



# Nuu-chah-nulth Tribal Council

AHOUSAHT  
DTIDAHT  
ʔIIHATIS / ČIINAXINT  
HESQUIAHT  
HUPACASATH

HUU-AY-AHT  
KA:YU:K'TH/CHE:K:TLES7ET'H  
MOWACHAHT/MUCHALAHT  
NUCHATLAHT  
TLA-O-QUI-AHT

TOQUAHT  
TSESHAHT  
UCHUCKLESAHT  
YUJL.U7E.7ATH

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December 12, 2022

## Nuu-chah-nulth celebrate smudging case win at BC Court of Appeal

**Nuu-chah-nulth Territories, BC** - Today, the NTC is very happy with the BC Court Of Appeal decision in *Servatius vs. School District 70*, better known as the smudging case. The mother of one of the students brought a case to court alleging that her daughter's freedom of religion was infringed because she watched a smudging demonstration in a classroom and had to listen to a hoop dancer's prayer before he danced.

The court ruled that *“Neither event breached the appellant's freedom of religion or the duty of state neutrality. The trial judge did not make an error in his findings of fact that the children did not participate in the smudging or the prayer and the school did not promote or favour a set of beliefs”*.

The Nuu-chah-nulth Tribal Council works closely with School District 70 to provide educational events and information that educate non-Nuu-chah-nulth about our culture and way of life and to make our own students feel more at home and safe in the schools they attend. The smudging demonstration was part of this work.

President Judith Sayers states that “I am very pleased that the court ruled that Ms. Servatius cannot impose her own beliefs on what an Indigenous person is experiencing when a demonstration occurs and that it was not religious ceremony. We told the court that we do not have a religion, we have spirituality and some of it we can share in public and some is very private. The smudging demonstration was something we could share publicly.”

Judith Sayers also commented that “we were delighted that the court recognized that the smudging was not part of a belief system that sought to convert someone from one religion to another or to take an unwilling observer by making them a participant.”

While we celebrate this win today, the Nuu-chah-nulth are deeply disappointed that we had to go all the way to the B.C. Court of Appeal over this issue. This just shows the challenges we still have to overcome in presenting our worldviews and way of life. It should not have gone to these lengths for tolerance and understanding in the education system.

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## About Nuuchahnulth Tribal Council

The Nuuchahnulth Tribal Council (NTC) provides programs and services to over 10,000 registered members. The role of the NTC is to represent 14 First Nations in three regions stretching 300 kilometers of the Pacific Coast of Vancouver Island from Brooks Peninsula in the north to Point-no-Point in the south. The NTC represents Ahousaht, Ditidaht, Ehattesaht/Chinehkint, Hesquiaht, Hupacasath, Huu-ay- aht, Kyuquot/Checklesah, Mowachaht /Muchalaht, Nuchatlaht, Tla-o-qui-aht, Toquaht, Tseshah, Uchucklesah and Ucluelet First Nations and provides a variety of programs and services to them.

For more information, please visit [www.nuuchahnulth.org](http://www.nuuchahnulth.org).