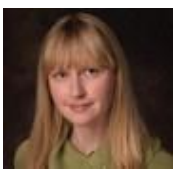




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‘The officer basically tricked me:’  
Ikea monkey’s owner says she was  
badgered into signing over custody  
of Darwin



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Tyler Anderson / National Post Yasmin Nakhuda, who once owned the famed Ikea Monkey 'Darwin', leaves court in Oshawa, Ontario on Thursday.

Amid ominous references to “the Ikea incident” and testimony from a woman who claims she can “speak macaque,” the spectacle of Darwin the Ikea monkey was back in an Oshawa courthouse Thursday.

Lawyers for owner Yasmin Nakhuda and the Story Book Farm Primate Sanctuary spent the day arguing the monkey’s fate, which will be decided Friday on an interim basis pending a full trial.

For lawyer Ted Charney, who represents Ms. Nakhuda, the case hinges on “threats” and “coercion” by the animal-control officers who confiscated Darwin from the Ikea parking lot where he was found wandering late last year, clad in a faux-shearling coat and a diaper. When Ms. Nakhuda later attended a Toronto animal-control facility in the hopes of retrieving Darwin, Mr. Charney said, she was improperly led to believe she had no right of ownership.

“The officer basically tricked me into signing over ownership through threats and duress,” Ms. Nakhuda said in an affidavit entered into evidence Thursday.



Darren Calabrese / National Post files SUNDERLAND, ONTARIO: DECEMBER 10, 2012 - IKEA MONKEY - Darwin, the rhesus macaque found at an Ikea in Toronto, plays in a hamper at the Story Book Farm Primate Sanctuary in Sunderland, Ont. on Monday, December 10, 2012.

The officers misrepresented a surrender form — which formally relinquished Ms. Nakhuda’s ownership rights — as a necessary step to ensure Darwin’s transfer from the impound facility to a more comfortable sanctuary, Mr. Charney alleged.

“[They told her], ‘It’s ours, period. You’re never getting [the monkey] back. Sign the form,’” Mr. Charney said, noting the officers also issued vague threats about possible legal repercussions at the provincial level. “It’s a misrepresentation by someone in authority... She was left with no alternative but to sign the form.”

Story Book lawyer Kevin Toyne, however, suggested it could be dangerous to return Darwin to Ms. Nakhuda’s care, citing evidence she neglected or abused the animal — an issue the plaintiff strongly contests.