

February 6, 2026

**TO: Kwantlen's Valued Partners,
Neighbouring First Nations,
and Media**

**RE: Kwantlen First Nation's Lawsuit upholds Kwantlen's Custom Hereditary
System of Governance.**

On January 29, 2026, the Federal Court granted judgment for Kwantlen First Nation. The lawsuit was commenced in February 2023 by the Nation's longstanding hereditary Chief, Marilyn Gabriel, and Councillors Tumia Knott and Leslie Antone. The lawsuit aimed to stop a small faction of community members - Brandon Gabriel, Robert Jago, Victor Back, Christopher Thomas, and Robert Thomas ("Brandon and company") - from holding themselves out as the elected government of Kwantlen First Nation.

The basic facts of the case involved the following incidents:

- On November 27, 2022, Brandon Gabriel and company held a meeting attended by a small group of supporters. The meeting was announced with less than a week's notice. During the meeting, the group claimed to have removed Chief Marilyn Gabriel from Kwantlen's Council and elect three of the meeting attendees – Brandon Gabriel, Victor Back, and Christopher Thomas – to positions on Kwantlen Council.
- In February 2023, the same group sought to bolster their November actions by holding a vote – which they administered – to confirm support for their actions.

Shortly thereafter, Kwantlen's Council filed a claim asking the Federal Court to confirm that the actions taken by Brandon Gabriel and others were invalid.

In April 2023, the Federal Court issued an injunction against Brandon Gabriel and company, prohibiting them from holding themselves out as the lawful government of Kwantlen while the lawsuit was pending.

On January 29, 2026, the Federal Court issued its judgment. The judgment confirmed that Brandon Gabriel, Victor Back and Christopher Thomas were not vested with any lawful authority as band councillors of Kwantlen First Nation and that the decisions made at the November 27, 2022, meeting have no legal effect. The Court also issued an order removing Brandon Gabriel, Victor Back and Christopher Thomas from purporting to hold office as members of Kwantlen Council. The Court said nothing that happened during the November 27, 2022, meeting affected the status and legitimacy of Kwantlen's custom hereditary Chief and Council. The Court accepted that this governance structure reflects a band custom that is "firmly established, generalized and followed consistently and conscientiously by a majority of the community".

Importantly, Justice Pamel for the Court made several credibility findings with respect to Brandon Gabriel and company. He found their "statements and conduct ... tainted the process down to its core, thereby rendering that process unreasonable." He also found the evidence of the group's self-appointed spokesperson, Robert Jago, to be self-aggrandizing, selective, and misleading. He noted that both Brandon Gabriel and Robert Jago perpetuated unfounded rumours, "playing fast and loose with the truth" and used those rumours to "fan the flames of discontent" as part of their group's attempt to seize control of the Nation's government. Justice Pamel concluded that whatever the motives of Brandon Gabriel and his group, "the creation of anxiety and conflict through vitriolic language and false accusations is not the way to move forward in a small community."

Kwantlen Chief and Council views the reasons and the orders of the Court as a success in bringing clarity on this matter, upholding the longstanding hereditary custom leadership at

Kwantlen and supporting community harmony and healing. The actions of Brandon Gabriel and company seriously injured the Kwantlen community, created confusion and disruption both within and outside the community, and caused delays in important priorities for the benefit of members and families of Kwantlen First Nation.

Chief and Council's focus going forward will be on strengthening relationships and partnerships, enhancement and delivery of programs and services to community members based on needs and input in the growing Kwantlen community. This includes focusing on healing, ensuring community safety, wellness and harmony, and the importance of traditional teachings and values in governance that respects and upholds all the generations at Kwantlen, those yet to come and relations internally, externally and with the natural and spiritual world.

Kwantlen Chief and Council wish to allow the Kwantlen community time and space to move forward and heal from this matter that has negatively impacted the community. For these reasons, we defer only to this correspondence for providing information on this matter publicly and will not be offering additional comments or interviews.

A copy of the Federal Court's reasons for judgment is available here:

www.kwantlenfn.ca/court-ruling-2026

Sincerely,

Chief and Council



CHIEF MARILYN GABRIEL



COUNCILOR TUMIA KNOTT



COUNCILOR LES ANTONE



COUNCILOR RICHARD SAVINO