

M. Williston v. B. Thériault (Town of Caraquet)

Local Governance Commission of New Brunswick

Decision RE: Code of Conduct Complaint

Parties:

Complainant: Matthew Williston

Respondent: Bernard Thériault, Mayor of the Town of Caraquet

Decision:

This decision is rendered in accordance with section 43 of the *Local Governance Commission Act*.

The Local Governance Commission of New Brunswick (the “Commission”) finds that Bernard Thériault, mayor of the Town of Caraquet has violated subsections 8.2 (respectful interactions), 9.1 (respectful behaviour), 9.3 (respectful language) and 12.1 (use of influence) of By-Law No. T-02, a Code of Conduct By-Law for the Elected Members of the Caraquet Municipal Council (the Code of Conduct By-law).

Further, the Commission finds that Respondent Thériault’s breaches of the Code of Conduct By-Law arose from inappropriate and intimidating behaviour directed toward a resident of the Town of Caraquet (Complainant Williston).

Therefore, the Commission orders that Respondent Thériault be reprimanded in accordance with subsection 43(a) of the *Local Governance Commission Act*.

In addition, the Commission recommends that Respondent Thériault undertake training on the Code of Conduct By-Law and respectful interactions to help prevent future breaches of the Code of Conduct By-Law. As training is not a sanction available under section 43 of the *Local Governance Commission Act*, this recommendation is not legally binding on Respondent Thériault.

Facts:

The Commission is not an appeal body; rather, the Commission reviews and investigates all complaints from a *de novo* (from the beginning) perspective.

Applicable Legal Context

Subsection 41(a) of the *Local Governance Commission Act* (the “Act”) provides:
“code of conduct” means

- (a) with respect to a member of council, a code of conduct established by a by-law of a local government under the *Local Governance Act* for members of council,”

The Town of Caraquet’s (“Caraquet”) Code of Conduct By-Law provides under subsection 8.2:

“8.2 Members of Council, municipal employees, and members of the public are expected to treat each other with courtesy, dignity, and respect, and to avoid abuse, harassment, or intimidation.”

Section 9 of the Code of Conduct By-Law, addresses conduct toward Council members, employees, and the public, and states in part:

“9.1 Council members are expected to conduct themselves in a manner that demonstrates equality, respect for individual differences and opinions, and their intention to work together for the common good and the public interest.

9.3 No council member shall use words or expressions that are vulgar, abusive, or offensive when speaking to another member, a municipal employee, or a member of the public.”

Section 12, of the Code of Conduct By-Law further addresses misuse of influence, and provides:

“12.2.1 No member shall use the influence of their position for any reason other than the exercise of their official responsibilities.”

The July 1, 2024, Event

On July 1, 2024, during Canada Day celebrations (the “Event”) held at *Carrefour de la Mer*, in Caraquet, an incident occurred between the parties, Matthew Williston (“Complainant Williston”) and Bernard Thériault, mayor of Caraquet (“Respondent Thériault”). At the time Complainant Williston was working as a contract employee for Centre Culturel de Caraquet (the “CCC”).

According to Respondent Thériault, the CCC is 70% controlled by Caraquet. The CCC’s website indicates it is governed by a board, with one of its members representing Caraquet. According to Caraquet’s 2022 Annual Report (the most recent annual report available online), Caraquet provided the CCC with a grant of approximately \$440,000 that “allows the Centre Culturel to continue to offer a rich cultural life to all citizens.” (Translated from French)

On July 1, 2024, Complainant Williston was serving as the event coordinator for the Event. The Event was organized by the CCC, and it was attended by residents, dignitaries, Indigenous community members, and invited participants.

The Event included scheduled performances as well as speeches from dignitaries and community representatives. The Event was scheduled to begin at 6:00 p.m. The program and schedule had been decided in advance by staff of Caraquet and staff of the CCC.

According to information obtained during the Commission's investigation, representatives of the local Royal Canadian Legion arrived at the event site a few minutes before the 6:00 p.m. start of the scheduled performances. The veterans advised that they intended to conduct a flag-raising ceremony. This activity had not been included in the official Event program/schedule.

Just prior to the 6:00 p.m. start time for the Event, Respondent Thériault, acting in his capacity as mayor of Caraquet, approached Complainant Williston and directed that the scheduled commencement of the Event be delayed by approximately five minutes to allow the veterans' flag-raising ceremony to proceed before the Event officially commenced, despite the fact that participants were already on stage and in position awaiting the start of the ceremony.

Complainant Williston alleged that the direction from Respondent Thériault was communicated in an intimidating and forceful manner. Further, according to Complainant Williston, Respondent Thériault referenced his position as mayor during the interaction and indicated that Complainant Williston's failure to comply with Respondent Thériault's instruction to delay the commencement of the performance could have negative consequences for Complainant Williston's continued employment with the CCC.

