Nishnawbe Aski Nation
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NEWS RELEASE

Thursday January 4, 2007 **FOR IMMEDIATE RELEASE**

NAN AND KAKEGAMIC FAMILY DISAPOINTED WITH DECISION BY CHIEF CORONER TO DENY APPEAL

THUNDER BAY, ON: Nishnawbe Aski Nation (NAN) Deputy Grand Chief Alvin Fiddler together with Margaret and Isaac Kakegamic are disappointed with the decision of the Chief Coroner to deny the appeal made for an inquest into the death of Max Kakegamic.

"This is just another example of how the system has failed Max and his family at every level. There seems to be a double standard when it comes to applying these laws on First Nations. There is no consistent application of rules," said Deputy Grand Chief Alvin Fiddler who, together with Margaret and Isaac Kakegamic, appealed a previous regional decision to deny an inquest to Chief Coroner Dr. Barry McLellan on March 27, 2006. "This would have been a good case for an inquest."

North Spirit Lake First Nation community member Max Kakegamic was killed on the streets of Kenora October 4, 2000. When the case went to trial January 2004, charges against the only suspect were stayed because of irregularities in the investigation. Kenora Police Services' Lloyd White, Tom Favreau, and Const. Chris Ratchford were cited for police misconduct in the ruling by Superior Court Justice Peter Hambly.

Kenora Police Services confirmed with NAN shortly after the 2004 judgement the investigation into the death of Max Kakegamic was not proceeding.

"We had hoped the appeal would have been approved. We have been waiting for answers for the last six years and we really thought this was going to be our opportunity to get those answers. It's difficult for our family to heal without knowing that justice has been served," said Max's mother Margaret Kakegamic from her home in North Sprit Lake First Nation – one of 49 communities part of NAN.

Among the reasons cited in Chief Coroner Dr. McLellan's letter denying the appeal was that in this case he did not feel a jury would be in a position to make recommendations that would help the avoidance of death in similar circumstances nor did he feel it was desirable for the public to be fully informed of the circumstances of the death through an inquest.

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