

TA'AN KWÄCH'ÄN JUDICIAL COUNCIL
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March 16, 2016

TKJC 16-04

Gloria Peters
Box 141
Mayo, YT Y0B 1M0

Dear Ms. Peters:

Re Challenge of Bonnie Harpe as Ta'an member with status

The Ta'an Kwäch'än Judicial Council (TKJC) has received your letter of February 18, 2016 where in you state that you believe Ms. Harpe may not be a Ta'an member with status.

We have reviewed the *Constitution* and Schedule 1 – Ta'an Kwäch'än Council (TKC) Citizenship Code. In the *Constitution* the TKJC has the authority to:

- Adjudicate cases of alleged violations of the laws;
- Mediate or arbitrate disputes between citizens and the TKC where parties agree;
- Investigate financial irregularities of the TKC;
- Determine validity of a law or regulation;
- Remove a member of the TKC if found to be compromising dignity or effectiveness of that office.

According to Schedule 1, the Citizenship Committee under section 3.1 can investigate and rule on membership that a person was enrolled on erroneous or fraudulent grounds. While the information related to membership enrollment is confidential (4.3), you are entitled to a Citizenship list (4.4).

While not clearly specified in the schedule, it appears that the committee has the ability to review documentation and rule on errors or fraud, resulting in the loss of citizenship. Further, it is our read of the schedule that if the ruling results in loss of citizenship, that citizen may appeal to the TKJC within one year.

It does not appear that the TKJC has the jurisdiction to investigate citizenship status or remove citizenship. Therefore, your concerns should be properly forwarded to the Citizenship Committee for investigation and ruling.

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The TKJC cannot accept jurisdiction on matters related to the citizenship status of Ms. Harpe. However, if Ms. Harpe is a Councillor on the TKC and you wish to pursue your complaint that she is compromising the dignity or effectiveness of that office you may confirm that this would be the only complaint you are bringing to the TKJC against Ms. Harpe.

If you pursue the membership status issues, the TKJC has no ability to proceed with your complaint until such matter is resolved or withdrawn.

TA'AN KWÄCH'ÄN JUDICIAL COUNCIL



Barbara A. Evans
Judge



Michael Dougherty
Judge



Chuck Hume
Judge

- c. Ms. Harpe
Citizenship Committee