Complainant Williston stated that he remained calm and professional throughout the interaction, repeatedly requesting that Respondent Thériault lower his voice and explain the issue clearly. Respondent Thériault allegedly responded: "If you want to survive in Caraquet, and if you want to keep your job at the Cultural Centre, you will do exactly as I say, and you'll do it now." Complainant Williston added that Respondent Thériault also said: "You know I can... do you want to lose your job, eh?" (translated from French).

According to Complainant Williston, Respondent Thériault then took the microphone from him, went up on stage, and pre-empted the Indigenous guest of honor who had been scheduled to open the Event and was preparing to deliver the opening prayer. Complainant Williston alleged that Respondent Thériault, without offering any apology or acknowledgment to the Indigenous guest, the Master of Ceremonies, the technical team, or anyone else involved in organizing the Event, proceeded to address the audience of over 500 people and instructed them to leave their seats and go outside the designated area of the Event for the Legion's flag-raising.

Complainant Williston reported that, immediately after the exchange with Respondent Thériault, several CCC staff members expressed their discomfort to him (Complainant Williston) about the abrupt and unexpected change of schedule made by Respondent Thériault when he took the microphone and went on the stage.

The July 9, 2024, Meeting

On July 9, 2024, a meeting took place at Caraquet City Hall involving Respondent Thériault, Caraquet CAO Marc Duguay, Complainant Williston and Lucie Roy, Complainant Williston's manager at the CCC. According to Respondent Thériault, the meeting had been convened at his request and was intended to address the July 1, 2024, incident. Respondent Thériault confirmed to Commission staff that, during the meeting, Respondent Thériault acknowledged that his demand to delay the Event commencement had been inappropriate and stated that it had been made in a discourteous manner. Respondent Thériault further indicated he tried to apologize to Complainant Williston during the meeting. However, Complainant Williston stated that no apology was provided by Respondent Thériault.

The same day (July 9, 2024), a memorandum summarizing the meeting was prepared and signed by Respondent Thériault. This document, provided to the Commission, records Respondent Thériault's acknowledgment that his instruction to delay the Event had been inappropriate and made in a discourteous manner towards Complainant Williston. The memorandum also reflects Respondent Thériault's denial of having made any threatening remarks during the July 1, 2024, interaction with Complainant Williston.

Complaint to the Local Government (Caraquet)

On August 8, 2024, Complainant Williston submitted a code of conduct complaint to Caraquet under the Code of Conduct By-Law.

On March 10, 2025, council of Caraquet directed Julie Jacob, clerk, to conduct a code of conduct investigation in relation to Complainant Williston's complaint.

At the conclusion of Ms. Jacob's investigation, she prepared a Report entitled "Rapport déontologique – M. Williston c. B. Thériault". The following information was included in the Report:

- On April 3, 2025, a meeting was held with Ms. Jacob, Complainant Williston, and Daniel Vanier, a Caraquet by-law enforcement officer, in attendance. The purpose of the meeting was for Ms. Jacob to obtain a comprehensive understanding of the substance of Complainant Williston's complaint. During that meeting, Complainant Williston identified individuals (witnesses) who were

present at the Event and who may have witnessed the incident with Respondent Thériault/ the alleged violation of the Code of Conduct By-Law.

- Between April 29 and May 15, 2025, five witnesses (the Report does not identify the witnesses) were contacted by Ms. Jacob, and were invited to provide their accounts of the July 1st, 2024, incident.
- One witness (not identified in the Report) stated they clearly observed the exchange between Respondent Thériault and Complainant Williston during the Event. When asked whether, during the same Event, they heard Respondent Thériault make remarks consistent with Complainant Williston's allegation that he had been told that, if he wished to remain employed and "survive" in Caraquet, he would need to do exactly as directed and immediately, one witness (not identified in the Report) responded that they heard Respondent Thériault say words to the effect of, "You know that I can make you lose your job, right?" (Translated from French)

On June 8, 2025, council of Caraquet decided Complainant Williston's complaint. Council's decision states that council reviewed an investigation report (the Report prepared by Ms. Jacob) and decided that the complaint was founded and constituted a breach of section 9.2 of Caraquet's Code of Conduct By-Law. Council also found that Respondent Thériault had previously apologized to Complainant Williston and acknowledged a lack of courtesy during the public Event. Council's decision/resolution further states that council did not find additional breaches of its Code of Conduct By-Law as alleged by Complainant Williston, and that Respondent Thériault's intervention during the Event was considered to have occurred in the exercise of his official responsibilities as mayor, which they found justified his actions. The decision stated: "Whereas the council found no other breaches of its code of conduct as alleged, the mayor being involved in the conduct of the activity only in the context of his official responsibilities." (Translated from French)

Complaint to the Local Governance Commission

On June 16, 2025, Complainant Williston submitted a formal code of conduct complaint to the Commission against Respondent Thériault. In his complaint, Complainant Williston alleged that Respondent Thériault breached Caraquet's Code of Conduct By-Law by:

- Demanding a last-minute modification to the Event program,
- Making the request with a raised voice and in a forceful manner, demanding that he (Respondent Thériault) take the stage and make an announcement to the attendees of the Event with respect to the flag-raising, and

- Threatening Complainant Williston and his (Complainant Williston's) employment should he fail to comply with Respondent Thériault's directive to delay the commencement of the Event / performance.

