

**VOICE OF THE
PEOPLE**



Summary Report of the
Constitutional Reform Consultation Sessions
held March to December 2024, Virtually and in Regions Across Saskatchewan

*Prepared for the Métis Nation - Saskatchewan
by Peacock Ink Ltd.
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Background

In April 2019, the Métis Nation Legislative Assembly (MNLA) passed a resolution to initiate consultations on potential reforms to the “Constitution of the Métis Nation – Saskatchewan” (the “Constitution”). The process began later that year with the Voice of the People Consultation Sessions, and a progress report was presented at the fall 2019 MNLA.

Consultation sessions resumed in the spring of 2022. Between April and June 2022, the Constitutional Reform Team, under the guidance of the Vice President’s office, held in-person and virtual gatherings with Métis citizens across Saskatchewan. Feedback from these sessions was compiled in the 2022 Constitutional Reform Consultation Session Summary.

During the spring of 2023, the consultation sessions continued with a focus on priority topics including citizenship, land rights, language, Locals, Regions, the Executive, the MNLA, the Provincial Métis Council, the General Assembly, and the Saskatchewan Métis Elections Act.

Discussions continued in March 2024 on amendments proposed to the Constitution and the Elections Act, scheduled for review at the spring 2024 MNLA. Following the MN-S decision on April 17, 2024, to withdraw from the Bill C-53 process, the focus of these consultations shifted to specific amendments for consideration at the fall 2024 MNLA. Sessions on the proposed Kwayaskastasowin Judiciary Act, were also held between March and December 2024.

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The comments included in this summary report are presented as received from participants during and after the sessions, and have not been assessed for factual accuracy.

Overview

Summary of Participant Feedback on Discussion Topics

This report summarizes feedback shared during the 2024 Constitutional Reform Consultation Sessions, held in communities across Saskatchewan and online. It highlights key themes raised by participants regarding potential amendments to the *Constitution of the Métis Nation – Saskatchewan* and other MN-S legislation. The feedback is intended to inform ongoing discussions on constitutional and legislative reform within the MN-S.

The consultation sessions began with an overview of the engagement activities held since 2019, which helped shape the proposed amendments to the *Constitution of the Métis Nation – Saskatchewan* (“*Constitution*”) and the *Saskatchewan Métis Elections Act 2007* (“*Elections Act*”). These proposed amendments were initially intended for review by elected officials at the Spring 2024 Métis Nation Legislative Assembly (MNLA).

Participants were invited to provide feedback on potential amendments related to Citizenship, the Composition of the Executive, Women and Youth representation, Elections, the General Assembly, Land, Language, Locals, the MNLA, Provincial Métis Council (PMC), Regions, and the Tribunal / Judiciary. Additional comments were also welcomed by email.

Following the MN-S PMC’s April 17, 2024 decision to withdraw from *Bill C-53 (An Act respecting the recognition of certain Métis governments in Alberta, Ontario and Saskatchewan, to give effect to treaties with those governments and to make consequential amendments to other Acts)*, the consultation session agenda was adjusted to focus on priority amendments for the November 2024 MNLA, including:

- Adding language to the *Constitution* to support self-government and Métis rights
- Setting up a system for electing provincial Women and Youth representatives every four years
- Creating rules for establishing a Métis Judiciary (or Tribunal)
- Changes to the General Assembly voting rules to allow all voting-age MN-S citizens to vote
- General improvements for clearer language and consistency.

Participants were also invited to comment on options for future Assemblies, including potential in-person and virtual formats.

Feedback was gathered during the sessions through open discussions and written submissions, which was compiled by professional note-takers. The feedback has been summarized and organized by topic and region in this report, to reflect the range of perspectives shared. These comments have not been reviewed for factual accuracy.

FEEDBACK ON THE 2024 DISCUSSION TOPICS

Citizenship

Participants supported simplifying the MN-S citizenship application process and providing ongoing assistance, especially for applicants lacking genealogical documents. They also recognized the need to clarify the rights and processes for applicants who were denied citizenship. Additional suggestions included prioritizing “connections” over “residency requirements” and allowing Métis individuals to choose between Métis citizenship and First Nation status. They also recommended enabling Métis citizens, especially students, to retain their connections and rights when relocating. To make Métis citizenship transferable across the Métis Nation and to prevent false identity claims, participants discussed creating a national registry system.

To further strengthen relationships, participants supported giving Local leaders access to citizenship lists, under strict accountability rules, and with citizens' consent. They also advocated for granting citizenship to adopted children in Métis families and considered offering "honourary citizenship" to Métis citizens living outside the province.

Composition of the Executive

During the sessions, participants reviewed the proposed amendments to the MN-S Executive structure, which included one President and two Vice Presidents, and requested further information on their respective roles and responsibilities. They also questioned the rationale and origin of the proposed and existing Executive structures. Participants supported adhering to MN-S rules for filling Executive vacancies and emphasized the importance of preventing conflicts of interest in the ministerial appointment process.

Elected Women and Youth Representatives

Participants discussed including Women and Youth representatives on provincial election ballots (with specified term lengths) and considered simultaneously electing Regional and Provincial representatives. They requested that MN-S legislation recognize multiple genders and clarified that it was unreasonable to assume that people who identified as other genders, should be part of the Women's group. The importance of maintaining the Women's representative position on the PMC was highlighted, along with the need to clarify the function and activities of Les Filles de Madelaine (LFDM). Additionally, the sessions considered a role for Elders in relation to Women and Youth representatives and evaluated different perspectives related to the age limit for Youth representatives (e.g. at 29).

Elections

To ensure transparency and to provide eligible voters with clear and consistent information, sessions discussed appointing an independent body to oversee elections. Participants requested consideration of accessible voting options, such as advanced voting, out-of-province voting, and allowing relocated members to vote in their "original Local" elections. Access to voter lists could be provided to candidates, only after they commit to accountability measures. Candidates and elected officials must meet and maintain eligibility criteria, including regular criminal record checks. Finally, the ideal age range for Youth candidates should be determined to encourage their engagement.

General Assemblies and the Métis Nation Legislative Assembly

Participants emphasized the significance of General Assemblies and MNLAs as opportunities for citizens to question elected officials and participate in decision-making. Many expressed support for a mechanism that would allow non-Local citizens to voice their opinions and requested a review of the benefits of electronic voting, virtual attendance, and online voting at the General Assembly.

The importance of elected officials receiving audited financial statements for review before the MNLA was acknowledged. Participants supported holding General Assemblies annually to unite citizens and discuss priorities. Additional suggestions included: holding MNLAs in different locations, providing accessible voting procedures, and implementing measures to verify voter authenticity. It was also requested that alternates be designated when Local Presidents or Vice-Presidents cannot attend.

Locals

The sessions acknowledged that imposing a Local membership minimum could dissolve some Locals, as fewer than 20% of Métis citizens belonged to a Local. Participants supported opportunities to increase Local registration through organized events.

Unless a general election was scheduled within six months, participants supported holding by-elections within 30 days of a Local or Regional Executive vacancy. Local elections should be staggered, transparent, and compliant with MN-S' processes. Clarification was requested on whether the proposed amendments will affect Locals' ability to incorporate under the revised *Constitution*, to access grant opportunities. Criteria for combining, dissolving, and creating Locals were needed, with clear geographic boundaries to enhance governance clarity and effectiveness. Increased funding for Locals was needed, along with the requirement to provide financial reports.

Tribunal / Judiciary

During the Consultation Reform sessions, participants emphasized the need for additional Métis advocates to support individuals during unwarranted police interventions. Participants also requested detailed information on the qualifications of the proposed Judiciary and Chief Justice, as well as clarification on the judiciary's independence and the scope of matters under the Tribunal's jurisdiction. Additional inquiries focused on potential dispute resolution methods, associated costs, and enforcement measures for non-compliance with MN-S legislation. The establishment of an Ombudsperson's Office for conflict resolution and protection was also discussed.

The Draft "Kwayaskastasowin Judiciary Act"

Following completion of the draft legislation "*An Act respecting the Métis Nation – Saskatchewan Judicial Body and providing for settlement of disputes in accordance with the principles of Kwayaskastasowin*" (the Kwayaskastasowin Judiciary Act), dedicated review sessions were scheduled beginning in June 2024.

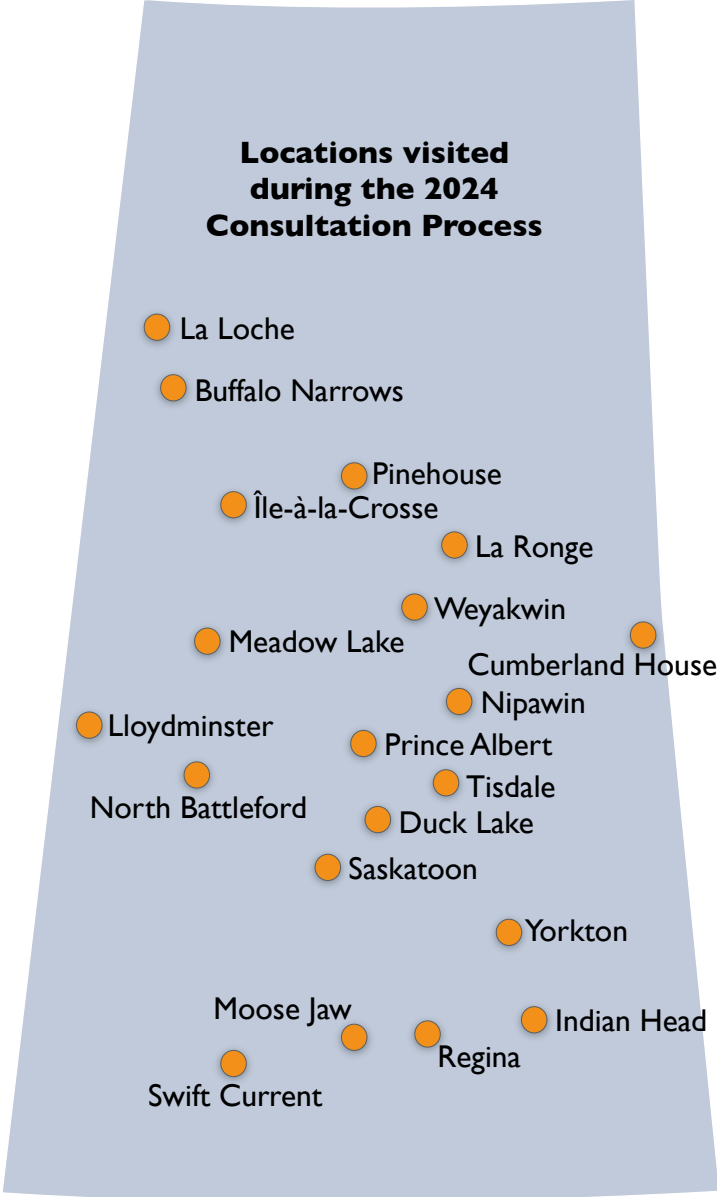
During section-by-section reviews of draft Judiciary Act legislation, comments were received on the importance of upholding Métis sovereignty, embedding traditional laws and languages, defining the judiciary roles and selection processes, clarifying enforcement and dispute resolution mechanisms, ensuring transparency and accountability, preventing conflicts of interest, and establishing inclusive and consultative decision-making processes.

Given the interest in the Judiciary, sessions were scheduled between March and December 2024 to gather feedback specifically on the proposed Kwayaskastasowin Judiciary Act. Participants were invited to review the report "[Kwayaskastasowin: A Métis Judiciary Designed with Métis People](#)"¹.

¹ The report "*KWAYASKASTASOWIN: A Métis Judiciary Designed with Métis People*" can be accessed at: <https://metisnationsk.com/wp-content/uploads/2024/06/Kwayaskastasowin-A-Metis-Judiciary-Designed-with-Metis-People.pdf> (link valid at the time of publication)

Participation and Feedback Map

Map of 2024 Consultation Session Locations



24

Sessions Held

Sessions were held virtually and in MN-S regions. Three meetings were held with Elders from all regions, to discuss proposed amendments to the preamble of the *Constitution*, a proposed Judiciary Act, and to provide insights on self-governance and self-determination.

