

**MOTION 1-18(3):  
REVOCATION OF APPOINTMENT OF THE HONOURABLE LOUIS SEBERT TO THE  
EXECUTIVE COUNCIL**

**OCTOBER 18, 2017**

**MR. BEAULIEU:** Marsi cho, Mr. Speaker. Mr. Speaker, I seek unanimous consent to waive Rule 49 and have Motion 1-18(3) placed on Orders for today. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. The Member is seeking unanimous consent waive Rule 49 to deal with a motion, the revocation of appointment of the Honourable Louis Sebert to the Executive Council. That is the motion before us.

---Unanimous consent granted

**MR. SPEAKER:** You may proceed.

**MR. BEAULIEU:** Thank you, Mr. Speaker.

WHEREAS pursuant to section 61(1) of the Legislative Assembly and Executive Council Act, the Legislative Assembly recommends to the Commissioner the appointment of Members of the Executive Council;

AND WHEREAS pursuant to section 61(2) of the Legislative Assembly and Executive Council Act, the persons appointed hold office during the pleasure of the Legislative Assembly;

AND WHEREAS the Assembly, pursuant to these powers, has chosen the Honourable Louis Sebert to sit as a Member of the Executive Council;

NOW THEREFORE, I MOVE, seconded by the Honourable Member for Kam Lake, that this Assembly formally revokes the pleasure of the Assembly from the appointment of the Honourable Louis Sebert as a Member of the Executive Council;

AND FURTHER, that this Assembly recommends that a Member be chosen to be a Member of the Executive Council.

NOW THEREFORE, I MOVE, seconded by the Honourable Member for Kam Lake, that this Assembly formally revokes the pleasure of the Assembly from the appointment of the Honourable Louis Sebert as a Member of the Executive Council;

AND FURTHER, that this Assembly recommends that a Member be chosen to be a Member of the Executive Council.

Mr. Speaker, I request a recorded vote. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. There is a motion on the floor. To the motion. I will allow the mover to speak on the motion. The Member for Tu Nedhe-Wiilideh.

**MR. BEAULIEU:** Thank you, Mr. Speaker. Mr. Speaker, I make the motion today to follow up on the Mid-Term Review that we had earlier. Mr. Speaker, the Mid-Term

Review was set up so that the vote would be on each of the Executive Council. All of the Members of Executive Council were asked questions in the House. The Members' Rule Committee went through the process of how we are going to do the Mid-Term Review. Part of the Mid-Term Review was essentially an evaluation of each of the Ministers and by their performance from the time they were appointed to Ministers until the date of the Mid-Term Review. In addition to that, the Members of the House on this side of the House, the Regular Members, asked each of the Ministers the same number of questions, or each of the Members on this side asked the same number of questions to Executive Council, but the Executive Council may have had different numbers of questions.

Based on that, the performance to date and the questions and answers that were received here in the House during the Review, a secret ballot vote was held. The secret ballot said that one Member of the Executive Council did not have confidence of the House to continue as Executive Council. That was Mr. Sebert. Now, we are at a stage where we will now have a public vote to determine whether or not Mr. Sebert will remain on Executive Council. Thank you, Mr. Speaker.

**MR. SPEAKER:** Secunder of the vote. I will allow the Member for Kam Lake.

**MR. TESTART:** Thank you, Mr. Speaker. Mr. Speaker, Members of the 16<sup>th</sup> Assembly made transparency and accountability a fundamental principle of our four-year term. Together, we developed the public accountability process in the form of a Mid-Term Review. This process was not perfect. It was designed to be fair, issue-based, and open to the public. The review was in place for close to a year. Although government Members were critical of this Mid-Term Review and in fact voted against establishing it, at no point did they refuse to participate in the process.

This motion today is the outcome of that Mid-Term Review process, which is why I am speaking to it. Unfortunately, on the day of the Mid-Term Review, every Member of Cabinet announced that they would refuse to honour an outcome of no confidence and voluntarily step down. The only recourse left to the Assembly was to bring a revocation motion forward, which is what we are debating today, Mr. Speaker.

I believed on that day, and this day still, that that was a bad faith move on the part of our elected Cabinet Ministers and Premier. They take no issue, Mr. Speaker, with how they are elected to Cabinet, and that process also falls on a secret ballot and a non-binding result.

I think we can all agree, all Honourable Members of this House can agree, that it would be inconceivable that a result in the Territorial Leadership Committee that elects a Minister would be not honoured when formal session begins and appointment motions are brought forward. That kind of consistency is built into processes like the Territorial Leadership Committee or like the Mid-Term Review and is fundamental to preserving the integrity of our democratic institutions here in the Northwest Territories.

It further goes to building trust in the public. If members of the public see a vote of non-confidence, a majority vote of non-confidence that is issued by this Assembly or one of its committees, it is important that that vote be followed through with.

Mr. Speaker, I have always stood for inclusive, positive politics that ensure that Northerners are front and centre in the governance of priorities. I cannot support this process that plays fast and loose with our democratic institutions and offends the spirit and intent of processes like the Mid-Term Review. We owe it to our constituents and to the people of the Northwest Territories to preserve our integrity and to honour the vote that was the outcome of the Mid-Term Review. This isn't about personalities. It is not about politics. It is about principles. I have no problem taking a principled stance here today and supporting the outcome of a process that we all agree to as an Assembly of 19.

I can speak to great length about the shortcomings of the Honourable Member of Thebacha in his role as Minister of Justice, Minister of Lands. I have already done that during the Mid-Term Review, and I don't think that ground needs to be re-tread here. For me, this is not about one Minister's performance; that question was settled in the Mid-Term Review. It was settled with a vote of non-confidence, and I urge all Members today to stand up and be counted and vote the way they have voted at the conclusion of the Mid-Term Review. That is what our constituents expect. It is what Northerners expect and it is what our democracy deserves. Thank you, Mr. Speaker.