On June 19, 2025, Commission staff contacted Caraquet clerk, Ms. Jacob to advise Respondent Thériault that a code of conduct complaint had been received against him.

On July 3, 2025, Ms. Jacob provided the following to the Commission:

- Council meeting minutes pertaining to council's decision on Complainant Williston's complaint to Caraquet;
- A response letter detailing the process that Caraquet undertook to investigate the complaint; and
- A link to a video recording of relevant council meetings.

On July 17, 2025, Commission staff contacted Complainant Williston to provide a copy of the response received from Caraquet / Ms. Jacob on behalf of Respondent Thériault. Complainant Williston was advised that he could provide a response and submit any additional supporting documentation within two weeks, should he wish to do so.

On July 31, 2025, Complainant Williston provided additional supporting documents to the Commission, including communications with Caraquet. Within those communications, Complainant Williston had identified to Caraquet several individuals whom he considered to be potential witnesses to the July 1, 2024, incident. Specifically, Complainant Williston had identified: Lucie Roy, Vianney Lavigne, Manuel Chiasson, Kevin J. Haché, Arsène Sorgho, Hon. Isabelle Thériault, and Marc-André Boudreau.

On September 16, 2025, Commission staff contacted Ms. Jacob to request the names of the five witnesses who had been interviewed during her investigation at the local level.

On September 26, 2025, Ms. Jacob responded and provided the names of the five witnesses interviewed during the local-level investigation process. The witnesses were identified as: Kevin J. Haché, Hon. Isabelle Thériault, Manuel Chiasson, Lucie Roy, and Vianney Lavigne.

Commission staff contacted all the witnesses identified by both Complainant Williston and by Ms. Jacob to advise them of the complaint and to request they submit to an interview via written questions provided by Commission staff. The witnesses contacted by Commission staff were: Lucie Roy, Vianney Lavigne, Manuel Chiasson, Kevin J. Haché, Arsène Sorgho, Hon. Isabelle Thériault and Marc-André Boudreau.

Commission Investigation: Summary of Interviews

Marc-Andre Boudreau

On November 18, 2025, Marc-André Boudreau, the Director of Tremolo, the company responsible for the live musical performances at the Event, responded to the Commission's interview questions. In his response, Mr. Boudreau stated that he did not recall seeing Respondent Thériault at the Event and indicated that he was not a witness to the interaction at the heart of the complaint.

Kevin J. Haché

On November 26, 2025, Kevin J. Haché, a spectator at the Event, responded to the Commission's interview questions. Mr. Haché stated that he observed Respondent Thériault approach Complainant Williston in a visibly agitated manner prior to the flag-raising ceremony. Mr. Haché described Respondent Thériault pointing a finger toward Complainant Williston and gesturing with his hands in the air in a way Mr. Haché described as threatening. He further stated that Complainant Williston appeared calm during the exchange. Mr. Haché was unable to hear the specific words exchanged between the parties as he was too far away. However, he confirmed that Respondent Thériault's agitation was clearly visible, and that his behaviour appeared aggressive and intimidating. Mr. Haché also described Respondent Thériault's facial expression as tense. Mr. Haché stated that Respondent Thériault then took the stage, and confusion arose among the attendees at the Event around the unplanned flag-raising.

Arsène Sorgho

On November 26, 2025, Arsène Sorgho, the Master of Ceremonies of the Event, responded to Commission staff to advise that he would not be responding to the Commission's written interview questions.

Vianney Lavigne

On December 1, 2025, Vianney Lavigne, an employee of the CCC, responded to the Commission's interview questions. He stated that, at the beginning of the event, Respondent Thériault approached Complainant Williston in an angry manner regarding the organization of the flag-raising ceremony. Mr. Lavigne described Respondent Thériault as speaking loudly, pointing his finger, and entering Complainant Williston's personal space. According to Mr. Lavigne, Complainant Williston remained calm and asked Respondent Thériault to calm down. Mr. Lavigne corroborated that, during the exchange between the parties, he heard Respondent Thériault say to Complainant Williston: "You know I can make you lose your job" (translated from French).

Lucie Roy

On December 12, 2025, Lucie Roy, an employee of the CCC and Complainant Williston's manager at the time of the Event, responded to the Commission's interview questions. She said she observed Respondent Thériault get on stage unexpectedly, which indicated to her that a deviation from the planned program for the Event had occurred. She described the situation as "chaotic." Regarding Respondent Thériault's behaviour, Ms. Roy indicated that she was not present for the direct interaction between Respondent Thériault and Complainant Williston. However, when asked whether she observed any behaviour from Respondent Thériault at the Event that could be perceived as aggressive, intimidating, or overly familiar, she confirmed that she observed Respondent Thériault behaving this way toward other members of the CCC organization at the Event.

