

The Akitsiraq Law School Program: Lawyer-Making in the Arctic

Final Report

Prepared by the
Akitsiraq Law School Society

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July 2007**

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A. Executive Summary

Accomplishments of the Akitsiraq Law School Program

Fifteen students were admitted to the Akitsiraq Law School Program in September 2001. Eleven students graduated from the Program in a Special Convocation Ceremony held in Iqaluit on June 21, 2005. The graduates articulated in Iqaluit, Yellowknife and Ottawa with members of the Nunavut Bar, Nunavut Bench or Supreme Court of Canada. They completed the British Columbia articling program and Bar Course that was taught in Iqaluit from January to April 2006. They are currently being admitted to the Law Society of Nunavut to practice in the territory as lawyers.

Akitsiraq was a valuable exercise in legal training for aboriginal students that should prove to be a model for other legal and professional training programs. With a strong focus on cultural and language training as well as its Nunavut-based curriculum, Akitsiraq was an impressive example of what can be done in aboriginal higher education where the will and support from the profession, the university community, and the government are joined together.

The Akitsiraq Law School Program

The Akitsiraq Law School Program was a unique legal education opportunity offered to Inuit students in the new territory of Nunavut to allow them to acquire a full L.L.B. degree from the University of Victoria (UVic), British Columbia. Akitsiraq was designed to be a stand-alone Program taught in the territorial capital of Iqaluit. Professors and instructors from UVic and other law schools across Canada came north to teach a full complement of substantive law subjects.

Although LL.B. programs are normally three years in length, both the Akitsiraq Society and UVic planned, from the beginning, that this Program should teach the first-year “core curriculum” over two years. Thirteen students successfully completed these core subjects and each received a Diploma of Legal Fundamentals from Nunavut Arctic College as recognition of this remarkable achievement. Two of these students did not continue in the Program, but the remaining 11 students went on to obtain their Law Degrees.

In addition to fulfilling all requirements of a law degree from the University of Victoria, Program students were also required to complete compulsory Inuktitut language training, attend cultural awareness programs, and work with elders. Substantial academic tutorial support was provided to the students. Skills and practical training were an essential component of the Program and, in exchange for sponsorship funding, students did work placements with various sponsoring and non-sponsoring organizations for approximately four months per year, during times when classes were not in session.

Key Components of the Akitsiraq Law School

The Akitsiraq Law School Society (a non-profit corporate entity set up to start and monitor the progress of the Law School) continues to play a crucial role.

A key element in the success of the Program was financial sponsorship and housing for students. The complexity of the funding arrangements, administration, financial management and work, required a substantial amount of time and effort of the part of the Society, and in particular, the members of its Executive Committee.

The Program was taught at the Nunatta Campus of Nunavut Arctic College in Iqaluit. The College offered classroom, office and administrative support. They also offered housing support for the Program's Elder-in-Residence from the Fall 2003 to the Spring of 2004. The College's contribution to financial administration, infrastructure and teaching assistance has been a key component in the success of the Program.

All but two students were sponsored by various organizations including Justice Canada, the Government of Nunavut, the RCMP, and Inuit organizations in the Baffin region. Nunavut Tunngavik Inc., the umbrella Inuit organization administering the *Nunavut Land Claims Agreement*, was also a key player. Under their sponsorship agreements, the graduates are required to do legal work, either with a sponsor anywhere in Canada for two years, or in Nunavut for four years with a non-sponsoring organization or individual.¹

Housing in Iqaluit is scarce and expensive. Without subsidized housing most participants in the Program could not have continued. Student housing was partially supported through the Sponsorship Program. Housing for the Northern Director and a rotating team of faculty from UVic and other Southern universities was just as important. Without a stable and continuing residence, the work of teaching and administrative staff would have been virtually impossible.

¹ A copy of the Memorandum of Understanding and a sample Sponsorship Agreement between a student and the Akitsiraq Law School Society are appended to this Report as Appendix IV.

B. Introduction

The Akitsiraq Law School Program was designed to address an acute need for Inuit lawyers in Nunavut. The project incorporated a number of significant innovations in the delivery and support of a high-quality legal education that allowed the Program to balance the conventional requirements of a fully accredited LL.B. program with the distinct cultural and social context of Nunavut.

There were a number of innovative aspects of the Akitsiraq Law School Program which merit discussion as models for other professional training programs in Nunavut, and, potentially, legal education programs for aboriginal peoples within Canada and internationally. These include:

- Delivery of a full-time three-year LL.B. Program (offered over four years) on-site in Nunavut;
- Significant adaptation and enhancement of curriculum to reflect local culture and ongoing academic support contributed to student retention and success
- A strong program of financial assistance for students, work placements and a return of service obligation, resulted in a broad and well-qualified applicant pool.
- Strong partnerships, between the legal profession, the judiciary, aboriginal organizations, the community, universities, the college and government, supported academic excellence and responsive curriculum development.

This Final Report of the program, developed for the first Akitsiraq graduating class, presents a review of the background and history of the Akitsiraq Law School Program followed by a detailed discussion of both the strengths and the challenges encountered in the Program's development and delivery.

C. Background and History

The Akitsiraq Law School Program began as an idea of members of the then Eastern Arctic Bench, Bar and community in the early 1990's. Lawyers and judges recognized a real need for Inuktitut-speaking and Inuit lawyers in all areas of the profession.

There was also a growing pool of talented and intelligent potential applicants already gaining experience in the justice system as interpreters, court workers and Justices of the Peace. The hurdles facing these individuals in going "South" to obtain a Law Degree seemed insurmountable. Few Nunavut Inuit have attempted legal training in the South and only a handful have graduated with a law degree. As of 1999, when Nunavut became a territory, there was only one Inuk lawyer in the Canadian Arctic – Nunavut's first Premier, Paul Okalik.

The Akitsiraq Law School took many years of planning.

The "Jump Start Program" provided a sample of legal training to a group of Inuit students in 1998. This early program taught courses on Contract Law, Criminal Law and had significant components of Inuit Law. As one student said:

"... the jump start program helped me to believe that I was capable of obtaining a law degree . . . Inuit have a unique and complex society with complex social issues to deal with. I believe that if I become a lawyer I can offer an understanding of Inuit culture and society that a Southerner could not."²

The Jump Start Program also served to convince organizers and sponsors that a program as complex as a law school could be successfully delivered in this context. Three participants in that Program eventually went on to be admitted to, and ultimately graduated from, the Akitsiraq Law School.

Funding opportunities for the Akitsiraq Program were enhanced by the existence of: Article 23.2.1 of the *Nunavut Land Claims Agreement* which states:

"The objective of this Article is to increase Inuit participation in government employment in the Nunavut Settlement Area to a representative level. It is recognized that the achievement of this objective will require initiatives by Inuit and by Government."³

Nunavut's population is 85% Inuit which means that a significant effort in planning, training and creating appropriate positions at all levels has been and will continue to be necessary to bring Land Claims beneficiaries into the work force. The Law School was

² McKibbin, Sean "Nunavut Law Program to Start Next Year", *Nunatsiaq News* (11 August 2000) quoting Susan Enuaraq, now a graduate of the Akitsiraq Law School and member of the Law Society of Nunavut, employed by Justice Canada in Iqaluit.

³ Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada, 1993, Article 23.2.1.

supported by both levels of government in large measure to fulfill this constitutionally-supported treaty requirement.

In August 2000, the University of Victoria (UVic) Faculty of Law agreed to be the Southern partner, providing the academic component of a conventional law degree. The Akitsiraq Law School Society was the institutional liaison in the North. The basic structure of the Law Program was developed by the Akitsiraq Law School Society, whose members included potential students, lawyers, members of the judiciary, senior members of the Departments of Justice Canada and Nunavut Justice and community members.

For one year, beginning in the fall of 2000, the Government of Nunavut provided full-time staff support to the Program, in the person of the first Northern Director, Mr. Andrejs Berzins. Working with UVic's Professor Donald Galloway, they developed, identified and obtained approvals for the first year "core curriculum" format, the funding structure, the student sponsorship program and the necessary infrastructure.

The admissions process provided an opportunity for the Society and the University to explore their approaches to the law school. The University favoured more conventional admission criteria, while the society was prepared to rely on community and personal knowledge of applicants. Ultimately 17 students were registered to commence the program in September 2001.

In the summer of 2001, prospective teaching faculty and students each participated in orientation sessions. In May 2001, the Faculty scheduled to teach in the first year attended a session designed to familiarize professors with Nunavut and the need to incorporate Inuit and Northern perspectives in their teaching.

The Student orientation session, held in July 2001, helped prospective students understand what they could anticipate over the next four years. Short introductory seminars on Constitutional Law and Tort Law were taught by Professors Don Galloway and Hester Lessard of UVic. Students had an opportunity to learn what legal research and writing involved, and also had a chance to meet and get to know one another.

In September 2001, the Law School opened its doors in a ceremony that was telecast by video link with UVic. Fifteen students had started on this unique experiment in legal education.

D. Program Objectives

The main goal of the Akitsiraq Law School was to graduate competent northern lawyers.

While the academic program was based firmly on the requirements of the LL.B. degree earned by Canadian common law students, the Akitsiraq Program was uniquely adapted to Nunavut in areas such as student selection, curriculum development, financial, personal and academic support, and governance.

Specific objectives of the Akitsiraq Program were to:

- Start to generate a critical mass of Inuit lawyers in Nunavut.
- Deliver a high-quality legal education program outside a conventional university setting, with emphasis on skills development, substantive law, cross-cultural legal communication and critical thinking;
- Ensure adequate levels of personal, academic and financial support to enable students and their families to succeed;
- Advance the objectives of Article 23 of the *Nunavut Land Claims Agreement* which speaks to ‘representative Inuit employment’ in the Nunavut public sector.

E. A Community – Based Delivery Model for Legal Education

The most prominent feature of the Akitsiraq Law School was the decision to bring legal education to Nunavut. The decision to offer the law school program in the North was based on a number of considerations, including:

- At the time the program started, there were no Nunavut Inuit law students in Southern law schools. It would have been many years before Nunavut developed a critical mass of Inuit lawyers;
- Through law school organizing efforts, it became clear that a group of Nunavut Inuit was seriously interested in attending law school. Most of these potential students were unwilling or unable to leave extended family responsibilities, and the cultural support of Inuit communities, to study for several years in the South;
- A program tailored to the needs of Nunavut would be more responsive and relevant to the legal needs of the new territory.

There were over 100 applicants for the initial 15 places. The majority of these applicants emphasized the importance the Program’s location in Nunavut as a major deciding factor in their decision to apply. The northern location of the program was an important step towards overcoming systemic barriers to aboriginal legal education.

While distance technology was occasionally used to enhance the Akitsiraq Program, all participants agreed that a core component in the program’s success was face-to-face classroom interaction, coupled with strong core competency support.

When the Program started, the technological capacity to offer distance education and delivery in Nunavut was simply not adequate, and remained problematic even with the introduction of high-speed Internet access in 2003.

Intensive personal interaction has been a key to student motivation. Professors have consistently identified personal contact as a factor leading to their own positive learning experiences.

E (i). Maintaining Family and Cultural Connections

The demographics of the students admitted in 2001 were distinct from the Southern norm. Entrance criteria for the Program strongly emphasized life and work experience, and leadership, in addition to academic skills. All but two of the students entered the Program from the workforce rather than from post-secondary schooling. Students ranged in age from 25-45 years. Most were in their early to mid-thirties. Thirteen of the fifteen were women. All but two of the original fifteen students were parents and four were single parents.

In addition to responsibility for their own children and families, Akitsiraq students had major responsibilities to extended family and the broader community. These responsibilities included commitments to provide housing for families and friends visiting Iqaluit from other communities for medical or other purposes; assisting family members or friends with serious problems, sometimes involving the legal system; childcare; caring for individuals with health problems; and maintaining involvement in community issues involving advocacy, education and advice. The students' lives did not stop when they entered Law School – rather the demands became even greater to assist others. The students took these responsibilities seriously.

Establishing the Law School in the North allowed students the ability to obtain support from extended family. Students with younger children could choose to enroll them in full-time Inuktitut-language schooling – something obviously not available in the South.

During the four years of the Program, many students experienced serious personal problems and family tragedies. Being closer to home was an important factor in allowing them to juggle these responsibilities and their education. Students also benefited from cultural continuity. They were able to maintain access to country foods, extended family relationships and social networks. The existence of this program and the presence of the Akitsiraq students in Nunavut during a period of rapid social change delivered a message to Nunavummiut that Inuit participation at every level of government and in society was possible and attainable. Students had extended support in the community for their studies and an acceptance and acknowledgement of the difficult program they were attending.

Language training and Inuit cultural awareness were important aspects of the Program from the beginning. The Program included compulsory Inuktitut-language instruction geared to the students' levels of fluency, ranging from introductory level to advanced classes in the development of legal terminology. Oral history research was carried out by the most proficient students in Inuktitut. The students embraced these elements and elevated their importance within the Akitsiraq program.⁴

The students themselves have shaped the program. They took the lead in introducing Inuktitut discussion into the classroom even though most classes were taught in English. With their encouragement and assistance, it was possible to have elders join the class to discuss Inuktitut approaches to the material they were studying.

⁴ See MOU, Schedule A in Appendix I and further discussion below.

E (ii). Adapting the Program to the Needs of the North

- **Recruitment and Admissions**

UVic acceded to the Akitsiraq request not to require applicants to take the Law School Admissions Test (LSAT). Instead, the partners developed an application process that included a written test, followed by an in-person interview for short-listed candidates. This provided more in-depth information about the capacities of individual students without many of the risks associated with the use of standardized tests for a group of students and a program which were obviously not standard.

The admissions committee included representatives of UVic (the Southern Director and the Director of Academic/Cultural Support at UVic Faculty of Law) and the Akitsiraq Law School Society. The final decision about admissions was the responsibility of the UVic Faculty of Law, as the academic partner.

The admissions process was the first of many challenges in the working relationship between UVic and Akitsiraq. The UVic members were committed to an admissions evaluation based on the materials submitted by the applicants and their references. The Akitsiraq group had knowledge of strengths and challenges amongst the applicants and felt that this knowledge was a valid contribution to the admissions decision. The Akitsiraq group argued for more admissions, but the UVic participants felt that they were already in an unusual and high-risk evaluation process and that a lower number of students would be a better precursor to success. This program area had clearly been assigned to UVic for decision. As a result, after extended discussions, the Akitsiraq group accepted the decision with regard to the number of admissions and the actual students admitted.

The admissions process was ultimately successful as the committee chose a solid core of well-qualified students with strong potential for success in law school and in future legal careers. However not all students who started the Program completed it successfully. Of the 15 students initially admitted, 6 withdrew from the Program between February 2002 and July 2004. Two students who had been short-listed for admission were given an opportunity to join the Program during the summer of 2002, which required them to catch-up a year's worth of studies. They both succeeded in doing this. Ultimately, 11 students graduated out of the 17 students admitted.

- **A Four-year Full-time Program**

The most obvious adaptation made to the common law LL.B. program was the shift from a three-year to a four-year program. Experience with other programs in the North and with other aboriginal legal education programs suggests that students frequently experience difficulties due to academic skill deficits early in their studies.

Unlike the majority of first year students in Canadian law schools very few Akitsiraq students had a university degree or any university education.⁵ The Akitsiraq Program was designed to use the first year for intensive skills development, integrated with a reduced load of substantive courses. Akitsiraq students spent two years covering the normal first year curriculum at UVic and a few upper-year courses. By Fall 2003 (year 3 of the Program) students were carrying a normal course load similar to that of their Southern counterparts.⁶ In addition to the normal class load, Akitsiraq students were taking classes in Inuktitut language and Inuit Traditional Law during this time.

During the first two years, learning focused on semester-length courses with professors who taught for the full length of their course. Students needed the longer learning curves provided by a full semester to master the skills needed to absorb large volumes of complex materials. Teachers strongly emphasized the pedagogical importance of this structure and pace for students. This approach permitted a very diverse group of students to have a skill and knowledge base at the end of two years, comparable to the base achieved by a conventional law program at the end of one year.

During the final two years, students were offered more diverse courses, which might be considered “options” in a conventional program. Professors came North for shorter periods, most students travelled to Ottawa to attend a condensed three week legal module at the University of Ottawa in 2003, and a smaller group elected to spend an entire semester at UVic in January 2005. The Akitsiraq program provided only one set of courses at any given point, so that students did not have the ability to individually select courses or design their programs while in Iqaluit.

The final responsibility for hiring or approving faculty and overseeing the academic program was with the University of Victoria. This meant that resources from the profession locally were not always used to the extent that might have been possible, but high quality professors from many Canadian Law Schools and the Bench provided a high standard of instruction.

A detail timetable for each year of the program is provided as Appendix III.

⁵ Three students had a university degree at the start of their studies; two others had spent at least a year at a Southern university; and several students had completed College diploma programs.

⁶ A complete list of courses taught is contained in Appendix III.

- **Developing a Responsive Curriculum**

Offering a program designed particularly to meet the needs of Nunavut and Inuit students did not result in a dilution of the educational standards in a conventional law program. The Akitsiraq students were required to take all compulsory courses for a UVic LL.B. They were also required to take the same total number of credits as other law students.

The Akitsiraq Law School Society and UVic hosted two workshops to obtain feedback from community stakeholders regarding appropriate upper-year course offerings. The first session, in February 2002, brought together elders, students, Society Board members and community members to discuss what knowledge and skills the community expects their lawyers to possess. The incorporation of Inuit Qaujimajatuqangit (traditional knowledge and processes) into the training process was also discussed.

In October 2002 there was a follow-up curriculum planning session with Iqaluit stakeholders where the Northern and Southern Directors presented a more detailed plan for the upper years of the Program for discussion and community direction.

Student input into curriculum planning was a vital aspect of the process. Both formally, through participation in meetings and as board representatives, and informally, students had considerable say about their course of study.

The dominant focus of the curriculum was on the skills and knowledge required to be an effective barrister. The emphasis on court-based law, skills and advocacy was consistent with both the community's and the students' perceptions of the role of the legal profession, and met a significant need in Nunavut. The courses delivered in the final two years supported this program direction. This was both a strength and a weakness in the program, as Akitsiraq students discovered when preparing for broader-based bar admissions courses. Future programs would likely need to give equal attention to areas such as business associations, equity, wills and estates, and other solicitor – focused courses.

However, given the successful admission of some of the graduates to the Law Society of Nunavut, the curriculum has met the objective of preparing the students for working in the legal community.

- **Northern Relevance in Course Design**

The first group of professors scheduled to teach at the law school came to Iqaluit in May 2001 for a faculty orientation. Professors had been chosen based on their experience with aboriginal legal education. Teacher evaluations and informal feedback on the professors confirmed that outstanding choices were made in the selection of extremely qualified and inspiring faculty who successfully adapted course materials to ensure local relevance.