9

Virtual Sessions

Virtual sessions were held, including sessions specifically for Youth and Les Filles de Madelaine.

600

Participants

Approximately 600 participants attended the sessions held across Saskatchewan and online.

6

MNLA Dialogue Forums

Dialogue Forums were held the day before MNLAs in 2019, 2021, 2022, and 2023, and included discussions on Constitutional Reform, the Judicial Tribunal and Locals.

50+

Written Submissions

More than 50 written submissions were received during or after the consultation sessions.

Northern Region 1

Feedback provided by participants, on the topics presented at the following sessions:

- La Ronge – March 27, 2024 (20 participants)
 - Weyakwin – March 28, 2024 (7 participants)
-

Citizenship

- Consider granting voting rights to out-of-province citizens
- Ensure the MN-S Citizenship Application Form does not suggest the relinquishment of rights:
- The MN-S Citizenship Application Form creates challenges for those without genealogical documentation
- Métis-identifying individuals who are denied citizenship have been encouraged to seek Treaty status
- Provide initial and ongoing assistance during the citizenship application process.

Composition of the Executive

- Reducing the Executive to three members consequently lowers the threshold to pass resolutions
- Prioritize drafting an “Executive Act”.

Elected Women and Youth Representatives

- Consider electing the women representatives.

Elections

- Allow relocated members to vote in their original Local elections to sustain voter bases
- Establish an independent body to oversee elections to ensure transparency
- Provide voter lists to candidates who sign a disclaimer and adhere to accountability measures
- Respect privacy concerns by allowing citizens to choose whether they share their information.

Locals

- Métis citizens are not required to belong to a Local to vote; fewer than 20% of citizens belong to a Local
- Imposing a membership minimum could dissolve certain Locals
- Consider granting “heritage status” to preserve smaller Locals
- Establish agreements to ensure Locals’ involvement.

Tribunal / Judiciary

- Locals determining Métis status could cause verification without adequate documentation.

Additional Comments

- MNLA and General Assembly participants need information, so they can vote on issues
- Misinformation shared during engagements can create mistrust
- Part-time Local Presidents experience challenges in staying informed and serving effectively
- Consider conflict of interest clauses for the PMC in the *Constitution*, for transparency
- Implement mechanisms for accountability and good governance in the *Constitution*
- Ensure constitutional reform presentations are clear and understandable
- Focus presentations on the benefits the proposed amendments will provide to the MN-S.

Northern Region 2

A presentation was provided in the following communities:

- Buffalo Narrows – April 25, 2024 (17 attendees) – no feedback was provided
 - La Loche – April 26, 2024 (7 participants) – feedback provided is summarized below
-

Language

- Consider obtaining government funding to teach Dene in schools.

Locals

- Provide legislation to guide Locals
- Clarify Local Executives, and their selection process
- Ensure the *Locals Act* is specific and guarantees financial accountability
- Specify in Legislation that Locals Presidents must be registered Métis citizens.

Métis Nation Legislative Assembly

- Provide citizens with opportunities to question elected officials at the MNLA and the General Assembly.

Provincial Métis Council

- Introduce specified qualification and education requirements for PMC positions.

Regions

- Ensure the Regions are allotted funding to fulfil their obligations
- Clarify how women’s voices will be heard by the Regional Directors.

Tribunal / Judiciary

- Enable the Judiciary to address non-compliance, and act as an enforcement mechanism
- Outline a process for the removal of elected officials.

Additional Comments

- Clarification is needed on the MN-S’ decisions to withdraw from the *Bill C-53* process and proceed directly to Treaty negotiations
- Justify the proposed amendments to the *Constitution*, and address questions regarding past compliance issues
- Clarify how Elders were selected to attend the 2024 Elders Gatherings.

Northern Region 3

Feedback provided by participants, on the topics presented at the following sessions:

- Île-à-la-Crosse – April 24, 2024 (16 participants)
 - Pinehouse – April 27, 2024 (1 participant)
-

Citizenship

- Revise the citizenship application form, to remove the implication that citizens relinquish their rights
- Enable citizens to maintain a historic citizenship, regardless of where they reside.

Composition of the Executive

- Clarify the six-year absence of an MN-S “Treasurer”
- Ensure vacant positions on the Executive are filled
- Clarify why bylaws are not being adhered to, specifically regarding by-elections
- Define the responsibilities and powers of the Executive in the MN-S legislation
- Determine if there is support to adjust the structure of the Executive to include a First and Second Vice President.

Elected Women and Youth Representatives

- Clarify the relevant resources and election process for the Youth representative.

Elections

- Streamline the election process
- Ensure eligible citizens can vote.

Métis Nation Legislative Assembly

- Hold a referendum to enable citizens to vote on constitutional amendments at the MNLA.

Land

- Ownership of land and resources is imperative to self-determination and self-government.

Locals

- Consider granting Locals proportional voting rights (based on the number of members)
- Prohibit Local Presidents from holding both First Nation status and MN-S citizenship
- Ensure Locals consistently submit their reports and minutes, as required.

Tribunal / Judiciary

- The Métis Judiciary should reflect the traditional laws of the Buffalo Hunt.

Additional Comments

- Extend consultations on the proposed constitutional amendments, by another year
- Confirm that constitutional amendments require the approval of MN-S citizens
- Provide an update for citizens on the status of the Île-à-la-Crosse Residential School
- Share recommendations from previous MN-S administrations, on constitutional amendments
- Provide printed material to communities in advance of constitutional reform sessions, so they have time to review.

Eastern Region 1

Feedback provided by participants, on the topics presented at the following session:

- Cumberland House – April 9, 2024 (6 participants)
-

Citizenship

- Allow MN-S citizens to retain their citizenship regardless of where they reside.

Composition of the Executive

- Assign a representative from the Executive to each ministerial portfolio
- Ensure Executive positions and their responsibilities, are clearly communicated
- Citizens should vote specifically to elect the Executive positions.

Language

- Prioritize efforts to revitalize Métis languages.

Locals

- Implement the requirement for Local Councils to swear an oath of office (similar to the PMC)
- Include children under 16 in the membership count, before eliminating smaller Locals
- Amalgamation of Locals may not be possible, especially for remote communities
- Allow citizens to remain with their Local, regardless of where they reside
- Eliminate the proposal to require a minimum number of members to establish a new Locals; this approach neglects to recognize individual citizens' value
- Ensure equal funding for rural and urban Locals.

Tribunal / Judiciary

- Ensure individuals serving on the Judiciary are qualified, impartial, and consistent
- Clarify whether the Judiciary can recommend laws to the MNLA.

Additional Comments

- Address concerns related to trust in elected officials
- Programs and services lack organizational capacity and necessary assistance
- Establish greater support and foster a stronger connection between communities and the MN-S
- Local Councils need access to funding and training
- Strengthen the link between Locals through leader engagement with citizens.

Eastern Region 2

Feedback provided by participants, on the topics presented at the following sessions:

- Nipawin – March 19, 2024 (2 participants)
 - Tisdale – March 20, 2024 (18 participants)
-

Citizenship

- Ensure Métis citizenship is transferable across the Métis Nation so MN-S citizens can maintain their citizenship, regardless of their residence
- Consider a national registry to connect all Métis citizens
- Allow Métis individuals to determine whether they are Métis or First Nation citizens.

Composition of the Executive

- Maintain the current Executive structure, including an elected Treasurer.

Elections

- All election candidates must be 18 years of age to run for office, including youth.

Language

- Integrate Cree into Métis culture and share it across generations.

Locals

- The proposal to require new Locals to have a minimum of 50 members, seems reasonable
- Ensure careful deliberation when amalgamating smaller Locals to ensure individual voices are heard
- Amalgamating Locals could result in fewer votes at the MNLA
- Encourage citizens to join Locals, by holding organized membership events
- It would be helpful to provide Locals with reporting templates and central electronic document filing
- Consider changing the name of “Locals” to “Chapters”
- Provide Locals with a Code of Conduct with mandated compliance
- Clear commitment guidelines for Locals and MN-S to assist Locals with compliance are commendable
- Locals have unique issues which require unique solutions
- Encourage MN-S to promote a Local registration process to boost involvement
- Clarify whether the proposed amendments will affect Locals’ ability to incorporate under the revised *Constitution*, to access grant opportunities
- Conduct by-elections within 30 days of a Local Executive vacancy, unless a general election is scheduled within six months.

Métis Nation Legislative Assembly

- Provide MN-S audited financial statements to elected officials, prior to MNLA for review.

Regions

- Establish and enforce rules and regulations to protect a Regions’ assets
- Conduct by-elections within 30 days of a Regional Executive vacancy, unless a general election is scheduled within six months.

Tribunal / Judiciary

- Establish an additional layer of Métis advocates for assistance during unwarranted police intervention
- Provide further information on the Judiciary
- Expand on the anticipated qualification for the Chief Justice
- Clarify the availability of mediation, healing circles, appeal processes, and associated costs
- Clarify the Métis Judiciary's consequences and recourse for non-compliance with MN-S legislation
- Expand on the independence of the Métis judiciary.

Additional Comments

- Constitutional reform and integration considerations:
 - o Address concerns regarding an absence of elected officials at constitutional reform sessions
 - o Slow the constitutional reform process, to provide time for further discussion
 - o A prolonged constitutional reform process complicates and delays effective decisions
 - o Clarify how the *Constitution* with proposed amendments, will adhere and integrate into Canada's governing laws
 - o Solidify the *Constitution* to mitigate the need for negotiation with new Canadian governments
 - o The proposed amendments to the *Constitution* could encourage accountability
 - o Include Elders from every Region in consultations on the proposed amendments to the *Constitution* preamble
- Provide guidance on the number of Regional and Local meetings that must be held each year
- Ensure the inherent rights of Métis are respected and ensure fairness with First Nations
- The MN-S should oversee MNLAs, to prevent wasteful expenditures
- Address Métis citizens' concerns about crime and its impact on communities.

Eastern Region 2A

Feedback provided by participants, on the topics presented at the following session:

- Yorkton – April 12, 2024 (24 participants)
-

Citizenship

- The MN-S Citizenship Registry must provide correct and consistent information to applicants, including on the definition of “Métis”
- Strengthen the Citizenship Registry process, to prevent false Métis identity claims
- Prevent individuals from having both MN-S citizenship and First Nations status
- Consider allowing MN-S citizenship to children adopted by Métis families
- Consider an “associate citizenship” for those who do not qualify, excluding voting rights.

Composition of the Executive

- The proposal to introduce two Vice Presidents into the Executive, does not reflect a traditional Métis governance structure.

Elections

- Consider the legitimacy of an election involving ineligible voters
- Ensure voters provide proof of citizenship prior to voting
- Ensure citizens are provided with clear and consistent information when voting.

General Assembly

- Listen to the significant support for electronic voting options.

Locals

- Implement accountability and enforcement mechanisms for elected officials
- Consider replacement protocols for Local Presidents who are not fulfilling their responsibilities
- Ensure Locals respond efficiently
- Consider a percentage-based approach to Local membership requirements
- The minimum requirement of 50 members is excessive
- Determine how to increase active participation in Locals
- Allow Local Presidents to accept new members to their Local.

Regions

- Encourage communication between Locals and the Regional office
- Provide a clear map indicating the MN-S regional boundaries.

Additional Comments

- Support continued progress at the MN-S
- Ensure citizens in small communities, who cannot attend meetings, are updated
- Encourage and maintain the values of equality, respect, and care
- Ensure citizens can practice their culture and share it with future generations
- Provide support and funding for those in need
- Maintain the current *Constitution*, validated by court rulings; prioritize legislative amendments instead.