Manuel Chiasson

On January 10, 2026, Manuel Chiasson, who works for CCC and was a sound technician for the Event, responded to the Commission's interview questions. With respect to the interaction between Respondent Thériault and Complainant Williston, Mr. Chiasson stated that he was positioned on the garden side of the stage, and he was speaking with a participating artist when a Legion member approached and loudly indicated that the national anthem needed to be performed immediately. Mr. Chiasson then turned toward Complainant Williston, whom he understood to be responsible for coordinating the Event and observed him standing face-to-face with Respondent Thériault near the fence behind the outdoor stage, engaged in a direct discussion.

Mr. Chiasson stated that, due to the distance, he was unable to hear the content of the exchange. However, he stated that Complainant Williston later told him about Respondent Thériault's remarks and expressed that he (Complainant Williston) wanted to leave the Event site because he felt uncomfortable and distressed by the situation.

Hon. Isabelle Thériault, Minister of Tourism, Heritage and Culture

On February 10, 2026, Hon. Isabelle Thériault responded the Commission's interview questions. She identified herself as the Provincial Member of the Legislative Assembly present during the Event. Hon. Isabelle Thériault explained that, in her role, she is typically invited to deliver brief remarks during official Canada Day ceremonies and confirmed that she was present at the Event.

Hon. Isabelle Thériault stated that she did not observe any interaction between Respondent Thériault and Complainant Williston. She recalled that Respondent Thériault went on stage to deliver remarks in his capacity as mayor, which she described as consistent with the customary Canada Day speeches. Hon. Isabelle Thériault indicated that she did not observe any inappropriate or unusual remarks made by Respondent Thériault.

The Parties

On January 22, 2026, Commission staff contacted Complainant Williston and invited him to respond to a series of written interview questions prepared by Commission staff. On the same day, Commission staff also contacted Ms. Jacob, to request that Respondent Thériault be provided with a corresponding set of written interview questions.

Respondent Thériault's Responses to the Commission's Interview Questions

On February 9, 2026, Respondent Thériault responded to the Commission's interview questions. When asked to describe, in his own words, what occurred at the Event on July 1, 2024, Respondent Thériault explained that Caraquet organizes annual Canada Day celebrations and typically entrusts the coordination of the event to the CCC, an organization operating under Caraquet's authority (according to Respondent Thériault). He stated that Complainant Williston, acting as the event coordinator, was about to begin the Event program with an Indigenous ceremony, when members of the local Royal Canadian Legion arrived to conduct a flag-raising ceremony that, Respondent Thériault agreed, had not been planned by the Event organizers.

Respondent Thériault explained that, upon observing that several veterans were waiting in the sun while the opening ceremony of the Event was underway, he asked Complainant Williston whether the flag-raising ceremony could be given priority before the beginning of the scheduled performances. He stated that, following Complainant Williston's refusal, he (Respondent Thériault) requested access to the microphone from the Master of Ceremonies, Arsène Sorgho, who was already on stage, and invited attendees to leave the designated Event area to attend the flag-raising ceremony. Respondent Thériault acknowledged that his tone may have been direct and firm, but he denied making any threats toward Complainant Williston. He stated that his actions were undertaken in the exercise of his responsibilities as mayor of Caraquet and were intended to ensure appropriate recognition of the veterans present.

When asked whether he had participated in the organization or implementation of the Event, Respondent Thériault stated that he had attended planning meetings during which the Event program was reviewed and approved with the organizers. He indicated that the flag-raising ceremony had not been included in the official Event program and that the Legion members appeared to have misunderstood this. Respondent Thériault explained that, when faced with this unforeseen situation, he believed it was appropriate, in his capacity as mayor, to accommodate the veterans and ensure that the flag-raising ceremony could proceed.

Respondent Thériault stated that his presence and role in the ceremony were solely by virtue of his position as mayor of Caraquet. He explained that, due to what he described as a lack of understanding on the part of Complainant Williston regarding the situation involving the veterans, he requested permission from the Master of Ceremonies (Arsène Sorgho) to address the Event attendees before the continuation of the scheduled activities. Respondent Thériault indicated that his intention in doing so was to ensure that

the flag-raising ceremony could proceed without further delay, particularly in light of his concern that the veterans should not be required to wait in the sun.

Respondent Thériault further clarified that, in order to avoid confusion experienced during the previous year's celebrations, it had been previously agreed by the Event organizers that no flag-raising ceremony would take place during the Event at *Carrefour de la Mer*, as a separate flag-raising had already been scheduled and conducted earlier that day at noon in Bas-Caraquet. Respondent Thériault stated that, despite this arrangement, the Legion members appeared to be unaware of the change and had returned in the evening expecting a second flag-raising ceremony at 6:00 p.m. at the Event.