**MR. SPEAKER:** To the motion. Member for Yellowknife North.

**MR. VANTHUYNE:** Thank you, Mr. Speaker. Mr. Speaker, I regret that I must rise in this House today to speak about revoking the appointment of a Minister of our government. As MLAs, all of us made this pledge when we took office. I quote, "I will do my best to fulfill my duties to the Legislature, the public, my constituents, and my colleagues within integrity and honour."

We also pledged to earn, through our actions, the confidence of the people. We each made this solemn oath as Members and as it applies to our work here, whether as a Member or as a Minister. All 19 Members elected our Cabinet Ministers, who must also work hard to earn our ongoing confidence. Today we are considering our confidence in a single Minister, Mr. Sebert, but the motion before us stems not only from his decisions, but the decisions of the entire Cabinet.

During our Mid-Term Review, all Members, including Cabinet and the Speaker, had a secret ballot vote to express confidence in each Minister. Even so, every single Minister stated publicly that, if they received a vote of non-confidence, they would refuse to resign their position.

Mr. Sebert and the rest of Cabinet may be within their rights to ignore or disregard the results of the confidence vote, but that doesn't make it right. That course of action goes against the spirit and intent of the Mid-Term Review, a public review we adopted as an Assembly to increase the accountability of Cabinet and strengthen consensus government. Mr. Sebert's choice further eroded my confidence in his leadership ability, his dedication to public accountability, and, frankly, the future of consensus government.

Consensus government comes under fire all the time. That is why principled leadership, accountability, and transparency are so important for our Assembly. It is a crucial part of any Minister or Regular Member's performance. Critical aspects of this are in Mr.

Sebert's hands as the Minister responsible for Public Engagement and Transparency. In his campaign speech for a ministerial job, he pledged his support for accountability.

Mr. Speaker, above all, we have to have principled leadership, and yet during our Mid-Term Review, and I quote, "If Members opposite wish to remove us, they can do so in an open vote."

Mr. Speaker, the Mid-Term Review process was designed for all Members, not just Regular Members. The reality is that Cabinet Ministers will not vote freely in an open vote on a revocation motion. The Speaker is unable to vote unless there is a tie.

Today, we are dealing with a revocation motion because the Minister refuses to be accountable except on his own terms. Those same terms are preferred by Cabinet. We are not here considering this motion as some frivolous revolt. We are here because of Cabinet's collective decision to ignore a vote of non-confidence. In no other form of democracy, consensus or otherwise, does a non-confidence vote suggest that I will continue to work with you towards improvement or that I will give you a second chance or that this was a friendly warning. No, no, Mr. Speaker. Non-confidence means as it suggests: I have lost my confidence in you.

For my part, I will vote today as I voted on October 5. My vote was and will always be based on what I believe results in the best government for the people we represent. We were elected to make hard choices with integrity. The majority of Members of this Assembly made such a choice on October 5 by expressing non-confidence in one Minister.

In my view, there are many reasons for that result, but I would like to outline just a few. When Mr. Sebert ran for his Cabinet position, he supported universal daycare and noted it would lead to a stronger economy, but during the recent review of our mandate, Minister Sebert supported the removal of that promise.

Mr. Sebert is also Minister of Justice, yet his performance on family violence issues is lacking. The continuation of A New Day Men's Healing Program was completely mishandled. An established program was wiped out as a result of broken partnerships with the provider, the Coalition Against Family Violence, and Members who raised this issue time and time again.

Failure to work with people in the field resulted in a new provider for A New Day, a provider that was hand-picked by the government without consultation or a chance for others to bid on a contract. On October 5, Mr. Sebert said, "The changes made improved the program. The transition to the new service provider has been smooth." To be kind, I will suggest the Minister's handling of this whole affair has been anything but smooth. I have no confidence the Minister is working productively with the Coalition Against Family Violence.

Let's turn as we have today to the rehabilitation of those serving sentences in our correctional centres. Under Mr. Sebert's leadership, inmates have reached the boiling point and have begun to protest. "Unprecedented" is the word Mr. Sebert used to describe the situation. We have a flood of letters from 70 inmates complaining about lack of programming, removal of the recreation director, and lack of access to

educational upgrading. Mr. Speaker, denying inmates the tools they need to change their lives flies in the face of everything we are trying to achieve as an Assembly.

The protest should have come as no surprise to the Minister. These very issues were raised by the Auditor General in his review of NWT corrections in 2015. The Auditor General pointed to inadequate delivery of rehabilitation programs and serious deficiencies in case management for inmates, and yet Mr. Sebert claims that 95 per cent of the Auditor General's recommendations have been carried out. Surely, if 95 per cent of the recommendations have been carried out, we would not have numerous letters from inmates reaching out for help.

As justice Minister, one of Mr. Sebert's jobs is to ensure that necessary legislation is written, sent to committees for review, and then considered in this Assembly. So far, legislation appears to be seriously behind schedule. For example, to improve government services for people of the Northwest Territories, our mandate called for legislation to establish an independent ombudsman within two years. We have not seen it yet.

Another issue of great concern to every resident and business in the Northwest Territories is power rates and the operation of the NWT Power Corporation. What has been achieved? For starters, rates in Yellowknife are still going up with no end in sight, while in Hay River their rates were promised to be lowered by up to 30 per cent. That promise killed a 30-year relationship with Northland Utilities at a time when Northland Utilities was offering to explore ways to control rising electricity prices. Instead, there appeared to be a plan to take the private sector out of the electricity market.

In addition, governance of the Power Corporation took a step backward when the independent public representative board was dismissed and replaced by a bevy of deputy ministers. I find this particularly frustrating coming from the Minister Responsible for Public Engagement and Transparency. We have since seen no improvement in the operation of the Power Corporation, which paid millions of dollars to buy diesel generators from a questionable American supplier. Years later, we are finally seeing three of the five generators arrive while incurring extra costs and having no indication when the remaining will, if ever, arrive. Again, Mr. Speaker, very discouraging, and none of this inspires my confidence.

So far, I have raised a few big issues and challenges that, in my view, the Minister has failed to address and meet. I wish I could say he is better at dealing with the small stuff. Instead, removal of a derelict barge that is now having an impact on the environment in a nature preserve on Yellowknife's waterfront seems to be beyond the reach of the Minister's influence. The situation with the owner is a legal one, and I understand that, but the matter of removing the barge should have been straightforward, Mr. Speaker. It should not have required a campaign by residents and questions in this House to trigger some action, yet here we are, still waiting for its removal.