In the process of delivering core subject matter, professors effectively wove Northern themes and issues into the structure of courses. For example, Property Law included an emphasis on leases to take account of the leasehold tenure system in Nunavut. In the study of Intentional Torts, students had an opportunity to take an in-depth look at claims for sexual abuse that are particularly relevant in the context of residential schools litigation. Constitutional Law included a component on the status of territories alongside the more conventional study of federalism that addresses issues of jurisdiction from a federal-provincial standpoint. Students also studied Family Law, Aboriginal Law and Remedies. These are often upper-year subjects but were included in the first two years as core subjects relevant to Inuit lawyers in the North.

Professors geared course offerings to reinforce skills of legal analysis (including case briefing and synthesis), research and writing. The small class size meant that students in the Akitsiraq Program did far more formal written work, and received far more feedback, than is usual in a conventional law school context. Small class size also permitted enriched opportunities for oral evaluation, including presentations, advocacy and mediation assignments. An emphasis on oral work and evaluation is consistent with Inuit culture. The focus in the first two years on skills development, particularly writing and analysis, produced an intense and sustained workload for the students. It differed from the emphasis on final exams in the early years of other law programs.

The classroom was productive in encouraging meaningful exchange between students and individual professors about the law and Northern community life. Faculty consistently commented on the high quality of classroom interaction, and lessons that they learned from students about the application of their subject matter to Northern realities.

E (iii). Academic and Personal Support Systems

Enhanced academic support was identified in the early development of the program as a vital aspect in the success of the Program. Most of the students required intensive support through tutorials and one-on-one or small group tutoring sessions. Compulsory tutorials were incorporated into coursework during the first two years to provide an opportunity for students to practice the application of legal principles in a problem-solving context. Commencing in the summer of 2002, a young lawyer was hired as an academic support person to assist the professors and the Northern Director. All faculty and students relied heavily on these enriched academic support services.

During the summer of 2002, a three-week intensive legal writing program was offered to a handful of students to further bolster skills in formal written communication. This optional program proved to be extremely beneficial in improving the organization and clarity of the written work of the students, who had limited previous exposure to writing longer essays and legal memoranda.

Tutorials were also effective to improve general study skills including time management, outlining and synthesis exercises, such as ‘mapping’ and flow-charting. One-on-one tutorials were useful for development of drafts and clarification of points missed during larger-group lectures. Although student evaluations emphasized strong positive relationships with most faculty members, the academic support person often was the more accessible outlet for student concerns about course material, assignments, and even personal issues that arose throughout the Program.

A law librarian at UVic was assigned to work with Akitsiraq part-time as an additional form of academic and program support. She provided a ‘window’ for student research support and developing distance learning solutions using technology. In addition, she established a faculty website to provide centralized access to background materials and previous course outlines to help orient professors, and compiled extensive bibliographies on a range of relevant topics.

During the course of the law school some students endured difficult personal and family challenges. Institutional resources to address these types of challenges are unfortunately scarce in Nunavut. The personal involvement, commitment and dedication of the Northern Director and the Southern Director were essential to ensuring that these students continued in the program. In addition, faculty, tutors and Society members worked tirelessly to provide counselling and other support to the students.

F. Enhanced Financial Support through Sponsorship

A distinctive feature of the Akitsiraq Law School Program was the design of an extended program of financial support for students – the ‘Sponsorship Program’. From early planning days, it was determined that existing levels of support through the Government of Nunavut Financial Assistance for Nunavut Students (FANS) would not be sufficient for qualified students to make a four-year commitment to their education. Working with the Federal and Territorial governments as well as Inuit organizations, planners of the Law School were able to customize a model of financial support that would allow mid-career individuals to take the financial risks involved in applying for admission.

At the commencement of the law school, there was significant criticism of the extent of sponsorship of students. However, students admitted to the program held a range of responsible positions including: Policy Analysts and Program Managers in the Government of Nunavut; an RCMP officer; court workers; teachers; Executive Director of a non-profit organization; and a school Principal. Most students had to support immediate (and often extended) families while they attended school. The success of the graduates suggests that sponsorship is an important part of the formula for success of mature aboriginal students in professional faculties.

F. (i). Student Allowance and "Contingency Fund"

The Sponsorship Program covered only those students who were beneficiaries under the *Nunavut Land Claims Agreement*. Of the 17 students admitted to the law school, three were not beneficiaries.

Students who were eligible for sponsorship entered into contractual arrangements with the Akitsiraq Law School Society.⁷ These contracts will remain in effect until all student obligations are fulfilled or the contracts are terminated, likely by 2010 at the latest. Each student received an annual stipend or 'Student Allowance' paid bi-weekly throughout the year. They were required to work for sponsors when classes were not in session (approximately four months per year). In addition, students were required to complete a return of service obligation including articling for one year; passing an approved Bar Admission Course; and doing legal work, either for a sponsor in Canada (two years) or for a non-sponsor in Nunavut (four years).

Sponsors for the Program were:

- Government of Nunavut (5 positions);
- Government of Canada (3 positions);
- Baffin regional Inuit land claim organizations through Kakivak Association and Qikiqtaaluk Corporation (2 positions);
- RCMP (1 position).

Discussions had taken place with the Kitikmeot and Kivalliq Inuit Associations to sponsor positions in the Program but the negotiations were not successfully completed. Most of the students originated from the Baffin Region.

Most students were not individually sponsored by a particular organization.⁸

Through agreements with the Akitsiraq Law School Society the sponsors agreed to 'pool' sponsorship funds with decisions about expenditures to be made collectively by a representative Sponsorship Committee chaired by the Northern Director. Each land claim beneficiary student, in turn, entered into an agreement with the Society.

The level of Student Allowance – \$52,412 annually – was calculated as 70% of the starting salary for a junior lawyer at the Government of Nunavut, including the full Northern Allowance. Though that wage may seem high by southern standards, the cost of living in Nunavut easily supports that salary level for a junior lawyer. It was the decision of the Akitsiraq Society that all students should receive the same basic Student Allowance, regardless of family size or financial circumstances.

⁷ A sample contract is appended to this Report as Appendix IV.

⁸ The RCMP did individually sponsor one student, although his sponsorship allowance was still paid out of the collective fund.

In addition to the base allowance, the Sponsorship Committee administered what was designated as a “Contingency Fund” for students with particular needs (e.g., single parents with childcare expenses, housing assistance where necessary, students from communities outside Iqaluit wishing to return home once a year, travel expenses associated with work placements and related educational opportunities outside Iqaluit, or students facing extraordinary medical or other expenses). Each sponsor contributed a fixed amount per sponsored position that included a contribution to this needs-based Contingency Fund. The total contribution by each sponsor was \$68,512 per student. The amount in the Contingency Fund represented the funds remaining after all student allowances were paid.⁹

It was an additional condition of the Student Sponsorship Agreements with the Society that students attend class and work placements regularly, and make best efforts to meet course requirements. The Northern Director and Sponsorship Committee monitored these obligations. Only 2 student situations were referred to the Sponsorship Committee for consideration for breach of contract or failing to maintain assignments and attendance. If a student was non-compliant with sponsorship conditions, she or he could continue to be enrolled in the academic program without sponsorship support, so long as they continued to meet the academic requirements of UVic. Withdrawal of sponsorship, however, effectively led to a withdrawal from the Program.

One of the non-sponsored students who began but did not complete the program was from Northern Quebec and was sponsored by an organization from that province. Two other students who were admitted were not beneficiaries of the *Nunavut Land Claims Agreement*. They eventually received alternative funding, at the beginning of 3rd year, through a Bursary Program administered through UVic. One of these students was assisted by a local Inuit organization. The other non-beneficiary relied on her own resources with assistance from her family in addition to the bursary.

Sponsorship of students was an integral part of the success of these qualified students as they could concentrate on studies with some financial security.

⁹ A global budget showing revenues and expenses for all aspects of the Program throughout the four years the students were in academic studies is appended to this Report as part of the MOU in Appendix I; see Schedules G and H of that Agreement.

F (ii). Work Placements

Sponsored students participated in the following work placements:

- March and April 2002 (2 months)
- July and August 2002 (2 months - there was a short Winter term followed by a Spring term in 2002 leading to the work placement period being split into two parts)
- May to August 2003 (4 months)
- February to April 2004 (3 months – the students spent January at the University of Ottawa taking an intensive course)
- There were three back-to-back semesters from May 2004 until April 2005 with no work placement.

Students were required to rotate through a variety of placements during the course of their education to give them exposure to a range of legal experience. The majority of placements were set up directly with sponsors. The work placements included:

- the Government of Nunavut
- the Legal Services Board (Legal Aid)
- the Federal Crown prosecutors office in Iqaluit
- the RCMP
- a private firm in Iqaluit
- a large private firm in Ottawa
- the Nunavut Court of Justice
- In 2003, one student worked with legal counsel for the Inuit Circumpolar Conference (a non-government organization representing Inuit internationally).
- Nunavut Tunngavik Inc. [“NTI”, the Nunavut land claims implementation body] in Iqaluit and Ottawa

The work placements were extremely beneficial to sponsors, students, and the Program. Sponsors had the opportunity to assess the skills of different students and to prepare for long-term employment of Akitsiraq graduates. Like any summer student position, the quality of the experience depended on both individual student motivation and the preparedness of the placement provider. Students garnered a range of work experience in a legal setting, allowing them to apply skills gained in classroom learning. Moreover, they also benefited from first and second-hand knowledge, gleaned from their fellow students, of the workings of different potential employers, allowing them to make informed decisions about where they wished to work after graduation. The placements also allowed potential employers and the profession to confirm the competence and professionalism of the Akitsiraq students.

This model of the Student Sponsorship Program may be transferable to other disciplines in the North¹⁰ or to aboriginal students studying in Southern universities.

¹⁰ A measure strongly supported by independent Members of the Legislative Assembly of Nunavut.

G. Community, Academic and Government Partnerships

A hallmark of the Akitsiraq Program has been the emphasis on a network of partnerships to develop and implement the Program. The Akitsiraq Law School Society played the leading role in bringing together and organizing community interest in the development of a legal education program for Inuit in Nunavut. As outlined above, the initial Program design was developed at arms-length from government by the Akitsiraq Law School Society and the University of Victoria Faculty of Law. These initial partners in the Program devised a system of shared responsibility and decision-making, to balance the need for community direction with academic expertise in Program design and delivery while maintaining a high standard of legal education. This shared responsibility was incorporated into the law school structure in various ways:

- The first Northern Director, Andrejs Berzins, was employed by the Nunavut Department of Justice. On law school issues, he reported to the Akitsiraq Law School Society.
- The Northern Directors, Kelly Gallagher-MacKay and Shelley Wright, were both employees of the Akitsiraq Law School Society, reporting to the Executive and the Board of the Society. Kelly Gallagher-Mackay began as Northern Director in September 2001 when the students started their studies.
- The Southern Directors, Donald Galloway and Kim Hart-Wensley, were employees of the UVic Faculty of Law reporting to the Dean. The Northern Director and Southern Director worked together to manage the Program both on a day-to-day basis and to plan for the long term.¹¹
- The University of Victoria was ultimately responsible for student admissions and for faculty recruitment but was required to exercise this responsibility in consultation with the Board.
- Student sponsorship was the responsibility of the Sponsorship Committee. This body reported from time to time to the Society Board through the Northern Director, although both the Society and UVic respected the need for confidentiality and independence on the part of sponsorship representatives in dealing with detailed financial and personal student issues. To provide feedback and information, the Southern Director regularly attended Board meetings and occasionally Sponsorship Committee meetings as needed.

The proposal for development of a law school met with strong support from government partners. The Government of Nunavut – from the office of the Premier, the Justice Department and the Department of Human Resources – made a significant political and financial investment, in both the operation of the Law School and in direct student sponsorship. A measure of the GN's commitment included the commitment that training lawyers was the second priority under the Territorial Inuit Employment Plan developed to meet land claim requirements under Article 23.¹²

¹¹ A copy of the job descriptions for both Directors is appended to this Report as part of the MOU in Appendix I; see Schedules B and C of that Agreement.

¹² Training nurses was the top priority. Nunavut Arctic College has operated an ongoing nursing program since 1999.

The Government of Canada was also exceptionally responsive in accessing funds for program development and for student sponsorship. In addition, Justice Canada provided subsidized housing units for both Professors and the Northern Director at a time when any housing units in Iqaluit are difficult to secure and expensive.

The high priority placed on legal education in Nunavut by both levels of government and the Baffin Inuit Organizations reflected a strong perception that Inuit lawyers would play a key role in setting the direction for both public government and private economic development, fueling criminal justice reform and ensuring that land claim commitments are fully implemented.

In recognizing the importance of the *Nunavut Land Claims Agreement*, a one-week intensive workshop on the *Agreement* was offered in co-operation with Nunavut Tunngavik Inc and GN Justice in September 2003. Other members of the community were invited to participate in this workshop. The students received course credits for this workshop. An advanced course on the *Agreement* was offered in a classroom format the following year. These courses were designed to provide the groundwork necessary for the students to work effectively with the *Agreement* in their future studies and careers.

Nunavut Arctic College, the institution responsible for higher education in the territory, was a committed partner in the Law School initiative. The College housed the Program, and provided classroom and office space, as well as infrastructure and administrative support. This was particularly important in assisting with the financial management of both operations and sponsorship.¹³ The College also assisted in the delivery of aspects of Inuktitut language programming. The collegial working environment at the College was particularly helpful to both Northern Directors. Professional support and advice from the experienced instructors at the College was a crucial part of the Program's success.

Various law faculty members, including the Northern Director and the Elder-in-Residence, taught classes in other programs at the College. The Northern Director and Program Administrator also attended College committee meetings and faculty gatherings. The Program Administrator assisted in other College departments.

There was much less interaction between law students and other college students. The intensity of the Law Program class schedule and the workload did not leave much time for college student activities¹⁴. Law students typically rely on each other due to the intensity and special nature of their studies.

In April 2003 and 2004, 13 Akitsiraq students who had successfully completed all their first-year core subjects were eligible to receive a Diploma in Legal Fundamentals from the College in recognition of their achievement and of the College's contribution.

¹³ See Appendix II for a report on expenditures and revenues for operations and sponsorship administered through NAC under the supervision of the Northern Director. Mr. Marcelo Parungao, Director of Financial and Administrative Services at Nunatta Campus, was of invaluable assistance in managing these funds.

¹⁴ See Appendix III for a sample course schedule and timetable (Fall 2004).

Although two of these students did not continue to graduation, they nevertheless do have recognition of that part of their studies that they did complete. The Diploma was not only an important way of recognizing the students' achievement in navigating the first two very difficult years of the Program, but it also provided a way to recognize the College's role through the public participation by students in the College's graduation ceremonies in 2003 and 2004.

Good faith and a commitment to high quality legal education for Inuit were the overall goals shared by partners, stakeholders, students and instructors. When issues became difficult, all parties would turn to the original vision in attempting to find middle ground that would allow the program to continue.

H. Inuktitut Language and Inuit Cultural Education

One of the primary goals of the Akitsiraq Law School was to ensure that students received not only the best legal education available by Southern standards, but that the curriculum reflected the needs and priorities of Nunavut, including Inuit law¹⁵ and language. An understanding and application of Inuit Qaujimajatuqangit in the law school curriculum was also a fundamental requirement of our sponsors, the Akitsiraq Law School Society and the University of Victoria, Faculty of Law. This was specifically provided for in the Memorandum of Understanding between several of the Law School's partners:

"Several elective courses, of particular relevance to the Inuit and to the North, will be developed and tailored specifically for the Program. These may include courses on customary law, community justice initiatives, alternative dispute resolution, the Nunavut Land Claims Agreement, environmental law, and Northern resources law and management.

Inuit Traditional Law and Inuit Qaujimajatuqangit will be a component of the Legal Process course in the introductory year and will be incorporated throughout the Program using the expertise of elders and local educators from across Nunavut and other Inuit regions. Inuktitut language training at different levels will be provided to those students needing it and all students will improve their familiarity with Inuktitut and Inuktitut legal terminology."¹⁶

There were three areas where Inuit Qaujimajatuqangit was a particular focus within the Law School:

- Inuit Qaujimajatuqangit including (but not limited to) Inuit Maligangit Piqujangillu or Inuit knowledge on justice; leadership and political structures; transmission of "rules" and enforcement; trade, sharing and borrowing; relationships with non-Inuit peoples; relationships with elders, children, animals, the land, spirits; adaptation of Inuit knowledge to modern life within the context of the Nunavut Land Claims Agreement and other legal structures;
- Inuktitut language education at the beginner, intermediate and advanced levels, including teaching of legal terminology and translation issues;
- Wellness and healing; team-building; working with people who are themselves in need of healing.

¹⁵ Inuit Law is normally called "Inuit Traditional Law". The Inuktitut word "Inuit Maligangit Piqujangillu" does not actually translate using the English word "traditional". The idea of tradition accurately reflects the continuity of this system of law as handed down from one generation to the next within an oral culture. But the word "tradition" may also have the negative connotation that this is a legal system from the past, i.e. it no longer exists. This is not true. Therefore the phrase "Inuit Law" is used unless the reference is to the official name of the courses taught at Akitsiraq. My thanks to Sandra Inutiq and Qajaq Robinson for this insight.

¹⁶ A copy of the Program Description is appended to this Report as part of the MOU in Appendix I; see Schedule A of that Agreement.

This commitment to Inuit culture and Inuktitut language met another key legal obligation under the *Nunavut Land Claims Agreement*. Article 32 sets out the right of Inuit “to participate in the development of social and cultural policies, and in the design of social and cultural programs and services, including their method of delivery, within the Nunavut Settlement Area.” The Nunavut Social Development Council, envisioned in Article 32 and now administered by Nunavut Tunngavik Inc., has the mandate to “assist Inuit to define and promote their social and cultural development goals and objectives ...” under Article 32.3.

The Law School worked hard to ensure that language and culture were a key priority. Inuit and Northern perspectives were incorporated into Akitsiraq Program courses as they were taught. For example, Property Law in the first semester of the Program spent a lot of time discussing the legal issues around land and property in the context of the Nunavut Land Claims Agreement. Professor Bell of the University of Alberta taught this course and has described the incorporation of Inuit and Northern perspectives as follows:

"First we included materials on Inuit concepts of property and traditional laws concerning belonging and responsibility in relation to personal property and the land. We also looked at how the wage economy impacted on this. We also had a session with Inuit elders who taught us about property concepts and went out on the land. The course also incorporated the Nunavut Land Claim and case law addressing traditional laws concerning harvesting. In the segment [of Legal Process] I did on mediation we looked at the new mediation model developed in the Nunavut court for family law based in Inuit dispute resolution traditions."¹⁷

Constitutional Law situated the *Nunavut Land Claims Agreement* within the legal landscape of federalism and division of powers focusing on the differences created by territorial as opposed to provincial jurisdiction.

Criminal Law and Family Law deliberately used examples from Northern or Inuit perspectives.

Legal Process included a component on colonial legal history incorporating Northern and Inuit issues as well as Professor Bell’s segment on mediation and Professor Heather Raven’s incorporation of aboriginal perspectives.

Legal Research and Writing involved legal research of Nunavut cases, statutes and other materials.

In September 2003, the Law School hosted a one-week intensive workshop on the *Nunavut Land Claims Agreement* (in cooperation with NTI, GN Justice, the Federal government and other contributors). An advanced course on the Land Claim was taught in the final year by Ms. Anne Crawford and Ms. Lois Leslie, both of whom have extensive experience as legal practitioners and members of the Nunavut Bar.