Respondent Thériault explained that, considering prior complaints from veterans who had been required to wait during the previous year's event, he took steps to quickly organize a flag-raising ceremony near the flagpoles outside the designated Event area to accommodate their presence. He acknowledged that this involved intervening in the coordination of the Event and stated that Complainant Williston was correct in asserting that he had intervened. However, Respondent Thériault maintained that his actions were justified by his role and authority as mayor, noting that Caraquet was responsible for the event and that he acted to address an unforeseen situation affecting the veterans present.

Respondent Thériault stated that he approached Complainant Williston prior to the start of the Event. He explained that this interaction took place behind the stage, in the presence of a few staff members and a limited number of attendees. He categorically denied Complainant Williston's claims that he had issued any threats, and stated that, while his tone may have been firm, it was never disrespectful or intimidating.

Respondent Thériault further confirmed that, to his recollection, he initiated the conversation with Complainant Williston. He acknowledged that the discussion did not result in agreement and admitted that he demanded that Complainant Williston act beyond his authority as the event coordinator to organize the flag-raising ceremony. Respondent Thériault stated that he did not threaten Complainant Williston and that he did not imply that Complainant Williston's employment could be terminated.

Respondent Thériault described exchanges with Complainant Williston during the Event as cordial and respectful, and emphasized that, contrary to Complainant Williston's allegations, no threats or inappropriate remarks were made. He characterized his tone as firm, consistent with a mayor advocating for the veterans, and noted that Complainant Williston remained calm and respectful throughout the interaction.

When asked by the Commission whether he made any gestures or movements during the discussion, Respondent Thériault explained that he frequently uses hand gestures when speaking but denied that these gestures were intended to be intimidating. He categorically denied making any statements such as, "If you want to survive in Caraquet, and if you want to keep your job at the Cultural Centre, you will do exactly as I say, and you'll do it now." Respondent Thériault reiterated that no remarks of that nature occurred, suggesting that such claims were either a product of Complainant Williston's imagination

or ill intent. Respondent Thériault further clarified that he had no authority over hiring decisions at the CCC and that his prior interactions with Complainant Williston had been cordial, and he noted that he had previously intervened positively on Complainant Williston's behalf in matters related to artistic projects that had generated some controversy.

Respondent Thériault acknowledged that he had overridden Complainant Williston's authority as the event coordinator and that, the following Monday morning, he requested that Ms. Roy, Complainant Williston's supervisor, schedule a meeting with Complainant Williston so he could apologize. Respondent Thériault acknowledged to the Commission that he had wished to resolve the issue.

Respondent Thériault stated that, following the Event, he had an additional interaction with Complainant Williston during the meeting convened at Respondent Thériault's request on July 9, 2024. Instead of providing written answers to the Commission's interview questions about this meeting, Respondent Thériault repeatedly referred to a memorandum he provided following the meeting to Caraquet CAO Marc Duguay, which Caraquet council later relied on to arrive at its June 8, 2025, code of conduct complaint decision.

In the memorandum, Respondent Thériault acknowledged intervening in the organization of the Event. He further stated that he apologized to Complainant Williston during the July 9, 2024, meeting. In his memorandum, Respondent Thériault further denied all allegations of making threatening statements to Complainant Williston at the Event.

Regarding Complainant Williston's attitude and behaviour during subsequent interactions following the Event, Respondent Thériault indicated in his memorandum that, during the July 9, 2024, meeting, Complainant Williston did not allow Respondent Thériault to speak and did not accept Respondent Thériault's apology. Respondent Thériault described his own conduct during the meeting as very passive.

Respondent Thériault stated the following in response to the Commission's interview question of whether he had anything else to provide to the Commission:

- He acknowledged that he intervened in the Event activities in the interest of the veterans;
- He admitted giving instructions to Complainant Williston, which were not followed, and acknowledged he implemented what he characterized as a minor change to the Event program;
- He emphasized that, as mayor, he had acted in his capacity as the official responsible for the Event; and
- He asserted that none of his interactions with Complainant Williston ever included threats directed at Complainant Williston.

Complainant Williston's Responses to the Commission's Interview Questions

On February 12, 2026, Complainant Williston responded to the Commission's interview questions. Complainant Williston stated that, on the day of the Event, he was acting in his official capacity as Special Events Coordinator for the CCC. He explained that he was responsible for coordinating and producing the Event from start to finish. Complainant Williston noted that, as in previous years, the Event was organized by the CCC, his employer, with funding from Caraquet, the Province, federal sources, and private partners.

