

Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2355	Subject: MARTIN, Cathy Inquiry Report: 2018-03-02	Originated by:
The Council of the Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D 0 2 M 0 3 Y 1 8	Province Gepeg

- WHEREAS** On or about November 27, 2017, during a duly called Council meeting, the Council expressed its support for an independent inquiry and the temporary suspension of Order-in-Council no. 2334;
- WHEREAS** On or about November 27, 2017, the Council, by Order-in-Council no. 2337, resolved that an independent inquiry be launched;
- WHEREAS** The Council gave the mandate to Mtre Joanne Brodeur to perform the independent inquiry and to produce a written report to Council on or before February 20, 2018;
- WHEREAS** On or about March 2nd, 2018, the Council reviewed the report of the independent inquiry produced by Mtre Joanne Brodeur;
- WHEREAS** The Order-in-Council no. 2337 required that the independent inquiry be subject to solicitor-client privilege in favour of the Council.

THEREFORE BE IT RESOLVED

- THAT** The Council hereby acknowledges having reviewed the March 2nd, 2018 report of the independent inquiry.
- THAT** The Council has reviewed and accepts the conclusions of the report.

Moved: Sky Metallic
 Seconded: Lloyd Alcon
 Abstain: Calvin Barnaby / Kevin Methot
 Opposed: _____
 Status: Passed Defeated Tabled

Quorum 7


 Councillor Lloyd Alcon

Councillor Gordon Isaac Jr.


 Councillor Wendell Metallic

Councillor Sheila Swasson


 Chief Darcy Gray



 Councillor Annette Barnaby

Councillor Dr. Cathy Martin


 Councillor Kevin Methot

Councillor John Murvin Vicaire


 Councillor Calvin Barnaby


 Councillor Sky Metallic

Councillor Lorna Sook

Councillor Chris Wysote

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THAT The conclusions of the independent inquiry are as follows:

"Based on my investigation of the relevant factual context which led to adoption of OIC 2334, and having full access to documents and videos which and meeting with witnesses who the undersigned determines, with Respondent's input, are relevant to the undersigned's investigation and report, I hereby advise Council in writing that:

- a) The Code of Conduct was properly applied;*
- b) The rules of procedural fairness have been followed appropriately;*
- c) The penalty imposed on the Respondent was justified and,*
- d) The three (3) month suspension and its terms were appropriate though towards the high end.*

At this time, I have no recommendations to make regarding the Code of Conduct, its implementation and its enforcement."

THAT Subject to the following recital, the contents of the report continue to remain confidential but can be released by the Council if Councilor Dr. Cathy Martin gives her agreement.

THAT Notwithstanding the preceding, the Council retains full discretion to release the contents of the report even without Councillor Dr. Cathy Martin's agreement.

THAT The Chief is hereby empowered to do all things necessary to ensure the implementation of this Order in Council.