethnic, and cultural identity, how do you express yourself through those types of categories?

Brenda Cossman (01:32):

Just as a white person.

Alisha Stranges (01:36):

And what can you tell me about your educational and class background?

Brenda Cossman (01:45):

My educational background, I have a BA, I have an LLB, I have a Master's degree. Yeah, so I have three degrees. I work at the University of Toronto in the Faculty of Law. My class background, I came from very little. My parents were basically working-class, middle-working-class folks. And my education was pretty much my sort of ticket up and out.

Alisha Stranges (02:22):

Yeah. And what about in around the time of 2000, what kind of things were occupying your time professionally then?

Brenda Cossman (02:30):

So, I would have just moved from Osgoode Hall Law School, where I had been teaching for eleven years, to the University of Toronto Law School. I think I moved in 1999 between the law schools. At that time, I'm trying to think of what I was doing. I can't remember exactly what I was writing at that time, but my research was in and around issues of sexuality, gender, sexuality in law, LGBT issues in the law. I would have finished a book on censorship and feminism and law, that was in '97, but I was still doing some of that work. I was writing for *Xtra* fairly regularly, in terms of legal issues that were impacting the LGBT community. So, that was sort of the work that I was doing.

Alisha Stranges (03:22):

Right. Is there anything else that you think would be important for us to know about how you understand your different identities today as it compared to 20, 21 years ago?

Brenda Cossman (03:35):

Not really. In 2000, I didn't have kids yet, so I would say that's probably the biggest kind of identity transition that happens. Not one that people necessarily talk about as key to their identity, but there's my pre-children world and my post-children world. So, that was right at the end of the pre-children world.

Alisha Stranges (04:01):

I see. Yeah, thank you.

Brenda Cossman (04:03):

I guess the other thing I would just say around that time is that I was pretty active in terms of, and part of it came from the writing that I did for *Xtra*, but it was a time where there was a little bit of an escalating police presence in the community. They raided the Bijou and they raided Remington's. And there was a sense that the police were sort of engaging in a kind of surveillance of sex within the LGBT community in a way that they had not been doing for the past decade. And I remember I was at a number of community forums speaking out against this and wrote in *Xtra* a fair bit about it. It was around the time that I think Little Sister's [Book & Art Emporium] was moving forward. I was involved in that. So, I was in and around the community, fairly vocally, around the problems of either censorship of LGBT speech or the increasing surveillance of LGBT sexual behaviour.

Alisha Stranges (05:12):

Right. So, when you say you were in the community vocally, do you mean via your journalism or scholarly work or...?

Brenda Cossman (05:21):

All of the above. So, I was writing stuff scholarly, articles that I wrote in *Xtra*. And then I would often be asked to speak on various community forums if there were panels or forums or whatever.

Alisha Stranges (05:33):

I see. Well, before we kind of get to the talking about the police entrance at 12:45 a.m. I am curious if you can tell us a bit about what may have brought you to the event that night? How did you hear about it? Why were you there that night?

Brenda Cossman (05:51):

Right. So, I've always found it a little bit interesting. Others may not, but I hadn't gone to any of the Pussy Palaces before. And I don't really know why. It's sort of like, all my friends went, but I had just never gotten around to going. And my friend, Shannon Bell, said to me, "Come on, you write about this stuff. You got to go. Let's go. We got to go to this one. You got to go and see what this is all about?" And I'm like, "Of course, you're right. I have to." Because for me often, my take would be, "Why go out if you could stay home?" So, I wasn't inclined. I wasn't a person who went out to the bars or stuff. It just wasn't my thing. So, but she's like, "Come on, you write about this stuff, you got to go." So, I said, "Okay, fine. I'm going to go." And she came to pick me up that night. And I went to leave, and I went back into the house. I don't know why. It was prescient in some way. I went back in the house to pick up the card, the professional card of one of my very close friends who is a criminal lawyer, just in case. And I went back in, I got the card, I put it in my little purse, and off we went. And I had this, "Just in case. Just in case I need Frank [Addario]'s card." And lo and behold, I needed Frank [Addario]'s card.