¹⁷ Bell, C., e-mail communication of 7 August 2005.

Natural Resources Law was also taught in the final year by Mr. John Merritt, senior counsel for NTI.

Courses on Intellectual Property, International Law and Human Rights all incorporated aspects of Inuit knowledge and Nunavut law into their subjects.

Elder's gave special presentations to the class on Inuit culture. Elders' workshops were held in 2002 on:

- Property – borrowing, possession, interference with use of lands
- Torts – compensation for wrongs, approaches to resolving conflicts about harm, defining harm
- Law Legislation and Policy – leadership concepts
- Songs as a form of traditional law
- Custom adoption

An elder was invited to spend two days with the class specifically addressing issues of healing in February 2003.

In September 2003, a one-day workshop on professional responsibility and ethics was co-hosted by Justice Earl Johnson of the Nunavut Court of Justice and Mr. Lucien Ukaliannuk, an elder from Iglulik.

In July 2004, a further two-day workshop was held on conflict resolution and traditional customs in which Provincial Court Judge Rosemary Gallagher of British Columbia and several elders worked with the students.

From September 2001 onwards, teachers were hired to teach Inuktitut at three levels for all the students. The absence of specific funding for the Inuktitut language courses caused difficulties in maintaining this part of the Program.

Funding from the Walter and Duncan Gordon Foundation, secured through the dedicated efforts of UVic, meant that some of the financial issues involved in offering culture and language courses were resolved by 2002.

Some students have commented that when they were asked to incorporate Inuit knowledge into their assignments, particularly during the first two years, they were often hesitant to do so as a result of their own lack of knowledge, confidence and comfort in talking about Inuit perspectives to non-Inuit instructors, however sympathetic they might have been.

All instructors attempted to incorporate Northern and Inuit issues into their courses, but with some challenges. Many instructors did not differentiate between the two concepts, 'Northern' and 'Inuit'. Inuit perspectives had to be taught by Inuit. Professors and students agreed that Professors of Canadian law were likely not qualified to teach Inuit traditional law. Therefore the inclusion of elders into the Program was crucial.

Caution must be exercised by visiting academics to understand or properly interpret what Inuit knowledge revealed in the various courses. There is concern about the potential for improper use of Inuit traditional knowledge or its misinterpretation or misappropriation. Perhaps in the future, professors should sign an undertaking that they will not use Inuit knowledge or include it in any future publications without it being “vetted” by Inuit in Nunavut by some process to be developed.¹⁸

The importance of language and culture to the program can not be underestimated. In January 2003 the Northern Director was able to hire an Inuit elder, Mr. Lucien Ukaliannuk, to teach Advanced Inuktitut to the students. In addition, Mr. Mick Mallon was again hired to teach the basic and intermediate courses. This provided a temporary “stop-gap” solution, but it was clear that more active steps and a more coordinated and organized approach was necessary.

¹⁸ Comments by students include views expressed in a discussion specifically held for incorporation into this Evaluation Framework on August 4, 2005. All but three students participated in this discussion at that time.

H (i). Elder-in-Residence Project 2003 – 2005

During the summer of 2003, an “Elder-in-Residence” pilot project was developed to try to meet the requirements for integration of Inuit culture and language under the MOU.¹⁹ Lucien Ukaliannuk, a respected elder familiar with community justice, human rights and legal terminology issues, was invited to be our Elder-in-Residence on a part-time basis.

Mr. Ukaliannuk had extensive experience working on justice, culture and language issues through the Iglulik Research Center. He was born and raised on the land in North Baffin and resided in Iglulik for many years before moving to Iqaluit in January 2003. He is highly respected for his work on legal terminology, human rights and as a cultural advisor on artistic projects such as the film *Atanarjuat: The Fast Runner*. During the winter term 2003, he taught Advanced Inuktitut to Akitsiraq students during which he became an integral and much-respected participant in their education. In September 2003, he spoke at our *Nunavut Land Claims Agreement Workshop*, representing the perspective of elders. He has also served as the Elder for the Department of Justice (Nunavut) from 2004 onwards.

He continued to teach Advanced Inuktitut for a total of four semesters. Beginning in September 2003, Mr. Ukaliannuk also designed and taught a new course on Inuit Maligangit Piqujangillu/Inuit Traditional Law. This was a credit course recognized as part of the students’ degree program by the University of Victoria. The course continued to be taught over three semesters (as Inuit Traditional Law I, II and III) for 3 units of credit. It included teaching on specific justice issues as well as Inuit knowledge dealing with childrearing, family life, marriage, wrongdoing, animals, the land, harvesting of land and sea mammals and traditional life. Inuit Maligangit Piqujangillu included both oral and written assessment. It was taught in Inuktitut with interpretation by the students, external interpreters and by an Inuit Cultural Facilitator hired in May 2004. These lectures and related course materials have been recorded and the society is in the process of transcribing the recordings, with the objective of publishing them in association with the Igloodik Research Center.

The participation of a knowledgeable and committed Inuit teacher and elder was a significant support for many students in their final two years, as they wrestled with issues of relevance and ability to contribute. Learning Anglo-Canadian law is a large commitment. Akitsiraq students consistently challenged themselves and each other not simply to learn the law, but to understand its context for Nunavut and Inuit.

This self-issued challenge lay behind the refreshing and intriguing perspective that many professors identified with teaching at Akitsiraq.

Students were widely known and respected in the community even while still studying. This meant that other community members looked to them for strength, support and guidance. For many students, this increased the burden already imposed by family and studies.

¹⁹ Information detailing the Elder-in-Residence Project, including funding, is contained in Appendix V.

Mr. Ukaliannuk's teaching and his presence provided strength to students to permit them to continue studying, affirmed the value of learning Anglo-Canadian law by his participation in the schooling process, and spoke to their growing awareness and attraction to traditional law and approaches to resolution.

The students' continuing work and challenge in Inuktitut permitted many students who had previously perceived themselves as having marginal capacity, to grow in the language, and to gain confidence in their identity as Inuit. Students were able to develop and explore Inuit concepts of crime, justice, order and obligation through developing an understanding of their traditional expression.

Most commented that incorporation of Inuit knowledge and language had not been part of their previous formal education. This meant that learning in school and at home had remained largely separate. A largely unspoken but subtle hierarchy of values in conventional educational standards meant that Inuit students had learned not to discuss these issues in class.

Having an elder teaching credited courses in the final two years of the program demonstrated that Inuit law was valued and had validity in an Anglo-Canadian setting. It also reaffirmed the role of Inuit culture in the continuing work of the students as lawyers. The students were able to bridge the cultures, creating dialogue in classes where everyone, including the instructor, became students. Recognition of Inuktitut and Inuit knowledge is crucial to the success of any educational program in Nunavut. As one student said: "Learning about Euro-Canadian law was like the sky, learning Inuit Law was like the earth".²⁰

In addition to language training and teaching Inuit Law, Mr. Ukaliannuk also made himself available to students as a counselor and adviser. He provided a calming presence of stability and continuity and seemed able to understand the concerns of many students making the transition from a largely oral Inuit culture to an Anglo-Canadian legal culture conducted largely in text and in English. He addressed difficult cultural, social and psychological issues, both in class and, when asked, on a one-to-one basis.

The Elder-in-Residence Program within the Law School was essential in meeting the objectives of incorporating Inuit knowledge into the curriculum, providing wellness and counseling from an Inuit perspective, and delivering Inuktitut language training.

Visiting instructors were able to sit in on Mr. Ukaliannuk's classes, providing them with an invaluable and unique insight into another legal tradition in Canada that long pre-dates the introduction of European legal systems, both common law and civil.

Justice Connie Hunt of the Alberta, Nunavut and NWT Courts of Appeal has specifically said, ". . . sitting in on Lucien's class gave me a big opening into traditional law and how it may impact my work as a judge."

²⁰ From discussion with students on 4 August 2005.

Potential improvements

There are still matters that could be improved in any future program in the North. It would have been much better if someone like Mr. Ukaliannuk could have been included in the Program from the beginning. The students also had concerns about who was driving curriculum choices. Although meeting Southern standards is important, further work could be done on formalizing the means by which Inuit culture is integrated into the Program. They have suggested professors and elders should meet before each semester to work out the way in which courses will be taught and how the two legal systems can be better understood. Professors did frequently sit in on Mr. Ukaliannuk's classes. It should be possible for an elder or elders to sit in on other courses. However, maintaining separate courses in Inuit Law and Inuktitut remains crucial.

The Advanced Inuktitut terminology classes were also very important in creating confidence in the use of Inuktitut, the learning of vocabulary and grammar, and in having a consistent part of the curriculum where only Inuktitut was spoken.

The Inuktitut language courses were never approved for credit. It may be that the sponsoring program should structure and devise credit units for these courses in any future Program. This would address the issue that Canadian law course offerings consistently ignored the extra time students were putting into their language classes. Although Inuit Law was offered for credit it was often difficult to ensure that student programs did not carry the Inuit and Inuktitut courses *on top of* their other credit courses, creating additional work.

In both the summer and Fall of 2004, it was necessary to re-evaluate the number of units being offered so that the addition of Inuit Law and Inuktitut were not imposing a course load on students beyond UVic-regulated limits. The persistent perception, that these courses were extra or "enrichment", not core, meant that they were not always consistently integrated into the structuring of course offerings or the curriculum as a whole.

A further improvement would be the incorporation of both male and female perspectives. Mr. Ukaliannuk presented a highly valued male approach to tradition. A female elder would have brought a complementary perspective.²¹

²¹ From discussion with students 4 August 2005.

I. Challenges in Meeting the Program's Objectives

Actually creating a law school in the North was a nearly miraculous achievement. The planning of the Law School goes back to the original idea of members of the local Bench and Bar in the early 1990's. The persistence and commitment of the early supporters could be considered independently miraculous but most likely requires independent documentation. This report focuses on challenges from early 2001, when the commitment to the school had been made and students were being selected and eventually admitted.

One of the ongoing challenges presented by the Akitsiraq Law School was balancing the interests, responsibilities and needs of all the various partners to this Program. Many of the issues that were foreseen at the establishment of the Law School are set out in the Memorandum of Understanding of September 1, 2001.²²

The relationship between North (the Northern Director, staff and students in Iqaluit) and South (the Southern Director, support resources and the Law Faculty and University in Victoria), by and large, worked extremely well. Since the North/South relationship was normally carried out on a day-to-day basis between the Northern and Southern Directors, differences were usually resolved informally and amicably between these two persons. Where formal procedures were required, these were dealt with either by the Akitsiraq Law School Society Board of Directors or the University of Victoria Faculty Council.

Inevitably, there were matters that needed to be dealt with that were either not foreseen at the time of the drafting of the MOU, or for which the MOU had no clear solution. Some challenging issues came up over the nearly five years in the relationship between the Northern partners represented by the Akitsiraq Law School Society Board of Directors and the University of Victoria Faculty of Law. This was perhaps inevitable when organizations are engaged in such an innovative and challenging endeavour.

There were many matters that needed to be specifically approved or authorized by the Faculty and/or the Society. The Akitsiraq Law School Society Board of Directors, in particular the Executive Committee, had the task of overseeing the delivery of the Program and coordinating all partners, typically meeting twice each month for the four years of student enrollment. When discussions or decisions included areas of UVic responsibility, the communication was typically by teleconference, with the Akitsiraq Executive on one end of the line and the relevant Southern officials on the other.

The Akitsiraq Executive benefited greatly from the consistent participation of Justice Beverley Browne, initially of the Northwest Territories Territorial Court and subsequently the Nunavut Court of Justice. On the practical side, her participation meant that the Society had consistent access to meeting space, telephones and reasonable support staff to organize meetings and retain documents. While these might seem like mundane contributions, they were essential to the continuity of operation of the Executive and Society, and not commodities readily available in the context of the tumultuous start-up years of the Nunavut government structures.

²² Justice Canada is the only principal partner not a party to the MOU. See Appendix I.

On the less quantifiable side, the continuing overt support and participation of a long-serving member of the judiciary, along with members of the Bar and community, was probably essential in the program developing and maintaining credibility with students, the University, governments and southern officials of all stripes.

I (i). Participation in the Akitsiraq Program

The basic arrangements for the Law School are set out in the MOU of September 1, 2001. This was an agreement entered into by the following parties:

- Akitsiraq Law School Society
- University of Victoria, Faculty of Law
- Nunavut Arctic College
- Government of Nunavut (specifically the Department of Justice and the Department of Human Resources)

Most sponsoring organizations were *not* parties to this agreement, in particular:

- Government of Canada (Department of Justice)
- Inuit Organizations (Kakivak Association and Qikiqtaaluk Corporation)
- Royal Canadian Mounted Police

Other significant contributors to the Program were also not parties to the MOU and/or never became official participants in the Program by separate agreement. These include:

- Nunavut Tunngavik Inc. (took students for Work Placements, had a representative on the Board and donated a small sum to the Elder-in-Residence Project)
- Other Inuit Organizations (particularly from Kivalliq and Kitikmeot regions)
- Other Canadian government departments (particularly the Department of Indian and Northern Affairs)
- Other Nunavut Government departments, specifically the Department of Education and Human Resources
- Private funders (The Walter and Duncan Gordon Foundation contributed significant funding support through the University of Victoria. Other supporters that funded the Ottawa intensive course and individual prizes and scholarships included: the Maurice Price Foundation; the law firm Nelligan, O'Brien, Payne; Canadian North; First Air; the law firm Lawson Lundell; and the Rotary Club of Iqaluit)

The Akitsiraq Society kept the operations and funding of the program separate from the structure which sponsored students, and managed the financial side of the student relationships, even though there was extensive overlap in the individuals who performed the two functions. This separation of responsibilities preserved the program outlook of the Executive and provided an appropriate measure of privacy to the files and finances of sponsored students.

The Akitsiraq Executive Committee did not include any formal representation of the student sponsors, as all such issues were dealt with by the Sponsorship Committee composed of the sponsoring agencies and two Society Executive members.

The Law Faculty and the University did not develop any overarching structure or committee assigned to the Akitsiraq Program, outside of the Southern Director. Each of the existing functions at UVic interacted effectively with the Akitsiraq students or society within their existing role or authority. For day to day matters, assistance, information or guidance in dealing with Akitsiraq requests was available to UVic staff from the Southern Director. On issues with a wider impact, the Dean of the Faculty made himself available to sort out and resolve any business with the Akitsiraq Executive.

The sponsorship of students, while occasionally problematic, seemed to operate within the guidelines and parameters originally anticipated. As a result, there were few issues of contention. This relationship was defined largely through the Student Sponsorship Agreements, as set out in Appendix IV of this report.

The operation and support of the teaching and learning parts of the Program had been more difficult to predict and required more work and clarification as the Program developed and was delivered.

The University of Victoria received substantial funding for the delivery of the academic program. They nevertheless absorbed some financial costs not originally envisioned in the Program, particularly relating to the Southern Director's salary. Though this position was originally designed to be a half-time adjunct to the duties of an existing UVic staff member, she or he was often compelled to focus full-time on Akitsiraq-related issues, in addition to other teaching and administrative tasks in the Faculty.

In addition, meeting salaries of the Northern Director, the Program's Administrator, the Elder-in-Residence and the Inuit Cultural Facilitator, all required considerable ingenuity on the part of everyone involved. At various points partial, unstable or no funding existed for these positions. On top of the demands of Program delivery, there was a need for ongoing fundraising and the negotiation of year-to-year contribution agreements, which continued up to the end of the Program in 2005.

I (ii). Relationships and Responsibility

Over the course of the Program many issues arose that required joint decisions or levels of clarification, commitment or resolution outside of the authority of the day to day decision makers. These issues principally revolved around the coordination of activities and responsibilities between North and South.

This relationship was supported by the experience garnered over 10 years of having UVic co-operative students placed with Iqaluit legal institutions, the fact that some Akitsiraq staff had graduated from UVic and the generally positive and progressive attitudes of the University to aboriginal student and indigenous law.

The relationship was complicated by the geographic distance. Iqaluit and Victoria are 3600 kilometers apart, at opposite corners of Canada. Air travel between the two locations takes a full day and costs approximately \$2,500 CAD (2006). There is a three-hour time difference. Communication was also exacerbated by weather delays. Travel, postal and courier services were all substantially delayed at times, by scarce connecting infrastructure (no roads, few flights, limited courier services) and the normal constraints of arctic winter conditions. Partly as a result of these factors, there was an over-dependence on e-mail communication, which inevitably created misunderstandings.

The level and range of responsibilities that both Northern and Southern Directors were expected to fulfill were laid out in the MOU but still required mutual understanding and negotiation.²³ Although members of the Akitsiraq Law School Society Board provided major support, particularly the Executive, these individuals were volunteers and not always available to focus on Akitsiraq problems. Finally, there were some real differences of opinion between the partners, as to the best way to achieve the Program's objectives.

The ultimate success of the Program was largely a result of the recognition of common goals and a persistent attempt to resolve problems through dialogue. This process was not always easy, but this is to be expected in a large and innovative project. Without the assistance of individuals working as volunteers, or the willingness of paid partners to work well beyond the usual expectations of their employment contracts, the Program would not have succeeded.

The students also played a crucial role in being willing to work with all parties in making the Program work. This included sitting as student representatives or community members on the Akitsiraq Law School Society Board of Directors, initiating and participating in workshops and discussions on planning and implementation, pointing out problems that administrative staff or others may have missed, advocating for each other and generally acting as friendly ambassadors bridging the cultural gap between Inuit and non-Inuit participants in the Program.

²³ A copy of the Program Description and the duties of the two Directors is appended to this Report as part of the MOU in Appendix I; see Schedules A, B and C of that Agreement.

Visiting professors were almost all open-minded and flexible, willing to spend large amounts of their time consulting with students, other teachers, the Directors and members of the community. This openness and inclusiveness ensured that the Law School gained a very good reputation in the community for the quality of the people involved. It also made managing the Program much easier.

- **Admissions**

One of the most challenging aspects of the Program was in framing and implementing criteria for the selection of students. There were over 100 applicants for a limited number of places. Determining the number of students who would be admitted was itself a difficult question. This was influenced by pedagogical considerations (a group large enough to offer as many students as possible the opportunity to study law, but small enough to provide a good teaching environment) and practical considerations, such as the size of the classroom at Nunavut Arctic College.

The class size was eventually set at 15, although arguments for a slightly large group of 20 to 25 were strongly urged. The University of Victoria representatives brought expertise in judging the capacity of students to succeed in law school, in particular expertise in assessing Aboriginal students admitted to the Faculty of Law in the South. Northern representatives brought expertise in their knowledge of conditions in the North and the context within which individual applicants could be assessed.

Admissions was an early testing ground for the Program. There was considerable difficulty in bringing the two points of view together. On the one hand UVic wanted to maintain a strictly fair and objective process for admission of students. As a result Northern perspectives were sometimes perceived as subjective, biased or unfair either for or against individual applicants.