According to Complainant Williston, the pre-planned Event program included an opening prayer by Indigenous Knowledge Keeper Jessica Gagnon, the national anthem by the Tremolo Choir, governance protocol remarks delivered by the mayor and other dignitaries, a musical headliner, and fireworks were scheduled for later in the evening. According to Complainant Williston, all planning, scheduling, and confirmations, including Respondent Thériault's protocol segment, had been finalized weeks in advance, and the commencement of the Event was proceeding smoothly prior to the disruptions he attributes to Respondent Thériault's conduct.

Complainant Williston stated that the Master of Ceremonies, Arsène Sorgho, went on stage at approximately 5:45 p.m. to announce that the ceremony would begin at 6:00 p.m. with the opening prayer by Jessica Gagnon. Complainant Williston further stated that at approximately 5:58 p.m., two minutes before the scheduled start of the Event, Respondent Thériault approached him in an agitated state, yelling and making demands that Complainant Williston initially found difficult to understand. Complainant Williston stated that he attempted to de-escalate the situation by calmly asking Respondent Thériault to explain what was needed. According to Complainant Williston, Respondent Thériault continued raising his voice and, at close proximity to Complainant Williston, made the statement: "If you want to survive here in Caraquet and at your job at the cultural centre, you will do what I say and you will do it now." Complainant Williston stated that he interpreted these remarks as threats with potential professional consequences and stated that he felt intimidated and momentarily froze before asking again what Respondent Thériault required.

Complainant Williston stated that he then asked if Respondent Thériault wanted a microphone, to which Respondent Thériault said "yes", and then Respondent Thériault proceeded onto the stage unexpectedly and without following the agreed-upon Event schedule. According to Complainant Williston, Respondent Thériault introduced himself as the mayor of Caraquet and instructed attendees to leave their seats, exit the fenced festival area, and join the veterans to sing the national anthem near the flagpole. Complainant Williston stated that this directive was not part of the approved Event program and occurred before the scheduled opening prayer and national anthem performance. Following Respondent Thériault's unplanned public remarks, Complainant Williston stated that the Event attendees became divided and confused.

When asked by the Commission to describe Respondent Thériault's tone, body language, and overall behaviour, during the incident, Complainant Williston characterized it as threatening, hostile, aggressive, enraged, and intimidating. Complainant Williston further described Respondent Thériault's conduct as abusive, menacing, discourteous, belittling, demeaning, and demanding. Complainant Williston also expressed the view that Respondent Thériault demonstrated an overall disrespectful attitude toward the Event ceremony, the organizing team, and the invited Indigenous Knowledge Keeper, describing Respondent Thériault's behaviour as consistent with bullying.

Complainant Williston stated that the incident significantly affected his ability to carry out his duties during the remainder of the Event. He indicated that, although he attempted to remain focused and composed, he felt shaken, intimidated, and in shock following what he characterized as public yelling and threats to his employment. Complainant Williston described operating in "damage control mode," attempting to manage the event while suppressing his emotional reaction and apologizing to participants whom he believed were impacted by the disruption.

Complainant Williston stated that following the Event, Respondent Thériault attempted to obtain his personal phone number through Ms. Roy, the Complainant's manager at the CCC. Complainant Williston declined to provide it. He explained that he felt fearful and uncomfortable due to the incident at the Event and believed that direct contact with Respondent Thériault would be inappropriate under the circumstances.

Complainant Williston stated that he later received another request, relayed through his manager, Ms. Roy, on behalf of Caraquet's CAO, Mr. Duguay, asking again for his personal phone number to provide Respondent Thériault, which Complainant Williston viewed as troubling and intimidating.

Complainant Williston stated that he informed his manager, Ms. Roy, that he was not ready to face Respondent Thériault and continued to feel unsafe and asked that his personal phone number not be shared. Complainant Williston further noted that, in a text message dated July 3, 2024, Mr. Duguay, CAO, conveyed that Respondent Thériault was concerned about the fact that Complainant Williston felt harassed. Mr. Duguay proposed a meeting for July 9, 2024, and Complainant Williston stated that he felt anxious about the meeting. He described feeling unsupported and distressed at having to address the situation without the presence of human resources personnel or an impartial mediator.

Complainant Williston agreed that the July 9, 2024, meeting was convened at the request of Respondent Thériault. The meeting was attended by Respondent Thériault, Complainant Williston, Mr. Duguay, CAO, and Ms. Roy, Complainant Williston's supervisor. The purpose of the meeting was to discuss the events of July 1, 2024. Complainant Williston stated that, during the meeting, he maintained that he had been intimidated at the Event. He told Commission staff that he was expecting an apology from Respondent Thériault during the meeting, but that he never received one.

Complainant Williston indicated that, during the July 9, 2024, meeting, Respondent Thériault denied having raised his voice or having behaved aggressively and characterized the situation as Complainant Williston merely “feeling harassed,” which Complainant Williston interpreted as dismissive of his concerns.