Alisha Stranges (07:13):

Was there something that may have prompted that unconsciously?

Brenda Cossman (07:17):

I guess it was just my sense, my sort of general sense, that something could always happen. My general sense that the police had been surveying the gay community. My sense, just, I don't know. It was like my spider senses were tingling. Now, I didn't know anything about the politics inside the Pussy Palace. And it turns out that some people actually had been, I think, tipped off that there might be a raid that night. I knew nothing about that. So, it wasn't just like I knew something. I was a complete outsider, other than my area of expertise, which suggested you just never know what the Toronto Police might do. So, it was just this like sort of spider senses were tingling, and I had this little funny moment of "just in case."

Alisha Stranges (08:09):

I see. Yeah, thank you. Well, maybe we'll get into that a bit. Now, Elio [Colavito], if you want to take it over?

Elio Colavito (08:15):

Absolutely. We'll skip all of the fluffy stuff. So, at 12:45 a.m., the five policemen come into the Palace and stay about 90 minutes. Were you still there?

Brenda Cossman (08:25):

Yes, I was. So, I was sitting outside. I remember I was sitting on, it was like sort of a little balcony, and we were looking down over the pool area. And I was talking to two people. We were just sitting there having a beer, chit chatting. And I remember seeing staff come running out and pulling people out of the pool. And my two friends were talking, and I was like, "Something's happening." And they're like, "No way." I'm like, "No, no. Something is happening." Because you could see sort of there was a degree of panic in how they were trying to get the folks who were in the pool out of the pool. And I was watching this, and I just said, "I got to go see what's happening because something's happening." So, I then, and I can't remember exactly where I went, but I went sort of back inside. And as soon as I went inside, I knew a whole bunch of people there. And I remember seeing a few people come running up to me going, "Brenda, what's happening? What's going on?" And I'm like, "I don't know. I'm going to go find out." And then somebody said, "The police are here." And again, like "Brenda, what's happening?" I'm like, "I don't know, but I'm going to go find out." So, I remember, at one point an officer, well, I assume an officer because they were ununiformed, went by me. I went back to my locker. I got some additional clothes to put on. Although, I didn't exactly have clothes to look particularly professional. But I just thought, like, "I'll put on what I can to be a little bit less skimpy." And I then started to follow the police. My instinct was just to bear witness. And it was interesting because the Pussy Palace staff and the volunteers kept trying to stop me. And they kept saying, "No, no." And then I just said, "I'm Brenda Cossman." And they go, "Oh, go." Because people knew me, I guess, enough from *Xtra* and they knew me enough, like, what my work in the area was, that they just then let me go through.

Brenda Cossman (10:41):

And so, I didn't realize that my name parted volunteers, but it parted volunteers. That allowed me to then, I literally followed particularly the main officer who's named Doug, somebody. I can't remember his name right now. It will come back. The guy was sort of the head of that team. Oh, God. What was his name? Okay, it will come back to me. Anyway, so I followed him around. I remember, he had a piece of paper in his hand, and it was a piece of paper that I think he had taken off a wall, and it said something like "Porn Studio," or something. And he kept going up to people going, "Where is this? Where is this place? Where is this?"

Because I guess, he wanted to find wherever the place was. And I gather it was a room... I hadn't seen it when I was there, but it was a room where you could go in and get selfies taken or whatever. But it was called something like the "Porn Studio" or the "Porn Room" or something. And he was like, I remember him being beside himself trying to find this place. And he was very, well, as you might imagine, I found he was just gruff and like on a mission and practically pushing people out of his way. And he wanted to find it. He was like, "Where is this room? Where is this?"

Brenda Cossman: (12:06):

So, I just remember, I just followed him around for a long time, and then eventually... This is where there are gaps in my memory. Okay, I remember that very distinctly. Then I remember, when they finished running around and terrorizing the place and opening doors to closed rooms. And then the next thing I remember very clearly is being at the front of Club Toronto. And then the police were on the stairs, and they were then talking to a couple of the organizers. And then again, I had trouble getting there because people were really trying to stop me, like the volunteers, understandably. And I just kept using my name. And so, then I just remember then going and standing on the stairs. These were the stairs, I guess, going up out of the club. And the police were there, at least two police officers were there and a couple of the organizers were there. And they were just talking. The police were asking a lot of questions for a long time. And I was just standing there. I was just standing there, trying to, as I say, all I was really doing was bearing witness. So that I would then be able to write about it and be helpful later. So, that happens. They eventually leave. I can't tell you how long it was. It felt like both forever and a second. And in the meantime, people were flooding. Through much of this time, people were just like flooding out of the club, understandably so.

