



Chief Mona Dennome,
Ontario Coalition of Indigenous Peoples,
21-B Trottier Rd,
Lavigne, ON P0H 1R0
May 01, 2023

Re: Daniels vs. Canada

Dear Minister Rickford:

I am writing to you today seeking a face-to-face meeting to discuss the 2016 Daniels vs Canada court decision. In particular, we (the Ontario Coalition of Indigenous Peoples Board) want the opportunity to discuss a bi-lateral provincial accord with the Government of Ontario and establish a working relationship moving forward.

The Daniels case was heard by the Supreme Court of Canada in October 2015 and was won on April 14, 2016. The three original plaintiffs in Daniels vs. Canada (1999) were the Congress of Aboriginal Peoples (CAP); Harry Daniels, then-president of CAP; and Leah Gardner, a Non-Status Anishinaabe woman from Ontario. This landmark case addressed whether or not Métis and Non-Status Indians are Indians under section 91(24) of the Constitution Act, 1867; whether the Crown owes the same fiduciary duty to Métis and Non-Status Indians as it does to Treaty Indians and whether Métis and Non-Status peoples collectively have a right to be consulted and negotiated with in good faith by the federal government through representatives of their choice. On April 14, 2016, the Supreme Court of Canada ruled unanimously that under the Constitution Act, 1867, the federal government is responsible for all Indigenous peoples, including nearly 600,000 Métis Non-Status peoples across Canada.

Under the federal umbrella, “The Congress of Aboriginal Peoples” is a federal organization that has been in existence since 1971 with “The Ontario Coalition of Indigenous Peoples” as its Ontario affiliate. Subsequent to the Daniels decision, CAP signed an accord with the federal Government of Canada on December 5, 2018. Given that we represent, Métis and Non-Status people in Ontario we collaborated with the Congress of Aboriginal Peoples to successfully deliver and complete the Covid-19 support program. We are also presently administering the federal Indigenous Skills and Employment Training (ISET) program for all our Indigenous members.

While the legal authority underlying the Daniel’s decision falls under the federal jurisdiction we understand that the duty to consult is a statutory, contractual and common law obligation that must be fulfilled by the Crown prior to taking actions or making decisions that may have consequences for the rights of Indigenous

peoples in Canada. The duty to consult has been affirmed and clarified by various Supreme Court of Canada rulings, such the Haida case (2004) and the Beckman vs. Little Salmon/Carmacks case (2010). The duty to consult is an important step toward reconciliation with Indigenous peoples.

Moving forward, we wish to be involved in all future discussions. In the spirit of a hand up rather than a hand out, we welcome the opportunity to schedule a meeting to discuss this matter at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Mona Denname". The signature is fluid and cursive, with a small dot at the end.

Chief Mona Denname,
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