The Northern representatives sometimes found UVic criteria overly rigid and “Southern”, ignoring the considerable expertise and experience of particularly Inuit participants in the process. Southern standards in assessing Aboriginal applicants may not always have been analogous to a Northern or Inuit context, particularly where the Program was to be offered in the North. These issues were eventually resolved, and the ultimate choices agreed upon appear to have borne out the views of both North and South as to the suitability of candidates. The discussion eventually achieved a compromise, including candidates that were seen as good potential law students by both North and South. It also represented a test of the resolve of the parties to get decisions made, overcome disagreements, and focus on delivering the Program.

A serious admissions issue involved Inuit who were not beneficiaries under the *Nunavut Land Claims Agreement*. The two non-beneficiaries in the Program faced substantial financial and other hurdles in completing their studies. A Bursary Fund was created consisting entirely of private donations, primarily from the Walter and Duncan Gordon Foundation and individual donors. This was not achieved, however, until the beginning of the third year. The two non-beneficiary students went through considerable levels of stress trying to balance their financial needs with their studies. One of these Inuit students was a single mother with five children.

In any subsequent intake of students it seems important that an Admissions Committee be set up as early as possible with equal Southern and Northern representation and with an emphasis on Inuit participation. This is similar to the previous committee composition, except that the original committee included. Provision for face-to-face meetings is important. These six members need to be actively involved at all stages of the process from reviewing initial files to testing, interviewing and checking references.

The review process should be agreed upon before prospective students are recruited through advertisement, and before they begin to apply. The admissions need to be developed in such a way that both North and South feel their concerns will be properly addressed and respected. It is possible that a Southern veto on student admissions created stress and conflicts that might be avoided.

One possible solution is to allow each partner two or three veto “overrides”, somewhat analogous to jury selections. The southern institution would retain the primary responsibility for decisions on admissions, but both it and the Akitsiraq Law School Society would collaborate on all decisions. Where disagreement arises both sides would have the right to veto or (in some cases each) override the veto of the other.

Selection criteria would be similar to the first intake including proficiency tests in written English and Inuktitut, work and life experience, education, and (overall) the capacity to successfully complete the Program. A written problem-style test should be given to each candidate to assess writing skills, reasoning and why they want to go to law school. References should be required and should be called upon (this does not appear to have always happened during the first round). Short-listed candidates would all be interviewed. Respect should be paid both to academic experience in assessing the likelihood of success of each candidate, and as well, to local knowledge as to the tenacity, character and contribution potential of each candidate. *Objectivity or neutrality*, as is required in the South (but in fact, rarely achieved), is probably less a goal in candidate selection than accurate, comprehensive and balanced review of each candidate’s potential.

A serious admissions issue that needs to be resolved is whether or not to include Inuit or others who are not beneficiaries under the Nunavut Land Claims Agreement, and what their status would be. If non-beneficiaries are again admitted, either the Sponsorship Program needs to be modified to include non-beneficiaries, or a Bursary Fund needs to be established *from the beginning* to ensure that unequal treatment does not re-occur.

- **Duties of the Northern and Southern Directors**

The two Directors carried the principal responsibility for managing the Program. They were envisioned as equal partners who could work together to solve most problems on a day-to-day basis, report to the different partners and map out longer-term strategic needs. The Southern Director's position was part-time. A major difficulty appears to have been that insufficient attention was paid to ensuring that his or her duties in the South did not become so heavy as to encroach on the Directorship role. At times the Southern Director appears to have been carrying a full load of teaching and administrative responsibilities at UVic *in addition to* the Southern Directorship. This not only placed an extremely heavy personal burden on the individual involved, it also meant that resolving Akitsiraq issues was sometimes difficult due to time constraints and stress levels. The position in future should either be full-time or other duties must be kept to a half-time load so that the responsibilities of the Southern Director are not put under strain. It is only due to the remarkable ability of Southern Director Kim Hart-Wensley in particular, to juggle what often appeared to be two full-time positions, that this double workload did not become a greater problem.

The Northern Director was a full-time position with a full-time support person and a very wide variety of tasks. The Director reported to three major institutional partners (the Akitsiraq Law School Society, UVic and NAC), responded to six different sponsoring organizations (including especially GN Justice and GN Human Resources, Justice Canada, Inuit organizations and the RCMP), and interacted with students and instructors. A range of other contacts included financial department officials, politicians, public servants, the media and other academic contributors (especially the University of Ottawa).

The duties of the Northern Director also included financial management and planning of an annual budget of just over \$1 million, day-to-day management of finances and infrastructure (classroom and office facilities, computers and other matters); employee relations; the Elder-in-Residence Program including Inuktitut and Inuit Law courses, workshops and visiting elders; organizing work placements and studies in the South (Ottawa and UVic); housing for both staff and students; travel arrangements for students and sometimes staff; assisting, orienting and supporting visiting instructors, and guests; and public and media relations.

In addition, academic issues, tutoring and teaching, timetabling and time management for the benefit of students took considerable skill both to organize and to undertake. Dealing with student issues of a personal, financial and academic nature continued to be very challenging and rewarding from the beginning to the end of the Program.

Recording and archiving lectures and ensuring that Akitsiraq's "oral history" was kept for future transcription and publication fell to the Northern Director, while there was more general participation in the writing of briefing notes and other material for distribution or publication, including early versions of this report.

It is important that competent, confident and broadly skilled individuals, with an excellent legal background, a sound grasp of the society they are working in, and an ability to both compromise and make decisions consistent with the long-term goals of the Program be selected for these demanding and compelling positions.

- **Course Selection and Curriculum**

Curriculum workshops were held, prior to the program commencement, to gain Northern input into what courses should be offered for the benefit of Nunavut as a whole. These were not repeated in later years, but juggling those desires with recruiting professors and timetabling was one of the program challenges.

Instructors who came up to teach were sensitive to Northern issues and ensured that Northern content was included. All three Northern Directors, acting on behalf of the Akitsiraq Law School Society, had difficulties maintaining a proper level of consultation over selection of professors. On the whole, there was a wonderful team – but there were difficulties of scheduling, timetabling, continuity between modules, continuity in assessment and over-all balance in the Program.

The curriculum challenges that the Southern Director faced were considerable. There were one or two instructors who did not seem to work well with the students. These might have been screened out earlier if more consultation had been in place.

The MOU required the delivery of Inuktitut language training, teaching in Inuit Qaujimagatunqangit and Inuit Maliigait. To further this aim an Elder-in-Residence Project was established, as described earlier. Lucien Ukaliannuk was our Elder while Elisapee Karetak was hired in 2004 as an Inuit Cultural Facilitator. Funding for both was not in the original budget and was never secure.

There were ongoing tensions over the value and attention paid to these programs. Although UVic consistently supported these language and cultural programs, the students sometimes complained that this part of their instruction was treated as a kind of “add-on” or “enrichment” component rather than as “core” or essential.

Students essentially did not have course options, except when attending collaborating southern programs. Program and instructor choices were made with a Nunavut practice in mind, but nevertheless choices were limited and student did not have the opportunity to develop areas of individual interest.

Experience in subsequent bar admissions indicates that some elements of organizational structure, corporate and commercial law, may have been overlooked or under-represented in the program. Northern students already have less exposure to the more commercially focused elements of society at large, and can consequently face unanticipated gaps in knowledge.

Lack of program choice and classroom space meant that students shared one curriculum, one set of instructors and one classroom for four years. This could have been a recipe for feud and disaster. It is very much to the credit of the students and instructors that these constraints welded the students of the Akitsiraq program into a ferociously supportive and intensely committed student body, rather than tearing them apart. The overt comradery of this group of students can be seen as very consistent with an Inuit approach to life, but is also one of the many small miracles which permitted this program to succeed.

- **Housing**

It is hard to appreciate the role that access to housing plays in delivery of a program such as Akitsiraq. Given Nunavut's severe climate and massive population pressures, housing is naturally very expensive. Providing housing in Iqaluit can be very challenging as there is essentially no private rental market. The Program relied on the assistance and good will of both the Government of Nunavut and Justice Canada in helping to solve ongoing housing problems. Qikiqtaaluk Corporation and Nunavut Arctic College also assisted.

Some students who entered the Program in September 2001 already had their own homes in Iqaluit and did not require housing. Other students were in rental housing (often employer-provided) or had traveled to Iqaluit from other arctic communities (Arviat, Pond Inlet, Baker Lake and Kuujuaq in Northern Quebec). For these students, appropriate housing had to be continued or found. The Government of Nunavut was prepared to supply up to five units for students. Several students were provided with housing through this arrangement. This was not quantified as part of the general contribution that the GN made to the Law School. Qikiqtaaluk Corporation assisted with one student for a period of time, as did NAC for our Elder-in-Residence (both eventually went into GN subsidized housing). One student from the RCMP was provided with federal housing and another student in a private rental unit was subsidized out of the Contingency Fund. Some students with mortgages also required assistance from time to time, as they received the same sponsorship as students in rental accommodations, but did not similarly benefit from tax support or rent subsidies.

The Northern Director and instructors traveling to Iqaluit to teach also needed housing. The federal government, through the Department of Justice, provided invaluable assistance towards maintaining subsidized housing for both. This included direct financial contributions.

As a result, the Northern Director had an apartment in Iqaluit that was eventually secured for the duration of the Law School. Housing for professors was also challenging in that new accommodation had to be found midway through the Program. Some instructors brought families (including children). At times additional rental accommodation, or hotel rooms, had to be found. The Law School could not have functioned without housing assistance from both levels of government. The Bar Admissions course was supported by housing provided by the Qulliq Energy Corporation.

It cannot be overstated that, in Nunavut, resolving housing issues early is crucial. This means entering into housing arrangements that will last for the duration of the Program, as much as this is possible. Continually trying to find housing for staff and students took up a large amount of time and energy that could have been devoted to academic and other issues.

- **Student Issues**

Among the most difficult of problems that the Program had to deal with were student issues. These ranged from administrative problems (housing, computers, books, etc.) to academic problems (tutoring and mentoring, overcoming frustration at the level and type of work law school demands) to serious financial problems and personal crises.

The Northern Director generally resolved administrative problems with the assistance of the College, the Society, the Southern Director or others. Academic issues were greatly assisted by the hiring of a full-time tutor in 2002, who remained with the Program until spring 2004. She was able to take over the task of group and individual tutorials, personal assistance and advice to the Northern Director in relation to student needs.

A dedicated librarian, located in Victoria, also provided invaluable assistance, particularly through computer-assisted research, interlibrary loans and tutorials. Professors were also generally willing to spend time during their evenings and weekends assisting students both individually and in groups. Students themselves quickly developed partnerships to help themselves work through the material. Some of these “study buddy” relationships lasted the whole four years and cemented friendships that will no doubt continue for a lifetime.

Personal tragedies, financial crises and family or personal problems were much more difficult to resolve. There is little or no counseling or psychological assistance available in Iqaluit, and the services at Nunavut Arctic College were not always trusted by students because of concerns over confidentiality.

Some of these problems were dealt with by drawing on what few resources exist in the North for counseling or psychological assistance or by taking advantage of resources in Ottawa or Victoria during the students’ time in these places. Workshops on healing and counseling were held to try and assist the students in recognizing and overcoming some of these problems.

The Elder-in-Residence, Mr. Ukaliannuk, played a major role in calming and advising students who found themselves in difficult circumstances. The Southern Director, the Sponsorship Committee and the Executive of the Law School Society also played a major role in trying to resolve some of these problems.

An additional aspect of dealing with student issues was the issue of student dissatisfaction. Students had very few outlets to express unhappiness with their studies or some other aspect of the Program. While stress, fatigue or frustration are to be anticipated in any program “venting” and anger sometimes overstate the issue and result in emotional tensions.

At the beginning of the Program it was thought that some sort of counselor should be hired specifically for the Program. It is suggested that this idea be revisited in any future Program. Even in the South some law students typically have very serious emotional, financial and personal problems to deal with. These are either manifest before entering law school, or become so as a result of the stress of this type of professional program.

Aboriginal students, including Inuit, can be anticipated to have additional problems adjusting to law school. On-site counseling would be a major help. This is something an elder can do – but for students who do not have sufficient grasp of Inuktitut or who are not comfortable speaking with an elder, other options need to be found.

The presence of a counselor and/or elder might help diffuse some of the frustration and unhappiness that can otherwise be inappropriately directed towards administrative staff or other students. Mr. Ukaliannuk’s presence, particularly after sufficient time had gone by for everyone to be more comfortable relying on him for personal consultation, did improve the problem of student stress, remove the need for the Northern Director to fill all roles for all students, and helped in dealing with some serious issues.

Another potential solution might be the development of a formal complaints process. This was discussed at one point, but never followed through. Although formal complaints processes exist at both the College and UVic, neither was particularly appropriate for Akitsiraq students who were in a quite different institutional framework. In any future Program a formal complaints process should be developed.

J. Conclusion

The Akitsiraq Law School Program represented a unique innovation in legal education, meeting community and student needs in the context of a new territorial government in Nunavut. While such innovation inevitably contained challenges and huge developmental work, the Law School clearly and very publicly succeeded in its main objective – the graduation of a significant cohort of well-trained Inuit law students. On June 21, 2005, 11 fully qualified law graduates were presented with LL.B. degrees from the University of Victoria.

Of the 11 graduates, eight articulated in Nunavut (two with GN Justice, one with the Nunavut Court of Justice, one with the Nunavut Legal Services Board, three with the Federal Crown's office in Iqaluit and one with Nunavut Tunngavik Inc.). The remaining three students articulated with law firms in Ottawa and Yellowknife that do legal work in Nunavut. One was accepted to articulate with the Supreme Court of Canada. All had principals who are members of the Nunavut Law Society, with the exception of the student at the Supreme Court of Canada. Almost all enrolled in a Bar Admission Course being organized by the Nunavut Law Society that ran from January to April 2006.

Assessing the ongoing impact of Akitsiraq is difficult, as the students have only just started their post-Law School careers. The students themselves have stated that the inclusion of Inuit Law and Inuktitut language training has made them more able to engage with the Canadian legal system in a critical manner. They have developed the confidence to ask questions about why Canadian law does or does not work for Inuit. They have learned to put their concerns into a context that includes both Inuit and non-Inuit perspectives.

It is important that both legal systems be studied. Reform of Canadian law is not possible until the existing legal system is thoroughly understood. Akitsiraq attempted, and appears to have largely succeeded, in providing the graduates with the tools to initiate such work. The students do not see their role as creating a body of Inuit law for adaptation to the North. Such a body of law already exists. Rather it is in developing new ways of managing legal or policy problems and disputes that draw on Inuit law *and* Canadian law.

The learning process was not just one-way. Non-Inuit instructors, administrators and volunteers also learned about the need to integrate Inuit and non-Inuit legal traditions. Several instructors have said that, although they do not feel competent to teach Inuit Law “down south” some insights from their experiences in Iqaluit will inform their future teaching, practice of law or even judicial reasoning. For example, Professor John Borrows of UVic has said:

"In terms of Indigenous perspectives, I can say Inuit perspectives have been incorporated into both my Constitutional Law class in first year (Law 100), and my upper year course in Indigenous Lands, Rights and Governments (Law 340). I teach about the relocations and show *Kikkik* in Constitutional Law . . . The Law 340 class also talks about Inuit Justice from Alexina's edited book, and the *Naquitarvak* case. I also spend an entire class on Inuit land claims and law."²⁴

Setting aside all the practical challenges, Akitsiraq had two critical tests to meet.

Firstly, could a program, of this size, nature, and in such an isolated location, meet the standards of learning and engagement we expect from conventional law programs? A careful examination of the nature and content of the Akitsiraq Program should dispel any concerns about the quality of the Akitsiraq graduates. Instructors in the Program agreed that the quality of teaching and learning was the as high and as challenging (if not the highest and most challenging) of any in Canada.

The law students were consistently engaged and committed to their studies. The best professors in Canada were recruited. The standing of all students met or exceeded that of their Southern counterparts in all respects, in addition to their commitment to Inuktitut language and Inuit cultural studies. Akitsiraq was in fact harder, required greater personal commitment and had higher standards than Southern law programs generally do.

Secondly, could a program which responded to conventional law school standards by teaching “mainstream” law to Inuit students avoid being a tool of assimilation and acculturation? The Akitsiraq Law Program responded to this challenge through its Elder-in-Residence program, Inuktitut language classes and other Inuit cultural events. The students were encouraged to question Southern expectations whether legal or otherwise and to bringing their own language and culture into the classroom. The Elder-in-Residence Program, and the attempt to integrate Indigenous and non-Indigenous law, language and culture, is unique in higher education, not just in Nunavut, but in Canada.

Admittedly the balance was not always right and improvements can be made. But, the students came out of Akitsiraq very much *unassimilated* and *unacculturated*. For some their identity as Inuit was strengthened as a result of their experience in the Law School. If anything, they learned how to articulate their concerns about language and culture in a way that could well lead to strengthened Inuit identity in Nunavut.

²⁴ J. Borrows, e-mail communication of 10 August 2005.

The Akitsiraq Law graduates will constitute a critical mass within the Nunavut legal profession. They are likely to become one quarter to one third of the local Bar when they are all admitted. They are likely to have a considerable, if yet undetermined, impact on the direction of the new government and justice system in Nunavut. Their influence will undoubtedly extend well beyond the legal profession as their commitment to Nunavut and Northern Canada takes them into political, economic and international leadership roles. The students consistently proved themselves absolutely committed to the legal, political, social and economic development of Nunavut, Northern Canada and the circumpolar region.

The model of the Akitsiraq Law School is a standing example for other professional training programs in Nunavut or elsewhere in Canada and the world. The Akitsiraq students, the University of Victoria and the Law School Society were able to establish that it is possible to provide a fully credible professional education at the university level to Inuit students *in their own communities*, reflecting and strengthening their cultural identity.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is effective the 1st day of September 2001.

BETWEEN

THE AKITSIRAQ LAW SCHOOL SOCIETY
(Hereinafter: “the Society”)

AND

THE UNIVERSITY OF VICTORIA, FACULTY OF LAW
(Hereinafter: “UVic Law”)

AND

NUNAVUT ARCTIC COLLEGE
(Hereinafter: “NAC”)

AND

THE GOVERNMENT OF NUNAVUT
(Hereinafter: “the GN”)

1. BACKGROUND

- 1.1 The Society is a duly incorporated society under the *Consolidation of Societies Act (Nunavut)*, R.S.N.W.T. 1988, c. S-11.
- 1.2 The University of Victoria is a duly recognized university under the *University Act*, R.S.B.C. 1996, c. 468 and the Faculty of Law is a recognized faculty within the University.
- 1.3 NAC is responsible for the delivery of adult education and post-secondary programs in Nunavut.
- 1.4 A stated objective of Article 23 of the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (the “Land-Claim Agreement”) is the increase of Inuit participation in government employment to a representative level.
- 1.5 The absence of law schools in Nunavut makes the objective of representative Inuit employment as lawyers difficult to attain.

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- 1.6 The Parties jointly wish to support a program of legal studies (hereinafter the "Program") to be based in Iqaluit and delivery by UVic Law leading to an LL.B. degree from the University of Victoria.
- 1.7 The Parties have a mutual interest in the Program being delivered in a way that fully satisfies UVic Law's high academic standards and at the same time is effective and culturally relevant to Inuit students in Nunavut.
- 1.8 The Parties agree to cooperate and work together during the four years of the Program.