Brenda Cossman (13:43):

And then, the next thing I really remember, the next sort of very distinct thing I remember after was talking to JP [Hornick]. Because it was JP [Hornick] and [Richard Aitcheson], I think, whose names were on the liquor license. Oh, yeah, that's right. At one point, they had the liquor license in their hands as well. And they were just waving the liquor license thing around. And I went in and I talked to, I'm pretty sure I talked to KP [JP Hornick] and [Richard Aitcheson]. And I remember I was going into one of the little rooms and talking to them, again, for a very long time. And I literally, I said, "The person you need to call tomorrow is Frank Addario." And I literally had the card in my hand that I had gone back into the house to get. And I had a long talk with them, and, you know, "You really need to do this, you need to do this," and they were obviously really shaken up by what had happened. And I just kept trying to sort of calm them saying, "Okay, we don't know what's going to happen. They haven't laid any charges, but charges could still be coming. You just want to get out in front of this. You want to talk to a lawyer tomorrow." And I remember also being fairly strong about, "You are the two whose name is on the liquor license, so you were the two who need to call the lawyer." Because there was the Pussy Palace collective and then there were the two peoples whose name was actually on the license. And I was trying to nicely say, "You two, your name is on the license. You are the two who are going to be held accountable for this, regardless of the fact that all decision making may be collaborative, but that's not what the law is going to see."

Brenda Cossman (15:28):

So, I just remember talking for quite a long time about... And I think that KP [JP Hornick] might remember the conversation better than I do, but I remember my repetition is just basically, "Call Frank [Addario] tomorrow, call Frank [Addario] tomorrow. Call the lawyer tomorrow," which is exactly what they did. So that, I mean, that's really my, those are sort of the big touch points of the moments that I remember. It was 21 years, I guess, now. So, but those are the things that really kind of stand out the night of.

Elio Colavito (16:21):

I have a few questions. We'll maybe kind of like start from the top and kind of work our way through. So, you grabbed Frank's [Addario] card. Why Frank [Addario]?

Brenda Cossman (16:32):

He's a really good friend of mine. I've been doing some work with him. Some other work. Like, I'd been working with him on, I can't even remember what. I think we were doing some challenge to the film and video censorship. Yeah, I think we had been working on that together. He had done a lot of anti-censorship work. He had done... Did he...? He didn't do the Remington's case. Oh, no, he did the Eli Langer case. So, I sort of knew him more from the censorship circles. But he was just, he's a good buddy of mine, and that was the card I had. And I knew that he would be a dog with a bone with this, which is exactly what he was.

Elio Colavito (17:22):

Right. And you mentioned that folks were flooding out of the place. Clearly, the atmosphere changed quite a bit. What was your sense about how the organizers handled the raid?

Brenda Cossman (17:32):

I don't have a good sense because I sort of put on my own... I feel like I kind of put on my own visors. So, what I saw was them getting everybody out of the pool. What I saw was them then trying to keep all the patrons away from where the police were, right? So, they were creating like a strong sort of border wall between them, which I had to get past. But completely understandable why they didn't want anybody close to the police. And so, what I saw them doing was being really as protective as they could be, in terms of the police being there. And then trying to shelter, shield, protect the people who were there.

Elio Colavito (18:32):

And you mentioned that your main objective was just to bear witness. Do you recall, as you're going through the club following and supervising these shenanigans, do you recall giving anyone any advice on the spot on how to respond to a question, not respond to—?

Brenda Cossman (18:49):

I don't. I actually don't remember. I actually don't remember. I might have, but my memory is just not there.

Elio Colavito (19:01):

Well, Alisha [Stranges], I think you can take over to ask about the legal aspect of things since we've kind of ended Brenda [Cossman]'s time at the Pussy Palace, in what she can recall.

