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Indigenous activist heads back to court in fight against Cleveland Indians logo

Paul-Erik Veel was quoted in the Canadian Lawyer Legal Feeds article *Indigenous activist heads back to court in fight against Cleveland Indians logo* on December 7, 2017 regarding Douglas Cardinal's continued fight against Cleveland's baseball team name and logo. The Ontario Divisional Court heard arguments on the case on December 13, 2017.

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“What the continual use and display of that logo at a baseball game means is that individuals who are wildly offended and troubled by that logo have to make a choice between avoiding a game altogether, or attending a game at an increased burden to themselves,” says Paul-Erik Veel, a partner at Lenczner Slaght Royce Smith Griffin LLP in Toronto and one of the counsel representing Cardinal.

Since the logo depicts an aboriginal person in a caricatured and racist way, says Veel, a burden is placed on individuals attending a Cleveland Indians game “as a condition of being able to access that service.” Cardinal’s counsel will argue before the Ontario Divisional Court on Wednesday that Ontario human rights law prohibits discrimination in the delivery of a service.

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“Each case that comes before the Tribunal will have to be considered on its own facts,” says Veel when asked about the implications for other sports teams if his client’s application is successful. However, he says, a successful outcome in Cardinal’s application “would at least further the dialogue about a number of names and logos used by various professional sports teams that a number of groups have considered to be quite racist.”

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