Eastern Region 3

Feedback provided by participants, on the topics presented at the following session:

- Indian Head – April 13, 2024 (30 participants)
-

Citizenship

- Encourage Métis people to register as citizens, to assist the MN-S with funding considerations
- Provide candidates with citizenship lists, and require accountability and enforcement mechanisms
- Indicate Local membership on MN-S citizenship cards.

Elections

- Provide alternative and accessible voting options (e.g., advance voting)
- Ensure electronic voting options are available; clarify privacy measures and relevant costs
- Consider creating a website to safely share candidates' information during election periods
- Designate a single day for voting
- Consider advanced voting for special cases.

Locals

- Local membership considerations:
 - o Determine how to facilitate processes considering non-Local members
 - o Allow individuals to maintain their roots in communities, regardless of residence
 - o Consider the views of citizens who are forced to move, but prefer their original Local
 - o Ensure MN-S citizenship is the only requirement for obtaining Local membership
 - o Ensure consistent criteria for Local membership
 - o Consider optional or automatic membership to Locals, upon obtaining MN-S citizenship
- Ensure Locals welcome all citizens to participate and maintain an open-door policy
- Redirect attention to the “greater good for a greater impact”
- Provide amalgamation options for smaller Locals
- Provide Local Presidents with their membership lists, so they can contact citizens to establish relationships and provide information
- Create incentives for members to attend meetings
- Locals will require increased capacity and administrative support to address additional legislation.

Additional Comments

- There is growing support from the federal government
- The governance structure was different when the *Constitution* was originally written
- Updating the *Constitution* was necessary; it should reflect the new self-governance model.

Western Region 1

Feedback provided by participants, on the topics presented at the following session:

- Meadow Lake – March 16, 2024 (16 participants)
-

Citizenship

- Remove all references to the derogatory term “half-breeds” from the *Constitution*
- Ensure proper pronoun usage, and remove gender-specific references
- Clarify in the *Constitution*, whether MN-S citizens lose their citizenship upon relocation
- Clarify the next steps for citizens denied citizenship (e.g., appeal processes)
- Clarify if the reference to “every child born to a man or woman” includes adopted children.

Land

- Provide the rationale for the proposed 50-member requirement for new Locals
- Eliminate minimum membership requirements as they may be unattainable
- Provide Local Presidents with contact information for new citizens in their area
- Clarify the organizational structure of Locals and Regions
- Address uncertainties around specific Locals (e.g., Local #31).

Regions

- Consider representation by population
- Consider whether Regional Councils should have an equal number of members.

Tribunal / Judiciary

- Clarify the matters and crimes the Tribunal / Judiciary will consider.

Additional Comments

- Clarify whether the MN-S has asked the Canadian government to return Métis children in their care
- Ensure the MN-S focuses on the needs of Métis citizens:
 - o Provide support for vulnerable Métis citizens; access to palliative care is insufficient
 - o Do not reduce support when individuals obtain employment
 - o Métis people historically supported each other
 - o Registering under the *Indian Act* indicates continued dependence of the Canadian government
- A Métis “Freedom of Information Act” could protect citizens’ personal information
- The proposed legislation must be accessible through the MN-S website, for review
- Ensure the *Constitution* is clear and understandable by all citizens.

Western Region 1A

Feedback provided by participants, on the topics presented at the following sessions:

- North Battleford Morning Session – March 15, 2024 (4 participants)
 - North Battleford Evening Session – March 15, 2024 (10 participants)
 - Lloydminster – March 14, 2024 (12 participants)
-

Citizenship

- Consider “honourary” citizenship for citizens who live elsewhere (e.g., overseas)
- Enable citizens to reside elsewhere while maintaining MN-S citizenship.

Composition of the Executive

- The Treasurer position is redundant, considering the appointment of a Minister of Finance
- Electing a Treasurer may increase accountability
- Consider benefits of a four-member Executive; clarify the origin of the proposed reduced Executive
- Clarify whether a staff appointment could address short-term Executive vacancies
- Explain the responsibilities of each of the current and proposed Executive members.

Elected Women and Youth Representatives

- Elect regional and provincial Women’s representatives simultaneously
- MN-S legislation must recognize multiple genders
- A Women’s representative cannot represent all gender diversity
- Maintain the Women’s representative position in the PMC
- All PMC members should hear, respect and convey the perspectives of women
- Include Women and Youth representatives on the provincial election ballot
- Consider a two-year term for youth members and a four-year term for women representatives
- Ensure only women and youth participate in the election of their designated representatives
- Clarify the function and activities of the Les Filles de Madelaine.

Elections

- Establish a clear process to ensure only eligible citizens vote in elections
- Clarify the structure of Regional and Local election processes
- Ensure MN-S citizens only vote in the Region they reside in.

General Assembly

- Consider virtual attendance and online voting at the General assembly
- Allow more time to vote on the *Constitution*
- General Assemblies unite Métis citizens and provide an opportunity for effective discourse
- Ensure deliberation on land claims, stewardship, and guardianship of the land.

Locals

- Consider sharing details of upcoming classes and events on social media platforms
 - Publish funds sent to Locals for distribution
 - Lack of resources limits the services Locals provide
 - Stagger Local elections to preserve knowledge and ensure continuity
 - Clarify the Local election process and office locations and share them on the MN-S website
-

-
- Refer cases of Local Presidents denying membership requests to the Métis Judiciary
 - Consider forming Locals for specific citizenship groups
 - Consider basing the minimum membership requirement on the percentage of citizens in the area.

Language

- Recognize the importance of language and the varied dialects of Michif
- Establish protections for Métis language.

Métis Nation Legislative Assembly (MNLA)

- Consider holding MNLAs in a variety of locations, allowing different regions the opportunity to host.

Regions

- Consider holding elections to address Regional Director vacancies
- Clarify whether the Regional Directors must comply with the “Duty to Consult” rules
- Ensure regional accountability, outline regional location, operation, and reporting obligations.

Additional Comments

- Provide meeting minutes for transparency and review
- Consider offering similar additional health benefits as Métis citizens in Alberta
- Ensure program submission cut-off dates are clearly defined and not subject to discretion
- Register Métis children at birth
- Establish a MN-S conflict-of-interest policy
- Clarify the role and existence of the Senate
- Recognize Elders in each Region
- Outreach efforts to Métis citizens must be sensible and friendly
- Consider Treaty-like decisions to guide hunting and fishing regulations
- Ensure the preservation of Métis history
- Consider holding a meeting with MN-S Legal Counsel to explain the proposed amendments to citizens
- Clarify the differences between provincial, regional, and local representatives
- Establish a process to inform MN-S citizens about available programs and services; provide a list of programs available to MN-S citizens, on the MN-S website.

Western Region 2

Feedback provided by participants, on the topics presented at the following sessions:

- Duck Lake – March 7, 2024 (9 participants)
 - Prince Albert – April 10, 2024 (140 participants)
 - Prince Albert – April 11, 2024 (98 participants)
-

Citizenship

- Mixed opinions on providing access to citizens' information:
 - o Local Presidents should have access to contact information for citizens in their Local
 - o The Registry must seek consent from citizens before sharing their information with Locals
 - o Prohibit the MN-S from sharing citizens' information with Locals and Regions
- Ensure the Citizenship Registry is verifiable and accountable
- Provide information on Locals, when new citizenship cards are issued
- Clarify whether individuals on the Indian Registry are eligible to hold MN-S citizenship
- There are mixed opinions on allowing the Government of Canada access to citizenship information
- Explain the rationale for expanding MN-S citizenship to members outside Saskatchewan.

Composition of the Executive

- Ensure any amendments to the structure of the Executive, do not enable tie votes at the PMC
- Clarify the responsibilities of the proposed Second Vice President
- Address the conflict between the proposed Article 13(3) and Article 7(3) of the *Constitution*.

Elected Women and Youth Representatives

- Clarify whether an elected "Métis woman" must be a member of the Les Filles de Madelaine.

Elections

- Consideration for voting procedures:
 - o Prohibit electronic voting options in MN-S elections
 - o Ensure citizens can vote anywhere in the province
 - o Provide access to in-person voting, as electronic voting is not accessible to everyone
 - o Require proof of MN-S citizenship before voting
- Provide candidates with access to the list of MN-S citizens.

General Assembly

- Ensure the Annual General Assembly is held annually.

Language

- Consider including the term "Michif French"
- Acknowledging a list of Métis languages (including "Michif"), is commendable.

Locals

- Clarify and update the process for Local elections:
 - o Ensure elections are transparent, appropriate, consistent, frequent, and staggered
 - o Prevent holding elections without citizens' knowledge; announce elections in advance
 - o Clarify whether Local officials must reside within the Local
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- Ensure Local governance accountability:
 - o Require financial reports and consistent regulations for all Locals, with bylaws for each Local
 - o Include compliance, recognition, and dispute mechanisms in the *Constitution*
 - o Consider regular financial audits as an accountability mechanism
 - Address funding for Locals:
 - o Incorporate Locals and require them to have a bank account to receive funding
 - o Fund Locals based on membership numbers
 - o Clarify how the Urban Programming for Indigenous Peoples funding was allocated and ensure misallocations did not occur
 - o Increase support for Locals for development and program delivery
 - Local membership considerations:
 - o Consider granting Locals on additional vote at the MNLA for every 50 members
 - o Address the inconsistent and inaccurate messaging on the benefits of joining a Local
 - o Reduce the proposed minimum membership for new Locals, to 25
 - o Consider members residing outside Saskatchewan, as “honourary members”; the *Constitution* could allow temporarily-relocated members to retain citizenship
 - o Clarify the implications of citizens choosing their own Local, such as funding impacts
 - Considerations for amalgamating and dissolving Locals:
 - o Consider Local amalgamation as a non-compliance consequence
 - o Consider impacts of amalgamating Locals, on the MNLA
 - o Allowing only Locals in good standing to attend MNLAs, may impact quorum
 - o Amalgamating inactive Locals with active ones, may be a preferable option
 - o Establish criteria for amalgamating, dissolving, and creating Locals
 - o Consider acknowledging inactive Locals as “historic Locals”, and discontinue funding
 - Consider a designation for non-citizens affiliated with the Métis Nation (e.g. citizens’ spouses)
 - Identify citizens’ dissatisfaction with Locals
 - Consider providing training on running meetings, for grassroots participants
 - Provide a list and map of all Locals on the MN-S website
 - Consider allowing elected officials to attend the MNLA, in place of representatives if needed
 - Re-naming Local “President” and “Vice-President” to “Chair” and “Vice-Chair” is unnecessary
 - Provide Locals with information related to constitutional reform in advance, for review.

Métis Nation Legislative Assembly

- Clarify the proposed Article 9(1) (c) and (d)
- Clarify the anticipated number of Women and Youth representatives
- Include defined terms for Clerks and Deputy Clerks.

Regions

- Consider creating a social media policy for elected officials; a Regional Director should not be personally responsible for a Region’s social media accounts
- Consider amalgamating select Regions
- Implement an accountability mechanism for Regional Leaders.

Tribunal / Judiciary

- Clarify the current stage of development of the Métis Judicial system
- Establish a code of conduct of elected officials and an enforcement mechanism.

Additional Comments

- Proposed amendments to the *Constitution*:
 - o Clarify why all comments from past consultations are not included in the proposed amendments
 - o Justify deleting “affiliates” from the *Constitution*
 - o Conduct a comparison of the *Constitution* to similar documents to ensure it is comprehensive
 - o Establish an enforcement mechanism for compliance with the *Constitution*
 - o Include a specific mention of Veterans and ensure Veterans are respected
- Clarify the term “Treaty” in legislation and consider replacing it with a Michif word
- Ensure that new or amended MN-S legislation is complementary, not contradictory
- Consider providing a virtual briefing for citizens on the proposed *Regions Act*
- Ministerial Portfolio appointments should be fair and equitable:
 - o Implement measures to mitigate bias in ministerial portfolio appointments
 - o Consider appointing Local Presidents and Regional Representatives as portfolio holders
- Consider the implications of MN-S citizens also registering with the Manitoba Metis Federation
- Facilitate further discussions on Métis harvesting rights in Saskatchewan
- Self-government eliminates the roles of Secretary, Treasurer, and Chief Executive Officer; clarify whether the Executive absorbs these duties
- Prioritize feedback from Local Presidents during Constitutional Reform Consultation Sessions.