THEREFORE in consideration of the mutual promises contained herein the Parties agree as follows:

2.0 INTERPRETATION

- 2.1 In this Memorandum of Understanding, the following terms shall have the following meanings:

“Akitsiraq Law School” means the law studies program to be delivered in Iqaluit, Nunavut by UVic Law leading to an LL.B. degree from the University of Victoria;

“Northern Director” means the Northern Director of the Akitsiraq Law School;

“Southern Director” means the Southern Director of the Akitsiraq Law School;

“NAC” means the Nunavut Arctic College, Nunatta Campus, located in Iqaluit, Nunavut;

“UVic Law” means the Faculty of Law, University of Victoria;

“The Society” means the Akitsiraq Law School Society;

“The GN” means the Government of Nunavut as represented by the Departments of Justice, Human Resources, Education, and Public Works;

“Dean” means the Dean of the Faculty of Law, University of Victoria;

“Electives” mean those courses offered by UVic Law which are not mandatory course requirements and include those Northern and Inuit law courses to be developed pursuant to this MOU;

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“MOU” means this Memorandum of Understanding;

“Nunavut Campus” means that part of UVic Law located in Iqaluit, Nunavut with physical premises located at NAC;

“Nunavut Students” mean those students enrolled in the Akitsiraq Law School;

“Party” means UVic Law, the Society, NAC, or the GN and “Parties” mean UVic Law, the Society, NAC and the GN collectively; and

“Program” means the Akitsiraq Law School program described in Schedule A.

2.2 The following Schedules are hereby incorporated into this MOU:

Schedule A - Description of the Program

Schedule B - Duties and Responsibilities of the Southern Director

Schedule C - Scope and Terms of Contract Services of the Northern Director

Schedule D - Duties and Responsibilities of the Finance and Administrative Assistant

Schedule E - Akitsiraq Law School Student Sponsorship Program

Schedule F - Notes to the Akitsiraq Law School Budget for 2001-02

Schedule G - Akitsiraq Law School Budget for 2001-02

Schedule H - Akitsiraq Law School Budget for 2002-05

3.0 PURPOSE

3.1 The purpose of this MOU is to describe the respective roles and responsibilities of the Parties in the development and implementation of the Program.

4.0 TERM AND TERMINATION

4.1 This MOU shall commence as of the effective date.

4.2 This MOU shall be in effect until the end of the Program in 2005.

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- 4.3 This MOU may be extended by mutual consent of the Parties.
- 4.4 Any Party may terminate their participation in this MOU by giving 6 months written notice to each of the other Parties.

5.0 THE PROGRAM

- 5.1 The Parties agree to work together in good faith to promote, support, and deliver the Program described in this MOU and its attached Schedules.

6.0 RESPONSIBILITIES OF UVIC LAW

- 6.1 UVic Law will deliver a program of courses to Akitsiraq Law School students in Iqaluit, Nunavut, leading to a fully accredited LL.B. degree from the University of Victoria in accordance with Senate and Faculty regulations.
- 6.2 UVic Law will consult closely with the Society regarding curriculum content and the elective courses to be offered, with due recognition being given to geographic, cultural and social factors.
- 6.3 UVic Law, in close consultation with the Society and with NAC, will oversee the delivery of the Program. UVic Law will have ultimate responsibility for academic matters including the admission of students, selection of instructors, academic standards and regulations, and granting credit to students. Students admitted to the Akitsiraq Law School Program have the same rights, status and obligations as any other student enrolled in the UVic Faculty of Law.
- 6.4 The Dean, subject to the approval of the Society acting reasonably, will appoint a Southern Director from UVic Law, whose main duties and responsibilities are those set out in **Schedule B**.
- 6.5 The Dean and the Society will review annually or as necessary the performance of the Southern Director, but ultimate authority to terminate the appointment of the Southern Director remains with the Dean.
- 6.6 The Northern Director (the scope of services for this position are defined in **Schedule C**) will be recommended for appointment as an Adjunct Professor by UVic Law.
- 6.7 UVic Law will administer its academic budget from the Program funds provided to it through NAC as set out in **Schedules F, G and H**. UVic Law will charge from that budget \$12,500.00 per unit of course work provided by UVic faculty members.

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- 6.8 UVic Law may designate UVic Law students to assist, as directed by the Southern Director, in the Program. UVic Law will pay the cost of such student assistance from its academic budget.

7.0 RESPONSIBILITIES OF THE SOCIETY

- 7.1 The Society's principal role will be to ensure that the Program reflects the interests of the “North” and of the Inuit. The Society will do so by acting as the primary advisory body in respect to the development and delivery of the Program.
- 7.2 The Society and UVic Law will work together in an open and co-operative fashion to select suitable faculty members for the Program. UVic Law will not assign any faculty members to the Program that are unacceptable to the Society. The Society will contribute to the selection of faculty members for the Program by providing comments and evaluation of prospective faculty members based on a review of available documentation and, where feasible, telephone interviews.
- 7.3 The Society will form an Admissions Committee that will include the Northern Director and that Committee will work in cooperation with the UVic Law Admissions Committee.
- 7.4 The Society will organize mentors and a network of personal support for the students.
- 7.5 The Society will be represented on a Committee that will deal with the enforcement of payback obligations of students who drop out of the Program.
- 7.6 The Society will have primary responsibility for fundraising for the Program and maintaining student sponsorships.
- 7.7 The Society will transfer student sponsorship funds received from Justice Canada and the Inuit Organization sponsors to NAC and NAC will administer those funds in accordance with the terms of Schedule E.
- 7.8 The Society will, subject to the consent of UVic Law acting reasonably, select a Northern Director who is qualified for appointment as an Adjunct Professor at UVic Law and who will provide the services set out in **Schedule C**. The Society will enter into a service contract with the Northern Director.

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7.9 The Society and the Dean will review annually or as necessary the progress of the Northern Director with respect to the services in Schedule C, but the Society will have ultimate authority to terminate the appointment of the Northern Director. The Society agrees to terminate the appointment of the Northern Director where in the opinion of the Dean the Northern Director has failed to perform satisfactorily his or her academic obligations and responsibilities as set out in **Schedule C**.

8.0 RESPONSIBILITIES OF NAC

8.1 NAC will take an active role in the Program and will work in close cooperation with the other Parties to achieve the goals of the Program.

8.2 NAC will make available to the Akitsiraq Law School all of its usual academic resources, facilities, and services, including appropriate classrooms, faculty offices, classroom equipment, library, computer support services, photocopying, telecommunications, supplies, secretarial assistance, and student counseling services.

8.3 NAC will be responsible for the financial administration of the Program, except for those areas specifically designated the responsibility of the Society and UVic Law. During each fiscal year of the Program, NAC will receive Operating Funds and Student Sponsorship Funds from the GN and from the Society. NAC will be responsible for receiving and managing this funding in accordance with the budgets and budget notes attached as **Schedules F, G, and H** and any contribution agreements it may enter with the Society or the GN.

8.4 NAC will supply the Society and the Dean with quarterly financial reports in relation to the Akitsiraq Law School Program.

8.5 For the purpose of administering the Program funds, NAC will employ a Finance and Administrative Services Assistant who will work in close cooperation with the Northern Director. The responsibilities and reporting arrangements for this position are set out in **Schedule D**.

8.6 NAC will administer the payment of allowances to students enrolled in the Akitsiraq Law School Student Sponsorship Program which is described in **Schedule E**.

8.7 NAC will charge a fee to all Nunavut law students each school year and this money will be applied to the operating expenses of the Akitsiraq Law School Program. See **Schedule F**, note 14.

8.8 NAC will make rental payments each month for law school faculty living accommodations.

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8.9 NAC will designate a representative to sit as a member on the Society's Board of Directors. Appointment of a representative will be coordinated through the office of the President of Arctic College.

9.0 RESPONSIBILITIES OF THE GN

9.1 The GN Departments of Justice and Human Resources, with the support of the Department of Education, have obtained 2001-02 Financial Management Board approval to provide funding for operating costs of the Program and for the sponsorship of 5 student positions in accordance with the budget and budget notes attached as **Schedules F and G**. The GN Department of Public Works has also obtained approval to provide 5 students with housing, at the same rental rates as government employees.

9.2 The GN Departments of Justice and Human Resources, with the support of the Department of Education, have obtained 2002-2005 Financial Management Board approval to provide funding for operating costs of the Program and for the sponsorship of 5 student positions in accordance with the budget which is attached as **Schedule H** and the Budget Notes attached as **Schedule F**. The GN Department of Public Works will continue to provide up to 5 students with rental housing, at the same rental rates as government employees.

9.3 The funding referred to in paragraphs 9.1 and 9.2 is subject to Section 46 of the *Financial Administration Act*, R.S.N.W.T 1988,c. F-4, which states as follows:

“It is a condition of every contract made by or on behalf of the Government requiring an expenditure that an expenditure pursuant to the contract will be incurred only if there is sufficient uncommitted balance in the appropriated item for the fiscal year in which the expenditure is required under the contract”.

9.4 The GN Department of Human Resources will provide student sponsorship funds directly to NAC pursuant to a Conditional Contribution Agreement.

9.5 The GN Department of Justice will provide operating funds directly to NAC pursuant to a Conditional Contribution Agreement.

9.6 The GN Department of Justice will designate a representative to sit as a member on the Society's Board of Directors.

9.7 The GN will provide access to the Courthouse library in Iqaluit to law students and faculty members and the assistance of the librarian during normal operating hours.

9.8 The GN, together with other sponsors, will provide work term placements for law students and supervision during those placements as contemplated in **Schedule E**.

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10.0 DISPUTE RESOLUTION

10.1 The Parties will attempt in good faith to promptly settle all disputes and controversies that may arise under this MOU. If such good faith efforts to settle, however, do not succeed within fifteen (15) days from the date when the dispute or controversy first arose, any Party may, by notice in writing to the other Parties, direct the matter to mediation.

10.2 Where a Party has directed a dispute or controversy to mediation, the mediation shall be undertaken before a mediator mutually agreeable to the Parties. The Parties shall select the mediator within a period of ten (10) Business Days. The Parties shall agree upon and advise the mediator on the rates to be paid for his or her services.

11.0 CONFIDENTIALITY

11.1 The financial details of this MOU and all negotiations pertaining to it (“Confidential Information”) shall, subject to applicable freedom of information requirements, be kept in strict confidence except as specifically agreed to by the Parties; but this does not preclude the Parties from providing general information to interested persons and the public concerning the nature of the Program and its progress.

11.2 Notwithstanding the foregoing, the Parties understand and agree that the contents of this MOU and all negotiations pertaining to it may be disclosed to the organizations providing student sponsorships for the Program and to appropriate government and University of Victoria authorities.

12.0 INTELLECTUAL PROPERTY RIGHTS

12.1 No Party to this MOU shall use the trade name(s), trademark(s), or colour scheme of any other Party for any purpose whatsoever without the prior written consent of that other Party.

12.2 The rights and privileges of the Parties with respect to individual and collective intellectual property rights may be addressed in a future MOU between the Parties.

13.0 PRESS RELEASES AND PUBLIC ANNOUNCEMENTS

13.1 The parties will consult with one another on press releases and formal announcements concerning the Akitsiraq Law School Program.

APPENDIX I
Memorandum of Understanding Among Parties

14.0 FUTURE MOUS AND AGREEMENTS

14.1 The Program may necessitate a series of Memoranda of Understanding and agreements between the Parties. The Parties acknowledge this possibility and agree to co-operate, negotiate and jointly enter into such future arrangements as may be required.

15.0 GENERAL

15.1 This MOU may be amended by mutual consent.

15.2 This agreement and any amendments, supplements, or termination of any provision of this Agreement, may be executed and delivered in two counterparts, each of which when executed and delivered is an original but all of which taken together constitute one and the same instrument.

Jamie Cassels
Vice-President Academic & Provost
University of Victoria

Date

Andrew Petter
Dean, Faculty of Law
University of Victoria

Date

Gary Crowe
Akitsiraq Law School Society
Iqaluit, Nunavut

Date

Bruce Rigby
Interim President
Nunavut Arctic College

Date

Nora Sanders
Deputy Minister of Justice
Government of Nunavut

Date

Carmen Levi
Deputy Minister of Human Resources
Government of Nunavut

Date

SCHEDULE A

DESCRIPTION OF THE PROGRAM

Commencing in September 2001, UVic Law will offer a four-year Bachelor of Laws (LL.B.) program to approximately 15 Inuit students at Nunavut Arctic College in Iqaluit, Nunavut. This unique program is called “the Akitsiraq Law School”. The Parties to this MOU will participate as partners in the Akitsiraq Law School, each playing an important role.

Purpose of the law school

In Nunavut, and throughout "the North", there is a pressing need for Inuit lawyers in all levels of public service, industry and the private practice of law. Identified as a major priority by the Government of Nunavut, legal education for Inuit will address some of the systemic barriers to Inuit employment, greatly improve the delivery and quality of services to the majority of the population, and meet the representative Inuit employment obligations as provided in the Nunavut Land Claims Agreement. Indeed, key to the success of Nunavut is the training and education of its beneficiaries in all sectors of the professional job market.

The Akitsiraq Law School program has been established to address this specific need by providing a unique opportunity for Inuit students to receive a legal education in Nunavut and to become fully qualified lawyers. It represents an innovative approach to delivering legal education to Inuit students in their own social, cultural, and geographical environment. The Program will have a lasting effect on the development of Nunavut by equipping Inuit with invaluable tools to build their society.

The Program

Courses will be taught by UVic Law faculty members and law professors from other Canadian universities with assistance from local members of the legal profession, instructors from Nunavut Arctic College, and Inuit elders. The Program will take 4 years to complete on a full-time basis. It will provide a very high faculty-student ratio and substantial support to students through mentoring, tutoring and general skills development courses.

In the introductory year, emphasis will be placed on teaching the students about fundamental legal concepts and institutions through a Legal Process course. A second course on Legal Research and Writing will provide students with the research and writing skills necessary to succeed at law school and will include a studies skills component. The introductory year will also contain courses in Property, Contracts, Criminal Law and Law, Legislation and Policy.

In the following three years, all UVic Law compulsory courses will be included, along with a selection of elective courses. Several elective courses, of particular relevance to the Inuit and to the North, will be developed or tailored specifically for the Program. These may include courses on customary law, community justice initiatives, alternative dispute resolution, the Nunavut Land Claims Agreement, environmental law, and Northern resources law and management.

Inuit Traditional Law and Inuit Qaujimagatuqangit will be a component of the Legal Process course in the introductory year and will be incorporated throughout the Program using the expertise of elders and local educators from across Nunavut and other Inuit regions. Inuktitut language training at different levels will be provided to those students needing it and all students will improve their familiarity with Inuktitut and Inuktitut legal terminology.

In order for students in the Akitsiraq Law School to gain broader exposure to all aspects of a university education, one term of study in the South, at the University of Victoria or possibly at another Canadian law school, may be arranged

The Program will lead to a fully accredited UVic LL.B. degree in accordance with Senate and Faculty regulations, with due recognition being given to geographic, cultural and social factors.

Academic Year

The law school will be a full-time, four year program that intersperses academic terms with work terms in which students will be able to gain practical experience working with the sponsoring organizations and in other law-related jobs. The academic term in the first year will be offered over three semesters as follows:

Semester One:	September to December
Semester Two:	January and February
Semester Three:	May to mid July

Admissions Policy

During the student recruitment process, the Program was advertised as being open to Inuit candidates from all of Canada's Provinces and Territories.

Candidates were considered on an individual basis taking into account academic performance and abilities and a variety of factors including employment history, involvement in public government, voluntary community activities and academically related extra-curricular activities.

Previous post-secondary education was not a strict requirement and grades achieved at school were only one factor taken into account in assessing applications. Applicants were not required to submit a Law School Admission Test (LSAT) score. In lieu of the LSAT, all applicants were required to do a written assignment to assess their reasoning and writing abilities.

Student Sponsorship

Most students admitted to the Program have been working for several years in positions of varying degrees of responsibility. Many are supporting children or other family members. The cost of living in Iqaluit is considerable and the housing shortage is well known. Experience in the past has shown that many Nunavut students have dropped out of other post-secondary academic programs because of financial difficulties. In order to ensure that students are able to stay in the Program for the full 4 years, it is necessary to be realistic and recognize that long-term student financial support is necessary.

The Akitsiraq Law School Student Sponsorship Program has been developed as a unique way of providing financial assistance to enable Nunavut students to study at the Akitsiraq Law School. The program involves sponsors providing on-going financial support to the students and, in exchange, students will work for sponsors at certain times throughout their years of study and following graduation. Some additional financial assistance will be provided through the Financial Assistance for Nunavut Students program (FANS).

The financial assistance provided under the sponsorship program will be at a level which will allow the students to have their essential needs met so that they may concentrate on their studies. In return for sponsorship, students will be required to make commitments which will be set out in formal agreements (see **Schedule E**).

The sponsorship program takes account of the many challenges experienced in the delivery of professional post-secondary education in the North and aims to address the problems previously experienced by Nunavut students. The Government of Nunavut, the Department of Justice of Canada and several Inuit organizations in Nunavut have agreed to sponsor student positions.

SCHEDULE B

DUTIES AND RESPONSIBILITIES OF THE SOUTHERN DIRECTOR

The main duties and responsibilities of the Southern Director of the Akitsiraq Law School are the following:

1. Program Development: Ensuring that the Program meets University of Victoria Regulations, including those of UVic Law and the University Senate.
2. Admissions: Coordination of and participation in the Admissions Process.
3. Curriculum Development: Together with the Northern Director and in consultation with the Dean, ensuring that the courses in the curriculum meet academic, student and community needs. Seeking Faculty Council approval where new courses are developed.
4. Faculty Recruitment: After close consultation with the Society and with the approval of the Dean, recruitment of suitable faculty members.
5. Course Material Development: Facilitating the production of course materials to be used by faculty members.
6. Administrative Coordination: Working closely with the Northern Director, ensuring the overall implementation of this MOU.
7. Budget: Reporting to the Dean on budgetary needs and advising the Dean on matters relating to the Program's academic budget.
8. Reporting: Reporting to the Society, the Dean and Faculty Council on a regular basis, keeping them informed of decisions and plans relating to the Program.
9. Public Relations: Consistent with Part 14 of this MOU, conducting public relations in the South on behalf of UVic Law in relation to the Program.
10. Professional Credentials: Working with the Northern Director to liaise with the Law Society of Nunavut in relation to the admission of Akitsiraq Law School students to the Nunavut Bar.