Mr. Speaker, these are a few of my reasons for not supporting Mr. Sebert continuing as a Minister. I mean no disrespect to him. It is not at all personal. I recognize that all portfolios are a challenge and can be difficult to manage, and I thank him for his service despite the difficulties in delivering the goods. I should make it clear: if any other

Cabinet Minister were facing a revocation motion, I would apply the same level of scrutiny to their performance.

This brings me back to the need to make difficult decisions, the need for sound, driven leadership and accountability. There is also the issue of our own integrity. At least 10 of 19 MLAs, maybe more, expressed non-confidence in this Minister by secret ballot. That is a very significant threshold, representing the majority of Members. If we are truly accountable and transparent to those who elected us, we should now be consistent in a public vote.

For me, it is a matter of integrity. In the last election campaign, we all received the message from voters: they want open and accountable government. I campaigned on that, and I have continued to work towards it. As far as I am concerned, we all promised the people of the Northwest Territories an accountable, open, and transparent government. The Mid-Term Review, including a secret ballot confidence vote, was a part of that promise. Now the decision of Cabinet to ignore the non-confidence vote reneges on that promise.

Mr. Speaker, when I go out in my riding next week and when I go to my constituents in the next election campaign, I will be able to say that I worked as hard as I could to support accountability and openness in this government. I will be able to say that I stayed true to my word.

Mr. Speaker, we have to focus on getting the job done for the people of the Northwest Territories no matter how hard the job is. We have a tremendous load of work to do in the two years remaining in our term. If we are to succeed, we need every Minister to be held to the highest level of account.

Those are my comments, Mr. Speaker. I will be voting in support of the motion. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. To the motion. Member for Yellowknife Centre.

**MS. GREEN:** Thank you, Mr. Speaker. Mr. Speaker, I would like to start by acknowledging that this is a distressful conversation for the Minister, and it is for me, as well. I want to reiterate what some of my colleagues have said: it did not have to be this way. Had the Cabinet taken the direction of the non-confidence motion, as is normally the case in Westminster systems of governance, then the Minister would have resigned.

We have all made a commitment to do things differently in this Assembly -- that was the result of having 11 new Members -- with a special focus on accountability and transparency. Unfortunately, it has not amounted to much. Although there was support for the idea of doing a Mid-Term Review, there was a minority report on the process and Cabinet ultimately abstained from the vote, which brings us to where we are today.

I elected Mr. Sebert to his position with high hopes. I knew that he had a long history of public service and a law degree, and I thought he would make a terrific Justice Minister. I am very regretful today that I have to say that I was wrong about that. I have no desire to increase his humiliation by presenting a catalogue of complaints, but I am going to discuss the one that is really important to me, and that is the A New Day program.

As you know, as I never tire of talking about, and my colleagues as well, we have epidemic levels of family violence in the Northwest Territories, and they have been epidemic for years and years. We have been searching for ways to reduce that level, and that includes work by both the government and by the NGOs.

The Coalition Against Family Violence worked with the Department of Justice to establish the "A New Day" program as a pilot project, and, after a rocky start because of the lack of NGO capacity, the program arrived at the Tree of Peace, where it was taken up with great gusto by very dedicated staff who wanted to see what the women who advocated for this program wanted to see, which was healing for their intimate partners, which was a way to reduce family violence by having men admit that what they were doing was wrong and finding ways to break the cycle.

The program was evaluated, as you know, and the evaluation was positive. The program was being offered according to the curriculum that was set out, but the Minister decided that the program needed to be revamped, and he offered a new contract in the spring of this year. Unsurprisingly, because it was only a nine-month contract, there were no takers. Then, a short while later, we learned that the John Howard Society had signed not a nine-month contract, but a four-year contract to provide this revamped program, an organization that had been on the ropes just weeks before with the loss of their long-time executive director and some of their board members.

The John Howard Society is now offering this program, and the Minister has reported on it. He has not reported in the kind of detail that we have asked for in the past, but he has said that it is all going smoothly, and at this point we have no contrary information. However, what the Minister did was to take a successful program and trash it. That is the reason I do not have confidence in him. That we are engaging in this exercise today is Cabinet's choice. Instead of taking direction from the Regular MLAs in the form of a vote of non-confidence, they have decided to flout it. What we have decided to do is that we need to act on principle that this vote of non-confidence was not just a piece of political drama. It means something. It means that we don't have confidence in the person doing this job and we need someone else to do it.

So here we are today, repeating the work of the Mid-Term Review that we conducted almost two weeks ago. That is because Cabinet has decided not to adhere to the spirit of the Mid-Term Review and instead to force us into the painful exercise.

Mr. Speaker, this Mid-Term Review has had both intended and unintended consequences. I had actually hoped that another Minister would lose his appointment, but that did not happen. The outcome of those who did and those who didn't lose their appointments says nothing good about consensus government. It says that consensus government works for those in power and not for Regular MLAs. There is a division between us. It says that consensus doesn't provide for accountability. Our special form of government is not so special. I will be voting in support of the motion.

**MR. SPEAKER:** To the motion. Member for Frame Lake.

**MR. O'REILLY:** Merci, Monsieur le President. I have tried to heed your advice that you gave at the beginning of this session and tried to choose my words very carefully. That

is why I have written out my statement today. I have two sets of points I wish to make: firstly, regarding what has led us to this point, namely, the Mid-Term Review; secondly, my position on the leadership and performance of Minister Sebert. I need to address the reason why we are here today considering the revocation of a Minister's appointment to Cabinet.

One of the first orders of business for us as new MLAs was to agree on the need for a Mid-Term Review. The task of developing a process was given to the Rules and Procedures Committee to develop. The committee worked very hard to come up with an evidence-based, depersonalized process that grappled with difficult issues, including Cabinet solidarity, whether to review performance individually and/or collectively, and a number of other matters. We based much of our recommended process on what has been successfully carried out in Nunavut, where there is also a so-called consensus-style government. When we were virtually at the end of developing our report, the Cabinet Member assigned to the committee indicated there would be a minority report. That was the first sign of trouble.

