

**GOVERNMENT RESPONSE TO THE
REPORT OF THE REGIONAL AND TRIBAL COUNCILS
REVIEW COORDINATING COMMITTEE**

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GOVERNMENT OF N.W.T.

On July 10, 1986, the Executive Council directed that a comprehensive review of Regional and Tribal Councils be undertaken. The purpose of the review was to provide a basis for the development of future directions and policies.

In order that a comprehensive review might be undertaken, a Review Coordinating Committee was struck. The Committee was provided with a detailed mandate, which included:

- conducting broadly-based consultation with officials of the GNWT, regional and tribal council members, Executive Council members, MLAs, Native organizations, and non-governmental organizations;
- establishing a comprehensive profile of regional and tribal councils;
- establishing a comprehensive profile of other regional boards and agencies, and their relationship to regional and tribal councils;
- analyzing whether the principles and legislation establishing regional councils is still applicable and consistent with actual practice of the GNWT and others;
- determining critical issues about the future direction of regional councils and government in the N.W.T.

The Committee's work was intended to result in presentation of a comprehensive information base to the Executive, rather than in binding recommendations.

The final Report of the Review Coordinating Committee did not fulfill our expectations of a comprehensive analysis of regional and tribal councils in the broader context of the evolution of government in the N.W.T., for several reasons. The Report did not fulfill all the objectives identified in the terms of reference for the review. Some study objectives were not sufficiently addressed; and crucial issues were not discussed.

For example, the Review Coordinating Committee did not accomplish the widespread consultation envisioned in the mandate. To give the Committee credit, it appears that every effort was made to consult with a representative cross-section of organizations and individuals who were not directly affiliated with regional and tribal councils. However, response to letters and invitations for meetings was low. Thus, the Report findings were weighted heavily towards the perceptions and interests of regional councils and those affiliated with them. The Report does not clearly acknowledge this.

The Committee was directed to determine whether the principles, objectives and legislation of the regional and tribal councils were still applicable and consistent with actual practice, and perspectives, of the GNWT, the councils themselves, and their members. In considering this question, the Committee did not consider recent significant government initiatives, including the evolution of ministerial authority, and the creation of regional boards for the delivery of health and education programs.

The Report did refer to the policy on Devolution to Communities, which supported the devolution of responsibility for delivery of government programs and services to the community level in a way which would ensure maximum local decision-making, and provide resources for program delivery to community governments. But it did not come to terms with the apparent contradiction inherent in acknowledging this policy, and recommending that programs and services delivery be devolved to regional and tribal councils. This government recently reaffirmed its support of elected community governments as prime public authorities.

Several other important issues were not fully addressed in the Report. These include:

Accountability

Although regional council membership is drawn from elected local bodies such as community governments, voters do not explicitly give a mandate to these individuals to represent them on regional councils. As well, Ministers of the GNWT play no role in appointing members of regional councils. Decision-making authority is also given to individuals who may or may not have an elected mandate of any kind - e.g. Speakers.



The Report did not address the question of whether decision-making authority, and responsibility for public monies, should be vested in a group of people who are not clearly and directly accountable either to voters, to a Minister, or to the Legislative Assembly.

Financial Implications

The report did not consider the potential cost-effectiveness, or efficiency, of using regional councils to deliver programs and services, as compared to using existing government structures or other regional bodies.

Other Regional Bodies

The Committee was directed to develop a list of regional boards and agencies, and to examine their relationship with regional councils. The listings for some regions were incomplete, and the Report did not address the fact that many regional bodies are not affiliated with regional councils by choice. There was no analysis of why agencies have or have not chosen to become affiliated with regional councils, and what factors would affect the situation.

Options for the Future of Regional Councils

The Report identified four options for the future of regional councils - retain the status quo; abolish regional and tribal councils; allow regional councils to assume program delivery responsibility; or establish a system of regional government. The Report should have analysed for Cabinet the policy, financial and administrative implications of each option. Instead, only one option was considered in any detail - the program delivery option, which was the preferred option of the majority of the Committee. Also, by the time the report was drafted, the government had already made commitments to regional program delivery by divisional boards of education, and regional health boards.

Furthermore, inconsistent use of terminology in the Report leads to confusion over the intent of the conclusions. Although the Report rejected the establishment of a system of regional government as a feasible option for the future of regional councils, it stated, "Regional Councils do want to take on some regulatory and administrative functions of government." In short, the Committee was not precise about what role regional councils actually want to play, and about what role they were recommending.

The Report's recommendations, if taken literally, could result in a series of quasi-regional government structures across the N.W.T., with inconsistent objectives, policies and administrative structures, and with no clear political or fiscal responsibility.

In summary, the Report of the Regional and Tribal Councils Review Co-ordinating Committee has highlighted numerous issues and possible conflicts that cannot be resolved in isolation from other issues. It is our firm opinion that the future role of regional and tribal councils must be considered in the broader context of all political and constitutional development in the Northwest Territories.