SCHEDULE C

SCOPE AND TERMS OF CONTRACT SERVICES OF NORTHERN DIRECTOR

The Services to be performed by the Northern Director of the Akitsiraq Law School program are the following:

1. Coordinating the participation of the various partners and sponsors of the Akitsiraq Law School, including UVic Law, the Society, Nunavut Arctic College, the Government of Nunavut, Justice Canada, and the Inuit Organizations.
2. Ensuring that all operational requirements of the Akitsiraq Law School are being provided including classroom facilities, housing for students and faculty, library, and student financial assistance.
3. Developing the over-all law school budget each year. Monitoring the financial administration of the Akitsiraq Law School program by Nunavut Arctic College to ensure that it reflects the goals and policies of the Program.
4. Fundraising for the Program in both the public and private sectors to ensure that the Program has sufficient revenues.
5. Monitoring the progress of each student and ensuring that they have access to assistance when necessary in relation to both academic and personal issues. Making referrals to tutors, mentors, counselors, and services in the community as needed.
6. Monitoring the compliance, by all sponsored students, with the terms of the Akitsiraq Law School Student Sponsorship program.
7. Conducting public relations on behalf of the Akitsiraq Law School. Consulting with partners on press releases and formal announcements concerning the Akitsiraq Law School Program.
8. Teaching in the Program in the capacity of Adjunct Professor.
9. Together with the Southern Director, administering UVic Law's academic regulations, policies and standards in relation to Akitsiraq Law School students. In this regard the Northern Director will have academic authority in relation to the Program only as an agent of UVic Law, and only insofar as that authority is delegated by the Dean. The Contractor will also report on a regular basis to the Dean and Southern Director on the operation of the Akitsiraq Law School program.

10. Developing curriculum, together with the Southern Director. Ensuring that the selection of courses, and what is taught within the courses that are offered, meets academic, student and community needs.
11. Working with professors from the South by helping to orient them to the students; supporting their efforts to “Northernize” both subject matter and teaching styles, and ensuring the maximum levels of continuity between modules.
12. Arranging and coordinating student work placements.
13. Reporting on a regular basis to the Society on the operation of the Akitsiraq Law School program, except those matters of a confidential academic nature between Nunavut students and UVic Law.
14. Working with the Southern Director to liaise with the Law Society of Nunavut in relation to the admission of Akitsiraq Law School students to the Nunavut Bar.
15. The Contractor will be responsible for the administration and overview of the Akitsiraq Law School Program to promote the success of Inuit students in their legal studies consistent with the academic policies of the University of Victoria Faculty of Law. The Contractor shall perform these Services under the general direction of the Board of Directors of the Society.

SCHEDULE D

**DUTIES AND RESPONSIBILITIES OF THE FINANCE AND
ADMINISTRATIVE SERVICES ASSISTANT**

This new position within Nunavut Arctic College is funded by the Government of Nunavut in order that NAC may fulfill its role and obligations as a full partner in the Akitsiraq Law School program.

Administrative Functions

- 1) Assist the Northern Director of the Akitsiraq Law School to carry out all of her administrative functions to ensure the effective and efficient delivery of the Program.
- 2) Represent NAC as its liaison officer with all of the Akitsiraq Law School partners and student sponsors including the University of Victoria, Government of Nunavut, Justice Canada, Inuit Organizations, and the Akitsiraq Law School Society.
- 3) In cooperation with the NAC Facility Supervisor, manage and maintain any leased building or other facilities for the law school to ensure a good working environment.
- 4) Deal with issues relating to student housing, moving, travel and financial assistance.
- 5) Deal with issues relating to faculty housing and travel.
- 6) Provide support services to the Program including reproduction of learning materials, acquiring teaching aids such as overhead projector, and purchase of materials and supplies.
- 7) Ensure that computer access is available to students and faculty.
- 8) Provide administrative support to University of Victoria faculty and other law school program staff.
- 9) Assist in organizing any courses to be presented through NAC, for example, Inuktitut language training.
- 10) Assist in organizing counseling services for the students and a support network in the community.

Financial Functions

- 1) Administer the law school program budget in cooperation with the Northern Director.
- 2) Administer the student financial support payments.
- 3) Administer the various contracts between NAC and the other partners in the program and sponsoring agencies.
- 4) Prepare and submit financial activity reports at least quarterly and as required.
- 5) Issue and process invoices and purchase orders.
- 6) Ensure compliance with GN and NAC Financial Administration Manuals.

Registrar Functions

- 1) Ensure students are registered with NAC's Student Record System.
- 2) Collect tuition fees.
- 3) Act as Liaison Officer with NAC's Registrar's office and UVic Law's Administrative Officer.
- 4) Maintain student records and files.

Hiring and Supervision

He/she will be hired by NAC with the involvement of the Northern Director. He/she will work in cooperation with the Northern Director but report to the Director of the Nunatta Campus of NAC. The Director of the Nunatta Campus will involve the Northern Director on matters relating to defining the duties of the position and on issues related to job performance.

SCHEDULE E

AKITSIRAQ LAW SCHOOL STUDENT SPONSORSHIP PROGRAM

1. For 2001-02, the Government of Nunavut, Department of Human Resources will sponsor 5 student positions, Justice Canada will sponsor 3 student positions, and Qikiqtaaluk Corporation, Kakivak Association, Kivalliq Inuit Association, Kitikmeot Inuit Association and the RCMP will sponsor 1 student position each. The Akitsiraq Law School Society has also made applications for sponsorships to other Inuit Organizations. (See note 32 of Schedule F for sponsorship arrangements effective May 24, 2002).
2. The Government of Nunavut, Department of Human Resources will provide its sponsorship funds directly to Nunavut Arctic College pursuant to a conditional contribution agreement whereas Justice Canada and the Inuit Organizations will provide them to the Akitsiraq Law School Society. The Society will transmit such sponsorship funds to NAC as NAC agrees to administer in an Agreement with the Society or with the GN.
3. Funds received from sponsors for administration by NAC are to be deposited by Nunavut Arctic College into an account specially designated for student sponsorships (hereinafter called "the Sponsorship Account") and are to be kept separate from the operating funds for the law school program. Starting in September 2001, allowances will be paid out of this account by NAC to all students participating in the Akitsiraq Law School Student Sponsorship Program.
4. In 2001-02, NAC will employ a Finance and Administrative Services Assistant who will administer the sponsorship funds in accordance with the terms of this MOU and in compliance with the standards set out in the Government of Nunavut and Nunavut Arctic College Financial Administration Manuals. The allowances will be paid by the Finance and Administrative Services Assistant to the eligible law students in a timely and efficient manner. In 2002-05 an administrative Assistant will be employed by NAC with the salary differential being applied to bookkeeping contract services (see Note 30 in Schedule F).
5. Only those Akitsiraq Law School students who are also registered as Nunavut Land Claims Agreement Beneficiaries are eligible for the sponsorship program.
6. The Northern Director of the Akitsiraq Law School will provide NAC with a list of the names of students in the sponsorship program. NAC will terminate payment of an allowance out of these funds to any student upon notification by the Northern Director that the student has left the law school program or failed to comply with the terms of the sponsorship agreement.
7. The base amount of the allowances to be paid will be the same for every student in the sponsorship program.

8. The allowances will be paid to the students, bi-weekly, during the entire duration of the law school program which includes the academic terms, work placement terms, and vacation periods.
9. NAC will not deduct any fees for administering these funds. NAC will hold back from the student allowances only those amounts required to be held back by law, for example, income tax and Canada Pension Plan contributions, and rental amounts for students in Government of Nunavut housing.
10. The amount of the allowances to be paid to the students will be calculated as 70% of the starting salary of a lawyer working for the Government of Nunavut (GN), which is \$59,518.80 per annum and in addition, the full Northern Allowance which is \$10,753. The total gross allowance to be paid to each student will therefore be \$52,416.16 per annum or \$30,576 for the 7-month period from September 1, 2001 to March 31, 2002.
11. Over the course of the law school program the student allowances may be adjusted to reflect any changes in the starting salary for a GN lawyer and Northern Allowance. This is conditional upon sufficient funds being available in the Sponsorship Account.
12. Since the students in the sponsorship program will have different financial needs, including different family obligations, and as well, emergencies may arise, extra assistance, over and above the base allowance may have to be provided to some students in special circumstances. This assistance will be taken from sponsorship funds.
13. Any funds projected to be remaining in the Sponsorship Account, after the base allowances are paid out, will be held as a "Contingency Fund" and may be used to provide additional financial assistance to individual students as the need arises. Such circumstances will be described in written guidelines and students will be able to make application to this fund. A committee, which will include a representative of the sponsors, will rule on these requests.
14. At the end of each academic year, the sponsors will be advised of the balance remaining in the Contingency Fund. Each sponsor will be given the choice of whether to have their proportionate share of the balance of Contingency Fund:
 - a. returned to them; or
 - b. remain in that fund for the following academic year, or
 - c. applied to reduce the amount of their subsequent contributions, or
 - d. permit it to be transferred to the operating funds of the program.Following completion of the law studies program, any balance remaining in the Contingency Fund will be returned to the sponsors.
15. In return for their sponsorships, students will be required to do law-related work for the sponsors during the periods of each year when classes are not in session. The hours of work per week will be the same as for Government of Nunavut employees. Students will be entitled to 3 weeks (15 working days) of holidays in addition to scheduled breaks in

academic program (i.e. Xmas, Easter). Timing of the vacation will be worked out between the students and their individual work placements.

16. In order to gain the broadest exposure to different areas of law, students will rotate through work placements with different sponsors each year. Work placements may also be arranged with private law firms and other non-sponsoring organizations to enrich the experience.
17. As part of the sponsorship program, each student will be required to enter into an agreement with the sponsors collectively and with the Akitsiraq Law School Society. The agreements will set out the students' responsibilities in the program. The agreements will deal with issues including; class attendance, work commitments, confidentiality in work placements, and financial support payback obligations.
18. A requirement of this sponsorship program will be that students attend classes regularly, complete their assignments, and make a genuine effort to succeed. An attendance policy will be developed, in consultation with the sponsors and the students, and adherence to the policy will be a condition of continued sponsorship.
19. Students will undertake to article, after graduation, with the sponsors, if articling positions are available with the sponsors, and to otherwise seek alternative articling positions. They will also be required to undertake to complete the bar admission course which will be arranged for Akitsiraq Law School graduates, if necessary, outside of Nunavut, and to seek admission to the Law Society of Nunavut.
20. Students will be required to make a commitment to work in a law related field following their call to the bar. The commitment will be to do legal work for a sponsor anywhere in Canada for a minimum of two years after their call to the bar or to do other legal work in Nunavut for a minimum of four years.
21. Students who accept sponsorships will be required to pay back the financial support that they received if they drop out of school without just cause or do not fulfill their work obligations after graduation and call to the bar. Such students will also not be entitled to assistance with their removal "out" expenses. A committee of representatives of the sponsors and the Akitsiraq Law School Society will decide these issues, reviewing the case of each such student individually to ensure fairness, and allowing flexibility in special circumstances. Students will not be required to pay back the allowances they received while doing their work placements. Any money recovered from the students will be returned to the sponsors on a pro-rata basis.
22. The Akitsiraq Law School Student Sponsorship Program will be reviewed and reassessed by the sponsors at the end of every academic year and, with the consent of all of the sponsors and the Akitsiraq Law School Society, such changes may be made to the program as are necessary to reflect the goals of the law school project and to ensure fairness to all the students.

SCHEDULE F

NOTES TO AKITSIRAQ LAW SCHOOL BUDGETS

1. The budget in Schedule G is based on the following assumptions:
 - (a) A total of 15 students enrolled in the law school program.
 - (b) A total of 13 sponsorships obtained from 6 sponsoring organizations.
 - (c) A total of 13 students being eligible for sponsorship and all being paid allowances out of the pool of funds contributed by the sponsors.

The budget in Schedule H is based on the following assumptions:

- (a) A total of 13 students enrolled in the law school program.
- (b) A total of 12 sponsorships obtained from six sponsoring organizations.
- (c) A total of 12 students being eligible for sponsorships and all being paid out of the pool of funds contributed by the sponsors.

These figures may change with more students being admitted to the program or with students or sponsors withdrawing. Additional sponsors may also be secured. Such changes would affect the total revenues from sponsors and from student tuition fees. As well, they would affect the total expenditures for student allowances and the balance available for the Student Assistance Contingency Fund (see note #29).

As indicated in the following notes, a portion of Akitsiraq law school program funds will be received and administered by the Akitsiraq Law School Society while another portion will be received directly by Nunavut Arctic College (NAC), or they will be transferred to NAC by the Society or vice versa. NAC will hold all program funds in two separate accounts: Operating Funds and Sponsorship Funds.

2. \$3,915 is the balance remaining with the Akitsiraq Law School Society after all 2000-01 expenses have been paid, according to the report and financial statement of the Society's former Treasurer.
3. \$206,000 has been allocated for 2001-02 by the Government of Nunavut Financial Management Board in November 2000, pursuant to a submission made jointly by the GN Departments of Justice, Human Resources, and Education. These funds, which were added to the Dept. of Justice budget for 2001-02, are provided as a contribution to Nunavut Arctic College for operating expenses of the law school program in 2001-02 as set out in this budget. An annual sum of \$ 327,000 has been allocated by the Government of Nunavut Financial Management Board to the Department of Justice pursuant to a submission made jointly by the GN Departments of Justice and Human Resources. These funds, are included in the Department of Justice budget for 2002-2005, to be provided as a contribution to Nunavut Arctic College for operating expenses of the law school program in 2002-2005 as set out in this budget. An additional annual amount of \$38,036 has been added to the Human Resources budget as a contribution to the compensation of the Northern Director (\$15,750) and the

Financial and Administrative Assistant (\$22, 286 contribution to Nunavut Arctic College – see note 4 below). For 2002-04, the first payment of half the total shall be made in the beginning of July and the second payment of half shall be made in the beginning of December. In 2005 there will be a single payment of the entire amount in July.

4. \$39,000 is a contribution by GN Justice to NAC for 2001-02, approved by the FMB on June 21, 2001, and consisting of internal transfers of \$13,000 each by the Departments of Justice, Human Resources, and Education. The purpose of this contribution is to provide NAC with the resources necessary to create and fund the position of Financial and Administrative Assistant for the law school program. \$39,000 is the pro-rated amount for that position over the remaining months of the 2001-02 fiscal year. (see note 30)
5. \$5,590 is a contribution to be made by the Department of Human Resources, Training Division, toward the student travel expenses for the student orientation session held July 19-21, 2001.
6. \$175,000 is the GN student sponsorship funds for 2001-02 approved by the FMB in November 2000, pursuant to a submission made jointly by the GN Departments of Justice, Human Resources, and Education. These funds which were added to the Dept. of HR budget for 2001-02 are provided as a contribution to Nunavut Arctic College for payment of student allowances. The figure of \$175,000 represents the GN sponsorship of 5 student positions at \$35,000 for each position in the 2001-02 fiscal year. The terms of this contribution are set out in a Conditional Contribution Agreement between GN and NAC dated July 30, 2001.
7. \$35,000 was granted to the Akitsiraq Law School Society in May 2001 by the GN Department of CLEY to fund Inuktitut language training for the law students. These funds are to be administered by NAC and to be used exclusively for language training.
8. \$100,000 is the Justice Canada contribution to the Akitsiraq Law School Society for operating expenses of the program in 2001-02. These funds are to remain with the Society and are to be used to pay for the services of the Northern Director.
9. Justice Canada is assisting with the expenses incurred for the Faculty and Student Orientation sessions. For the faculty orientation, a contribution of \$18,000 is made by Justice Canada to the Akitsiraq Law School Society to pay the University of Victoria faculty travel expenses, \$4783 for the services of a coordinator of the session, and \$155 for miscellaneous expenses.

10. For the student orientation, a contribution of \$3476 is made by Justice Canada to the Society for the travel and accommodation expenses incurred by two faculty members who participated at the orientation.
11. Justice Canada is providing \$3,080 for the recruitment of a new Northern Director. This will be applied to partially cover the travel (from Victoria, BC) and accommodation expenses of Shelley Wright who was interviewed for the position in Iqaluit on July 10, 2001. Her expenses amounted to \$3,268 in total, consisting of \$2,435 for travel and \$833 for accommodation.
12. Justice Canada is providing sponsorship of 3.3 student positions at \$39,965 for each position in the 2001-02 fiscal year. (The .3 represents Justice Canada's additional contribution to the sponsorship pool this fiscal year to allow 13 students to receive sponsorship funding – see note #1). This is done through a contribution of \$130,509 to the Akitsiraq Law School Society. The payment of student allowances from these funds will be administered by NAC. During 2002-05 it is expected that Justice Canada will sponsor three student positions for a maximum total sponsorship contribution of \$205,536 per year.
13. In the year 2001-2002, four Inuit Organizations in Nunavut are each sponsoring one student position and will contribute \$39,965 each to the Akitsiraq Law School Society. There may be additional sponsors as submissions requesting sponsorships have been made to other Inuit Organizations (Kivalliq Partners in Development, RCMP and Nunasi Corporation) and replies have not been received from them. Payment of student allowances from these funds will be administered by NAC. (see notes 31 and 32)
14. A fee of \$2500 per student will be charged by NAC for each school year. (This is the maximum covered by FANS for Nunavut students) These fees will be applied by NAC to the operating costs of the law school program.
15. Payments of \$1000 each are to be made out of the operating funds to the two advisors who assisted the Akitsiraq Student Admission Committee.
16. In the 2001-02 fiscal year, there will be 2 Northern Directors: Andrejs Berzins, from April 1, 2001 to August 31, 2001 and Kelly Gallagher-Mackay from September 1, 2001 to March 31, 2002. GN Justice paid Mr. Berzins \$9,400 per month pursuant to an employment contract. The Akitsiraq Law School Society will reimburse the GN the equivalent of one half of his salary for his work on the law school project over the 5 months (\$23,500). In the fiscal year 2002-2003, there will also be 2 Northern Directors, as Kelly Gallagher-Mackay's contract expires December 2002, and Shelley Wright has been contracted to commence as Northern Director in January 2003 for the duration of the Program.

17. Ms. Gallagher-Mackay, who will be taking over from Mr. Berzins as Northern Director on September 1, 2000, will be paid \$90,000 per annum (\$7500 a month) by the Akitsiraq Law School Society pursuant to a service contract. In the 2001-02 fiscal year that amounts to \$52,500. Shelley Wright will provide contract services to the Society as the Northern Director for \$100,000 per annum.
18. The service contract between the Akitsiraq Law School Society and Kelly Gallagher-Mackay provides that she will be paid a lump sum by the Society of \$10,000 for her removal in and removal out costs. Shelley Wright's contract contains an identical term.
19. In 2001-2002, \$202,000 is UVic Law's "academic budget" for the law program. Nunavut Arctic College will pay UVic Law this amount out of the operating funds of the program, and UVic Law will use these funds to cover the items in the academic budget. The Dean of the Faculty of Law will have the discretion to redistribute funds from one item to another within the academic budget. The academic budget is based on the following assumptions: (a) The Northern Director teaches 1.5-3 units of classes per year of the program and her salary is covered by another part of the budget; (b) Any additional "Northern Course" is covered by other parts of the budget; (c) Faculty accommodation is covered by a separate budget; (d) Extra food/living costs for faculty members will have to be covered out of the academic budget. The \$202,000 shall be payable as follows: A first payment of \$101,000 shall be made in the beginning of September 2001 and a second payment of \$101,000 shall be made in the beginning of December 2001. In 2002-2005, UVic Law's annual "Academic Budget" will be \$252,000. The same assumptions will apply.
20. \$25,000 partially covers the salary and benefits for the position of Southern Director and UVic Law is contributing any additional amount from their base budget.
21. In 2001-02, \$12,000 partially covers the projected cost of faculty travel and UVic Law may have to use additional funds for faculty travel from elsewhere in the academic budget or fundraise, if required. The projected Faculty Travel amount during 2002-05 is \$22,000 per annum.
22. The instructional budget is \$100,000 for the first year, and \$150,000 per fiscal year during 2002-05. This figure is based on an average cost of \$12,500 per course unit of instruction. The amounts budgeted will cover about 7-8 units of credit in the first year. In addition, these funds will be used for faculty living expenses.
23. In 2001-02, \$40,000 was to cover the costs of UVic Law research assistants and expenses for course development. In 2002-05, \$30,000 per year is budgeted to cover this cost.
24. \$25,000 is for UVic overhead. This amount is to cover other UVic Law and general University expenses associated with the program.

