2026 Bigstone Cree Nation Election Appeal
Doreen Alook Appeal

Procedural Direction Dated November 5, 2026
Arising from the November 4, 2026 Hearing

Background

01. An Appeal was filed by Doreen Alook arising from the decision of the Electoral Officer that she was not eligible to be nominated as a Candidate for Council in the September 29, 2026 Election. The reason given by the Electoral Officer is that the Criminal Record Check attached to her nomination package showed a "Possible Match" [Document A.63].

02. The Nomination Meeting was held on September 9, 2026 [Document A. 11].

Issues Arising at the November 4th Hearing

03. I gave notice that the Appeal would be heard on November 4th, and the Electoral Officer provided a written response to the Appeal [Document A.63] but did not attend the Hearing. Due to two evidentiary issues which arose at the Hearing, I advised that I was not closing the Hearing and that I would issue this Procedural Direction. At the November 4th Hearing I heard evidence from the Appellant and legal argument from Mr. Marchen representing the Nation regarding the interpretation of the Election Law.

04. Attached to the Notice of Appeal [Document A.01] is a copy of a criminal record check form titled "Release of Results of Criminal Record Check". The criminal record check form states that it was issued by RCMP Officer April Courtoreille. The form attached to the Notice of Appeal indicates a mark in the box for "Possible Match". The date on the form is handwritten and was not legible on my copy of the document. During the Hearing I asked the Appellant the date on the form and she advised that it was September 10, 2026.

05. The Appellant also stated that she ran in the February 2026 by-election for Chief and that she used the same form that was attached to her Notice of Appeal [Document A.01] for her nomination for the February by-election, and the same Electoral Officer found it acceptable in February 2026. I advised the Appellant at the November 4th Hearing that this was information that was not contained in the Notice of Appeal and the Electoral Officer did not have an opportunity to respond to it. I told the Appellant that I would have to decide

whether or not I would accept this new information as evidence in the Hearing and if I did so, then I would need to give the Electoral Officer an opportunity to respond.

06. I have concluded that I will not have regard for the statement made by the Appellant that the criminal record form dated September 10, 2026, was the same form submitted to the Electoral Officer at the February by-election for Chief. I have two reasons for reaching this conclusion. My first reason is that the issue before me is whether the criminal record check form submitted at the Nomination Meeting held on September 9th met the requirements of the Election Law. Decisions made in the February by-election are not before me. My second reason is that the date on the form attached to the Notice of Appeal is dated September 10th - which is the day after Nomination Day and could not have been the same form used by the Appellant for the February by-election for Chief.

07. In reaching this decision not to accept this statement as evidence, I reviewed the Nomination Package for D. Alook marked as Document A.43. Document A.43 was provided by the Electoral Officer as part of the Election Report. The documents which were provided to me as part of Document A.43 contained:

(a) The Nomination Form and Candidate's Acceptance for D. Alook;

(b) Release of Results of Vulnerable Sector Check;

(c) A letter from the Nation's Finance Director confirming no debt to the Nation;

(d) An Intervention Record Check;

(e) The Nomination Fee & Candidate Performance Bond Form; and

(f) The Candidate Declaration Form.

08. The criminal record check provided by the Appellant at the Nomination Meeting was not included in the material provided by the Electoral Officer in Document A.43, and in paragraph 10 below I am directing that it be provided.

09. During the November 4th Hearing the Appellant stated that she had heard rumors that other Candidates were given time after the Nomination Meeting to get their documents in

order. The Appellant asked why she wasn't given the same opportunity. I cautioned the Appellant that this claim was not contained in her Notice of Appeal and the Electoral Officer was not given advance notice of it. I advised that if I accepted this evidence from her that I would need to give the Electoral Officer a chance to respond to it. It is my decision that I will accept this statement as evidence in the Hearing, and in keeping with procedural fairness, will give the Electoral Officer an opportunity to respond to it.

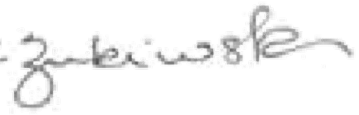
Direction to the Electoral Officer

10. The Electoral Officer is to provide a copy of the criminal record form submitted by the Appellant at the September 9th Nomination Meeting. The Electoral Officer is asked to email a copy of the form to my attention by 4:30 p.m. on Monday, November 9, 2026. The Electoral Officer is asked to copy the Appellant and Mr. Marchen with the email.

11. I am also giving the Electoral Officer until 4:30 p.m. on Monday, November 9, 2026, to reply to the statement from the Appellant that he gave other candidates time after the Nomination Meeting, to get their nomination documents in order. Please email your reply to me and copy the Appellant and Mr. Marchen.

12. The Appellant may respond to the submission from the Electoral Officer by 4:30 p.m. on Thursday, November 12th by email with copies to the Electoral Officer and Mr. Marchen. I anticipate closing the Hearing after November 12th and will issue my final decision in writing.

Bigstone Cree Nation Election Appeal Arbitrator

Per: 

_____

Carol M. Zukiwski