Cabinet has actively resisted any form of Mid-Term Review other than a motion of revocation. Their actions during the Mid-Term Review reinforce the notion of Cabinet solidarity. I had hoped that Cabinet would respect and honour the Mid-Term Review process that was passed in this House, but I was severely disappointed and frustrated. Cabinet has rarely, if ever, worked collaboratively with Regular MLAs or committees. That is why we needed a Mid-Term Review process, to control the executive-style, "take it or leave it" form of governance by Cabinet that has eroded the notion and practice of consensus government. One need look no further than the two previous budgets that drained a very significant amount of energy and resources that should have been devoted to further progress on our mandate. Rarely, if ever, have Ministers sought out my opinions, view, or expertise in developing programs, services, legislation, or regulations.

Yes, I have met with Ministers and have been able to resolve some constituent issues and an occasional policy matter, but Cabinet clearly pushes ahead with its own agenda and priorities. This may sound harsh, but it is how I see this government working or, more accurately, not working together. The Mid-Term Review was supposed to be the halfway checkpoint, but has largely failed and pushed some Regular MLAs to the motion before us today. Consensus government is broken. I honestly don't know how to fix it.

There are obviously some lessons to be learned, but it is still too raw to have a meaningful discussion about the Mid-Term Review. This may need to wait until our transition reports to the next Assembly. We may need to make the vote totals public, better define what a vote of non-confidence means, make better use of other informal means of feedback and appraisal.

On October 4<sup>th</sup>, I laid out my approach to the Mid-Term Review in this House. I reviewed the campaign speeches made by each of the candidates who eventually became Ministers. I also reviewed the mandate letters relating to the portfolios assigned to each Minister. I used the performance criteria suggested by the Rules and Procedures Committee as follows: effective leadership; responsiveness to issues



related to portfolio mandates; ethical conduct; honesty, integrity, impartiality; commitment to transparency and accountability; open, respectful, and considerate communication with fellow MLAs; ensure regular MLAs are informed of and given opportunity to provide meaningful input into important decisions in a timely and respectful manner; inclusiveness; earns the respect and support of NWT residents by engaging the public, municipal governments, business, NGOs, and the voluntary sector, seeking their input and advice; works to build and maintain respectful and effective government-to-government relationships with Indigenous governments; works to build and maintain respectful and effective relations with the federal government; engagement encourages others to give full consideration to different, sometimes opposing points of view to inform decision making.

From my assessment of Cabinet as a whole, I reviewed the progress in our mandate. I developed questions from each of the Ministers based on this preliminary assessment. No Minister met with me or attempted to influence my assessment in any way that I am aware of. Although Minister Sebert received a vote of non-confidence, there were other Ministers in Cabinet who did not perform or offer leadership that made me vote confidence in them. There is nothing personal in how I carried out my performance appraisal of Ministers. This is about getting results for NWT residents and whether we have the right team in place to do this for the remaining two years.

Unfortunately, Cabinet has put Regular MLAs in a difficult and uncomfortable position of having to discuss performance and leadership in this forum. I personally like Minister Sebert, and he is one of the few MLAs who has frequently visited my office, albeit to often chat about current affairs. I believe he brings valuable experience to this Assembly and has made a contribution. I regret that the events of the past few weeks have likely caused the Minister and his family distress, and I am sorry for that.

However, I must assess his progress objectively on mandate items and handling of several important files. I did not support the closure of the court library, and we remain the only jurisdiction in Canada without one. After almost two years, we still do not have the promised public resource centre. The decision on closure was clearly driven by Cabinet's fiscal strategy and did nothing to improve access to justice. Two other decisions to close the court registry in Inuvik and do away with Beaufort Delta legal aid clinic have also contributed to diminished access to justice. I acknowledge the improved legal aid clinics now being offered, but on balance, there has been reduced access to justice largely as a result of Cabinet's fiscal direction.

The handling of the A New Day: Men's Healing Program was not done well and caused needless confusion, frustration, and apathy about our government's approach to this important issue. The final decision to award a five-year contract to one service provider without a public process was the final straw for me.

In the Lands Department, there has not been one word changed in any policy or legislation to prevent further public liabilities from resource development. We have an entire seven-person division in Lands, presumably devoted to security and project assessment policy, but I have not seen one output or any significant participation in initiatives such as the proposed Mineral Resources Act. I have been pressing this issue now for many years, even before I became an MLA, and I now see efforts to actually roll

back some of the protection in current legislation. Significant new liabilities or expenditures have been incurred on out post-devolution watch, including Cantung, Mactung, and a major unresolved shortfall at Prairie Creek. This is a collective failure of our government on the promise of devolution, one that I take very seriously.

On the NWT Power Corporation, Regular MLAs have consistently pushed for greater transparency and accountability to little or no avail. The board was summarily removed, and the promised work to examine governance has not materialized. Furthermore, there is nothing in the draft energy strategy to describe the role of the NWT Power Corporation. An energy strategy that does not address the electrical energy provider is almost incomprehensible. This corporation should be doing itself out of its job by building energy self-reliance in our communities and in individual households.

Mr. Speaker, for all these reasons, I cannot support the Minister continuing in his current role. Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. To the motion. Member for Deh Cho.

**MR. NADLI:** Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the motion because we just completed the Mid-Term Review. That Mid-Term Review, of course, resulted in a non-confident vote of the Honourable Mr. Louis Sebert. I felt let down because I did support Mr. Sebert's move to the portfolio of the ministry that he led for the past two years. Let down because of the A New Day Program most notably. It was a nationally recognized program across Canada for healing and wellness for men. I felt let down that that program basically became non-existent. It morphed into another initiative.