Alisha Stranges (19:13):

Right, so I just want to clarify, you left after the police left, right? You were saying that—

Brenda Cossman (19:19):

Yeah, I stayed for quite a while after.

Alisha Stranges (19:19):

Right, right.

Brenda Cossman (19:20):

I stayed and kind of just decompressed and talked to a bunch of people and just, you know... There were not a lot of people left there at that point. But I just remember sort of we just stayed and kind of decompressed and talked to folks.

Alisha Stranges (19:38):

And after that night, did you sort of stay involved in any way or follow the legal proceedings?

Brenda Cossman (19:45):

Very much so. So, I gather, they did call Frank [Addario] the next day. I talked to Frank [Addario]. I can't remember if it was the next day. It probably was. I think it was the next day that I talked to him. But again, it's too long ago to know if it was the next day or the day after. I think I talked to him right away and told him what had happened, that they're going to reach out. And then somehow, and again, I'm not even sure the sequencing of events. But I spent a bit of time talking to Lorelee [Gillis]. Lorelee [Gillis] became sort of the conduit between the committee, the Pussy Palace [Toronto Women's Bathhouse] Committee, and the lawyers in a number of respects. But then it was interesting, because ultimately, it was a couple of days later before the charges were actually brought, and it was just like the alcohol, the liquor license violations. It was a couple of days before those charges were actually brought. And then of course, the clients became JP [Hornick] and [Richard Aitchison] not the collective, but the collective kind of considered itself to be who was charged. And I was trying to help a little bit. In some ways, almost run some interference with Frank [Addario]. Because Frank [Addario] was also very clear that, "Look, my clients are these two people. I need to do what I can do for these two people." But also trying to take into account the broader politics, and I don't know how Lorelee [Gillis] actually became a bit more of a spokesperson back and forth.

Brenda Cossman (21:18):

So, yeah. I spent a lot of time talking to Frank [Addario] and talking to Lorelee [Gillis], and I seem to recall attending, being invited to attend, a couple of the committee meetings of the Pussy Palace. Because then, they also started to do, like very quickly there was a big event that was organized. It was a big fundraising event. I think it was literally the next night that there was a panel, a big panel that was put on at The 519. I think I might have even spoken at it, but I'm not even sure. Because I spoke at a lot of big events at The 519 right after there had been some raid somewhere. And so, I'm not sure which one this was, but I feel like I was at the front. I feel like maybe I spoke. And then, there was also, there was big fundraising things. So, I also helped the committee then figure out, get in touch with a lawyer who could effectively set up a trust fund where the money could go, like a legal... Well, no, not a trust fund, like a legal defence fund. What that looks like, what that required. So, I remember going with them. I introduced them to another lawyer who did that, Susan Ursel. Went with them. I can't remember who went there. I think it was Lorelee [Gillis] and somebody, maybe it was Carlyle [Jansen]. I'm not sure. I don't know who the other person was. So, then they set up the legal defence fund. So, I was just sort of helping them sort of negotiate things like, "Here, you need a lawyer to set up a legal trust fund or legal defence fund. This is now how you do it, so. And I'll go with you." And so, I did that.

Brenda Cossman (23:12)

And then as things shifted, when there was eventually some kind of a trial, and there were a couple of things... Because I know like Frank [Addario] then brought a challenge to the search, that it was an illegal

search and seizure. And I remember being in the courtroom. I remember talking to folks. I remember in some ways trying to... The lawyer can't coach the witness, but I was doing a little bit of talking to the witness. It wasn't coaching the witness, but sort of try to calm them down and just say, "Just, stay on the story." And so, I talked to the witnesses a little bit. And so, yeah, so I just sort of remember I was involved all the way through, right up until the point that that there was the trial. And it was ultimately successful because it was considered to be an illegal search. Like I say, I had many, many points of contact with the legal part of it.

Alisha Stranges (24:38):

What did you make of Frank Addario's strategy, his sort of defence strategy?

