



Public hearings on mine proposal include R.A.V.E.N. film on Tsilhqot'in Nation

Thanks to the efforts of W&Co's **Jay Nelson** and **Sean Nixon**, R.A.V.E.N.'s production of *Blue Gold: The Tsilhqot'in Fight for Teztan Biny (Fish Lake)* survived an attempt to have it banned as "propaganda" from the federal environmental review process by Taseko Mines Ltd. After hearing arguments from the Woodward team, the panel dismissed Taseko's motion that the film should not be shown saying that its rules of procedure do not prohibit presenting information in this form.

Panel Chairman Robert Connelly also noted in his ruling, "Essentially, we see the movie as another way of conveying information. We're not intending to encourage or discourage movies. We obviously don't encourage people to prepare them. But if they have been prepared, we see this as another means of receiving information."

In its written submission TNG pointed out, "It is abundantly clear that *Blue Gold* is not "propaganda" but rather a genuine attempt by the Tsilhqot'in people to explain and capture their connection to this area.

...continued on page 2

Profile: Alana DeGrave

Experience, Strength, Perspective

Alana is equally comfortable in the courtroom, in the office, or running a marathon. She is a talented lawyer who does it all. Currently she is concentrating on First Nations land law: leasing, managing and developing reserve lands. She also has an interest in governance and by-laws, assisting band councils through the sensitive process of writing and explaining community by-laws.

Alana, originally from Winnipeg, was called to the BC Bar in 2005. In 2006, she worked for a year on Salt Spring Island at Clement, Murphy & Woodward, a small town solicitor's practice, where she learned valuable skills in the areas of real estate, wills, estates and corporate law.

In her spare time, Alana runs, plays soccer, hikes and camps. She completed her first **marathon** in San Francisco in October 2009. She is also a Director of the Laren Society, a society that operates a halfway house in Victoria, BC.



UPCOMING EVENTS:

April 13, 2010 : Speaking Engagement - **Jack Woodward** will be presenting at the **Climate Action Symposium** in Washington, DC sponsored by the George Washington Institute for Sustainability.

Also presenting are author James Hoggan (*Climate Cover Up*) and Chief Al Lameman, Beaver Lake Cree Nation. For more information, please visit our website:

www.woodwardandcompany.com.

Happy Easter!

A note that the Woodward & Company LLP offices will be closed on Good Friday, April 2nd and on Monday, April 5th.

...continued from page 1

Even if others may not ultimately agree with the position of the Tsilhqot'in people, RAVEN and the Tsilhqot'in National Government hope the film will foster a deeper appreciation of why the Tsilhqot'in have taken a position against the proposed mine."

The 40-minute film, which documents the Tsilhqot'in peoples rejection of Taseko Mines Ltd.'s plan to drain Teztan Biny in order to stockpile mining waste, was shown on March 24th at the public hearing in Williams Lake, BC. The film was shot in two days during the 2009 Elders' Gathering at Onion Lake and Fish Lake.



Blue Gold was made with funds donated by several organizations, including Donner Canadian Foundation, Friends of the Nemaiah Valley and Small Change Fund. Two donor organizations wish to remain anonymous. ❖

THE DAY THE CHAIN SAWS STOPPED: Celebrating the Meares Island Injunction

March 27th was the 25-year anniversary of the court injunction that halted logging on Meares Island until Nuu-chah-nulth land claims are settled.



As part of their efforts to protect Meares Island from clear-cut logging, local First Nations took their protest to the province's capital. This photo was originally published in October 1984 in the *Westerly News*.

PRACTICE MADE PERFECT CLE BC THE CONTINUING LEGAL EDUCATION SOCIETY OF BRITISH COLUMBIA

Employment Law Conference May 13-14, 2010

Pan Pacific Hotel, Vancouver, BC

Woodward & Co lawyers **Eamon Murphy** and **Berry Hykin** will be presenting a paper they have written with **Leah Mack** at the upcoming CLE conference. In the afternoon sessions on the second day the team will give a presentation entitled "First Nation Governments as Employers."

The session will include:

- Jurisdictional Issues: Canada Labour Code, Employment Standards Act, or both?
- Administration and Management Issues: creating employment policies that work
- Who has authority to bind the First Nation?
- Working in small, remote communities: impacts on damages for wrongful dismissal.

The conference is a professional continuing education update for lawyers practicing in employment law.

"This land is our garden," Tla-o-qui-aht then-Chief Moses Martin told loggers hired by MacMillan Bloedel. The logging company tried to stop local First Nations with an injunction, but the Tla-o-qui-aht and Ahousant appealed and countered with an injunction of their own, led by W&Co's **Jack Woodward**.

The court concluded, "I cannot think of any native right that could be exercised on lands that have recently been logged." The court also noted, "There is evidence that some of the trees are over fifteen hundred years old. There is evidence that one of the largest cedar trees known to man is on Meares Island."

In granting the injunction, the court said, "If logging proceeds and it turns out that the Indians have the right to the area with the trees standing, it will no longer be possible to give them that right. The area will have been logged. The courts will not be able to do justice in the circumstances."

In May during the **International Funders of Indigenous People's Conference** in Tofino, W&Co will host a celebration of this important anniversary. There will be a presentation of important evidence of the case to the community, and we will be sponsoring a field trip to Meares Island for visiting dignitaries. ❖