The other point that I wanted to make is every day I come here and I'm reminded of the words of an elder who spoke to me, and this could be his last words. What he said to me I still hold and he said, [English translation not provided]. What he meant is that work respectfully and work honestly. I think we have to remind ourselves every day that that's what we uphold; to work for the people of the NWT. For those reasons, I don't want to draw out a long dissertation in terms of the reason why I'm standing in support of this motion, but I stand in support of it. Mahsi.

**MR. SPEAKER:** Masi. To the motion. Member for Nahendeh.

**MR. THOMPSON:** Thank you, Mr. Speaker. Mr. Speaker, I regret we're here today. In the whole beginning of the process I went and talked to each Minister and explained where I was going and how I was going there, and I'm going to vote the same way I voted with my X on there.

My concern through this whole process is I believe in consensus government. I believe we need to be working together as a collective, and, unfortunately, we're here today and I don't see consensus working as well as we should be.

I have been very fortunate to have been raised up in the Northwest Territories and I've watch consensus government work and I firmly believe in it, and that's why I'm here, because I believe in consensus government, but unfortunately we are here today.

I must apologize to our honourable Member from Thebacha. Unfortunately, we're

bringing it up here again in a public hearing. I was asked by the public what I was doing and how I was going to do it and I said I would speak here as I spoke to the individual Ministers there.

My concerns, I have four; one was the A New Day Program. It had an impact on people who are less fortunate; people who are trying to get better lives. All of a sudden the A New Day Program, which was working; if you talk to the people who were part of the process, the people who were offering the program, maybe it wasn't the way the government wanted to do it, but it was working.

When we had the A New Day Program we talked about it, I asked for a six month to a year extension of the contract. No, we're going to do three months. Well, three months doesn't get you do anything; all it does is get you to finish off that term. So that was a concern.

I sit there and I talk to the people, my constituents from the residence I live in, and they talk about the importance of healing. We're not seeing the healing, and that hurts me deeply. If we're not healing people, we're not doing the job right.

I was really concerned with the process. We went from a nine-month to a five-year deal, which wasn't offered to other people, and if you're not offering it to other people you're not really doing what we're supposed to be doing here. Doing what's right for the people.

I'm not saying John Howard are the wrong people to do it, I'm just saying the process was flawed.

I talked about equity leases for two years. It seemed that, if you knew some people, somewhere down the line you got better treatment than others. There were 240 equity leases out there. These are people, residents of the Northwest Territories, and we were not able to do anything for two years.

It was brought to me by Aboriginal and non-Aboriginal people in my riding and other ridings: what are you doing? Well, we can bring our concerns and concerns, but at no point in time was there leadership there.

Probably the hardest one, though, is leases. Ten per cent is a fair market value, or is fair. Well, I don't know what world people live in, but 10 per cent? If you've got \$40,000 that's \$4,000 you're paying. That's more than people's taxes in Yellowknife, in taxes out there.

We worry about our elders or the less fortunate people out there. Where was the negotiation? Where was the looking at it? If you go 3 per cent, at least that's feasible and affordable, but the less fortunate people can't afford that, and if you can't afford that how can you access other programs? So if you can't get your lease in order you can't get housing programs because they're linked together. So if you're not linked together and you're not able to do this, you're hindering the less fortunate.

I represent six small communities. Leases are one of the biggest issues. I have issues with people trying to develop agriculture so they can make it more affordable to live in the North, but it becomes a huge hindrance and people aren't looking at that.

Well, it's cheaper to build a tank farm than it was to build an agriculture greenhouse in my riding. I've had people bring this to me.

My last one, again, came down to the Power Corporation, removing the board. How were we informed? The Minister came in and told us. There was no consultation part of it. So we, as government, have to bear that.

Today, where are we? Still higher cost of living. We have Members here who want to see the capital plan and the business; we want the public out there to see what's going on. No, they can't do that because it has to go to another agency.

At the end, I must say that I regret that I have to stand up here and speak out here about this, but I'm a very principled person. I say what I'm going to do; I'm going to do what I'm going to do. I put my X on there, and we had a non-confidence here. Some people put their Xs, more than nine, so it's 10, that's a majority. I know where I put my X and the Ministers knew where I put my X in regards to how I voted during the Mid-Term Review.

At the end, I did have a conversation with the Minister. At the end of the day, whatever comes out of it, I still want to work with the Minister. Minister Sebert is a great person, but sometimes in leadership positions you've got to make hard decisions. You need to consult and, unfortunately, I did not feel that these issues were being dealt with, so again, I will be supporting this. Does it hurt me? Yes, because honestly 19 of us worked hard to get where we were are today and we're doing it for the people of the Northwest Territories, and that's why I'm voting to support this motion. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. To the motion. Member for Hay River North.

**MR. SIMPSON:** Thank you, Mr. Speaker. Mr. Speaker, I commented on this motion yesterday so I'll be very brief. Those wishing to read my previous remarks in full can do so in the October 17<sup>th</sup> Hansard. I've also commented extensively on the Mid-Term Review process which was the impetus for this motion, so I won't repeat it here, but it's available on my website.

The Mid-Term Review, of course, resulted in Mr. Sebert receiving a vote of non-confidence. Now, if our system of government was based on political parties, then a non-confidence vote would dictate the removal of the Minister and this motion would be largely academic. However, we are a consensus government, so it's erroneous to conflate the non-confidence vote with a revocation motion. The Cabinet is not the ruling party and the Regular Members are not the opposition. We should not sit idly by for two years before we address Minister Sebert's performance in one seven-hour long exhibition; we should have used the tools of consensus government to make government work. Instead, we neglected those tools and blamed the consensus system for our woes.

Further, we can't forget that history indicates that revocation motions deepen the tension between Cabinet and Regular Members and undermine future prospects for consensus. So will revoking Minister Sebert improve government? If a Regular Member takes over multiple departments two years into a mandate, will that improve government more than working with the Minister to improve his performance? I don't believe it will. I

believe that working with the Minister and all of Cabinet who also bear some responsibility for the non-confidence vote is in the best interests of the residents of the Northwest Territories. I will not support this motion. Thank you.