Brenda Cossman (24:45):

So, at that time, I actually thought it was great. And I thought that he framed it in a way that was, I mean, I wouldn't have thought of it. I actually wouldn't have thought of it. That this was just completely inappropriate for the five male officers to go into a female space. But right from the beginning, it was interesting because the press really kind of spun this. And I'm not quite sure how they got onto it exactly this way, but it got spun as a kind of like a high-level panty raid. It's sort of like the police officers, the male police officers, go into like a women's locker room where they shouldn't be. And it's a violation of privacy, but it was sort of this weird way in which, I remember thinking at that time, it's like my friends' grandmothers could be outraged by what the police did, not thinking about, well, the women were there to have sex. But it was more like women are there, and it's like a locker room. And it's just all these, these nice women and girls, and the police, the men, shouldn't be there.

Brenda Cossman (25:46):

And that I think was, I mean, it was spun like that very quickly in the media. But I think that that was, in some ways, what was used as what made it a violation of privacy and made it an illegal search and seizure was playing on that idea that the patrons, particularly, the women. And it was very much, like, it wasn't being casted in the language of queer. The presence of trans bodies was not really part of the discussion. Now, admittedly, it wasn't as much part of the discussion in 2000 as it would be today, but it really became a kind of women's privacy. Women were at this place. They had a reasonable expectation of privacy. Five male police officers shouldn't be able to barge in and see them in various states of undress. That was really, kind of the focus. And the thing is, it was successful. It worked. Now, if it had been, and I've seen many things written over the years around what that strategy did was really undermine that queerness of the space and the sex of the space, to which, this is where I toggle between being a critical scholar and a practical lawyer.

Brenda Cossman (27:06):

And so, the question is, did you want the two people who were charged to get acquitted? In which case, you build the best strategy possible to do that. Or did you want this to be a broader political, something? And so, if you wanted this to be a broader political something, then you might do a different strategy. If you want them to be acquitted, then this is what works. And so, they went with a strategy that works. And this is the problem with law more generally. And it's something that I talk about a lot in my writing is you make strategic choices in law about what is more likely to result in an acquittal. What kind of arguments are you going to make that's likely to result in acquittal versus the kind of arguments that you might want to make as a social and political movement? And those two things are often not completely unconnected, so if I may digress, but I will come right back.

Brenda Cossman (27:53):

So, in the Bedford case that goes before the Supreme Court of Canada, and ultimately, strikes down all the sex work laws, the argument was made so exclusively in the language of harm, and how terrible sex work is, and women, and it's terrible, and it's so violent, and the laws make it worse, so yes, it was all struck down. But the problem, of course, then is it handed over to the government on a silver platter the idea that sex work is so violent and damaging that the government then could drive a truck through that and say, "Oh, then we better make a bigger, better, worse law." So, these two things are not, ultimately, not connected. The strategy, the choices you make in terms of your litigation strategy can really have an impact in the long term on sort of the broader movement. Having said that, I'm not sure it really happened here because the charges were ultimately dismissed. And they were ultimately successful, and I was not involved in this part at all, but they were ultimately successful going in front of the Human Rights Commission and actually getting damages. And I think that that was actually a really great moment where that's actually kind of slapping the police on the hands, on the knuckles, to say not only was it not a good search and seizure, but actually, you violated these people's human rights by going in there. So then, and then there was some money attached, and I don't remember how much money was attached. I think it ultimately kind of paid off the legal fees, and maybe there was a little bit more after that. But yeah, no, it was a very calculated strategy that I think really just focused on how do we best get these folks acquitted. That might not have been the strategy, or it wouldn't have been the strategy, if it was about, "Let's show how queer this space was," as opposed to the more traditional notions around privacy.

Alisha Stranges (30:27):

Right. Did you have any recollection on whether or not there was discrepancies among folks who were involved in the case or even, I don't know if it was just the Toronto Women's Bathhouse Committee, the people who were being charged, anyone who's sort of connected with the case in other ways that they were leaning one way or the other like, "Yes, we want to do what will get the acquittal or no, we want to do a larger political something."