Western Region 2A

Feedback provided by participants, on the topics presented at the following session:

- Saskatoon – March 8, 2024 (19 participants)
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Composition of the Executive

- Clarify the proposed expanded structure of the Executive
- Consider the potential conflict of interest of the President's role related to assigning portfolios.

Elected Women and Youth Representatives

- Consider the nomination process for the Women and Youth representatives, and how they integrate into the governance framework
- Clarify whether the Women and Youth representatives will be separate entities.

Locals

- Do not delete item 10; instead, clarify how the government will support the Locals.

Regions

- The proposed amendments imply the Regions' number and boundaries, will be outlined in the *Regions Act*
- Ensure the *Constitution* specifies the total number of Regions.

Tribunal / Judiciary

- Clarify the MN-S' current and proposed dispute resolution processes
- Consider requests to establish an Ombudsperson's Office:
 - o The previous request was not supported by the MNLA or reflected in the *Constitution*
 - o To assist in resolving conflicts
 - o Protect against favoritism, and provide additional protections for vulnerable individuals.

Additional Comments

- Clarify whether the *Constitutional* reform and other laws must be approved by November 2024; determine if there is a risk for indefinite delays
 - Include a timeline on the MN-S website to illustrate the Constitutional and legislative reform process
 - Provide more opportunities for citizens to share their feedback
 - Consult Elders who contributed to drafting the *Constitution* preamble
 - Increase attendance at Constitutional Reform Consultation Sessions, by:
 - o Providing resources to inform grassroots
 - o Providing access to policy and legal experts for review
 - o Designating a trusted individual to explain the impacts of the proposed amendments
 - Consider a report detailing how citizens' feedback was gathered, evaluated, interpreted, and how it influenced amendments; consider providing citizens' original feedback
 - Clarify how each proposed legislative amendment relates to the *Constitution*
 - Ensure the *Constitution* specifies the roles and responsibilities of the PMC and Locals
 - Clarify the origin of the proposed *Constitution* amendments and their implementation without adequate consultation.
-

Western Region 3

Feedback provided by participants, on the topics presented at the following sessions:

- Swift Current – April 3, 2024 (7 participants)
 - Moose Jaw – April 4, 2024 (17 participants)
 - Regina – April 5, 2024 (24 participants)
 - Regina – April 6, 2024 (35 participants)
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Citizenship

- Replace the term “membership” and “member(s)” with “Local citizen(s)”
- For MN-S to be recognized as a government, it must comply with the appropriate standards
- Considerations related to providing access to citizenship lists:
 - o Implement new legislation to give Locals and Regions access to their citizens’ contact information (municipal and provincial governments have access to their citizenship lists)
 - o Leaders need access to citizens’ information so they can serve them
 - o Obtain citizens’ consent before sharing their information
- Address the Section 35 “citizenship application declaration”
- Notify individuals that their citizenship registration must be renewed every 5 years.

Composition of the Executive

- Including a second or third Vice President is not a model of Métis self-government
- Eliminating the “Secretary” position appears problematic
- Ensure the Executive roles are clearly defined.

Elected Women and Youth Representatives

- Clarify whether there will be elected Local Women and Youth representatives
- Women and Youth involvement is necessary
- Clarify Elders’ roles in MN-S processes; ensure Elders also have role and a budget.

Elections

- Elections processes must apply to the PMC and Locals
- The *Elections Act* and *Locals Act* should require regular criminal record checks
- Clarify why only some elected officials currently have access to voter lists
- An election should be challenged, if it is determined that a citizen with First Nation status voted in the election
- Establish an accountability mechanism for MN-S citizenship and Indian Status card holders.

General Assembly

- It is unclear why the MN-S has not held a General Assembly in seven years
- Assemblies must be held regularly
- Consider the quorum impacts on MNLAs, as a result of Locals being amalgamated.

Language

- Clarify which languages, other than Michif, are accepted as Métis languages.

Locals

- Information is needed on how MN-S Locals were established
- Apply the same privacy laws to Locals and MN-S
- Language and terminology considerations:
 - o Explain why the name of “Locals” should change; this seems unnecessary
 - o Discontinue using the term “member(s)”
- Clarify if a member can maintain a historic connection to a Local, regardless of their residence
- Local management considerations:
 - o Eliminate inactive Locals and dissolve non-compliant Locals
 - o Locals must provide advance notice to hold a meeting
 - o Implement and clarify regulation and enforcement mechanisms
 - o Consider excluding Urban Locals from Regions
 - o Setting a minimum to 50 members to accept new Locals may be excessive
 - o Limiting Local membership to registered members, may be challenging
- Clarify whether Locals are responsible for program delivery and finance
- Improving Local membership engagement and accessibility:
 - o Provide easy access to information on joining Locals
 - o 80% of Métis citizens do not belong to a Local
 - o Consider having one *Constitution* for all Locals
 - o Allow citizens to have a “contemporary membership” connection to their historic Local
- Provide Locals with information on who to contact at the MN-S for assistance
- Address communication breakdowns between the MN-S and the Locals
- Métis rights stem from grassroot Métis communities, which are represented by the Locals.

Métis Nation Legislative Assembly

- Consider preparing a visual representation of the *Constitution* and legislation
- Consider replacing “Chair” and “Vice-Chair” with other government-related terms
- Clarify the MNLA’s Elder selection process
- Define “at least” in the amending formula for quorum
- Establish a process at the MNLA to represent the voices of citizens without a Local membership.

Regions

- Current requirements to become portfolio holder, raise questions about individuals’ qualifications
- Address the “non-functioning Regional Representative”:
 - o Require Regional Representatives to attend meetings and fulfill their roles and responsibilities
 - o Consider requiring a signed Oath of Office (listing their roles and responsibilities)
- Ensure accountability, transparency, and consequences for all levels of government
- Clarify the Regional Director’s role
- Ensure rural communities are prioritized in their Region
- Include elected Women and Youth representatives in the *Regions Act*.

Tribunal / Judiciary

- Consider a phased approach for evaluating, postponing, and approving legislation
- Empower the Judiciary to address officials who violate conduct standards or miss meetings
- Ensure further engagement in the Judiciary legislation
- Citizens cannot comment on the Judiciary Act until it is available for review
- Clarify if Métis-owned court systems, are being established.

Additional Comments

- Ensure citizens are aware of available services, by maintaining a local presence
- A *Constitution* provides citizens with a voice and legitimacy; ensure nothing is excluded
- Considerations for improving communication and engagement:
 - o Social media is used as a means of communications, due to Locals limited capacity
 - o Consider livestreaming the 2024 MNLA presentation, and include opportunities for input
 - o Modernize these sessions and ensure discussions remain on topic
 - o Clarify where to access information about past consultations
 - o A summary report is commendable and key to fulsome engagement
 - o Rules and fair compensation will foster a sense of value and promote active engagement
- Provide welcoming comments on the “Voice of the People” webpage, in Cree, Michif, and French
- Address the importance of inclusivity in MN-S governance:
 - o Provincial court battles have not benefited the MN-S; judges advise adherence to internal rules
 - o Clarify whether MN-S will create a space for Two-Spirit individuals
 - o MN-S leaders must set an example for Locals and Regions to follow
 - o MN-S could consider consulting with Section 35 individuals, to encourage their involvement
- Clarify whether the self-declaration in the MN-S citizenship application form, is part of the constitutional reform
- Remove the term “half-breed” from the preamble
- Address top-down communication issues through Annual General Assemblies
- Area Directors do not hold meetings, which prevents opportunities for communication
- Do not base the Métis governance structure on a culturally unaligned colonial governance model
- Address the rights-based agenda
- Clarify who to report to, about problems with the MN-S Emergency Repair program
- Establish Two-Spirit Representative roles for Regional Councils
- Ensure politicians do not run the affiliates.

Virtual Sessions

Feedback provided by participants, on the topics presented at the following sessions:

- LFDM Videoconference – April 22, 2024 (5 participants)
 - Youth Videoconference – April 29, 2024 (16 participants)
 - Videoconference – April 30, 2024 (68 participants)
 - Videoconference – May 8, 2024 (19 participants)
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Citizenship

- Allow people to retain their citizenship, regardless of their residence
- Clarify in Section 2(b) the traditional territory of the Métis, and enshrine it in the *Constitution*
- Address disconnection issues for students who attend out-of-province education and do not return.

Composition of the Executive

- Address the impacts of eliminating the Treasurer position:
 - o The Treasurer and Secretary must be accountable to the citizens
 - o Without a Treasurer, it is unclear who is managing the finances
 - o Outline the Executive roles, responsibilities and financial considerations
- Changes to the Executive must not enable tie votes at the PMC
- Consider maintaining the current Executive structure
- Clarify the composition of the Executive and its connection to the *Non-Profits Act*.

Elected Women and Youth Representative

- Clarify the impact of Article 6 on the LFDM and potential wages for elected members
- Determine potential impacts of the proposed election of Women and Youth representatives on the Provincial Métis Youth Council
- Address logistical issues in the Women representatives' voting process
- Consider implementing four-year terms for these positions
- Designate a distinct 2SLGBTQQA+ representative
- Evaluate setting the Youth representative age limit at 29, considering its impact on representation
- Include Youth campaign funds in the provincial election budget
- Prioritize regional Youth elections
- Adopt the interim structure of two elected Youth representatives per region
- Assign Elders as advisors to Youth representatives
- Establish provisions to protect Youth representatives from lateral violence.

Elections

- Consider the varying perspectives on the suitable minimum voting age
- Maintain the current eligible voting age for Youth engagement
- Provide candidates with voter lists in advance of polling (with required consents)
- Allow Elders a designated vote at all elections
- Reference 2SLGBTQQA+ peoples in the *Elections Act*.

General Assembly

- Provide access to the “Rules of the House” on the MN-S website
 - Enable the LFDM to submit resolutions and amendments to the MNLA
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- Designate an alternate when Local Presidents or Vice-Presidents are unable to attend an MNLA
 - Women must be able to submit amendments at the MNLA
 - Women representatives must not be used to achieve the 75% majority at the MNLA
 - Upload MNLA resolutions to the MN-S website prior to the MNLA, for review
 - Local Presidents should not vote on behalf of their Locals, without prior consultation.

Locals

- Consider individuals who choose to not belong to a Local
- Engagement is challenging without belonging to a Local
- Citizens are not mandated to join a Local, despite it being the basic unit of government
- The majority of citizens do not belong to a Local and are not represented at the MNLA
- Consider including rights-bearing or grassroots people
- Request that the current list of Locals be made available
- Provide Regional Representatives with access to Local membership lists.

Regions

- Clarify the language used to describe the Regional Councils responsibilities
- Clarify whether the Regional Council is the governing body for the region
- Establish the regional boundaries and numbers in Section 1 of the *Constitution*.

Additional Comments

- Provide funding for translation and communications, to keep communities informed
- Support Métis women of Saskatchewan, as they are primarily responsible for achieving objectives
- Increase awareness of current events and relevant processes
- The grassroots people are the foundation of the Nation
- Justify the proposed amendment to the MNLA quorum requirements in Section 5
- Clarify the measures to address conflicts of interest between MN-S and the affiliates
- Additional constitutional amendment considerations:
 - o Clarify who determines and approves the amendments to the *Constitution*
 - o Incorporate traditional Métis laws into the *Constitution*
 - o Include water and other resources in the *Constitution*
 - o In Article 10, replace “should” with “shall”, and retain the word “affiliates”
 - o Consider suspending amendments until after the next election
- Métis citizens should determine Métis governance structures
- Provide opportunity to review legislation, prior to consideration at the MNLA
- The rationale for the proposed amendments should be provided
- Schedule open forums to enable MN-S citizens to engage with government, without a set agenda
- Continue engagement opportunities for Youth
- Explain the origin, contributors, and legality of the preamble to the *Constitution*
- Establish a minimum quorum requirement to ratify decisions at the AGA
- Clarify that the PMC acts on the recommendations of the MNLA
- Streamline content presented during consultation sessions
- Clarify the level of meaningful engagement achieved during consultation sessions, considering the limited participation.