**MR. SPEAKER:** To the motion. Member for Nunakput.

**MR. NAKIMAYAK:** Thank you, Mr. Speaker. Mr. Speaker, these past few years have been tough for everybody, a lot of learning curves, both on Cabinet's side and on the Regular Members. Mr. Speaker, I first met Lou when we got elected, like many Members here. I found that Lou led with integrity. He has some very tough portfolios. I believe he is the most fit to lead those portfolios. The portfolios are tough. Maybe sometimes this may lead to a reset in what we are doing and how Cabinet and how this government is formed in the next Assembly.

Mr. Speaker, there may need to be more Cabinet Ministers so that we can do more with what we have, the dollars that we have, and sometimes timelines are very, very important.

Mr. Speaker, leadership is not about personality. It is about integrity, you know, and behaviour. Minister Sebert has faced a lot of criticism from his peers –

**MR. SPEAKER:** I would like to remind Members not to use first names and use surnames. Go ahead.

**MR. NAKIMAYAK:** My apologies, Mr. Speaker. Mr. Speaker, Mr. Sebert has faced a lot of criticism from his peers and from other governments. Personally, the issues that I have worked with the Minister have been good working relationships and the department has responded to my issues. I am going to vote against the motion.

Mr. Speaker, we need to stop exhausting taxpayers' dollars, move forward, and maybe press a reset button.

Mr. Speaker, another example from outside this government is look at the Missing and Murdered Indigenous Women's Commission; they are going through a lot of issues. In saying that, it is a very tough, you know, there are a lot of families who are hurt as well in that commission as well as in the territory, too. I have to commend the Minister for the work he is doing. You know, moving forward, we need to work with innovation and work together. The people of the Northwest Territories want us to work together and lead with innovation and inspire others. That is what we need to do, Mr. Speaker. I don't have much to say. Other Members have spoken a lot about the hardships and the issues, but I think we need to press a reset button, start over, and work together for a better two years. We have a huge mandate.

As I mentioned before, Mr. Speaker, we are exhausting taxpayers' dollars right now on this issue while we could be working on issues. Personally for the last week and a half I have had slow responses from departments due to this process. It affects people in my riding, and I am sure across the Northwest Territories, so Mr. Speaker, I support Mr. Sebert. Thank you, Mr. Speaker.

**MR. SPEAKER:** To the motion. Member for Mackenzie Delta.

**MR. BLAKE:** Thank you, Mr. Speaker. Mr. Speaker, a note to this motion here; unfortunately, I will not be able to support this motion. I know there has been some talk here of consensus government, and you know, this being my second term, I have seen how well consensus government can work in the 17<sup>th</sup> Assembly.

Mr. Speaker, mainly because we made use of fireside chats with the Premier whenever we had issues with any Minister, we sat them down and we discussed those issues. If they weren't willing to make changes, we Regular Members had the ability to change out that Minister. We were willing to, but because we were all working together, we made those changes. Sometimes what happened was a Cabinet shuffle and maybe that is what is in order.

Mr. Sebert is responsible for other portfolios, not to mention the Standing Committee on Rules and Procedure. Mr. Sebert is the Minister of Justice and Lands, which is very new to us. He took on a lot of responsibility from the federal government here. You know, it is a learning curve for that department, as well. We have to consider that. Sure, there are changes that could be made, but I think what we need to do is sit down, have a fireside chat once this process is over, and see what we could do to make the changes that are needed for residents of the Northwest Territories.

Mr. Speaker, I believe strongly that consensus government is what we need here in the Northwest Territories and I hope that lasts a long time in this territory because it is very challenging living in small communities and any time I have ever had issues in my constituency that had to do with either Justice, Lands, or Power Corporation, Mr. Sebert acted on it within a short time, whether it was a week or a couple of days even. That is what I have to use for this motion here. I know there are a number of other concerns that Members have with Mr. Sebert, but a lot of that is out of his hands.

You know, to be accountable, that process, a good example is the A New Day Program. It had to go out to a tender process. Unfortunately, we have only one group that is interested in taking on this program. That has nothing to do with Mr. Sebert. I know he is responsible for that portfolio, but like I said, we are here to make changes and I think what we need to do once this process is done, whatever the outcome is, that we need to work together for the remaining two years of our term and ensure that residents have what they need here in the Northwest Territories. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. To the motion. Member for Sahtu.

**MR. MCNEELY:** Thank you, Mr. Speaker. I value everybody's decisions and comments here today and throughout the Mid-Term Review developments, terms are referenced to develop the guidance, and the whole issue of the Mid-Term Review. I said I supported that process as an instrument similar to that of the EDI. I have said a time again prudent management could be viewed in different ways. In this way, it would be the Mid-Term Review to show the outcome of the review so that your remaining term is more efficient than the first half, but we need to engage opinions from others that give us best value for guidance, and what better opinion than to develop a system of engagement from other surrounding co-workers.

I have arrived at the conclusion that choice is as we all said; choices are very hard.

Choices are very hard and in particular in this form and in this organization and in this institution. In the private sector, it is similar, but it is handled much differently, but at the end of the day you must make a decision.

I will be voting against this motion for a number of reasons. I would respect my colleagues from either side of the House to respect my decision on how to give new definitions for the remaining term on efficiencies. A number of times, I have highlighted to the strategies, the action plans, the direction, where we are going. Our senior society said it best in the House last year, "In order to find where you're going, you must find out where you were". I think we can comfortably say that when we look back at the last two years. In the principles of efficiencies, best value for benefits to the people who have put us in this seat, I think they deserve our utmost efforts to try to make a difference.

Some of my colleagues mentioned, I also, too, come from a small community. Born and raised in a small community, I faced many challenges, and it is most notably the high cost of living and limitations. Limitations are due to a lot of things in my particular riding. We do not have access to a year-round road, and the enjoyable side of the year-round road could be viewed in a number of ways. Just taking your children and family out for berry picking would be a sense of family stability and unitedness in an environment that the family really enjoys, quality time out on the land. We do not have that privilege.