Complainant Williston stated the following in response to an interview question from the Commission of whether he had anything else he wanted to provide to the Commission. In response, he stated that he had expected further follow-up from the mayor’s office after the July 9, 2024, meeting, as he did not believe a resolution had been achieved.

Reasons:

The Commission’s Conclusions on the Event and Subsequent Meeting

Evidence obtained through the Commission’s investigation confirms that Respondent Thériault invoked his position of authority as mayor of Caraquet when he addressed Complainant Williston on July 1, 2024, and that he pointed his finger repeatedly at Complainant Williston and invaded his personal space while making demands. In addition, at some point, Respondent Thériault made a statement to Complainant Williston along the lines of “I can make you lose your job” if Complainant Williston did not comply with Respondent Thériault’s demands. This was corroborated by Mr. Lavigne, an employee of the CCC present at the Event, who stated that he heard Respondent Thériault say to Complainant Williston “I can make you lose your job”. When questioned about this by Commission staff, Respondent Thériault denied making threats towards Complainant Williston, but confirmed that he usually speaks with the use of hand gestures.

The interaction between the parties at the Event was observed by two witnesses, Mr. Haché and Mr. Lavigne, one of whom was a member of the public (Mr. Haché):

- Mr. Haché stated that he observed Respondent Thériault pointing a finger toward Complainant Williston and gesturing with his hands in the air in a way Mr. Haché described as threatening; and
- Mr. Lavigne reported clearly hearing Respondent Thériault directly threaten Complainant Williston’s employment.

Following the interaction between the parties, Respondent Thériault proceeded onto the stage, introduced himself as the mayor of Caraquet and directed attendees to leave the Event site and move to a nearby area in order to conduct the flag-raising ceremony. According to witnesses, Mr. Haché and Ms. Roy, the situation created confusion among attendees and staff.

The remainder of the Event proceeded as planned, and there were no further direct interactions between Respondent Thériault and Complainant Williston.

However, in the days following the Event, the Commission's investigation confirmed that Respondent Thériault sought to communicate with Complainant Williston and requested his personal phone number through intermediaries. Complainant Williston declined to provide his personal contact information.

The Commission's investigation also confirmed a meeting was subsequently held on July 9, 2024, at Respondent Thériault's request, which was attended by Respondent Thériault, Complainant Williston, Mr. Duguay, CAO, and Ms. Roy. During this meeting, the events of July 1, 2024, were discussed. Respondent Thériault confirmed that he intervened in the July 1, 2024, Event but maintained that he did not make any threatening remarks. Respondent Thériault also maintained that he apologized to Complainant Williston during the meeting. However, Complainant Williston maintained that Respondent Thériault did not apologize to him.

Although this meeting (July 9, 2024) took place, both parties confirmed that they were unable to achieve a resolution. Complainant Williston reported that during the meeting he felt attacked by Respondent Thériault's body language and tone, and Respondent Thériault reported that he did not feel that Complainant Williston was willing to accept his apology.

Finally, during a Caraquet meeting of council on June 8, 2025, in which council decided Complainant Williston's complaint, council stated that as Respondent Thériault had previously apologized to Complainant Williston (this assertion is contested by Complainant Williston) and acknowledged a lack of courtesy during the public Event, council found no breaches of the Code of Conduct By-Law and decided that the matter be closed, imposing no sanctions on Respondent Thériault.

Commission's Conclusions on whether Respondent Thériault Breached the Code of Conduct By-law

With respect to the July 9, 2024, meeting, it appears to have been called at the behest of Respondent Thériault because he recognized that his behaviour during his interaction with Complainant Williston at the Event was problematic, and Respondent Thériault wanted to address it. Although both parties, and the Caraquet council, seem to have placed a lot of emphasis on this meeting, it is not determinative of the complaint. The basis of the complaint is in relation to the parties' interaction at the Event.

It is also important to note that as the Commission is not an appeal body; rather, the Commission reviews and investigates all complaints from a *de novo* (from the beginning) perspective. As such, the Commission cannot consider the Caraquet council's decision in determining whether Respondent Thériault breached the Code of Conduct By-Law.

Given all the relevant information gathered during the Commission's investigation it is clear that Respondent Thériault did breach sections of the Code of Conduct By-Law, specifically:

