## CANADIAN HUMAN RIGHTS TRIBUNAL TRIBUNAL CANADIEN DES DROITS DE LA PERSONNE

#### JOAN JOLLASSE

**Complainant** 

### - and -CANADIAN HUMAN RIGHTS COMMISSION

Commission

# - and -KEESEEKOOWENIN FIRST NATION

Respondent

### **DECISION**

MEMBER: J. Grant Sinclair 2009 CHRT 29 2009/10/01

- [1] The hearing of this complaint was convened at 10:00 a.m. on Monday, September 21, 2009 at Portage la Prairie, Manitoba. At the commencement of the hearing, the Tribunal Registry Officer announced the case for hearing and called for appearances.
- [2] The complainant, Joan Jollasse did not appear nor did anyone appear on her behalf. The respondent's representative, Chief Norman Bert Bone, did not appear nor did anyone appear representing the respondent Keeseekoowenin First Nation.
- [3] By letter dated March 3, 2009, the Canadian Human Rights Commission confirmed that it would not be participating at this hearing.
- [4] The Tribunal adjourned the hearing until 10:15 a.m. Upon resumption, the Registry Officer again called for appearances. The complainant did not appear nor did anyone on her behalf. No one appeared on behalf of the respondent.
- [5] An examination of the Tribunal's record confirmed that Ms. Jollasse and Chief Bone were advised by Tribunal letter dated August 14, 2009, of the date, time and location of this hearing. A Notice of Hearing was also sent to Ms. Jollasse and Chief Bone on September 4, 2009 confirming the date, time and location of this hearing.
- [6] Case management teleconferences with the parties were scheduled by the Tribunal to take place on April 16, June 19 and July 17, 2009 for the purpose of pre-hearing disclosure. The complainant nor the respondent or anyone representing them participated in the April 16, 2009 teleconference.
- [7] The June 19, 2009 conference was cancelled because the Tribunal was unable to reach the parties.
- [8] Only Chief Bone participated in the July 17, 2009 conference call. He undertook to confirm by July 22, 2009 if he was able to retain counsel. No confirmation having been

received by that date, the Tribunal Registry attempted to contact Chief Bone by telephone on July 27 and again on July 29, 2009, but the Tribunal's telephone messages were not returned.

- [9] Neither the complainant or the respondent satisfied their disclosure obligations pursuant to Rule 6(1) of the Tribunal's Rules and Procedures.
- [10] No evidence was called or otherwise provided in support of Joan Jollasse's complaint at the hearing on September 21, 2009.
- [11] Accordingly, I find that the complaint against the Keeseekoowenin First Nation has not been substantiated and it is hereby dismissed under section 53(1) of the *Canadian Human Rights Act*.

"Signed by"

J. Grant Sinclair

OTTAWA, Ontario October

1<sup>st,</sup> 2009

#### PARTIES OF RECORD

TRIBUNAL FILE:	T1383/0909
STYLE OF CAUSE:	Joan Jollasse v. Keeseekoowenin First Nation
	September 21, 2009
DATE AND PLACE OF HEARING:	Portage la Prairie, Manitoba
DECISION OF THE TRIBUNAL DATED:	October 1, 2009
APPEARANCES:	
No one appearing	For the Complainant
No one appearing	For the Canadian Human Rights Commission
No one appearing	For the Respondent