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BY EMAIL

June 7, 2013

Attention: Trevor Jukes
Assistant Crown Attorney
Crown Attorney's Office
Ontario Court of Justice
1805 East Arthur Street, 2nd Floor
Thunder Bay, Ontario
P7E 2R6

Dear Mr. Jukes,

RE: Inquest into the Death of Seven First Nations Youth in Thunder Bay Application for Standing

We are writing on behalf of Nishnawbe Aski Nation (NAN) to apply for standing at the Inquest into the Deaths of Seven First Nations Youth in Thunder Bay.

NAN has had a longstanding interest in this inquest. By correspondence dated March 6, 2008, NAN wrote to then Regional Supervising Coroner Dr. Eden concerning the deaths of First Nations students and expressed serious concern over the inexplicable loss of life.

As you know, Reggie Bushie went missing on October 26, 2007, and his body was found in the McIntyre River on November 1, 2007. NAN joined with Reggie Bushie's family in calling upon the Office of the Chief Coroner to hold a discretionary inquest. The Office of the Chief Coroner announced on June 6, 2008, that an inquest into Reggie Bushie's death would be held.

On January 7, 2009, NAN made submissions applying for standing at the Inquest into the Death of Reggie Bushie which are attached and included as follows:

- Letter of January 7, 2009 from Falconer Charney LLP to Deborah Kinsella, applying for standing at the Inquest into the Death of Reggie Bushie; and
- Affidavit of Deputy Grand Chief Fiddler, sworn January 7, 2009, in support of NAN's application for standing at the Inquest into the Death of Reggie Bushie.

NAN was granted standing at the Inquest into the Death of Reggie Bushie.

Following the death of Reggie Bushie, NAN sadly lost two more of its young community members in similar circumstances.

The Expansion of the Inquest

On May 11, 2012, NAN wrote to Dr. McCallum, then Chief Coroner for Ontario, requesting that he exercise his jurisdiction pursuant to s. 25(2) of the *Coroners Act* to direct that the deaths of six other youth who had died in similar circumstances and from a common cause be added to the Inquest into the Death of Reggie Bushie.

Representatives from NAN and their legal counsel then travelled to the communities in order to make contact with the yet unrepresented families of the youth who died in Thunder Bay in similar circumstances, and to canvass their opinion as to whether they would support the addition of their child's name to the verdict sheet. Following these visits, each of the families and political leaders that were contacted confirmed their support for the process.

Political, Family and Community Support

The idea of a Family Circle Support Conference arose out of the above noted family visits. Following the visits to the five then unrepresented families, NAN began the preliminary work on facilitating individual legal representation through Aboriginal Legal Services Toronto ("ALST"). A group meeting was organized between NAN, ALST, the families, the Ontario Provincial Police ("OPP"), and the Coroner's office.

The conference was held at the Victoria Inn in Thunder Bay. Facilitators, support persons, translators and ceremonial persons were all in attendance. Unfortunately, only four of the seven families were able to be in attendance, with others being affected by the passing of relatives, and illness. However, for the families that were able to attend, along with their chosen support person, a great deal of work was accomplished.

On day one, the families met together for the very first time. The conference was opened by Deputy Grand Chief Fiddler, before the facilitators took the participants through introductory sessions. In the afternoon, information sessions were conducted and the Inquest process was fully outlined, including explanations of the various parties, the role of the Coroner and Coroner's Counsel, and the available supports.

On day two, presentations were made by Detective Inspector Peter Loree on behalf of the O.P.P., Chief Coroner for Ontario, Dan Cass, as well as Trevor Jukes and Karen Shea, Coroner's Counsel. Following these presentations, the families provided their input into the Inquest process.

The conference accomplished the goals of providing much needed information to the families, in a forum where they would have each other for support. Additionally, bringing the families together saved the travel costs and time resources of making another round of individual family visits, both for NAN and for ALST.

It should be noted that not all of the families or individual family members are represented by ALST. NAN is continuing to work to keep the unrepresented parties informed. Additionally, it will continue to provide the political direction that is sought by all of the parties, as this process unfolds.

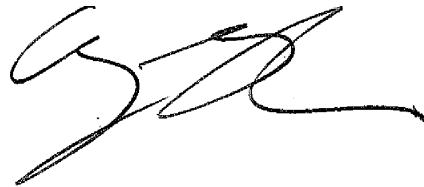
Conclusion

NAN has pursued this issue as the safety of their young community members is a paramount and an increasing concern. Many youth who grow up in small or remote fly-in communities must leave home in order to pursue a secondary school education. One high school they can attend is the Dennis Franklin Cromarty High School (“DFC”) in Thunder Bay. Each year, this school receives First Nations students from various NAN Reserve communities, such as but not limited to, Keewaywin, Mishkeegogamang, Webequie, Poplar Hill, Kasabonika Lake, and Pikangikum.

In order to address what has become a deep seated community fear as to the circumstances of these deaths, and to examine the broader systemic issues, NAN is applying for standing into the death of the Seven First Nations Youth in Thunder Bay. To this end, NAN is relying upon its written submissions of January 7, 2009 (enclosed), this letter, and we look forward to addressing any questions the Presiding Coroner, Dr. Eden, may have during the pre-inquest hearing scheduled for June 10, 2013.

Thank you for this opportunity to provide submissions on the issue of standing.

Yours truly,
Falconers LLP



Julian N. Falconer

Encl.

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