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Harrietsfield Private Prosecution Takes Another Step Forward

HALIFAX, May 26, 2017 — The private prosecution by Harrietsfield resident Marlene Brown took another step forward today as the numbered company 3076525 Nova Scotia Limited was served with a summons, and service is being undertaken for 3012334 Nova Scotia Limited and the individual Roy Brown.

The private prosecution was initiated on April 26, 2017, and includes charges of violating sections 67 and 132 of Nova Scotia's *Environment Act*. Section 67 prohibits the unlawful release into the environment of substances that cause or may cause an adverse effect, and section 132 mandates compliance with orders from the Minister of Environment. To lay the charges, Ms. Brown turned to Canada's *Criminal Code*, which allows citizens to prosecute alleged lawbreaking.

This is the first time that private prosecution has been used in Nova Scotia to enforce environmental laws. On May 18, 2017, a provincial court judge considered the proposed charges in a pre-investigation hearing. The hearing confirmed that the charges could in fact be laid, and that formal summonses would be issued to 3076525 Nova Scotia Limited, 3012334 Nova Scotia Limited, and Roy Brown.

Residents of Harrietsfield have been living with contaminated drinking water for years, and Marlene Brown is determined to see the environmental laws of this province enforced. The East Coast Environmental Law Association and environmental lawyer Jamie Simpson are providing legal support and representation to Ms. Brown.

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