25. One 3-bedroom unit will be provided as the “staff house” for living accommodations for the law school faculty members. (The Northern Director will have her own unit and she will pay rent directly to Justice Canada). Commencing September 1, 2001, a unit has been rented by the Akitsiraq Law School Program from Justice Canada for \$1800 per month, including utilities. The rent is to be paid by NAC to Justice Canada out of the law school operating funds.
26. \$15,531 is the estimated amount of expenses for the Student Orientation. The expenses consist of \$11,383 for student and faculty travel, and \$4,148 for accommodations, meals, and reception.
27. \$38,162 is to be used for other operating costs of the law school program. These would include, for example faculty office rental outside of the Nunavut Arctic College building, if necessary, computer installation, telephone and other communications, office supplies etc. Such expenses are to be paid by Nunavut Arctic College out of the law school operating funds but in each case prior approval must be obtained from the Northern Director.
28. The amount of the allowances to be paid to each sponsored student represents 70% of the starting salary of a lawyer working for the Government of Nunavut, which is \$59,518.80 per annum, and, in addition, the full Northern Allowance which is \$10,753. The total gross allowance to be paid to each student will therefore be \$52,416.16 per annum, or \$30,576 for the 7-month period from September 1, 2001 to March 31, 2002. These payments to the students will be made by NAC out of the sponsorship funds. NAC will hold back from the student allowances only those amounts required to be held back by law, for example, income tax, and rent deductions for those students in GN housing. NAC will transmit these rental amounts to the GN Department of Finance.
29. In 2001-02, \$67,881 is projected to be the remaining amount of sponsorship funds after the base allowances are paid to the students. This amount will be called the “Contingency Fund” and will be used only to provide additional financial assistance to individual sponsored students in special circumstances. Such circumstances will be described in written guidelines and will include, for example, family emergencies. Students will be able to make application to this fund and a committee of the sponsors will consider their requests. The payments will be administered by NAC.

30. For the period of 2002-2005, Financial Management Board has approved an annual contribution to NAC from GN Justice and GN Human Resources of \$22,286 each to provide NAC with the resources to fund the position of the Financial and Administrative Assistant for the Law School Program. The initial annual budget for this position was \$66,858, in return for which NAC was going to waive any administration fees (see note 4). In 2002-05, an Administrative Assistant will be employed by NAC with the salary differential being applied to bookkeeping contract services. The Department of Education did not request \$22,286 and the amount was not added to its base budget. The Department of Human Resources anticipates they will be able to fund half this amount with internal budget allocations.
31. The Royal Canadian Mounted Police have agreed to sponsor one student on leave from the force for the duration of the program at \$68,512 per year. That student has an individual obligation to work for six years for the RCMP at the end of the law school program.
32. There were four sponsoring Inuit Organizations in 2001/02 but the 2002-05 budget assumes there will be only three for the year two to year five of the program. It is likely that Kitikmeot Inuit Association will withdraw its sponsorship as there is no Kitikmeot student in the Program. Kivalliq Inuit Association is operating on the basis of a year-to-year commitment and investigating other possible funders in the region. Kakivak and Qikiqtaaluk Corporation have made a multi-year commitment of a maximum of \$68,512 per year. Qikiqtaaluk Corporation is willing to have its contribution spent on operating expenses so long as there are otherwise sufficient funds available to sponsor all eligible students in the program which is expected. In effect, this means that we anticipate contributions from only two Inuit Organizations to be used directly for sponsorship in 2002-2005. The amount of \$68,512 from Qikiqtaaluk Corporation (or any portion thereof not required for sponsorship expenses) will be available to the Society for operating expenses including Northern Director Compensation.
33. College Administration Fee represents NAC's direct costs of services to the Program, including computer maintenance, supplies, financial administration, etc.
34. In 2002-05, an annual sum of \$712,072 is projected to be available to cover 12 student sponsorships as following:
 - (a) \$301,000 from GN Department of Human Resources;
 - (b) \$205,536 from Justice Canada;
 - (c) \$137,024 from two Inuit Organizations (Kakivak and Kivalliq Inuit Association)
 - (d) \$68,512 from the RCMP.Of that amount, \$629,004 is projected for use as student allowances with \$83,068 remaining for the Contingency Fund.

SCHEDULE G
Akitsiraq Law School Budget for 2001-02

Akitsiraq Law School Budget	Notes			
Fiscal year 2001-2002	note #1			
Revenues		Operating Fund	Sponsorships	Total
Akitsiraq Law School Society	note #2	3,915		3,915
Government of Nunavut - Department of Justice				
O&M contribution	note #3	206,000		206,000
Administrator's salary	note #4	39,000		39,000
Government of Nunavut - Department of Human Resources				
Student Orientation	note #5	5,590		5,590
Student Sponsorships (5)	note #6		175,000	175,000
Government of Nunavut - Department of Culture, Language, Elders and Youth				
Inuktitut language training	note #7	35,000		35,000
Government of Canada - Department of Justice				
Contribution to operating costs	note #8	100,000		100,000
Faculty Orientation	note #9	22,938		22,938
Student Orientation	note #10	3,476		3,476
Recruitment of Northern Director	note #11	3,080		3,080
Student Sponsorships (3.3)	note #12		130,509	130,509
Inuit Association Sponsorships	note #13			
Kakivak Association			39,965	39,965
Kitikmeot Inuit Association			39,965	39,965
Qikiqtalluk Corporation			39,965	39,965
Kivalliq Inuit Association			39,965	39,965
Tuition Fees: \$2500 x 15 students	note #14	37,500		37,500
Total Revenues		456,499	465,369	921,868

SCHEDULE G
Akitsiraq Law School Budget for 2001-02

Akitsiraq Law School Budget	Notes			
Fiscal year 2001-2002	note #1			
Expenditures		Operating Fund	Sponsorships	Total
Student selection	note #15	2,000		2,000
Salaries, fees, relocation costs				
Northern Director Berzins	note #16	23,500		23,500
Northern Director Gallagher-Mackay	note #17	52,500		52,500
Northern Director's relocation	note #18	10,000		10,000
Administrator	note #4	39,000		39,000
University of Victoria academic costs	note #19			
Southern Director	note #20	25,000		25,000
Faculty Travel	note #21	12,000		12,000
Faculty	note #22	100,000		100,000
Materials development	note #23	40,000		40,000
Overhead	note #24	25,000		25,000
Faculty housing	note #25	12,600		12,600
Inuktitut language training	note #7	35,000		35,000
Faculty Orientation	note #9	22,938		22,938
Student Orientation	note #26 and #10	15,531		15,531
Recruitment of Northern Director	note #11	3,268		3,268
Other Operating Expenses	note #27	38,162		38,162
Student Allowances	note #28		397,488	397,488
Student Assistance Contingency Fund	note #29		67,881	67,881
Total Proposed Expenditures		456,499	465,369	921,868
Expenditures over Revenue		-	-	-

SCHEDULE H
Akitsiraq Law School Budget for 2002-05

Akitsiraq Law School Program Budget**Years 2, 3, 4 & 5 of Program - from April 1, 2002 to August 31, 2005**

	Notes in Schedule F	Year 2 2002/03 Fiscal year	Year 3 2003/04 Fiscal year	Year 4 2004/05 Fiscal year	Year 5 April 1/05 to Aug. 31/05
<u>College and Akitsiraq Society Costs</u>					
Northern Director	Notes 16, 32	\$100,000	\$100,000	\$100,000	\$41,667
Law School Administrative Assistant (College)	Note 30	\$44,948	\$44,948	\$44,948	\$18,729
Book-keeping & Miscellaneous Contracts	Note 30	\$11,084	\$11,084	\$11,084	\$4,618
College Administration Fee	Note 33	\$15,000	\$15,000	\$15,000	\$6,250
Other Operating	Note 14	\$32,500	\$32,500	\$32,500	\$13,542
Faculty accomodation (\$1,800 * 12 = \$21,600)	Note 25	\$21,600	\$21,600	\$21,600	\$9,000
<u>University of Victoria Reimbursements</u>					
Southern Director (academic and administration)	Note 19				
Faculty Compensation	Note 20	\$25,000	\$25,000	\$25,000	\$10,417
Faculty Travel	Note 22	\$150,000	\$150,000	\$150,000	\$62,500
Materials Development (faculty buy-out & RA's)	Note 21	\$22,000	\$22,000	\$22,000	\$9,167
UVic Overhead and Administration	Note 23	\$30,000	\$30,000	\$30,000	\$12,500
	Note 24	\$25,000	\$25,000	\$25,000	\$10,417
Sub Total - Law School Operating Costs		\$477,132	\$477,132	\$477,132	\$198,807
<u>Student Support</u>					
Student Allowances (\$41,664 * 12 students = \$499,968)		\$499,968	\$499,968	\$499,968	\$208,320
Northern Allowances (\$10,753 * 12 = \$129,036)		\$129,036	\$129,036	\$129,036	\$53,765
Contingency Fund for Student Support	Notes 29, 34	\$83,068	\$83,068	\$83,068	\$34,612
Sub Total - Student Support		\$712,072	\$712,072	\$712,072	\$296,697
TOTAL LAW SCHOOL PROGRAM COSTS		\$1,189,204	\$1,189,204	\$1,189,204	\$495,504

SCHEDULE H
Akitsiraq Law School Budget for 2002-05

Akitsiraq Law School Program - Projected Revenues by Source (Revised May 21, 2002)
Years 2, 3, 4 & 5 of Program

	Notes in Schedule F	Year 2 2002/03 Fiscal year	Year 3 2003/04 Fiscal year	Year 4 2004/05 Fiscal year	Year 5 April 1/05 to Aug. 31/05	% Budget Allocation Years 2 - 5
Government of Canada, Justice	Note 12	\$205,536	\$205,536	\$205,536	\$85,640	17%
Tuition fees	Note 14	\$32,500	\$32,500	\$32,500	\$13,542	3%
Government of Nunavut, Human Resources	Notes 34, 3	\$339,036	\$339,036	\$339,036	\$141,265	29%
Government of Nunavut, Justice	Note 3	\$327,000	\$327,000	\$327,000	\$136,250	27%
Three Inuit Organizations	Note 32	\$205,536	\$205,536	\$205,536	\$85,640	17%
R.C.M.P.	Note 31	\$68,512	\$68,512	\$68,512	\$28,547	6%
Government of Nunavut, Human Resources	Note 30	\$11,084	\$11,084	\$11,084	\$4,618	1%
TOTAL BUDGET PER YEAR		\$1,189,204	\$1,189,204	\$1,189,204	\$495,502	100%

Appendix II

**Akitsiraq Law School
Statement of Revenues and Expenditures
September 1, 2001 to March 31, 2005**

**Based on Contract Revenues and Program Expenses Recorded at Nunavut Arctic
College
Sponsorship and Operations Accounts***

**Prepared by Shelley Wright, Northern Director, Akitsiraq Law School
With the assistance of Marcelo Parungao, Director of Finance and Administration,
Nunavut Arctic College**

Audited by the Government of Nunavut

CONTRACT REVENUES*

Source of Contribution	Sponsorship	Operations	Total
Justice Canada	\$ 747,117		\$ 747,117**
GN (Human Resources)	\$1,078,000	\$ 147,360	\$1,225,360
GN (Justice)		\$1,226,000	\$1,226,000
GN (CLEY)		\$ 80,140	\$ 80,140
Inuit Regional Organizations	\$ 325,431	\$ 22,920	\$ 348,351***
RCMP	\$ 245,501		\$ 245,501
Other		\$ 107,247	\$107,247****
TOTAL	\$2,396,049	\$1,583,667	\$3,979,716

*These revenue figures do not include contributions that were made prior to September 1, 2001 and were not administered through NAC [See MOU, Schedules F, G and H]. Also not included are funds that were administered by the Akitsiraq Law School Society or the University of Victoria. These funds were in separate accounts not administered by the Northern Director or NAC. Finally, contract revenues do not include substantial financial contributions to subsidized housing by Justice Canada and by GN Justice.

**Justice Canada also contributed \$100,000 to the Northern Director's salary during 2001-2002, but this was administered through the Akitsiraq Law School Society, not NAC.

*****Kakivak Association and Qikiqtaalik Corporation consistently contributed to the sponsorship program. Kakivak also contributed money to the elder and language program through a separate agreement. These revenues do not include ongoing support for one non-beneficiary student by Kakivak that was not administered through NAC. QC's contribution was also diverted to Northern Director's salary beginning April 1, 2002 (per their agreement) and was administered by the Akitsiraq Law School Society, not NAC. Kivalliq Inuit Association contributed during the first year only. Kitikmeot Inuit Association never contributed to the Program.**

******The Operations account was consistently under-funded from the sources outlined in the MOU and other contribution agreements. Fundraising made up for most of this shortfall, particularly from the Walter and Duncan Gordon Foundation contributions to the elder and language programs (administered by UVic and paid by them through invoice on a year-to-year basis). Other smaller donations from NTI and the Akitsiraq Law School Society also helped.**

PROGRAM EXPENDITURES

Expenditure	Sponsorship	Operations	Total
Student Base Allowance	\$1,655,386		\$1,655,386*
Student Northern Allowance	\$ 413,847		\$ 413,847*
Other Salary		\$ 310,729	\$ 310,729
Travel	\$ 117,547	\$ 139,222	\$ 256,769
Materials & Supplies	\$ 476	\$ 26,795	\$ 27,271
Purchased Services	\$ 3,622	\$ 14,236	\$ 17,858
Contract Services	\$ 64,276	\$ 87,635	\$ 151,911
Academic Fees (to Uvic)		\$ 958,000	\$ 958,000
Fees & Payments	\$ 20,112	\$ 168,465	\$ 188,577
Other Expenses	\$ 9,932	\$ 12,299	\$ 22,231
TOTAL	\$2,285,198	\$1,717,381	\$4,002,579
Surplus/(Deficit)	\$ 110,851	(\$133,714)	(\$22,863)**

***Student Base Allowances and Student Northern Allowances varied from year to year as the number of sponsored students enrolled in the Program changed. The Sponsorship Committee also gave two students an increase in their allowances in 2003 and 2005 (due to financial circumstances) and small year-end bonuses in 2003 and 2004. Students generally were paid 70% of the starting salary of a GN lawyer plus the full Northern Allowance totaling \$52,416.16 per year (\$30,567 during the first fiscal year of 7 months). The remaining sponsorship expenses were paid out of the "Contingency Fund". Fifteen students began the Program in September 1, 2001. Of these 13 were sponsored. During 2002 four sponsored students left the Program and two students were added, only one of whom was sponsored. During 2004 two more sponsored students withdrew. By mid-June 2005 when the last student's sponsorship ceased there were 11 students, nine of whom were sponsored. See MOU, Schedule E.**

****The Sponsorship Committee allowed some surplus funds to be transferred to Operations on a year-to-year basis to fill the remaining small Operations deficit. As a consequence the Operations Fund was gradually brought into balance by the end of fiscal year 2005.**

The Program continued for the first five months of fiscal year 2005/06 (April 1, 2005 to August 31, 2005). Only GN Justice and GN Human Resources provided funding for this partial year. Final financial reporting to and auditing by GN for the last five months will be conducted later this year.

APPENDIX IIA

Summary of Contributions and Expenses

	2001	2002	2003	2004	2005	2006	Program Totals
Contributions							
RCMP	-	39,983	68,512	68,512	68,782	-	
Justice Canada (society and operating)	103,422	260,003	177,186	205,536	205,536	12,088	
Justice Canada (housing subsidies faculty and staff)	-	30,000	30,000	30,000	30,000	-	
TOTAL Government of Canada	103,422	299,986	245,698	274,048	274,318	12,088	1,209,560
Department of Human Resources (society support)	-	-	15,750	15,750	68,512	6,550	
Department of Human Resources (program operating)	-	33,370	33,370	33,370	33,370	-	
Department of Human Resources (student sponsorships)	-	301,000	301,000	301,000	301,000	-	
Department of Justice (program operating)	-	311,250	311,250	311,250	311,250	-	
Department of Justice (society support)	-	-	-	15,750	45,140	-	
Department of Justice (in kind contribution)	-	160,000	160,000	160,000	180,000	-	
CLEY (society)	3,000	33,174	-	-	15,750	-	
Nunavut Housing Corporation (housing subsidies students)	-	50,000	50,000	50,000	50,000	-	
Department of Education (FANS operating)	-	33,300	33,300	33,300	33,300	-	
Nunavut Arctic College (in kind contribution)	-	70,000	72,000	75,000	80,000	-	
TOTAL Government of Nunavut	3,000	992,094	976,670	995,420	1,118,322	6,550	4,092,056
Kakivak Association (student sponsorships)	-	48,835	68,512	68,512	68,512	-	
Qiqiktaaluk Corporation (society)	-	39,965	68,512	68,512	68,782	-	
Kivaliik Inuit Association (student sponsorships)	-	39,965	-	-	-	-	
Kitikmeot Inuit Association (student sponsorships)	-	39,965	-	-	-	-	
Walter and Duncan Gordon Foundation (elder program)	-	-	-	-	250,000	-	
Private funders (UofO Intensive course student sponsorships)	-	-	-	-	100,000	-	
TOTAL NGOs	-	168,730	137,024	137,024	487,294	-	930,072
TOTAL University of Victoria	-	-	-	-	19,610	-	19,610
Fundraising	-	5,000	-	-	-	4,578	
Interest	75	400	-	101	28	-	
Rent	-	-	-	-	7,731	-	
TOTAL Other Revenue	75	5,400	-	101	7,759	5,028	18,362
TOTAL REVENUE	106,497	1,466,209	1,359,392	1,406,593	1,907,303	23,666	6,269,660

	2001	2002	2003	2004	2005	2006	Program Totals
Expenses							
Northern Director (society)	32,863	100,000	100,000	100,000	100,000	6,000	
NAC (operating)	-	176,715	176,715	176,715	176,715	-	
University of Victoria	-	252,000	252,000	252,000	271,610	-	
Sponsorship	-	667,626	667,626	667,626	667,626	-	
Language training, culture and dispute resolution	-	-	-	-	250,000	-	
Various services	-	-	-	-	150,000	-	
Housing subsidies faculty and staff	-	30,000	30,000	30,000	30,000	-	
Housing subsidies students	-	50,000	50,000	50,000	50,000	-	
Special workshop	-	-	-	-	70,000	-	
GN in-kind operating expenses	25,433	139,881	139,881	139,881	139,881	50,866	
TOTAL EXPENSES	58,296	1,416,222	1,416,222	1,416,222	1,905,832	56,866	6,269,660

RE: GN in-kind contribution

For the 2006 fiscal year, the actuals for Justice, HR, NAC, CLEY, NHC and Education were 56, 16, 24, 14, 28 and 175 million respectively. The GN cash contribution to the program in fiscal 2005 was ~.9 million or .3%. The in-kind contributions by Justice and NAC are estimated at .3% of their departmental expenditures; that is, 180 and 80 thousand.