Judiciary Act Sessions

Feedback provided by participants, on the DRAFT Judiciary Act at the following sessions:

- Videoconference – June 5, 2024 (19 participants)
 - Videoconference – June 12, 2024 (13 participants)
 - Videoconference – June 19, 2024 (22 participants)
 - Saskatoon – August 7, 2024 (34 participants)
 - Videoconference – December 10, 2024 (3 participants)
 - Videoconference – December 11, 2024 (5 participants)
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During a review of the proposed Judiciary Act – the Kwayaskastasowin Judiciary - the following comments were offered:

Preamble

- The “pre-word” (i.e. Kwayaskastasowin) is difficult to pronounce, and clarification is needed on why a Michif word was not chosen; ensure that the preamble is translated into Michif

Part I: General

- Clarify how Métis languages will be recognized in the Judiciary Act; include key terms in Michif with translations in Cree and Dene
- Include full definitions of terms used in the Judiciary Act and ensure that full names are provided before acronyms are used

Part II: MN-S Judicial Body

- Article 4 – Composition:
 - o Clarify the rules for the Hearing Panel
 - o Define the powers, duties, and eligibility requirements of the Judge, Elder, and Youth positions, ensuring equitable and meaningful Youth participation without overreach
 - Article 5 – Judicial Committee:
 - o Implement disciplinary and removal mechanisms, along with safeguards against nepotism
 - o Expand Judiciary members’ knowledge by involving traditional knowledge keepers
 - o Clearly outline the member selection process, nomination steps, and criteria
 - o Clarify whether the committee can be expanded and if non-citizens can be included
 - o Include independent experts and knowledgeable individuals in the Judiciary process
 - o Consider tasking the MNLA with confirming or rejecting nominees for the Judiciary
 - o Share the responsibility for creating rules among multiple individuals, not just the Chief Justice
 - o Ensure there are no conflicts of interest in the investigation of conduct and clarify the proceeding process
 - o Clarify who sets the standards of conduct and fitness, as well as the code of conduct, for members of the judicial body
 - Article 6 – Eligibility for appointment:
 - o Establish criteria and processes for selecting and removing members
 - o Clarify residency and MN-S citizenship requirements, and specify exclusions for participation in the Judiciary
 - o Ensure community members, Youth, and Elders are appointed, and address cultural and language barriers between them
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- Conduct criminal record checks without disqualifying all applicants, depending on severity, setting a minimum clear record timeframe and a public disclosure process, and consider credit checks for applicants involved in financial matters
 - Article 7 – Appointment:
 - Ensure the appointment process is transparent, and free from political influence
 - Clarify why the PMC is designated to establish criteria for appointees
 - Specify the responsibilities of the appointments and criteria (e.g., must be an MN-S citizen)
 - Consider an alternative method for appointing the Judiciary to prevent political influence, mistrust, and excessive power to the PMC (e.g., the MNLA)
 - Ensure the Judicial Committee’s transparency and independence from the outset
 - The number of committees / panels seems excessive
 - Consider amending the language to clarify the intent of the power
 - Include women’s representation on the Selection Committee and the Judicial Committee
 - Article 8 – Oath of Office:
 - Clarify the authority and the language regarding the Chief Justice
 - Article 10 – Jurisdiction:
 - Clarify the Judiciary’s authority, the types of cases it will handle, ability to initiate legal action, and its operation with other systems (e.g., regional considerations, fishing laws, acceptance of Locals)
 - Define the Judiciary’s role in disputes involving non-MN-S citizens and non-Métis peoples
 - Address how trivial or vexatious matters will be managed
 - Specify that MN-S laws take precedence over provincial and federal legislation and implement safeguards to prevent cases from being escalated to external courts
 - Ensure the Judiciary’s implementation methods align with the Constitution and other legislation
 - Outline the enforcement processes and confirm that participation can be enforced
 - Clarify the legal authority of self-government over the judiciary
 - Additional comments:
 - Clarify who holds authority to override judicial decisions
 - Ensure consistency throughout the draft.

Part III: Kwayaskastasowin

- Article 12 – Kwayaskastasowin (Restorative Approach):
 - Continue to research examples of successful restorative justice processes
 - Incorporate mental health considerations
 - Outline how remedies will be determined
 - Ensure efficient case resolution, prevent prolonged adjudication, and include safeguards to prevent the system from being overwhelmed
 - Clarify the processes for filtering cases and prioritization
- Article 14 – Facilitative Panels
 - Clarify the rules of evidence and how they will be applied in accordance with Métis law
- Article 16 – Conflict of Interest
 - Implement safeguards to protect against conflicts of interest
- Article 17 – Rules
 - Traditional Métis laws should remain central to the Judiciary
 - Invest in expanding the Judiciary’s knowledge of traditional Métis laws
 - Consider community-specific laws to meet Métis communities’ unique needs (e.g., environment protection, hunting/harvesting/fishing, wildlife conservation)
 - Consider submitting the rules to the MNLA for discussion and approval
 - Justify how rules made by one person can represent the entire nation

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- Ensure only inconsistencies are addressed when MN-S passes a law
 - Clarify the mechanism for enforcing rules and ensure that enforcement guidelines are established and clear throughout the entire process
 - Additional comments:
 - Provide options for appeals and mechanisms to address unfair treatment
 - Clarify and expand the role of non-traditional and Métis values, including the recognition and involvement of women.

Part IV: Miscellaneous

- Article 18 – Employees and Contractors:
 - Establish a Healing Committee to address impacts on individuals
- Article 19 – Financial
 - Manage financial resources through an independent entity, rather than directly by the MN-S, to ensure financial oversight for the Judiciary
 - Establish financial transparency and accountability mechanisms: hold regular audits and require regular reporting; and address potential conflicts of interest related to compensation
 - Clarify the sources of current and future funding for the judiciary, how funds will be allocated to establish and operate the Judiciary, and who will allocate them; provide a clear outline for funding allocation to ensure transparency and accountability.
 - Consider costs associated with judicial remedies and clarify how these will be funded
- Article 20 – Reporting
 - Schedule regular reviews during implementation of the Kwayaskastasowin Judiciary Act, (e.g., every two or three years)
 - Clarify the frequency of reviews of the judiciary, who will conduct them, and to whom the reviews will be submitted
- Additional comments:
 - Clarify the process for filtering out trivial matters submitted to the Judiciary
 - Explain how the Judiciary’s public perception is being addressed and managed
 - Consider the risks of political influence on judicial outcomes.

Additional Comments:

- Clarify the purpose of the Judiciary Act, provide step-by-step instructions on how Métis citizens can use the Judiciary, specify the timeline for the judiciary to become operational, and outline the potential impacts of the judiciary, such as on elections
- Clarify the treaty process and whether the MN-S will incorporate post-treaty and if it will follow a federal or provincial model; there are no requirements to follow either model, however some components should be considered (e.g., an opposition)
- The new treaty should confirm the MN-S’ autonomy and authority in judicial matters
- Consider scheduling an in-person judicial review session, providing information on past consultations, tracking participation, and ensuring equal and democratic involvement
- Assess if the Judiciary has expanded beyond what is necessary and if it is too large for the MN-S to support, as this could take years to implement
- The proposed constitutional amendments should specifically mention Kwayaskastasowin
- Resolve any outstanding or uncertain issues before establishing the Judiciary
- Prevent transferring tasks to Local Presidents when the Judiciary is unable to complete them
- Provide simplified descriptions and visual aids to improve understanding, as the current ones are vague and lack detail
- Métis issues are similar to those experienced by First Nations people; will Métis obtain tax-free status?

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- The government has already approved an Ombudsperson's office, which may negate the necessity of a Judiciary
 - The consultation process should be streamlined and more inclusive, addressing issues such as meeting attendance, time for discussion, fear of speaking out, and ensuring key individuals' presence to effectively gather and support citizen input; prioritize key legislation prior to moving to the next step (i.e., the *Elections Act*)
 - Address concerns raised regarding mistrust related to the MN-S
 - Consider all opinions equally, Elders should not have disproportionate influence
 - Clarify the role of Local Presidents within existing restrictions.

Elder Sessions

Feedback provided by participants, on the topics presented at the following sessions:

- Elders Gathering on Constitutional Reform – March 1, 2024 (17 participants)
 - Elders Gathering on the Constitution and Treaty Preambles – May 10, 2024 (18 participants)
 - Elders Gathering on the Constitution, Judiciary and Treaty Preambles – June 11, 2024 (16 participants)
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Legislation and Treaty Preambles

- Refer to all Métis people in Saskatchewan, not just registered MN-S citizens
- Emphasize Métis peoples' rights to land, air, and natural resources, and the right to raise their own children
- Revise references to "Lii Vyeu" to read "Lii Vyeu Moond"
- In the statement that begins with "Affirm that the values..." include respect (respect our land, our earth, and other people)

Citizenship

- Clarify whether Métis who move out of the province can remain MN-S citizens; propose that Métis children and family members who belong to Saskatchewan remain eligible to belong to their Local if they move.

Tribunal / Judiciary (the "Kwayaskastasowin Judiciary Act")

- Métis people should deal with their own issues under the *Constitution*, rather than judges
- The Laws of St. Laurent were created for the "settlement" or "colony" of St. Laurent in 1873; consider updating the reference in the proposed Kwayaskastasowin Judiciary Act to refer to the "community" or "settlement" of St. Laurent, rather than the "colony" of St. Laurent
- Affirm the Métis as a sovereign people while avoiding language that undermines this status
- Include Dene and Michif terms in the Act
- Maintain consistency of languages in the Sacred Document (the Treaty), Constitution and Kwayaskastasowin Judiciary Act; the Sacred Document titles have been blessed in a ceremony
- Consider examples from the draft Kwayaskastasowin Judiciary Act, that demonstrate the integration of "accountability" and "integrity"
- Engage in consultations on the Kwayaskastasowin Judiciary Act
- Prepare for the upcoming votes on ratifying the Kwayaskastasowin Judiciary Act and repealing the Senate Act at the Legislative Assembly in the Fall 2024
- Ensure Métis laws are recognized as being equal to Canadian laws
- The Kwayaskastasowin Judiciary Act preamble should be translated into Michif languages.