Brenda Cossman (30:57):

So, I don't recall that debate per se. I do recall there being real conflicts between the committee and the two people who were charged and the lawyers. Because I think, and I don't remember all the specific details, but the Toronto Women's Bathhouse Committee operated as a collective and decisions were made as a collective and on a consensus model, and so on, along with all the politics that goes with that. And there was a real sense, I think, at times, there was a tension between who was directing the litigation here. Because the committee, I think, thought they owned it. But ultimately, the two people were the clients. And the two people who were the clients are the ones that give instructions to the lawyer. And I think that there were tensions in that structure, where I think that, at times, the committee was sort of considering itself more to be that they're the client, but they aren't the client, right? The two people who were charged are the client. And I just remember, and I don't remember the details of it anymore, but I know there was a lot of tension. And there was in-fighting. And I know Lorelee [Gillis] took a leadership position, and then she got criticized by people. And I can't any longer recall who said what about who. Who's on first, what's on second? I don't remember. But I just remember there was quite a bit of tension.

Brenda Cossman (32:12):

And I was also, myself, trying to be really careful because my thing is like, I'm a conduit. I can help translate some of what you're saying to legalese, and I can try and take some of the legalese and translate it back. But I am not representative of anything or anyone. I'm not representing anybody. I'm not a lawyer. I'm not actually called as a lawyer, and I'm not a member of the committee. So, I felt like I also needed to be really careful because I didn't want to be... And it's also even part of why I didn't really even want to do the interview because I wasn't speaking on behalf of anyone, right? I was speaking on behalf of myself as a person with a

lot of expertise in and around this issue. So, how can I help? That was sort of my thing. How can I help? But I don't represent anybody.

Alisha Stranges (33:33):

Yeah, I see. Well, prior to Justice Peter Hryn's ruling, what were you expecting the outcome to be?

Brenda Cossman (33:43):

I thought there was a really good chance that they were going to do what they did, which is effectively say the search was a violation of privacy. I think Frank [Addario] was very persuasive. I thought it was a really good argument. It was a kind of persuasive... For all the reasons, like playing into much more traditional gender norms. It was kind of, like I said, I sort of go back to this. It's this problematic thing that sometimes the winning argument isn't always going to be the best argument, but it's going to be the winning argument. But I've seen all kinds of other things before. Like the Remington's case, I can't even believe that they were convicted in the Remington's case. It was just to me, it was absolutely absurd, so I've also learned to never try to predict what the courts are going to do, like never ever, ever. Whether it's a trial, whether it's a Court of Appeal, whether it's the Supreme, it's just like, one thing you know for sure is you don't know anything.

Alisha Stranges (34:51):

Okay. Well, did you, you attended a couple days of the trial?

Brenda Cossman (34:55):

I did, and somewhere I have extensive notes in some box somewhere. Yeah, I have all my notes somewhere sitting in the courtroom.

Alisha Stranges (35:04):

That's interesting. Maybe we can talk to you about looking for those at some other point.

Brenda Cossman (35:10):

Yeah. They're somewhere. There's a storage bin in my office, down the hall from my office, but...

Alisha Stranges (35:18):

Well—

Brenda Cossman (35:18):

I haven't been to my office for a while.

Alisha Stranges (35:20):

Right. The reason I'm asking is because we've been able to read the court transcripts. And I'm just curious about, because you were a patron there at the Pussy Palace, and the way that the police talk about what they were doing while they were in the Palace, and the way that patrons remember it, these are different stories. And I'm just wondering if, is this a common thing that the police do on the stand? What was it like to sort of hear their accounts when you knew what they were actually like when they were in the space?

Brenda Cossman (36:02):

Police are going to be a certain kind of witness on the stand, and they're always going to be a certain kind of witness on the stand. And they're always going to tell a story from their law enforcement perspective and they, of course, and never think that they do anything wrong. So, they're just telling the story from their perspective. And so, nothing about that particularly surprised me, even though at times, I seem to recall sitting in court and hearing... And I don't remember the specific words anymore, but I do remember, there being a couple moments where one of the officers said something, and people sort of gasped in the courtroom, just like, "Seriously?" But yeah, it's like, it's just police officers are just going to testify like police officers.

