

Aggravated assault charges against Steve Hinder withdrawn by Court

By Brock Weir

Aggravated assault charges levelled against Magna's Steve Hinder last month were withdrawn by the Court on Tuesday morning with the Crown concluding there were no grounds.

Mr. Hinder, a former Aurora councillor and current manager of Magna's Neighbourhood Network, was charged with aggravated assault on April 10 in the midst of a long-running Civil case brought against him by local business owner Anthony Pullano, a Council candidate in the 2014 municipal election.

The ongoing Civil matter has been working its way through the courts since February of 2015.

In his \$5 million Civil lawsuit against Mr. Hinder, Mr. Pullano alleges that on the evening of March 20, 2014, he was confronted by Mr. Hinder at a political event for Newmarket Councillor Jane Twinney, who was acclaimed that evening as the riding's Progressive Conservative candidate in the 2014 Provincial Election.

He alleges Mr. Hinder approached him at the event and struck him on the chest with his fist where his Implantable Cardioverter Defibrillator (ICD) is located. As a result, Mr. Pullano alleges he suffered injuries and damages, including going the next day to Southlake Regional Health Centre "to deal with the pain and discomfort" near the ICD "as a result of the assault."

An infection resulted, he goes on to claim, leading to a "deterioration" in health including "loss of heart function, loss of sexual function, a loss of right hand function, and chronic pain and inflammation in his right hand and/or right arm."

Mr. Hinder has strongly denied the claims from the outset and the claims have not been proven in court.

In his defence, lawyers for Mr. Hinder say he was indeed at Ms. Twinney's event, but he merely approached Mr. Pullano, shook his hand, asked him who he was supporting that evening, and "ceased interacting with the plaintiff."

As such, Mr. Hinder subsequently launched a \$1 million counterclaim against Mr. Pullano " \$500,000 for general damages for libel, and a further \$500,000 for punitive and aggravated damages " and a permanent injunction restraining Mr. Pullano for "directly or indirectly" spreading what they allege are false statements against Mr. Hinder.

The counterclaim cites upwards of 40 Tweets and other social media posts made by Pullano describing Hinder as a "racist, a "bully", a "thug", a "cheater" , claiming that he had engaged in "smear campaigns" against candidates, all of which is denied in the counterclaim.

"Mr. Hinder pleads that the statements made by Pullano were made with malice, with the intention of harming Mr. Hinder, his reputation and his professional associations," reads the claim. "Pullano has acted irresponsibly and negligently."

It is alleged Mr. Pullano "instigated a campaign" to malign Hinder's reputation and to have him removed from a number of community boards on which he sits, or with which he is affiliated.

In the meantime, however, Mr. Pullano's claims against Mr. Hinder jumped from the Civil court to Criminal court earlier this spring after Mr. Pullano filed a pre-enquete motion, which brought the matter before a Justice of the Peace to determine whether charges should be laid against an individual following a private complaint.

As such, Mr. Hinder was charged with Aggravated Assault and the case was held over to give both the Crown and the Defence an opportunity to review the relevant material.

The results of that review were made clear on Tuesday morning and the charges ultimately withdrawn.

"I have reviewed the matter," the Crown told the court, noting that this review included "private information" from Mr. Pullano.

"For the record, in the course of the review, it became apparent that this matter had also been reported to the York Regional Police," the Crown continued. "The York Regional Police did a complete investigation. They consulted with the Crown, that is to say one of my colleagues. The conclusion of that investigation and that consultation was that there were not sufficient grounds to arrest Mr. Hinder for either aggravated assault or assault. I have reviewed that entire investigation again with the assistance of the officer in charge. I agree with the original conclusion.

"I have also reviewed the material that is before the court along with this private information. On the basis of the entire review, Your Honour, I have come to the conclusion that there is no reasonable prospect of conviction in this case on the charge before the court or included offences. Accordingly, I am asking that the charge before the court be marked withdrawn."