Additional Comments

- In Article 6: Change the reference to "men and women" to "persons"
 - In Article 9: Change the reference to "All persons" to "All Métis"
 - Knowledge Keepers must be included as they are the voices that carry history; Elders must always be part of leadership
 - Using consistent language:
 - o Refer to "Métis Nation in Saskatchewan" for the people, and "Métis Nation - Saskatchewan" for the government
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- Avoid segregating or dividing when using the word “Michif”; Michif can be considered a language and a nationality
 - Recognize the French heritage of the Métis people
 - Avoid innuendos by encouraging Elders to speak
 - “People” translates to “everyone” in Dene
 - Many Métis people refer to themselves as Michif, regardless of their location
 - Resource and economic concerns:
 - Mining and forestry companies are removing resources while Métis land-claims are idle
 - Clarify actions related to obtaining royalties or claiming minerals and resources
 - Clarify who negotiates for Métis people and include Elders in negotiations; government is dividing land without consultation
 - The Métis National Council could assist the MN-S, with land claims
 - Clarify what Métis will govern and how to address issues without having a land-base
 - Funds should go to the Métis Nation to support health and homes, reducing dependence on government resources and funding.
 - Sharing of resources, knowledge, and support within and between communities demonstrates cultural resilience and cohesion
 - Connections to the Land:
 - A strengthened position is needed on Métis self-government and connections with the land
 - Reclaim traditional governance structures and land rights, as a means of self-determination
 - Consider the future generations of Métis people
 - Cultural Practices and Resilience:
 - Listen to and preserve the knowledge and wisdom of Elders who embody Métis cultural values and practices
 - Celebrate successes in preserving language, traditions, and cultural practices, and address barriers
 - Follow traditions such as prayer and acknowledging the land and the ancestors
 - Consider the impacts of colonial systems on Métis communities
 - There are frictions between federal government’s laws and the traditional Métis ways of being
 - Family Life and Community:
 - Acknowledge fond memories of family bonds, communal gatherings, and shared experiences, such as hunting, fishing, storytelling, and celebrating holidays together
 - Support community networks, especially during challenging times
 - Reflect on stories about overcoming adversity and “making do” with limited resources
 - Learn and maintain family and community connections and traditions
 - Historical Trauma and Healing:
 - Métis people still carry historic trauma, including residential schools and discrimination
 - Fears and trauma have manifested in present-day challenges, such as substance abuse
 - Address inter-generational traumas and continue to call for healing
 - Reclaim and celebrate cultural identity, as a critical part of healing processes
 - Protocols and Community Gathering:
 - Maintain ceremonies, prayers, and offerings as part of family and community events:
 - Shared meals and gatherings were always an important part of Métis community life
 - Traditional meeting protocols, typically included prayers and discussions in clockwise order
 - Traditional practices have evolved time, including mealtime protocols.
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Summary of Key Themes

Identified during the 2024 Consultation Sessions

The following themes reflect key issues and priorities raised by participants during the 2024 consultation sessions, and include areas where participants expressed an interest in potential amendments, clarification, or further discussion within the MN-S constitutional and legislative framework.

Legislation and Treaty Preambles

- Refer to all Métis in Saskatchewan, not just registered MN-S citizens
- Acknowledge Métis rights to land and resources, and the right to raise our children
- Include “respect” as a key Métis value.

Citizenship

- Simplify the MN-S citizenship application process and provide applicants ongoing assistance, especially for those lacking genealogical documentation
- Consider a national registry and ensure Métis citizenship is transferable across the Métis Nation
- The registry must enhance its capacity to prevent fraudulent claims of Métis identity
- Allow children adopted by Métis families to receive citizenship
- Address the rights and processes for applicants who are denied citizenship
- Ensure Métis citizens maintain their connections and rights when relocating, especially students moving for education
- Clarify whether Métis who move out of the province can remain MN-S citizens; propose that Métis children and family members who belong to Saskatchewan remain eligible to belong to the Local if they move
- Citizenship criteria should prioritize “connections” over “residency” requirements
- Allow Métis people to choose between having Métis citizenship and First Nation status
- Provide local leaders access to citizenship lists to foster relationships and broaden service provision, with citizens’ consent and strict accountability measures
- Consider honorary citizenship for Métis living overseas
- Require regular updates to the registration, with renewal every five years.

Composition of the Executive

- Reducing the MN-S Executive to three members, would impact its ability to pass resolutions
- Clarify the six-year absence of a Treasurer; follow the bylaws related to vacancies on the Executive
- Clearly communicate the MN-S Executive’s roles, responsibilities and financial oversight, to citizens and in MN-S legislation, to maintain trust and accountability
- Specific portfolio responsibilities could be assigned to each Executive member
- Address the potential conflict of interest with the President assigning ministerial portfolios
- Consider restructuring the Executive to include a First and Second Vice President
- Include an elected Treasurer, rather than an appointed Minister of Finance
- Clarify the rationale and origin of the proposed and existing Executive structures
- Examine the relationship between the composition of the Executive and the *Non-Profits Act*.

Elected Women and Youth Representatives

- Consider electing Women and Youth representatives and include them on provincial election ballots, with designated term lengths

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- Simultaneously elect regional and provincial Women’s representatives
 - Ensure MN-S legislation recognizes multiple genders; this should not be a role of Women’s groups
 - Maintain the Women representative position in PMC
 - Clarify the function and activities of Les Filles de Madelaine
 - Consider a role for the Elders related to Women and Youth representatives
 - Evaluate setting the youth representative age limit at 29, considering its impact on representation
 - Include youth campaign funds in the provincial election budget.

Elections

- Allow relocated members to vote in their original Local elections, to sustain voter bases
- Establish an independent body to oversee elections, to ensure transparency
- Ensure eligible voting citizens are provided with clear and consistent information when voting
- Provide voter lists to candidates, with their commitment to follow accountability measures
- Respect citizens’ privacy by allowing them to choose whether to share personal information
- Provide accessible voting options (e.g., advanced voting, out-of-province voting)
- Ensure elected officials maintain eligibility criteria (e.g., require regular criminal record checks)
- Determine the best age range for youth, to encourage youth engagement.

General Assemblies and the MNLA

- Facilitate opportunities for citizens to question elected officials at the MNLA and General Assembly
- Define the terms for Clerks and Deputy Clerks of the MNLA and General Assembly
- Establish a process at the MNLA to represent the voices of citizens without a Local membership
- Evaluate benefits of electronic voting, virtual attendance, and online voting at the General Assembly
- Provide audited financial statements to elected officials before the MNLA for their review
- Include opportunities at General Assemblies to unite citizens and foster discussion on priorities
- Hold General Assemblies annually
- Ensure participants have access to information prior to voting at the MNLA and the General Assembly
- Consider different perspectives on setting a minimum voting age for all voters
- Hold MNLAs in various locations to give different regions the opportunity to host.
- Ensure voting procedures are accessible and implement mechanisms to verify voter authenticity
- Designate an alternate when Local Presidents or Vice-Presidents are unable to attend an MNLA
- Knowledge keepers must be included as the voices that carry history; Elders must always be part of leadership.

Language

- Ensure Michif is included as a Métis language and prioritize revitalizing Métis languages
- Address uncertainties in organizational structure and recognize the importance of protecting Métis language, including its various dialects.

Locals

- Locals and Regions need access to citizenship lists, but must maintain their privacy
- Métis citizens are not required to belong to a Local to vote; less than 20% of citizens belong to a Local
- Imposing a membership minimum could dissolve some Locals
- Consider granting “heritage status” to preserve smaller Locals, and providing Locals with proportional voting rights (based on population)
- Establish agreements to ensure Locals’ involvement, protect Regions’ assets, and define clear regional boundaries
- Encourage registration in Locals, through locally-organized events

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- Conduct by-elections within 30 days of Local or Regional Executive vacancies unless a general election is scheduled within six months
 - Ensure Local elections are staggered, transparent, and compliant with election processes
 - Clarify whether the proposed amendments to the *Constitution* will affect whether Locals can incorporate in order to remain eligible to apply for grant funding
 - Establish criteria for combining, dissolving, and creating Locals
 - Increase funding for Locals who provide the required financial reports and audits.

Tribunal / Judiciary

- Ensure that Michif, Cree and Dene are prominent within the Judiciary Act
- Consider updating the reference in the new *Kwayaskastasowin Judiciary Act* to refer to the “community” or “settlement” of St. Laurent, rather than the “colony” of St. Laurent
- The *Kwayaskastasowin Judiciary Act* should be specifically referenced in the *Constitution*
- Ensure that traditional Métis laws are central to the Judiciary, include women’s representation, consider community-specific laws, and establish a Healing Committee
- Affirm the Métis as a sovereign people while avoiding language that undermines this status, and provide clarity on the legal authority of self-government as a mechanism supporting the Judiciary
- Propose additional Métis advocates to assist during unwarranted police interventions
- Provide detailed information on the Judiciary and Chief Justice qualifications
- Clarify the selection process and roles of the Hearing Panel, Judge, Elder, and Youth positions, ensuring the Youth’s role reflects their experience and knowledge while limiting potential overreach
- Outline dispute resolution methods, costs, and consequences for non-compliance, implement an appeal process, and establish a mechanism to prevent cases from being escalated to external courts
- Outline how remedies will be determined and ensure that cases are addressed efficiently
- Ensure consultation on legislation before being voted on or addressed at MNLAs
- Explore the establishment of an Ombudsperson’s Office for conflict resolution and protection
- Establish transparent and inclusive processes regarding member selection and nomination criteria
- Conduct criminal record checks with consideration for severity, establish a minimum timeframe for a clear record as a qualification, and conduct credit checks for applicants handling financial matters
- Involve independent experts and traditional knowledge keepers, and consider whether the MNLA plays a role in confirming or rejecting nominees
- Implement disciplinary and removal mechanisms, safeguard against nepotism and conflicts of interest
- Clearly define standards and codes of conduct, and distribute rule-making responsibilities beyond the Chief Justice
- Clarify the independence of the Métis judiciary and the matters considered by the Tribunal / Judiciary
- Clarify the mechanism for enforcing rules and ensure that enforcement guidelines are established and clear throughout the entire process
- Ensure financial transparency and accountability mechanisms: hold regular audits and require regular reporting
- Track and report consultation processes to ensure transparency and meaningful contributions.

Additional Comments

- Ensure appropriate language is used throughout the *Constitution*, including proper pronoun usage, removing gender-specific references, and eliminating derogatory terms
- Specify qualifications and education requirements for PMC positions
- Address concerns regarding inconsistent or unclear information shared during consultations, which could contribute to mistrust
- Update communication methods and improve information accessibility

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- Designate a specific section to acknowledge 2SLGBTQIA+ peoples in the *Constitution*
 - Raise awareness of current events, relevant processes, and membership options
 - Acknowledge challenges that part-time Local Presidents face in staying informed and serving effectively
 - Include a conflict of interest clause for the PMC in the *Constitution*, to enhance transparency
 - Implement mechanisms for accountability and good governance within the *Constitution*
 - Ensure equity and fair representation in Portfolio appointments
 - Clarify the MN-S' decision to withdraw from the *Bill C-53* process and proceed directly to Treaty negotiations
 - Make attendance at constitutional reform sessions compulsory for elected officials
 - Slow down the constitutional reform process for further discussion and accuracy, ensure presentations are clear and understandable, and consider complications from prolonged delays
 - Clarify how the revised *Constitution* with proposed amendments will integrate into governing laws
 - Ensure the inherent rights of Métis are respected, ensuring fairness with First Nations
 - Strengthen the *Constitution* to reduce the need for negotiation with every new Canadian government.

Elders Comments

- Use consistent language
- Resource and economic concerns:
 - o Clarify the roles and processes for obtaining royalties, claiming minerals and resources, and negotiating on behalf of Métis people, ensuring Elders are included in these negotiations
 - o Define governance responsibilities, address challenges related to the lack of a land base, and emphasize the sharing of resources, knowledge, and support
- Connections to the Land:
 - o Reclaim traditional governance structures and land rights and promote a strengthened position on Métis self-government and connection with the land
- Cultural Practices and Resilience:
 - o Preserve the knowledge and wisdom of Elders, and all Métis cultural values and practices
 - o Maintain ceremonies, prayers, and offerings as part of family and community events
 - o Preserve community networks, family bonds, communal gatherings, and shared experiences, such as hunting, fishing, storytelling, and celebrating holidays together
- Historical Trauma and Healing:
 - o Address inter-generational traumas and continue to call for healing
 - o Reclaim and celebrate cultural identity, as a critical part of healing processes.

Frequently Asked Questions

Some of the frequently asked questions (Q) and answers (A) raised during the 2024 Consultation Sessions

Citizenship:

Q: Can a person with an MN-S citizenship card also be a member of another Métis organization/group? Is the MN-S ensuring that MN-S citizens are not also registered in the Indian Registry?

A: Métis Governing Members do not have access to each other's citizenship registries. The MN-S Registry Office regularly cross-checks citizenship applications with the Indian Registry office.

Composition of the Executive:

Q: What will happen to the Treasurer's responsibilities if the role is excluded from the Executive? Why was a by-election not called when the Treasurer-elect declined?