- Respondent Thériault breached subsection 8.2 of the Code of Conduct By-Law: "8.2 Members of Council, municipal employees, and members of the public are expected to treat each other with courtesy, dignity, and respect, and to avoid abuse, harassment, or intimidation." It is clear from the evidence collected during the Commission's investigation that Respondent Thériault threatened Complainant Williston's employment with the CCC in an effort to harass and intimidate Complainant Williston.
- It is also clear that Respondent Thériault breached subsection 9.1 of the Code of Conduct By-Law "9.1 Council members are expected to conduct themselves in a manner that demonstrates equality, respect for individual differences and opinions, and their intention to work together for the common good and the public interest." Indeed, it is clear that Respondent Thériault did not treat Complainant Williston with respect at the Event. Further, Respondent Thériault's actions, though they may have been well intended with respect to the veterans' flag-raising, did not demonstrate an intention to work together for the common good, as his intervention in the Event caused confusion among attendees, performers, dignitaries, and Indigenous members of the community present at the Event.
- In addition, it is clear that Respondent Thériault breached subsection 9.3 of the Code of Conduct By-Law: "9.3 No council member shall use words or expressions that are vulgar, abusive, or offensive when speaking to another member, a municipal employee, or a member of the public." This breach was corroborated by two witnesses, Mr. Haché and Mr. Lavigne:
 - Mr. Haché stated that during the interaction at issue between the parties, Respondent Thériault pointed a finger toward Complainant Williston and gestured with his hands in the air in what Mr. Haché described as a threatening manner. Mr. Haché further confirmed that Respondent Thériault's agitation was clearly visible, and that his behaviour appeared aggressive and intimidating; and
 - Mr. Lavigne stated that he clearly heard Respondent Thériault make a threat directly toward Complainant Williston with respect to Complainant Williston's employment. Mr. Lavigne stated that he heard Respondent Thériault say words to the effect of "I can make you lose your job".

As such, it is clear that Respondent Thériault exhibited abusive behaviour toward Complainant Williston contrary to subsection 9.3 of the Code of Conduct By-Law.

- Finally, it is clear that Respondent Thériault breached subsection 12.1 of the Code of Conduct By-Law “12.1 No member shall use the influence of their position for any reason other than the exercise of their official responsibilities.” Respondent Thériault attended the Event in his official capacity as the mayor of Caraquet, and it is obvious that he also used the influence of his position to intimidate and / or harass Complainant Williston by threatening the Complainant’s employment with the CCC, which receives funding from Caraquet. Indeed, Respondent Thériault told the Commission that the CCC is 70% controlled by Caraquet. Further, Caraquet’s 2022 Annual Report (the most recent publicly available information online) states that Caraquet provided the CCC with a grant of \$440,000 that allowed the CCC to continue offering cultural activities to residents of Caraquet. Respondent Thériault’s threat to Complainant Williston’s employment was, therefore, very credible. Finally, Respondent Thériault’s inappropriate use of the influence of his position was witnessed by Mr. Haché and Mr. Lavigne.

Respondent Thériault’s behaviour, regardless of his kind intentions in relation to accommodating veterans, was not only completely inappropriate, it also constituted significant breaches in Caraquet’s Code of Conduct By-Law. Threatening someone’s employment, whether in an aggressive manner or not, is a breach of not only the Code of Conduct By-Law, but also a very serious threat to an individual’s livelihood. Anyone on the receiving end of such a threat would understandably be unsettled and upset. In addition, as the CCC, Complainant Williston’s employer at the time, received significant operational funding from Caraquet, Respondent Thériault’s threat carried a lot of weight.

Regardless of whether or not Respondent Thériault took some accountability for his inappropriate behaviour towards Complainant Williston after the fact by verbally apologizing to him on July 9, 2024, it would have been insufficient to remedy these significant breaches of Caraquet’s Code of Conduct By-Law. Again, the complaint centers on Respondent Thériault’s behaviour during the July 1, 2024, incident, and not Respondent Thériault’s attempts to address the situation at a later date.

As such, the Commission has decided to sanction Respondent Thériault under subsection 43(a) of the *Local Governance Commission Act*, by ordering a reprimand of Respondent Thériault. The Commission’s intention in imposing this sanction is to appropriately reflect the seriousness of Respondent Thériault’s breaches of the Code of Conduct By-Law, while also intending that the sanction act as a deterrent for future inappropriate behaviour.

In addition, the Commission has decided to recommend that Respondent Thériault undertake training on the Code of Conduct By-Law and respectful interactions to help prevent future breaches of the Code of Conduct By-Law. As training is not a sanction available to the Commission under section 43 of the *Local Governance Commission Act*, this recommendation is not legally binding on Respondent Thériault.

Giselle Goguen

Giselle Goguen, Chair

Donna Redmond Gates

Donna Redmond Gates, Member

Troy Stone

Troy Stone, Member

Dated: March 16, 2026, in Fredericton, New Brunswick

Local Governance Commission of New Brunswick Official Seal Affixed Below





ORDER

Pursuant to subsection 43(a) of the *Local Governance Commission Act*, the Local Governance Commission of New Brunswick hereby orders that Bernard Thériault, Mayor of the Town of Caraquet, is reprimanded.

This Order is effective as of March 16, 2026.

Giselle Goguen

Giselle Goguen, Chair

Donna Redmond Gates

Donna Redmond Gates, Member

Troy Stone

Troy Stone, Member

Dated: March 16, 2026, in Fredericton, New Brunswick

Local Governance Commission of New Brunswick Official Seal Affixed Below