When I encounter during my community visits, I hear a lot of concerns raised in the five communities that I represent, and they all are common. They do not have access. Going back to limitations brings depression. Depression could be drawn from the form of isolation. With isolation comes high cost of living. It is very saddening to see when you go to the Bay store. In most cases, the northern store has the Canada Post office, so you are sort of better to meet people in that centre to have engagements of discussions on the concerns they are faced with, and it is always, always, the high cost of living and isolation, depression, limitations. Opportunity, in some cases, in most cases, it is only a seasonal word.

I think I have contributed enough, and I think we all should respectfully look to our colleagues, respect our decision, and I am looking forward to the remaining term and moving on to be more productive, constructive, and working altogether. Thank you.

**MR. SPEAKER:** Masi. To the motion. The Honourable Premier.

**HON. BOB MCLEOD:** Mr. Speaker, all 19 Members of the Legislative Assembly were given a mandate by the people of the Northwest Territories to represent their best interests. We walk into this building every day to represent the people who look to us to take action on the issues that are important to them and to ensure that we move our territory forward for future generations to a better chance at success and for our communities to be healthier and more vibrant. It is a humbling responsibility and one I know we all take very seriously.

Mr. Speaker, consensus government is built on a foundation of working together. When Members unanimously adopted the first-ever mandate of the Northwest Territories in March 2016, we made approximately 200 commitments to the people of this territory. We all share responsibility for advancing those commitments during our four-year term

and, Mr. Speaker, we will do just that. It is important we all remember that our success as a government rests with us all. We all share in the responsibility of representing each and every person in the Northwest Territories, and ensuring we achieve the commitments we all agreed on.

Nearly halfway through, we have made progress in all areas of our mandate. We have completed 53 commitments, and another 145 are in progress. Only two of our 200 commitments are in the planning stage. Mr. Speaker, we can all take credit for the work that we have accomplished in the first two years of this government. I am pleased with our progress, confident in our record, and believe we can continue to work together to make the Northwest Territories a better place for all our residents.

Mr. Speaker, in December 2015, through a Territorial Leadership Committee, all 19 Members voted to select a Premier and Cabinet. In the first two years of our government, I am pleased with the work my Cabinet colleagues have done, and I am also pleased that Regular Members have worked to keep Cabinet accountable for their decisions. Consensus government requires this delicate balance.

During the Mid-Term Review, I said that the whole of Cabinet is greater than the sum of its parts, Mr. Speaker. As a Cabinet, we challenge each other to perform to a high standard for the people of the Northwest Territories. We are able to put our political and philosophical differences aside to focus on what is best for the people, regardless of what we may believe personally.

I stand today to speak on behalf of Minister Sebert and the team of which he is a part. Minister Sebert is a strong advocate for his constituents and his community. He is also a strong supporter of the Aboriginal governments in his region. Together, Cabinet has made a commitment to strengthen relationships with Aboriginal governments, and make progress on outstanding land, resources, and self-government claims. Cabinet continues to meet bilaterally with the Northwest Territories Metis Nation, Salt River First Nation, and Akaitcho. We have also made new offers to both the Northwest Territories Metis and the Akaitcho. Minister Sebert has been part of the meetings and decision making, and continues to be a local supporter of these Aboriginal governments and Cabinet. If you look at Minister Sebert's progress on the commitments he is responsible for under the mandate, the Department of Justice and the Department of Lands account for 14 of the 53 completed commitments. There are another 22 mandate commitments under his portfolios that are all in progress. That is not a bad record for halfway through our term of government.

Mr. Speaker, Minister Sebert works hard to oversee the departments he is responsible for, and provides valuable insight and support to his Cabinet colleagues. He shows effective leadership, is responsive to issues related to his portfolios. He is committed to transparency and accountability, and ensures Regular Members are informed of and given opportunity to provide meaningful input into important government decisions.

In his two years in Cabinet, Minister Sebert has earned the support and respect of Northwest Territories residents by engaging the public, municipal governments, business, and non-governmental organizations for their input and advice. Mr. Speaker, these are just some of the characteristics that Regular Members were assessing as part



of the Mid-Term Review as outlined in the Standing Committee on Rules and Procedures on the review of the establishment of a mid-term review process.

This doesn't mean, however, that we can't always find ways to do better. It is important that we continue to work hard, as there is always room for improvement, and I recognize that we cannot rest on our achievements, or lose focus on why we are here: the people. Each Member of Cabinet has brought valuable strengths to the collective whole, but one thing I can say with confidence is that each Member of Cabinet takes their job seriously and works hard for our residents. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. To the motion, Minister of Justice.

**HON. LOUIS SEBERT:** Thank you, Mr. Speaker, and thank you, Members. I appreciate the opportunity to speak to this motion this afternoon. Mr. Speaker, I would be the first to admit that I could do a better job as Minister. As a new Minister and a new MLA like many of us, with no previous experience in this government, I have faced a steep learning curve, and there is still plenty of room for further learning and improvement.

I also want to make it clear that I have no interest in evading responsibility for my actions and my performance as a Minister. Democracy and accountability are inseparable, Mr. Speaker. I believe that we hold our jobs as MLAs as a public trust and we must always be ready to explain our decisions and actions to the people of the Northwest Territories.

The people who elect us to exercise power on their behalf place enormous faith in each one of us. Collectively and individually we need to earn and maintain that trust by submitting our decisions and actions to the judgment of the people we serve openly and transparently.

I would like to take a moment, though, to reflect on the past two years and the events that have brought us to this place.

When we were first elected to this House, Mr. Speaker, there was a strong sense among us that the people of the NWT wanted a change in how the government did business. Many of us, myself included, agreed that the people of the NWT deserved a government that was more open and transparent and ultimately more accountable to the residents of our territory.

Among our first orders of business was establishing shared priorities for our four-year term and then agreeing to a mandate that described how this Assembly would work together to achieve its priorities.

This was a new step, an important step, towards accountability for the people and Government of the Northwest Territories and I wholly supported it. I also wholly supported the idea that we owe to the people of the Northwest Territories to be accountable for how we were going to implement our mandate.