Alisha Stranges (36:55):

Those kind of public outbursts have any weight on a judge's ruling, even though I'm sure that they're, I don't know what a judge is supposed to do in terms of mediating what comes through in the courtroom. But that's not in the court transcripts, but I am sure that it had an impact on the story that was being told.

Brenda Cossman (37:13):

I think judges hear this stuff all the time, right? Judges... Of course, judges are supposed to be perfectly objective and just listen, weigh the evidence in a way that ascertains what the truth is. I don't believe that that's the way any of this works. But they are accustomed to hearing two stories about the same event that could not be more different, right? This is just, this is what they hear every day in a trial. There's nothing unusual about that. It's often hard to reconcile that you are both telling a story about the same event, but your narrative could not be more different. And so, that's something that judges are actually used to, and then they have various ways of trying to figure out, who's more credible and why, and try to put the pieces of the story together. But they do it in their own way, and it's never going to be an entirely objective assessment. It can't be. I mean, they're taught to be as objective as possible. But ultimately, it comes down to a whole range of subjectivities around assessing credibility, and looking at the witnesses, and listening to the stories, and trying to put them together. But this is just what judges do, literally every day. And literally, every day in a courtroom, there's going to be people sitting in the courtroom who might react to something, so I don't think there's anything particularly unusual about this.

Alisha Stranges (38:37):

Gotcha. Well, I just have two more broad questions to close, but I just want to leave space here, Elio [Colavito], if you had anything else that you're curious about regarding the legal proceedings?

Elio Colavito (38:51):

Yeah, one thing. We've heard when the judge was chosen, who was going to preside over the case, that he had a reputation of, "You're going to get a win with Hryn." And that he tended to be sympathetic towards the public and kind of almost like anti-crown in a sense. Was that something that you were clued into or...?

Brenda Cossman (39:15):

I probably was, but I don't have a strong memory of this.

Elio Colavito (39:20):

And just to get a better understanding, because we are by no means legal experts at all, is that something that would have a profound effect on the kind of outcome of a case, or is that kind of just like a little, a small bonus in favour of the two who were charged?

Brenda Cossman (39:42):

So, there's definitely some judges that are going to be a little bit more law and order in orientation. There's going to be some that are a little bit more defence in orientation. If they're too far on either side, it undermines their own credibility. But lawyers all have views about... And they would judge-shop if they could. And everybody has views about, "Oh, no, we don't want that one," or "Oh, no, that's a good judge." But that's also a kind of inside baseball for the folks who are in front of the criminal benches all the time, in a way that I, for example, wouldn't know. You could give me a slate of those judges, and I'd be like, "I don't know." So, you just talk to the crowns or the defence attorneys. I'd be more likely to talk to the defence attorneys, who will then have all kinds of like inside baseball stats and stuff.

Elio Colavito (40:36):

Okay. Thank you. That's all.

Alisha Stranges (40:38):

In the years following the raid, did you ever attend another Pussy Palace?

Brenda Cossman (40:43):

I did. I went to the next one that they did. And I can't remember when that was. I feel like it might have been probably the summer of 2001. I think, it was, yeah, the summer of 2001. And I actually went as a kind of, they asked me to come as like a legal observer. I was actually sort of on duty for a couple of hours, just in case anything happened. So yeah, I went and I did that. And then, I hung out and had some beers and stuff. But I was actually like "on duty," whatever that meant for a couple of hours. And then after that, I didn't go back again.

Alisha Stranges (41:23):

Just nothing in it for you or...?

Brenda Cossman (41:26):

Oh, by then, I had kids.

Alisha Stranges (41:28):

I see, right.

Brenda Cossman (41:30):

Then, you just, you don't go out. You stay home.

Alisha Stranges (41:34):

I don't have kids, and I don't go out. I guess, none of us go out.

Brenda Cossman (41:37):

Right. No. Like before, it was like why go out if you could stay home?

Alisha Stranges (41:40):

Yeah.

