



Senate Action No. 2-12-12-57-3-165

April 2, 2019

SENATE

Apihtow-kosison nekanapowin

METIS NATION BRITISH COLUMBIA

Apihtow-kosison peyakosihtwawin

Daniel Joseph Francois Harvey

And

METIS NATION BRITISH COLUMBIA CENTRAL REGISTRY

CITIZENSHIP/CENTRAL REGISTRY APPEAL RESPONSE TO NOTICE OF APPEAL TO THE SENATE

To: Daniel Joseph Francois Harvey
To: METIS BRITISH COLUMBIA CENTRA REGISTRY
FROM: METIS NATION BRITISH COLUMBIA SENATE CLERK

Introduction

(1) On August 14, 2018 the Applicant, Daniel Joseph Francois Harvey, received a letter from the respondent, the MNBC Central Registry, that indicated his citizenship could not be validated or verified based on the current qualifiers for MNBC Citizenship. Specifically the Respondent's letter highlighted:

"I have carefully reviewed the maternal genealogical information provided to the MNBC Central Registry. Upon review of the maternal genealogical information, I noted that your maternal ancestry is Mi'kmaq. Please note applicants are required to verify a genealogical connection to the historic Métis Nation Homeland and a Métis ancestor. Mi'kmaq ancestry/culture is very different from Métis.

(2) The applicant has requested a review of his citizenship application package and all related materials, and a decision if the processes and interpretations of the Registrar

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were consistent with the intent of the “national definition” and the **MNBC Citizenship Act**.

Privacy Consent to Release

(3) On November 24, 2015, Daniel Joseph Francois Harvey supplied a signed and witnessed “*Consent to Release Confidential Information*” form. This form provided the Senate with the following consents:

- i Utilization of the documentation supplied to the MNBC Central Registry for the purpose of the applied for appeal.
- ii To send the contents of Daniel Joseph Francois Harvey’s citizenship application file to a third-party for a second professional genealogical opinion.
- iii To utilize all the information supplied or demanded for the purposes of the MNBC Senate appeal processes.

Second Genealogical Opinion

(a) Société historique de Saint-Boniface

(4) A second professional genealogical opinion was obtained from the Société historique de Saint-Boniface (Saint Boniface historical society). The Société does research to identify if the applicant has an ancestor that has been identified as Métis through official documentation such as census records, scrip, land grant document or other official documents such as church records.

(5) Ms. Janet La France from the genealogical department of the Société historique Saint-Boniface supplied a second professional genealogical opinion by letter on July 22, 2016. Ms. La France indicated the following:

*“The information submitted by your client, Daniel Harvey, has been carefully reviewed. We were able to trace the lines in question to Eastern Canada, without encountering any evidence of Métis ancestry. Our research conclusions are in accordance with the findings of the MNBC Central Registry in that no aboriginal ancestry could be confirmed within the genealogical line we were asked to examine. Therefore, Mr. Harvey’s ancestors do **not** connect into the Historic Métis Nation as they were then known or their homeland.”*

Analysis

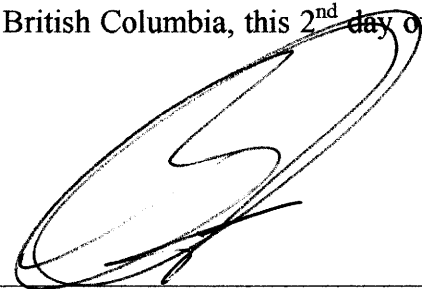
b) Genealogical Interpretation

- (6) Both the MNBC Central Registry and the Société historique de Saint-Boniface indicated that they could not determine a link and/or ancestor that identified as Métis and resided within the Metis Nation Homeland.
- (7) Furthermore, both the MNBC Central Registry and the Société historique de Saint-Boniface specified that they could not confirm any aboriginal ancestry within the genealogical line that was specified for research into possible Metis ancestry.
- (8) Thus there was no evidence supplied that would indicate Mr. Harvey's genealogical ancestry held any connection into the Historic Metis Nation.

Denial of Leave to Appeal

- (9) Based on the information supplied and the genealogical opinions (MNBC Central Registry and the Société historique de Saint-Boniface), there could not be verified any genealogical connection to the Métis Homeland or the presence of a Métis ancestor.
- (10) Based on the evidence provided and the genealogical line researched there is not sufficient justification to send this appeal file to the Senate, and the application to appeal is therefore denied.
- (11) It ought to be noted that should the parameters for MNBC citizenship change, or if the applicant discovers new information or documentation, that this decision does not limit or negate the applicant from reapplying for MNBC citizenship.

Dated at the community of Victoria, in the Province of British Columbia, this 2nd day of April, 2019.



WP. Bresser
MNBC Senate Clerk