I think I made that clear when I, along with other Members of Cabinet, voted on a motion proposed by the Premier on December 17<sup>th</sup>, 2015, to establish a mid-term accountability review. As a consensus government, Cabinet does not own the successes of the government on its own. To the extent that we act and decide together,

all Members on both sides of this House share in the government's success and bear responsibility for its failings.

As the joint owners of this government's mandate and the achievements related to them, it is right that we assess that progress together and hold each other accountable for what we have done to advance our agenda.

I still think the intention between a formal mid-term review and assessment of progress on our mandate was absolutely the right one, but I now wonder if putting as much focus on a mid-term review as we did meant we, as an Assembly, failed to take advantage of other opportunities to course correct and deal with concerns before now. Good, honest and early feedback on my performance from my colleagues would have been an important opportunity to deal with issues and concerns early on before things got seriously off course or people got extremely frustrated.

The discussion here today has been helpful and it has been valuable to hear more directly from my colleagues on their concerns with my performance as Minister. They have given me a lot to think about, Mr. Speaker, and I think I can definitely learn from what they have said.

While I recognize there is always more that I can do, I am proud of what I have been able to accomplish in our first two years. For more than 30 years I practiced law in a small NWT community and my practice took me all over the territory. Based on my experience, I have made access to justice a priority as Minister.

I think we have taken some important steps in this regard, including expanding the Outreach Legal Aid Clinic to give more residents access to free, confidential legal advice. I am also proud that we have been able to expand the Mediation and Parenting after Separation and Divorce Program under my leadership.

While I know Members and the community have had concerns with the A New Day Program, I am pleased to say that we have made the transition to a long-term program, and that men who use violence in their relationships continue to get the programming they need from culturally-competent and qualified counsellors.

Addressing long-standing land issues has also been important to me. Over the years, I have become aware of issues surrounding equity leases and I have directed the Department of Lands to deal with this. It has been a bigger issue than anticipated and has required six months of review, but we are making progress in dealing with this long-term issue.

I am also working to deal with some of the long-standing challenges associated with the Power Corporation, Mr. Speaker. Under my leadership, we have replaced the costly board of the corporation and made changes to the management structure. I have also directed a review of procurement practices at the corporation based on issues that came to light around the decision to purchase new generators for the Jackfish Power Plant. I'm particularly pleased that three of the generators have arrived.

As Minister of Public Engagement and Transparency I travel to every constituency in the territory to hear from residents about their views on how the GNWT can be more

open and transparent. We are making good progress on our commitments in this area, including drafting the GNWT's first open government policy, finalizing a legislative review for ombudsman legislation, and completing a review of ATIP and a proposal for legislative changes.

Under my leadership, the GNWT has also recently completed a highly successful engagement on cannabis legislation and we are well-positioned to be ready for pending national legalization next summer.

Mr. Speaker, there is always room for improvement in any job, but I think I have a good record in my first two years as a Minister. I remain committed to doing a good job on behalf of the people of the Northwest Territories, and with the advice and support of my colleagues, and I thank Members for their feedback today and I will apply that advice and support regardless of which side of the House I sit on. Thank you, Mr. Speaker. I would like to request a recorded vote.

**MR. SPEAKER:** Masi. To the motion. At this time I will allow the mover of the motion to have final comments. Member for Tu Nedhe-Wiilideh.

**MR. BEAULIEU:** Marsi cho, Mr. Speaker. Mr. Speaker, [English translation not provided].

Mr. Speaker, I want to indicate just for clarity that this side of the House has brought many issues and concerns forward to Cabinet; in fact we do it every day during sitting, and may do it hundreds of times by email or in closed-door meetings. It's not like we just started the process of asking questions and expressing our concerns when the Mid-Term Review started.

Today you've heard from the House. You heard from the majority of the people on this side of the House. You've heard from the small communities that surround the Great Slave Lake, the southern part of the small communities, and you've heard from the small communities that are still in the negotiating claims process.

I've heard from people who are involved in the negotiating process and they're asking that we express their wishes to remove the honourable Member for Thebacha. However, it does not appear that is going to happen today, Mr. Speaker.

Mr. Speaker, one of the real serious concerns on the issues has been the request from this government to ask seniors and elders in the Northwest Territories to pay more than two months' worth of their salary to pay for a lease so they could become eligible for programs they otherwise would not be eligible for. We're talking about people who are living on \$1,700 a month.

We have concerns about the Taltson River dam that have gone nowhere. At one time in the '60s, the dam wiped out all the muskrat and all the beaver on a river that was extremely prosperous, and, over the years, all the animals have moved inland. Now they have come back to the Taltson River, and last winter they were flooded out again, but apparently it had nothing to do with the dam.

Mr. Speaker, Cabinet was elected as agents of change to bring transparency and accountability for the people of the Northwest Territories. Yet, during the Mid-Term

Review -- it sounds like a beautiful setup now -- each Minister was asked if they would resign receiving a vote of non-confidence. They all said no. During the break, we decided that we were going to try again. I asked the Premier if he would ask the Members who receive a vote of non-confidence to resign or strip them of their portfolios. He did not say no, but he said that Cabinet solidarity must be maintained. I guess we are going to see that today.

The people of the Northwest Territories are watching us, watching this outcome, and it will determine how effectively we, as the highest level of government in the Northwest Territories, will be able to represent the people who we were elected by, people all the way from Sachs Harbour to Fort Smith.

Mr. Speaker, I am convinced that, had the answer been different when the question was asked, we would be revoking or voting on a revocation of more than just one Minister today. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. The Member has requested a recorded vote. All those in favour of the motion, please stand.

#### RECORDED VOTE

**CLERK OF THE HOUSE (Mr. Tim Mercer):** The Member for Tu Nedhe-Wiilideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Deh Cho, the Member for Yellowknife North, the Member for Kam Lake.

**MR. SPEAKER:** Masi. All those opposed, please stand.

**CLERK OF THE HOUSE (Mr. Tim Mercer):** The Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Great Slave, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Hay River North, the Member for Mackenzie Delta, the Member for Sahtu.

**MR. SPEAKER:** Masi. All those abstaining, please stand. The results of the vote: seven in favour, 11 opposed, zero abstentions. The motion is defeated.