A: The Minister of Finance has been appointed to fulfill these responsibilities. The by-election of an interim Treasurer was postponed, pending constitutional and other clarifications.

Q: Does the Constitution currently require all vacancies on the Executive to be filled immediately?

A: The Saskatchewan Métis Elections Act 2007 indicates that the MNLA shall elect from the PMC members, an interim Executive member; and may either direct the Chief Electoral Officer to issue a declaration of a by-election for the election of a candidate to fill the vacancy or declare that the by-election of the interim Executive Member be postponed.

The Constitution indicates, that where a vacancy is created for any reason, including death or resignation, the MNLA shall elect from the PMC members, an interim Executive member, who shall serve until a by-election has been held and the vacancy filled.

Q: What is the process for assigning ministerial portfolios?

A: The President identifies portfolios and proposes assignments for ratification by the MNLA.

Q: What are the roles of the "First Vice President" and a "Second Vice President"?

A: They're intended for different internal and external MN-S matters, with flexible roles.

Locals:

Q: How will it be determined whether Locals are compliant with MN-S legislation?

A: Locals must submit financial and other information to the MNLA Clerk, for the Local to be deemed compliant in accordance with MN-S legislation. Additionally, proposals for a Locals Act would require Locals to hold Annual General Meetings (AGMs) to ensure accountability.

Q: What is the role of the Regional Director if program delivery and finance responsibilities are shifted to the Locals under the Regions Act?

A: Not all responsibilities would be shifted to Locals. The shift pertains to Locals receiving capacity dollars, especially for language and culture programming.

Q: Locals do not have access to the citizenship list and cannot contact people to invite them to events and activities. Can this be resolved?

A: The Registrar can currently provide the number of registered citizens in a specific area. Additionally, information on upcoming events can be sent to the Registry to distribute by email to registered citizens.

Q: How are MN-S citizens not connected to Locals, included in the MN-S structure?

A: MN-S citizens should be connected with a Local. Future recommendations may provide additional clarity.

Q: What should we do if we don't have 50 citizens attending Local meetings?

A: Further discussion is needed, to evaluate the impacts of no longer allowing new Locals with fewer than 50 citizens.

Q: Are the proposed amendments moving towards eliminating Locals?

A: Locals remain entrenched in the Constitution. A process is ongoing for developing a Locals Act. Future consultations will allow for review and additional input, prior to any legislation being amended or ratified by the MNLA.

Q: Can you be a member of a Local where you live, or where you have a historical connection if you don't reside there?

A: The proposal would allow for a citizen to be a member of only one Local. You can live elsewhere but remain a member of the Local to which you have a historical connection.

MNLA:

Q: Does the existing *Constitution* include Elder representation? What is the process for choosing Elders for the MNLA?

A: Elders are symbolically included at the MNLA but currently lack a representative voice. The MNLA should discuss the role of Elders and whether they should have a political or elected role. Clear terms of reference are needed if Elders are to be part of the governance process.

Tribunal / Judiciary:

Q: Can the issue of "non-functioning Regional Representatives" and missing meetings be addressed by the Métis Judiciary?

A: The Métis Judiciary will only be able to address matters where there are laws in place allowing it to do so. To handle accountability matters like this, new laws would need to be created.

Q: Can an Ombudsperson's office be established?

A: This is part of the Métis Justice Process.

On the DRAFT Judicial Body Act - Preamble Section:

Q: Why was a Dene name chosen for the name of the proposed Judiciary Act, “Kwayaskastasowin”? It has been stated that “the Elders selected this,” however there may be disagreement among Elders who participated in the selection of the name.

A: An Elders meeting suggested the name for the Treaty, but not for the proposed Judiciary Act. The name “Kwayaskastasowin” (Cree), which means to work towards setting, or re-establishing the situation, the people, and their relationships, on a good path, was proposed for the Judiciary Act. The MN-S has been encouraged to hold a language forum, to consider ways to include the languages of Métis people within the Judiciary and its name.

On the DRAFT Judicial Body Act - PART I - General (Articles 1 to 2):

Q: Can the Judiciary Act include key Michif words with Cree and Dene translations?

A: Multiple recommendations have been made related to language in the Act. This is an ongoing issue under consideration.

Q: Many definitions are omitted, with only their acronyms used. Why are these definitions not included in the definitions section?

A: The proposed Interpretations Act is being created to address definitions, allowing the Judiciary Act to focus specifically on establishing the judicial system.

On the DRAFT Judicial Body Act - PART II: MN-S Judicial Body (Articles 3 to 11):

Q: Is there a mechanism to prevent nepotism and ensure fairness in selecting the youth, Elder, and community members serving the Judiciary? Can the Youth role be clarified, given the discrepancies within Youth representation? Could involving a neutral community member help alleviate any pressures or barriers between Elders and Youth? Why was women’s representation excluded?

A: The selection process includes criteria for eligibility and disqualification, to prevent nepotism and ensure transparency. Youth representation offers diverse perspectives, and feedback on their role is encouraged. Involving neutral community members could help address cultural and language barriers between Elders and Youth. The Judiciary Act allows for additional participants when required for resolving disputes. Another approach is to include experts familiar with the community. Hearing Panels will have an odd number of members to avoid ties in decision-making. The inclusion of women is important; there has been no intention to exclude them. The process is committed to maintaining fairness throughout.

Q: What types of cases will come before the Judiciary, and what precedent will this have with federal, provincial, or civic courts? Will the Judiciary address identity claim issues, domestic/child abuse, or human rights?

A: The Judiciary will initially focus on cases related to MN-S legislation, with potential expansion as Métis laws develop. It can only address issues covered by MN-S legislation unless it’s a voluntary settlement of disputes involving MN-S citizens. The goal is for the Judiciary to operate efficiently so that people choose this option voluntarily. The Métis Judiciary will not handle cases that belong to other courts, such as human rights issues which fall under provincial legislation. It is possible that future diversion cases may be transferred from provincial courts to the Judiciary.

Examples of cases that might come before the Judiciary include:

- *Denial of citizenship applications*
- *Violations of election rules, such as exceeding fundraising limits*
- *PMC members violating the Constitution or the MNLA Act*
- *Failure to hold the required two MNLAs per year.*

This court would provide a mechanism for holding the government accountable, focusing on mediation and dispute resolution, which differs from colonial courts. It addresses the community's need for a way to hold elected officials accountable.

Identity fraud, including false identity claims, would fall under "criminal fraud". As there is no specific Métis legislation on criminal law, these cases are handled by criminal courts. The Judiciary will not be considering domestic or child abuse cases, but they may be considered in the future.

Q: Why must Judiciary members be lawyers, particularly as this is intended to be Métis-centered and law schools do not necessarily teach Métis laws? Must judiciary members also be members of the MN-S, and are they required to reside in Saskatchewan?

A: Communities were consulted, and their opinions varied. The requirement for Judiciary members to be lawyers is based on fostering trust, accountability, and reliability. Lawyers are governed by law societies and can be disciplined, ensuring accountability. Their training in reading, interpreting, and applying legislation is crucial for maintaining standards similar to provincial and federal laws. This Judiciary will handle matters related to MN-S laws. Referrals from other courts require a deep understanding of laws. While involving an Elder, youth, and community member is unique, the Judiciary will also have access to various other experts. The Chief Justice and judges must be MN-S citizens, but not all justices are required to be MN-S citizens, allowing flexibility, particularly for engaging experts from outside the province.

Q: What is the process for selecting the group of individuals from which the PMC will appoint the Judicial Committee? How will conflicts of interest be prevented? Could the MNLA confirm or reject nominees from the PMC? Additionally, there appear to be no provisions for removing committee members.

A: The implementation process for the Judicial Committee is still under development. Individuals must meet criteria set out in the Kwayaskastasowin Judiciary Act to apply. An implementation group will establish the first Judicial Committee, which will be ratified by the PMC. Qualified applicants will submit directly to the Judicial Committee, which will assess and recommend the best-suited candidates to the PMC for appointment. To mitigate conflicts of interest, strict qualifying criteria will be in place. The PMC can only appoint individuals recommended by the Judicial Committee.

Checks and balances will be incorporated into the Judicial Committee's rules, including defined terms of service and regular reviews for committee members. The appointment process will be transparent, with rules made public for scrutiny and feedback. While the MNLA could review nominees if necessary, requiring their approval was not included in the Act to avoid potential delays caused by waiting for MNLA meetings.

Q: Is the Judiciary exclusively for Métis citizens, or can it adjudicate cases involving an MN-S citizen and a non-Métis individual? Should it be more specific about the matters non-MN-S citizens can bring to the Judiciary (e.g., child and family services, human resources)? How are individuals

who refuse to submit to the Judiciary Body addressed? Will the removal of a citizenship card be a potential consequence?

A: *The Judiciary's jurisdiction primarily applies to MN-S citizens, but it can handle voluntary settlements of disputes involving both MN-S citizens and non-Métis individuals. External parties must agree to the court's jurisdiction; they cannot be compelled to participate. Although anyone can apply if the issue falls within the Judiciary's jurisdiction, currently no Acts involve non-Métis citizens.*

Individuals may be advised to pursue matters through their own legislation and bodies, and they may be refused at the King's Bench if another process must be followed. The Judiciary will likely adopt a phased approach, with the goal of eventually allowing universal access to the process. If a matter falls within the court's jurisdiction, the Judiciary can address it. Similar to other courts, this Judiciary can make rulings even if the involved parties are absent. Compliance will be required for elected officials and voluntary for citizens, except in cases of citizenship verification. Citizenship will only be revoked if it is found to be invalid.

Q: **How can we ensure that the appointment of committees is independent from political influence, and separate from the PMC? Consider forming a blue-ribbon panel of Métis judges currently serving on benches across Canada to recommend candidates for the initial Chief Justice. Their recommendation could then be submitted to the MNLA for endorsement.**

How can we address concerns about the perception of independence for the initial committee, if the PMC recommends its members, which could be seen as highly political? Could the MNLA be an option for overseeing judicial appointments? What is the process for ensuring transparency and independence is maintained?

A: *Lessons from independent positions, like the Chief Electoral Officer appointed by the PMC, inform the creation of a standalone body within the MN-S, ensuring autonomy, independence, and addressing perception concerns.*

The Judicial Committee will consist of MN-S citizens, with three members required to be lawyers. Several measures have been implemented to address concerns about political influence in appointing the first Judicial Committee, while recognizing the need to appoint these positions.

The PMC is tasked with establishing regulations for selecting Judicial Committee members at the outset. One approach is to designate individuals in legislation to serve as the inaugural Judicial Committee or form a panel of three to begin the process. The next step is for the Judicial Committee to review applications for the Judiciary Body, assessing candidates based on criteria outlined in the Act. Given that the MNLA meets only twice a year, it may not be ideal for this process. Additionally, members of the Judiciary body will be independently compensated, ensuring they are not reliant on any political body.

Q: **Can the legal authority underpinning self-government and its application to the judiciary be clarified? Can anyone, such as the PMC, exempt themselves from the judicial process?**

A: *The authority for self-government stems from the Constitution and the inherent rights of the Métis people. Formal agreements recognize these rights. As for the PMC, they are not exempt. Ministers*

who fail to fulfill their responsibilities may be held accountable through relevant legislation. If the PMC does not comply with the law, it could be held accountable through the judicial process.

Q: How are criminal records being considered in the appointment process?

A: Criminal record checks are being considered; however, they are not mandatory and will not likely be made public.

On the DRAFT Judicial Body Act - PART III: Kwayaskastasowin (Articles 12 to 17):

Q: How is legislation enforced, and how do Métis citizens utilize the Judiciary?

A: The Judiciary reviews violations of MN-S legislation. It can only address issues where specific legislation exists. For example, if the Wildlife Act sets a hunting limit and a community sets a lower limit, exceeding the community limit can be reviewed by the Judiciary. The Facilitative Panel helps resolve issues through dialogue with the department, the MN-S, the accused, and others before a hearing. If the community disagrees, the matter can still proceed to a hearing panel.

