

Cover email to Minister Of Justice Lametti - Response to the CRCC report on the RCMP raid at Rexton, NB on Oct. 17, 2013

This correspondence concerns the release by the Civilian Review and Complaints Commission of the RCMP (CRCC) of its report on an investigation into the conduct of the RCMP during the raid on shale gas protesters in Rexton, NB on Oct. 17, 2013, and the RCMP's reply to that report. The report was released last year, only after seven years of investigation, and was largely unsatisfying to those who filed the original complaints.

We have addressed our concerns to the Ministry of Justice, as there appears to be no other means of appeal. Those who were directly impacted by the Rexton raid have difficulty understanding why their memories and testimonies differ so much from the reports conclusions, and are troubled and disappointed that there was no outreach from either the RCMP or the CRCC to offer personnel who could explain the findings to the complainants.

Attached to this email are responses from those complainants, essentially contained in two separate, but related, documents. The first is from three groups, which were directly affected by the activities covered in this report. The groups are:

- *Kobit Lodge*, which is a group within the Elsipogtog First Nation that is authorized by the Chief and Council to speak on this issue.
- *Kent County Council of Canadians* - (formerly Upriver Environmental Watch), a citizens' organization living where the events in the investigation took place.
- *Notre Environment, Notre Choix* - a citizens' organization living where the events in the investigation took place.

The submission from these First Nations and Kent County groups flows from their proximity and direct observation and participation in the investigated events. Thus, their perspective on the report flows largely from the alleged factual conclusions of the report, and these are what they wish you to address in their attached Statement.

The second group is the *New Brunswick Anti-Shale Gas Alliance* (NBASGA), an umbrella organization representing both Anglophone and francophone groups, of all types, across the province, with mandates to keep unconventional fossil fuels out of the province, and to promote the move to a clean energy economy in light of the climate emergency. NBASGA was the first to call for an investigation of the RCMP and the Rexton raid, and has followed that investigation over the years. In the past, the group has also filed suit against the province (mooted by the province's adopting a moratorium on fracking), and recently it has successfully intervened in two provincial appeals courts cases supporting federal carbon pricing, and intervened on the same issue at the Supreme Court.

NBASGA's comments (which include a Commentary published in local media) largely address the processes underlying the investigation, the conclusions concerning Charter violations, the RCMP's response to the CRCC report, and troubling trends in the justice system.

The two sets of groups are interrelated. *Kent County Council of Canadians* and *Notre*

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Environment, Notre Choix are members of NBASGA, and NBASGA and its member groups worked closely with First Nations, including Elsipogtog, on the shale gas issue. While both sets of groups hold similar and supporting views of the CRCC report, the details and requests of their submissions are distinct.

The time that has passed since the report was issued has been filled with new issues concerning Indigenous Rights and RCMP actions. For example, the Mi'kmaq fishing rights conflict and the failure of the RCMP to protect indigenous people and property has obviously occupied the attention of the people at Elsipogtog, and pipeline protests, and RCMP responses to them, in the west of the country have garnered nationwide attention from First Nations.

Now with the ongoing discoveries of the abuses of Residential Schools, it seems an apt time to submit these delayed statements of concerns, in hopes that a focus on relations between the Crown and indigenous peoples can include a belated explanation of this still open wound in New Brunswick.

We appreciate the Ministry of Justices consideration of these matters and are available to provide any other information that you may require. The people witnessing the events would still hope to hear from someone from the Commission who could discuss their findings, and, more importantly, all the parties want to see the national issues raised by the NBASGA statement addressed.

Sincerely,

Jim Emberger, New Brunswick Anti-Shale Gas Alliance, Inc.
Denise Melanson, Kent County Council of Canadians
Lorraine Clair, Elsipogtog First Nation via Kobit Lodge
Dallas McQuarrie, Notre Environment, Notre Choix