



Nisga'a Lisims Government

T 250 633 3000 / F 250 633 2367

TF 1 866 633 0888

PO Box 231 / 2000 Lisims Dr

New Aiyansh BC / Canada V0J 1A0

NISGAANATION.CA

FOR IMMEDIATE RELEASE

**'No Merit to Allegations' says Independent Investigator
of Nisga'a Governance**

New Aiyansh, B.C. - March 31, 2020 - An independent investigation of allegations made last spring against Nisga'a Lisims Government and current and former elected representatives, officers, employees, and consultants has found the allegations to be without merit.

Over 50 individuals and organizations are mentioned in the Email. Not one of the allegations in the Email was substantiated by an independent investigation as revealing mis-behaviour by anyone, much less those involved in Nisga'a's governance, past or present.

On May 15, 2019, the Information Technology Manager for NLG sent an 8-page email to all NLG employees and to others totalling at least 150 people. The Email was not authorized by NLG and contained allegations of serious misconduct against current and former elected representatives of the Nisga'a Nation, current and former officers, employees of NLG and its consultants, service providers, external legal counsel and others.

NLG took immediate steps to reduce potential harm by asking all NLG employees to delete the Email and not to share it. NLG obtained an interlocutory injunction restraining the Information Technology Manager from any further distribution and terminated his employment.

The Executive of NLG also struck a special committee to investigate the allegations contained in the Email. The Committee appointed a senior independent expert employment lawyer, Earl Phillips, Q.C., to conduct an investigation into the accuracy of the allegations, and whether they were made in good faith. If he found that the Allegations were not made in good faith, Mr. Phillips was directed by Executive to consider whether there had been collusion between the IT Manager and other persons.

The Independent Investigator issued a 27-page report that was reviewed by the Special Committee and passed on to the Executive which has now accepted the Report.

Findings

Key findings of the Independent Investigation are:

- 1) "Almost all of the Allegations are an unreliable combination of fact assumption, inference and rumour" which are "mistaken beliefs" of which the Investigator sought to limit both "spread and acceptance."
- 2) While mistaken, many of the Allegations serve to highlight concerns that the Independent Investigator addressed in his recommendations. These recommendations have been adopted by the Executive.
- 3) Problems with NEST reporting stem "largely" from different accounting standards. NLG never faced a potential liability for any amount.
- 4) The fisheries payment referenced in the Email was exactly the same as made to other fishermen, just not through Canfisco. The payment was "documented in NLG'S books" and is "the same amount available to other fishermen."
- 5) The former Information Technology Manager "did not act in good faith [or] for legitimate purposes", made reckless inferences and assumptions, and relied on rumour and innuendo.
- 6) There was collusion only to the extent that the former Information Technology Manager was "implicitly encouraged" to express allegations that were based on inaccurate, incomplete or unreliable evidence. There was no collusion in the personal insults, innuendo or scurrilous rumours contained in the Email.

"This entire incident was personally hurtful to many people and caused considerable distress and strain on NLG, elected representatives, officers, employees, and some of our consultants, and indeed their families,' says Juanita Parnell, elected Urban Representative and Chair of the Special Committee. "We are pleased that this thorough and independent investigation has determined that the many allegations made had no basis in fact."

"The Executive recognized, however, that some of the information provided did raise questions and concerns about certain administrative procedures. The

independent investigator considered these issues and has made recommendations for correction which we have adopted.

“This unfortunate incident is now behind us. We can again focus on the important work we need to do to build the future for the Nisga’a people” concluded Parnell.

-30-

Further Information:

Bobby Clark, Director of Communications

Nisga’a Lisims Governemnt

T: (250) 633 3022

E: bobbyc@niscgaa.net

W: www.niscgaanation.ca