Q: What rules of evidence will govern matters brought before the Judiciary, and how will they be established and applied?

A: The Chief Justice will formulate the court's rules, which will be outlined in legislation and subject to continuous review. These rules will be publicly accessible to ensure transparency and accountability, allowing all parties to be well-informed before appearing in court.

Q: Has the effectiveness of the restorative justice model been researched in other nations?

A: While restorative justice is widely discussed in literature, practical examples are limited and often theoretical. In Saskatchewan, successful examples involving Elders exist but are usually private. We have consulted Elders and conducted research to inform our approach. Incorporating Elders and community input enhances this model. Community consultations will continue to further refine the approach.

Q: Will there be an investment in the Judiciary to build capacity, knowledge, and expertise in traditional Métis laws? How are we investing in expanding the knowledge base of Métis ways and laws, especially for the next generation?

A: Yes, Community Panels are in place to reinvigorate traditional Métis laws. The model includes a built-in education component. For instance, the Buffalo Hunt will be revitalized by focusing on teaching and reinstating the practice, rather than just writing it into law. This educational approach will demonstrate how implementation occurs. Additionally, education will be reciprocal, with knowledge flowing between the Judiciary and the community.

Q: Article 17 states that the Chief Justice will make the rules, but is it appropriate for one person to have sole authority in this matter? Shouldn't the rules be brought back to the MNLA, our governing body, for discussion and ratification, ensuring citizens input in the rule-making process?

A: To maintain the Judiciary's independence from the MNLA, it is preferable for the Chief Justice to draft the court rules. These rules are highly specific to court procedures and not legislative matters. Allowing the Chief Justice to lead rulemaking, with input from various stakeholders, ensures

technical expertise and legal accountability. This approach avoids the perception of political interference and supports trust in the Judiciary and its credibility.

Q: How is healing, mental health, and addictions addressed in this system, and can a Healing Committee be created to support these needs? Is it intended to establish Community Panels only as needed?

A: The Judiciary aims to integrate mental health support by providing health resources within the same facility, ensuring ongoing follow-up for participants. Intake processes will connect individuals to health professionals, and panels will include mental health experts. Justice Support Workers play a key role in addressing healing by connecting individuals to services. Strengthening training for these workers is a priority. As for Community Panels, given their focus on prevention, it would be more efficient to establish permanent panels in each Region, with membership drawn from local citizens to promote community building and resolve disputes at the lowest level.

Q: How will it be ensured that the Judiciary will not exacerbate existing issues, and that cases are dealt with in a timely manner without overwhelming the Judiciary?

A: The Judiciary is designed to resolve disputes and provide individuals with a voice, aiming to address existing issues. To ensure cases are handled efficiently, intake officers will filter and prioritize complaints, rejecting those without merit. Cases that pass intake will proceed to facilitation with a mediator to reach resolution. Only unresolved cases will proceed to a hearing panel, ensuring timely handling and preventing overwhelm.

Q: Why is there no option for an outside appeal despite a decision from the hearing panel being final? Will there be a set of remedies for each law?

A: The decision to exclude an outside appeal was made to prevent cases from escalating to Saskatchewan courts. However, there is potential for Métis courts to include an appeal option with additional language. As for remedies, rather than a fixed list for each law, there will be a range of possible consequences. The Judiciary will have discretion to determine appropriate remedies based on the specifics of each case, tailoring them to circumstances such as first-time or repeated violations.

On the DRAFT Judicial Body Act - PART IV: Miscellaneous (Articles 18 to 20):

Q: Will there be a review period before this legislation comes into effect? It specifies that there will be constant reviews, but who will conduct them? Additionally, what does “constant” mean in this context?

A: There is no formal review period stipulated in the legislation. However, it will undergo continuous review during implementation to identify strengths and areas for improvement, allowing the MNLA to make amendments as needed. An annual report process is in place, and reviews could potentially be based on this report. Additionally, internal reviews will be conducted by a Chief Justice appointed to oversee the administration of the judiciary.

Q: Will the Judiciary be set up as a separate entity responsible for managing its own affairs, or will oversight come from the MN-S?

A: It is proposed that the Judiciary would have control over its finances, ensuring autonomy in financial matters. The specifics of implementation are not detailed yet, but the core idea is to maintain financial independence from MN-S oversight.

Q: Is there a conflict of interest when the Judicial Committee, which determines its own compensation, is composed of members appointed by the PMC, which also sets out the Committee's structure?

A: The PMC recommends a budget, which the MNLA approves. Although the PMC pre-approves the budget, they cannot dictate how the funds are spent. The Judiciary independently decides how to allocate and prioritize its funds, ensuring no conflict of interest in determining compensation.

Q: How do we prevent trivial matters from coming before the judicial body and ensure it is not used for such purposes? Are there any preventative measures in place?

A: Preventing trivial matters from reaching the judicial body will be managed through the intake process and other case management steps. The Judiciary has the authority to restrict individuals from bringing actions without permission, if necessary. These measures will evolve over time and be incorporated into the rules established by the Chief Justice.

Q: Who is responsible for paying individuals on the judiciary, where will the funding come from, and how is the legal team preparing the Judiciary Act?

A: Funding for the Judiciary would be sought from the federal government. Costing models are yet to be confirmed. The financial cost of judicial resolutions is still under negotiation - the MN-S currently lacks the funds to support this. Discussions are underway to determine the costs. Additionally, costs related to matters previously handled by the provincial system, such as harvesting litigation, may be incorporated into financial agreements.

Additional Discussion on the Judiciary:

Q: Will the other virtual sessions on the Kwayaskastasowin Judiciary Act provide additional information or will they be similar to this one? Will an in-person judicial review session be held? Can information be provided on prior consultation sessions? How is participation in consultation sessions being ensured?

A: The other virtual sessions will cover the same information, but discussions may vary. New topics may arise, so we encourage everyone to attend all sessions. The MN-S staff may be able to provide further information on the feasibility of holding an in-person session. Information on prior sessions can be provided. Consultations were temporarily paused due to the Treaty consultations and will likely resume in 2025.

Q: Will there be audits for the Judiciary? How often will they occur, and who is responsible for conducting them?

A: The MN-S undergoes extensive annual audits, which are presented to the PMC and the MNLA for ratification before being made public. Locals accessing MN-S or regional funding must report their expenses and budgets.

Q: Will the Judiciary have the authority to ratify legitimate Locals and ensure proper documentation for Local governments? What will the role of the Local Presidents be?

A: The authority for ratifying Locals is still in progress, with Treaty negotiations addressing the establishment of legal status and authority, including the ability to create institutions. The necessary framework is being developed to address current inconsistencies, as some Locals are incorporated while others are not. The proposed Locals Act will define the roles and responsibilities of Locals. A separate MN-S office will manage this process. The Judiciary must remain independent and free from political influence, including from Local Presidents.

Q: What is the overall timeline, and when is the goal for a judiciary to become fully operational? Is there a process in place for further review beyond roundtable discussions, and are there additional plans for this?

A: The judiciary may be operational by November 2024. Reviews and approvals by the MNLA are scheduled November 1-3, 2024. All constitutional amendments will require a 75% approval by the MNLA. Additionally, a General Assembly is scheduled November 23, 2024, where citizens will vote on the constitutional amendments, also requiring a 75% approval threshold. The focus can then turn to implementation, securing funding and supporting the planned initiatives. Additionally, further consultations on the judiciary are planned to extend into mid to late September 2024.

Q: Can communities design their own models based on their unique needs?

A: Yes, communities can design their own models through their political representatives. Laws on harvesting, conservation, and other areas allow for regional and community-specific diversity. Local Presidents advocate for community input in processes within MN-S recognized laws. Once established, the Judiciary can review issues as they arise.

Q: Can the Kwayaskastasowin Judiciary be explicitly mentioned in the Constitution?

A: The Constitution outlines provisions that would enable legislation to support the Judiciary.

Comments (C) submitted after the Judiciary sessions:

C: Consider why is it mandated to have a minimum of three licensed lawyers on the Judicial Committee. While legal expertise is important, this requirement seems excessive, costly and may encourage a “hire a lawyer” approach rather than focusing on “setting things right”. The principles of connectedness, love, kinship, and relationships, which are central to legal case processing, may not be attained with this approach.

C: The Act specifies that an expert, an Elder, and a Youth shall be selected from the rosters to comprise the Panels. Métis women, given their traditional and historic roles (as teachers, counselors, mediators, and protectors of children), should be included in the rosters and Panels.

Further Discussion:

Q: What is the treaty, how can elected officials make decisions without citizens’ input, and can the treaty proceed at the MNLA without approval of the Judiciary Act and constitutional amendments? Will MN-S and its Locals need to be incorporated entities? How will the Treaty ensure our laws supersede provincial and federal laws?

A: *The treaty is outlined in the agreement between the MN-S and Canada, the “Métis Nation within Saskatchewan Self-Government Recognition and Implementation Agreement (2023)”, which could proceed independently of legislative amendments. Citizens’ input is considered through designated channels. Transition to federal legislation is underway, and concerns about the interaction between Métis and provincial/federal laws will be addressed by the Treaty team.*

Q: If you are running for election or are an elected official, could someone make a claim against you to prevent you from running or serving, or prolong the process to hinder your ability to run?

A: *There is a provision requiring that such matters be addressed promptly to avoid undue delays or interferences.*

Q: What happened to the amendments submitted to a previous MNLA related to the *Constitution, Locals Act and Regions Act*?

A: *The proposed amendments that were submitted were referred for consideration to the constitutional reform process.*

Q: How many new and amended pieces of legislation will be presented for the MNLA’s consideration in 2024?

A: *To allow sufficient time for review and consultation, a phased approach was anticipated for the introduction and approval of new and amended MN-S legislation. At the Spring 2024 MNLA, legislative acts were tabled for review, including the Saskatchewan Métis Elections Act, the Métis Nation of Saskatchewan Citizenship Act, and the Métis Nation Legislative Assembly Act (proposed as the “Assemblies Act”). A draft Kwayaskastasowin Judiciary Act was also tabled.*

Q: Clarification is needed on how the proposed amendments to the *Constitution and Elections Act* were developed.

A: *The proposed amendments were informed by elected officials, senior staff, and feedback gathered at consultation sessions held in 2019, 2022, and 2023 and were guided by legal counsel.*

Q: What happens to the proposed amendments to the *Constitution*, if the MN-S does not achieve self-government? Will the MN-S remain a not-for-profit organization?

A: *Any approved amendments to the Constitution will be valid, regardless of whether (or not) the MN-S advances to being a self-government.*

Q: Is Les Filles de Madelaine recognized in the *Constitution*, as the group representing the Métis Women of the MN-S?

A: *The “Métis Women of Saskatchewan” was the name of the women’s group when the Constitution was adopted in 1993.*

Information Items

Documents provided for reference at the 2024 Constitutional Reform Consultation Sessions

The following items were available at the Constitutional Reform Consultation Sessions, and may be requested by email from the MN-S (info@metisvoice.ca):

1. “Overview” of the MN-S Constitutional Reform Engagements (scheduled March 2024 to April 2024), including a summary of proposed amendments and a “MN-S Constitutional Reform 2024-2025 Timeline”
2. “*Constitution of the Métis Nation – Saskatchewan*”, and a side-by-side chart comparing existing and proposed text
3. “*MN-S Assemblies Act*”, and a side-by-side chart comparing existing and proposed text
4. “*MN-S Citizenship Act*”, and a side-by-side chart comparing existing and proposed text
5. “*Saskatchewan Métis Elections Act*”, and a side-by-side chart comparing existing and proposed text
6. Proposed “MN-S Interpretation Act”
7. Proposed “MN-S Locals Act”
8. Proposed “MN-S Regions Act”
9. DRAFT Judiciary Body Act – showing proposed provisions and comments
10. “Voice of the People, MN-S Constitution Reform Comment Form”