



MEMORANDUM

TO: Métis Citizens and Harvesters

FROM: Audrey Poitras, President, Métis Nation of Alberta

DATE: May 27, 2008

RE: Update on Métis Nation's 'Hunt for Justice'

I am writing to provide Métis Nation of Alberta citizens an update on our ongoing Métis rights 'hunt for justice' in Alberta.

The MNA continues to actively defend all of our harvesters who have been charged by the Alberta Government, while following our MNA Harvesting Policy.

We have over 17 Métis harvesters charged now, with this number increasing each month. The Alberta Government has charged Métis Elders, entire families, single mothers, community harvesters and Métis youth. Moreover, we have charges from across the province – Lac La Biche, Valleyview, Breton, Fort MacMurray, Medicine Hat, Lethbridge, Cochrane, Hinton, Red Deer are just some of these locations.

Our Métis lawyers – Jason Madden and Jean Teillet – have advised me that the Deputy Chief Judge of the Alberta Provincial Court has now designated one Judge – the Honourable Judge John Maher – to case manage (i.e. oversee) all of the Métis harvesting cases. Based on this development, all of the existing Métis harvesting cases and all future cases will be moved to Edmonton (Sherwood Park) and overseen by Judge Maher there.

This is a positive development because it has alleviated the pressure the MNA has had in having to arrange for agents to make court appearances for our harvesters, as the various charges come up in court locations across the province. As well, all of the matters moved to Edmonton will be adjourned, pending the outcome of our test case, so we will not have to proceed with defending cases across the province. Equally important, Judge Maher is attempting to make the management of these charges as efficient as possible, so we are able to have our day in court sooner rather than later.

Currently, our legal counsel is attempting to arrive at an agreement with the Crown on what charges will proceed as a consolidated 'test case'. Since the Alberta Government is taking the position that there are absolutely no Métis rights in central and southern Alberta, we have confirmed that we will be combining existing cases out of the Cypress Hills region and Lethbridge.

We are also attempting to consolidate charges we have from the Calgary and Buffalo Lake areas into the ‘test case’. Presently, the Crown is resisting this, since it will likely ensure that any decision will have to deal with a larger Métis community, rather than simply a localized one around Medicine Hat. However, since including the charges from the Calgary and Buffalo Lake areas will not increase the amount of evidence that will have to be presented or the court time needed, we are hopeful an agreement to include these charges will be reached.

It is also important to note that our Métis rights ‘test case’ will also directly challenge Ted Morton’s unilateral and arbitrary Métis Harvesting Policy currently in place that is in place in northern Alberta. Ted Morton’s policy attempts to limit Métis harvesting practices, customs and traditions to 170 kms circles around select “Métis communities”. If we are successful in our ‘test case’, Ted Morton’s arbitrary circles would disappear.

As well, a key part of our research and legal argument in the ‘test case’ will be that Métis are interconnected throughout northern, central and southern Alberta and that Métis have historically and continue to harvest throughout Alberta, as a part of our way of life. Therefore, a win in the ‘test case’ will be a win for all Alberta Métis. This approach is similar to what other Métis governments have done in pursuing their test cases. For example, the Métis Nation of Ontario took the *Powley* case out of Sault Ste. Marie as a test case, the Manitoba Métis Federation took the *Goodon* case out of southwestern Manitoba for all Manitoba Métis, etc.

As more information on our ‘test case’ becomes available, I will continue to provide MNA citizens with updates. As well, a more detailed update will be provided to Métis citizens at the MNA Annual General Assembly in August.

Finally, please remember to review the MNA Harvesting Policy before you go out harvesting, and, if you are charged, please ensure you forward all information to the MNA Head Office to the attention of Robert Lee, so we can ensure we are aware of all existing charges and ensure your charges are consolidated with the other cases in Edmonton.

Sincerely,
Métis Nation of Alberta



Audrey Poitras
President