Brenda Cossman (41:42):

So, people can come over for dinner, but the idea of going out just has never been... Was never really big for me. So, it's so funny, because I literally went to sort of see it, to experience it. Because it is the sort of stuff that I'm interested in. It's the sort of stuff that I write about. It's the sort of stuff that I talk about. But then leave it to me to attend the one where the police were, right? I don't believe in it, but it's like it was some kind of fate. That was the one that I would be at. So, go figure. I was really glad that I was there. I was really glad that I was there to have been able to just sort of watch and help and try to advise in what little ways I could. And sometimes, I also think that even the night of, I felt like even just my sheer presence there was comforting to some people. Because it's like, "Oh, she knows, she knows what's going on." I didn't know what was going on, but because I'm the one who, like, I'm a lawyer and I write about this stuff. So, it was, I think a little bit reassuring for a number of the committee members to just have me listening to the police and then sitting and talking with JP [Hornick] and yeah. So, I'm really glad that I went. It was bizarre. I just kept shaking my head at Shannon [Bell] going like, "Of all the... Like, really. Of all the gin joints in the world, this is the one you have to walk into." And as I say, it's so funny now to talk about this because a lot of my memory around this, like the specifics of it, have really faded. And I just remember spending a lot of time and energy after, in and around the legal defence stuff, and spending a lot of time really kind of agonizing a little bit around the politics of it all because I didn't want to have people get angry at me because I wasn't representing anyone. I was then also trying to write about it a little bit for, I can't remember if I wrote about it for *Xtra*.

Brenda Cossman (43:20):

Oh, then there was a whole other thing that happened around whether or not the committee had been tipped off in advance that there was going to be a raid. And this was a big thing. And they said for a long time, they said, "No, we didn't know, we didn't know, we didn't know, we didn't know." I was told they didn't know. I told a journalist to her face, she said, "Are you shitting me? Did they know?" And I said, "What I have been told is they did not know." And about two weeks later, it comes out that they knew, which lost, I think, a lot of credibility between me and the journalist. But I had to go back and say like, "This is not a *mea culpa*. This is what they said to me. They were telling me that they didn't know and so, I was telling you what they had told me. I wasn't running around this." But there was all kinds of politics around that, about why they could or couldn't tell people. They said one thing to the lawyer, and then they said a different thing. So, but it turns out they had, in fact, been tipped off. And that I think also went to... Because I think that when we arrived that night there was a piece of information that was being given out. I know there definitely was after, but there was — sorry, I just remembered this now — sort of information about, "in the event that the police arrive," there was a little flyer that was being given out. And the question was always, "Why this time? You never handed that out before, so why did you do it this time?" And it turns out, because they had been tipped off that the police might come.

Brenda Cossman (45:10):

And then there was a whole question about, "Well, if you did know the police were going to come, did you have an obligation to do anything else? Did you have an obligation to tell the patrons more than you...?" So, there was a whole politics around that. There was a whole politics around who knew and who didn't know. Then there were a whole politics around, as I sort of already said, who talked to the lawyer, who doesn't talk to the lawyers. And I just remember being very sort of deeply involved and enmeshed in this for a long time and it being a source of both... I was really committed to trying to get the best possible result here, which is at least to get these two acquitted. But also, just a real sense of sort of anxiety around the politics of this kind of organizing when it then moves from just the political over into the legal.

Alisha Stranges (46:30):

Right, right.

Brenda Cossman (46:30):

So, when I think about that time, I just basically, my memory is one of anxiety.

Alisha Stranges (46:32):

Right, yeah. And I can understand that. Absolutely. Well, listen here. I feel like you've given us actually quite a bit inside scoop around the legal proceedings. But I'll just ask a more broad general question here, if there's anything else that you remember vividly about your involvement about that time that our questions really haven't allowed you to speak to, that you wanted to share?

Brenda Cossman (46:58):

Not really, I think because, like I say, memory fades. And so, yeah, I can say there are certain things that I've already described that I have very vivid memory of, and then there's a lot of other details, that if I did find my box with all my notes, and I had notes of various meetings. Somewhere, there is a trove of material there that would probably be very helpful to archive. But I just, I really don't remember the particulars at this point, so.

Alisha Stranges (47:31):

Well, you say that, but you've given us a really great interview. Thank you so much, Brenda [Cossman].

Brenda Cossman (47:36):

Okay, my pleasure.