

The purpose of this guide is to provide a starting point for researching and understanding the legal background of current events surrounding the Wet'suwet'en Nation and the pipeline project in Northern British Columbia.

Do your research online

Important Cases

- *Delgamuukw v British Columbia*, 1997 CanLII 302: <http://canlii.ca/t/1fqz8> Landmark court decision involving the Gitksan and Wet'suwet'en peoples.
 - See a selection *Legal Commentary* on this case through *CanLii Connects*:
[The Upcoming Supreme Court of Canada Case on Aboriginal Title Delgamuukw at 10: An Insider's Tale](#)
[The Anniversary of Delgamuukw v The Queen: Two Legacies](#)
- *Re Brake*, 2019 NLCA 17: <http://canlii.ca/t/hzf01>
Case concerning the first journalist to be charged with civil and criminal charges while covering protests at the site of an exclusion zone.
 - See a *Summary* of this case through *CanLii Connects*: [Protecting Journalists Covering Protests](#)

Related Legislation

- Indian Oil and Gas Act (R.S.C., 1985, c. I-7): <https://laws.justice.gc.ca/eng/acts/I-7/>
- BC Supreme Court Civil Rule 10-4 – Injunctions (B.C. Reg. 168/2009): <http://bit.ly/2SXYCQ7>

Online Guides & Commentary

- Office of the Wet'suwet'en: <http://www.wetsuweten.com/>
The home website for the Wet'suwet'en Nation.
- Dial-A-Law: Aboriginal Law (2018): <https://dialalaw.peopleslawschool.ca/aboriginal-law/>
A brief overview of Aboriginal Law and how it interacts with Canadian laws.
- The Complicated History of Hereditary Chiefs and Elected Councils. *First Nations Drum article* (2019): <http://bit.ly/2V59Nji>
- When pipeline companies want to build on Indigenous lands, with whom do they consult? For more on the differences between hereditary chiefs and elected band councils. *CBC article* (2019): <http://bit.ly/2So2fzy>

Protest Law

- *Protest Law: Understanding the Law of Injunctions and Contempt of Court*, CLBC webinar recording 2019: <http://bit.ly/2tUkiYE>. This 1.5 hour long webinar is aimed at lawyers and non-lawyers who are looking to get a basic understanding of the law of injunctions and contempt of court proceedings.
- *Guide to The Law of Protests in BC* 2018: <https://www.clicklaw.bc.ca/resource/2512>. This paper tells you about your rights when dealing with police at public demonstrations

- *Know your protest rights*, BCCLA 2017: <http://bit.ly/2uMATng>. From the *British Columbia Civil Liberties Association*, this pamphlet covers your right to protest and information on what to do and what not to do when exercising this right.
- *Know your rights: Injunctions and Contempt of Court*, BCCLA 2019: <http://bit.ly/2Hq3s2U>. From the British Columbia Civil Liberties Association, this paper explains **injunctions** and **contempt of court**.
- *Legal Information for People Attending Wet'suwet'en Solidarity Actions*, Pivot Legal Society 2019: <http://bit.ly/2v13EDd>. From Pivot Legal Society, this guide is for people attending Wet'suwet'en Solidarity Actions to be better informed when interfacing with law enforcement.

Reconciliation

- The Truth and Reconciliation Commission: <http://www.trc.ca/>
The findings and reports of the Truth and Reconciliation Commission.
- The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP): <http://bit.ly/2T5IDRa>

Do your research at the Library

The resources listed are available at some Courthouse Library locations. If the courthouse library nearest you does not have it, ask library staff if a copy can be sent to your local branch. Library hours vary, so be sure to check the hours of operation for your local branch.

- ***Aboriginal Law Handbook, 5th ed*** KM208.I5I523 2018
by Olthuis Kleer Townshend LLP. This is a practical reference resource that covers relevant legal and policy issues, including Indigenous sovereignty and government, duty to consult, and the protection use and management of land and resources.
- ***Native Law*** KM208.I5.W65
by Jack Woodward, QC. This title explores a breadth of legal issues including Aboriginal Title and the Management & Development of Aboriginal Lands.
- ***Injunctions – BC Law and Practice*** KN232.I548 2009
By Derek Brindle and Joy Tataryn. This resource outlines the general principles of injunctions in BC law, providing strategies, commentary and practice tools.
- ***Revisiting the Duty to Consult Aboriginal Peoples*** KM208.I5N485 2014
by Dwight Newman. This text details Canada's duty to consult and examines how it has been interpreted in Canada's courts.
- ***Oral History on Trial: Recognizing Aboriginal Narratives in the Courts*** KM208.I5M544 2011
By Bruce Miller. This text examines the way that Indigenous oral narratives are dealt with in law and key cases, including *Delgamuukw v British Columbia*.