

# Judge orders halt to native protests in Brantford

Drew Hasselback 2010/11/19 10:24 pm

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Harrison Arrell

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In a 29-Page decision

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The evidence presented by the City, and not in any plausible way disputed by any of the respondents, is overwhelming that work blockades, stoppages and confrontations at the development sites were escalating in the early spring of 2008 to the point of being a daily occurrence. The police were consistently involved and obviously concerned enough about possible violence to require that all work cease when the protestors showed up.

The institute, which says it represents the hereditary chiefs of local First Nations, claimed authority over the land and demanded “application fees” from developers wishing to build there. The city responded with two bylaws aimed at stopping the protests. The respondents challenged those bylaws as unconstitutional, but Judge Arrell disagreed.

On the evidence before me I find as a fact that a number of these protests have led to violence, threats and intimidation against workers, protestors wearing masks, barricades being built by the respondents at a work site. [...]

I find as a fact, on the evidence before me, that the economy of this small city is at risk.

Neil Smitheman and Tracy Pratt of Fasken Martineau LLP represented the City of Brantford.

Legal Post Tags: Aboriginal Law, Brantford, Drew Hasselback, Fasken Martineau, Haudenosaunee Development Institute, Injunctions, Judge Harrison Arrell, Neil Smitheman, Tracy Pratt

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Drew Hasselback November 19, 2010 – 3:54 pm

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Posted in: Legal Post Tags: aboriginal law, Brantford, Drew Hasselback, Fasken Martineau, Haudenosaunee Development Institute, Injunctions, Judge Harrison Arrell, Neil Smitheman, Tracy Pratt

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