In addition to the amounts listed above, members of the Akitsiraq Law School Society contributed many additional hours of service contributions, both during work hours and outside of working hours over several years, for meetings and other administrative tasks. An estimate of thousands of hours for these in-kind contributions would not be an overstatement.

Appendix IIIAkitsiraq Law School
Schedule of Courses

*Indicates a compulsory course

Year	Date	Course Name	Course Number	Instructor	Unit Value
YR1	September - December 2001	*Property Law	108B	Prof. Cathy Bell University of Alberta	2.0
		*Legal Process (first half)	106	Prof. Heather Raven University of Victoria and Judge James Igloliorte, Provincial Court Judge, Newfoundland and Labrador	0.5
		*Legal Research and Writing (Introduction – no unit value)	110	Prof. Shelley Wright University of Sydney, Australia	12 hours
	January – February, 2002	*Legal Process (second half - colonial legal history)		Prof. John McLaren University of Victoria	0.5
		*Legal Research and Writing		Prof. Donald Galloway Southern Director and Ms. Kim Hart Wensley University of Victoria	0.5
		*Torts (first half – Intentional Torts)	108C	Prof. John McLaren	1.0
		Remedies (first part)	318	Prof. John McLaren	0.5
March and April 2002 – First Work Placement Period.					

YR1	May – June 2002	*Criminal Law Process	102	Prof. Gerry Ferguson and Prof. Hamar Foster, University of Victoria	2.0
		*Legal Research and Writing (continuation)		Ms. Kim Hart Wensley Southern Director	0.5
		*Law, Legislation and Policy	104	Ms. Kelly Gallagher-MacKay, Northern Director	1.5
July and August 2002 – Second Work Placement Period.					
	September – December 2002	*Torts (second half - Negligence)		Prof. Denise Reaume, University of Toronto	1.0
		Remedies (continuation)		Prof. Denise Reaume	0.5
		*Constitutional Law (First Part)	100	Mr. Roshan Danesh	2.5
		*Legal Research and Writing		Ms. Kim Hart Wensley and Ms. Cathy Nash	0.5
		Family Law (first part)	322	Ms. Kelly Gallagher-MacKay	1.0
	January – April 2003	Aboriginal Law	340	Prof. John Borrows University of Victoria	1.5
		*Constitutional Law (Charter)		Prof. David Schneiderman, University of Toronto	0.5
		Remedies (last part)		Prof. John Borrows	0.5
		*Contracts	108A	Prof. John Borrows	2.0
		Family Law (last part)		Ms. Kim Hart Wensley	0.5
May to August 2003 – Third Work Placement Period.					
First year subjects completed – upper-year subjects and full course loads continued for Years Two and Three (the third and fourth years of the Program).					

YR2	September – December 2003	*Civil Procedure (with drafting)	307	Mr. Steve Perks, University of Victoria	2.0
		Social Welfare Law	333	Mr. Steve Perks	1.5
		Contemporary Issues in Law (Nunavut Land Claims Agreement)	343	Ms. Kim Hart Wensley (one week intensive workshop)	1.0
		Inuit Traditional Law I	343	Mr. Lucien Ukaliannuk, Akitsiraq Elder-in-Residence	1.0
		Real Property Transactions	317	Justice Connie Hunt, Alberta Court of Appeal	2.0
	January 2004	Students took one intensive course each at the University of Ottawa			1.5 or 2.0 units
February to April 2004 – Fourth and Final Work Placement Period.					
	May – August 2004	Administrative Law (first part)	301	Prof. Al Lucas, University of Calgary	1.5
		Criminal Law II (Defenses and Sentencing)	302	Prof. Allan Manson, Queen's University and Mr. Nils Jensen	1.5
		Criminal Procedure	303	Mr. Adrian Brooks and Judge Keith Bracken, Provincial Court Judge, British Columbia	1.5
		*Law of Evidence		Prof. Allan Manson and Justice Marc Rosenberg, Ontario Court of Appeal	2.0
		Inuit Traditional Law II	343	Mr. Lucien Ukaliannuk	1.0

YR3	September – December, 2004	Intellectual Property	347	Prof. Shelley Wright, Northern Director	1.5
		Employment Law	326	Prof. Beth Bilson, University of Saskatchewan	1.5
		Administrative Law (last part)		Prof. Beth Bilson	0.5
		Natural Resources Law	343	Mr. Jim Hope-Ross and Mr. John Merritt	1.0
		Nunavut Land Claims Agreement (Advanced Course)	343	Ms. Anne Crawford and Ms. Lois Leslie	1.0
		Inuit Traditional Law III	343	Mr. Lucien Ukaliannuk	1.0
	January – June 2005	Five students went to the University of Victoria and chose from a variety of courses needed to complete. Six students remained in Iqaluit and were able to choose from the following courses.			
		*Major Research Paper (7500 words)	399 or as part of another course	A variety of supervisors participated in individually assisting and assessing students.	1.5
		Human Rights	359	Prof. Jennifer Koshan, University of Calgary, Ms. Gwen Brodsky and Ms. Susan Hardy	1.5
		International Law	330	Prof. Shelley Wright	1.5

Unit values of courses, particularly in the first two years, were often divided between semesters. The values given are approximations of what was covered in each semester. Each 1.0 unit of value equals approximately 24 hours of classroom instruction. This does not include compulsory tutorials, additional mentoring or homework.

In addition to all UVic courses, students also were required to take Inuktitut language training at an appropriate level (Basic, Intermediate or Advanced). Instructors included Ms. Rosemary Kilabuk, Mr. Mick Mallon, Ms Elisapee Karetak and Mr. Lucien Ukaliannuk.

Sample Class Schedule

AKITSIRAQ LAW SCHOOL PROGRAM**2004 Fall Semester Timetable**

Classes begin at **8:45 a.m. Tuesday, September 7** with *Inuit Traditional Law III*. On **Wednesday, September 8** from 9:00 to 11:00 there will be a compulsory training session for all those who want to participate in the *Akitsiraq Legal Information Service*. Our housekeeping discussion will be held on **Monday, September 13** from 8:45 to 10:00.

The first Timetable is for **Week One** only. Classes in *Intellectual Property*, *Nunavut Land Claims Agreement (Advanced Class)*, and *Inuit Traditional Law III* will begin this week and continue throughout the entire semester (**Weeks One to Thirteen**). *Natural Resources Law* will also begin in Week One and will be taught as an intensive course for the first four weeks (6 hours per week) with the final exam on Friday of the following week (**Week Five**). For **Week One** only the classes for *Natural Resources Law* will be on Wednesday and Thursday afternoons and Friday morning.

Weeks Two to Four will continue with the same courses in addition to *Inuktitut*. *Natural Resources Law* will continue as an intensive course for 6 hours per week on Monday and Wednesday afternoons and Friday mornings of each week.

Weeks Five to Thirteen will continue with the final assessment for *Natural Resources Law* as well as the beginning of *Employment Law* and the remaining one third of *Administrative Law*. Please note there is a **Reading Break** from November 1 to 5.

A Calendar for the semester, as well as a Proposed Schedule of Assignments and Exams is attached to this Timetable. Timing of assignments and exams may change due to unforeseen circumstances.

This semester ends Friday, December 17.

Attendance is, as in past years, compulsory except where clearly indicated otherwise. As you are all aware, the Northern Director has an obligation to sponsors, the Akitsiraq Law School Society and other participants in our Program to ensure that attendance, use of time, and obligations are met by each student.

If students require tutorial assistance you should discuss this with the Northern or Southern Directors or with individual professors. All instructors are willing to provide individual and group assistance where it is requested.

THE ONUS IS ON INDIVIDUAL STUDENTS TO ASK FOR HELP.

WEEK ONE**Tuesday, September 7 to Friday, September 10**

	Monday	Tuesday	Wednesday	Thursday	Friday
8:45	Labour Day Holiday NO CLASS	Inuit Traditional Law (Lucien Ukaliannuk)	9:00 Akitsiraq Legal Information Service Training Session (to 11:00)	Intellectual Property (3 hours) with Shelley Wright	Natural Resources Law (2 hours)
10:00			BREAK	BREAK	
10:15		10:45	<i>Inuktitut cancelled for this week only</i>		10:45
11:45					
LUNCH BREAK					
1:15		Nunavut Land Claim Agreement (Advanced Class – 2 hours) with Anne Crawford and Lois Leslie	<i>Natural Resources Law (2 hours) with John Donihee and Jim Hope-Ross</i>	<i>Natural Resources Law (2 hours)</i>	Program Activities
3:15					

WEEKS TWO TO FOUR
Monday September 13 to Friday October 1

	Monday	Tuesday	Wednesday	Thursday	Friday
8:45	Class Discussion on Akitsiraq Issues (September 13)	Inuit Traditional Law	Independent Study or Make-up Classes	Intellectual Property	Natural Resources
10:00	BREAK	10:45	BREAK	BREAK	10:45
10:15	Inuktitut: Intermediate and Advanced	BREAK	Inuktitut: Intermediate and Advanced	Continued	BREAK
11:45		11:00 Oral Skills Training and Presentations			11:00 Oral Skills Training and Presentations
LUNCH BREAK					
1:15	Natural Resources	NLCA Advanced Class	Natural Resources	Independent Study or Make-up Classes	Program Activities/ Make-up classes
3:15					
4:30					

WEEKS FIVE TO THIRTEEN**Monday October 4 to Friday December 10**

	Monday	Tuesday	Wednesday	Thursday	Friday
8:45	Independent Study or Make-up Classes	Inuit Traditional Law	Independent Study or Make-up Classes	Intellectual Property	Natural Resources Final Exam (October 8)
10:10	BREAK	10:45	BREAK	BREAK	
10:20	Inuktitut	BREAK	Inuktitut	Con't	
11:45		11:00 Oral Presentations			11:00 Oral Presentations (October 15 onwards)
LUNCH BREAK					
1:15	Employment Law (2 hours with Beth Bilson)	Nunavut Land Claim Agreement Advanced Class	Administrative Law (2 hours with Beth Bilson) <u>From Week 5 to Week 10 only</u>	Employment Law	Program Activities/Make-up Classes
3:15					
4:30					

Fall Semester 2004

	Monday	Tuesday	Wednesday	Thursday	Friday
Week One	Labour Day	September 7	8	9	10
Week Two	13	14	15	16	17
Week Three	20	21	22	23	24
Week Four	27	28	29	30	October 1
Week Five	4	5	6	7	8
Week Six	Thanksgiving	12	13	14	15
Week Seven	18	19	20	21	22
Week Eight	25	26	27	28	29
Reading Break	November 1	2	3	4	5
Week Nine	8	9	10	Remembrance Day	12
Week Ten	15	16	17	18	19
Week Eleven	22	23	24	25	26
Week Twelve	29	30	December 1	2	3
Week Thirteen	6	7	8	9	10
Examinations and Assignments	13	14	15	16	17

**Christmas and New Year's Break
December 18, 2004 to January 3, 2005**

Proposed Schedule of Assignments and Exams

- | | |
|---|---|
| 1. Monday, September 20 | <i>Natural Resources Law</i> assignment (30%) |
| 2. Friday, October 8 | <i>Natural Resources Law</i> final exam |
| 3. Tuesday, October 12 | <i>NLCA</i> Quiz (10%) |
| 4. Friday, October 1
summer semester) | <i>Inuit Traditional Law II</i> essay (from |
| 5. Tuesday, November 3 | <i>NLCA</i> First Memo (30%) |
| 6. Tuesday, November 23 | <i>NLCA</i> Second Memo (30%) |
| 7. Friday, December 10 | <i>Employment Law</i> Case Comment |
| 8. Friday, December 17 | <i>Intellectual Property</i> Research Essay |

Inuit Traditional Law III is evaluated by oral presentations during the last month of the semester and a written essay due at the end of the semester. *Inuktitut* language courses also have oral and written assessment this semester. These will be scheduled by Lucien and Elisapee.

Final Exams from December 13 to 17 - all exams are in the morning unless otherwise indicated.

- | | |
|-------------------------------|----------------------------------|
| Monday, December 13 | <i>Employment Law</i> |
| Tuesday, December 14 | <i>NLCA</i> |
| Wednesday, December 15 | <i>Administrative Law</i> |
| Friday, December 17 | <i>Intellectual Property Law</i> |

Appendix IV

Sample Student Sponsorship Agreement

SPONSORSHIP AGREEMENT

Effective the 4th day of September, 2001.

BETWEEN:

The Akitsiraq Law School Society,

(hereinafter the “Society”)

OF THE FIRST PART

AND:

(hereinafter “the student”)

OF THE SECOND PART

WHEREAS the aim of the Society is to promote legal education of Inuit students in order that they may become qualified lawyers and contribute to the development of Nunavut,

AND WHEREAS the Society is a partner in the Akitsiraq Law School program (hereinafter “Law School”) to be delivered by the University of Victoria, Faculty of Law, in Iqaluit, Nunavut starting in September 2001.

AND WHEREAS the Society has an understanding with other partners and has primary responsibility for fundraising for the Law School and for overseeing the Akitsiraq Law School Student Sponsorship Program (hereinafter “the Sponsorship Program”).

AND WHEREAS certain organizations have agreed to contribute financially to the Sponsorship Program, including the Government of Nunavut, Justice Canada, Kakivak, Qikiqtaaluk Corporation, Kivalliq Inuit Association, Kitikmeot Inuit Association, and the Royal Canadian Mounted Police.

AND WHEREAS the Society has entered into an agreement with Nunavut Arctic College (the “College”) under which the Society will contribute funds that it receives

from sponsoring organizations to the College and the College will deposit those funds in a special account (the "Sponsorship Account") and will use those funds to pay allowances to students participating in the Sponsorship Program (the "Student Allowance").

AND WHEREAS the Student is enrolled in the Akitsiraq Law School and wishes to participate in the Sponsorship Program,

NOW THEREFORE WITNESS that in consideration of the mutual covenants contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

Term:

1. This Agreement is effective the 4th day of September 2001 and will remain in effect until all of the obligations of the parties hereunder have been fulfilled.

Obligations of the Society:

2. The Society will monitor compliance by the Sponsors with their commitments to contribute funds to the Sponsorship Program. The Society will use its reasonable best efforts to ensure that sponsoring organizations contribute funds to the Sponsorship Program in accordance with any commitments that they have made or may make from time to time to contribute such funds.
3. The Society will use its reasonable best efforts to continue fundraising, if necessary, with the objective of securing sufficient resources from sponsors to pay Student Allowances to sponsored students for the duration of the Law School program so that the Student Allowance can be maintained at the level established for the fiscal year 2001-2002.
4. The Society will use its reasonable best fundraising efforts to secure sufficient resources to continue to fund the Law School operations at a level that will meet the objectives of the Society and the students.

Eligibility:

5. The Student is a Nunavut Land Claims Agreement Beneficiary and wishes to participate in the Sponsorship Program.

Student Allowance:

6. Subject to section 23 of this Agreement, an allowance will be paid to the student, bi-weekly, during their enrollment in the Law School program, which includes the academic terms, and work placement terms and vacation periods as defined in paragraph 12, until graduation or withdrawal from the Law School.

7. Statutory deductions will be held back from the allowance, and if applicable, any rental amount if the student is occupying Government of Nunavut housing.
8. In fiscal year 2001-2002, the amount of the allowance to be paid to the student (“the Student Allowance”) will be calculated as 70% of the starting salary of a lawyer working for the Government of Nunavut (GN), which is \$59,518.80 per annum and, in addition, the full Northern Allowance that is \$10,753. The total gross Student Allowance to be paid to each student will therefore be \$52,416.16 per annum, or \$30,576 for the 7-month period from September 1, 2001 to March 31, 2002.
9. The level of the student allowance in later years of the program may be reduced, if necessary, if one or more sponsoring organizations withdraw from the Sponsorship Program or if there is a significant reduction in sponsor contributions. In the event of such withdrawal by sponsors or reduction in sponsorship amounts, students will be informed as soon as possible about the event and the anticipated impact on the Student Allowance. If the Student Allowance must be reduced the Society will use all of the Contingency Fund, if any, that may be held from time to time in the Sponsorship Account before reducing the Student Allowance.
10. The Student Allowance may be adjusted to reflect any changes in the starting salary for a GN lawyer and Northern Allowance.

Student Obligations:

11. The student will attend classes regularly, complete his/her assignments, and make a genuine effort to succeed. Strict adherence to the attendance policy of the Akitsiraq Law School is a condition of continued sponsorship.
12. The Student agrees to do law-related work for sponsors during the periods of each year when classes are not in session. The hours of work per week will be the same as for Government of Nunavut employees. The Student will be entitled to 3 weeks (15 working days) of holidays in addition to scheduled breaks in academic program (i.e. Xmas, Easter). Timing of the vacation will be worked out between the student and his/her individual work placement.
13. The Student will comply with all attendance requirements and rules established by his/her work placement and make a genuine effort to perform any reasonable work assignment in a satisfactory manner.
14. In order to gain the broadest exposure to different areas of law, the student will rotate through work placements with different sponsors each year. Work placements may also be arranged for the student with private law firms and other non-sponsoring organizations to enrich the experience.

15. The Student agrees to article, after graduation, with a sponsor, if articling positions are available with the sponsors. If no position is available with a sponsor, the student is to seek an alternative articling position.
16. The student agrees to complete a recognized bar admission course which will be arranged for Akitsiraq Law School graduates, if necessary, outside of Nunavut, and to seek admission to the Law Society of Nunavut.
17. The Student agrees to do legal work for a sponsor anywhere in Canada for a minimum of two years after his/her call to the bar or to do other legal work in Nunavut for a minimum of four years.

Consequences of Withdrawal From the Program by a Student:

18. Payment of the Student Allowance will be terminated if the student leaves the law school program or fails to comply with the terms of this agreement.
19. The Student agrees to pay back to the Society the total amount of the Student Allowance, net of income tax, he/she has received from September 4, 2001 if he/she, without just cause, withdraws from the Program or does not fulfill his/her work obligations after graduation and call to the Bar. If the Student decides to withdraw from the Program any time prior to one week from receipt of first semester marks, the repayment obligation will be waived.
20. A committee of representatives of the sponsors and the Akitsiraq Law School Society (the "Sponsorship Committee") will decide on the enforcement of repayment obligations, reviewing the case of each such student individually, giving an opportunity for the student to be heard, ensuring fairness, and allowing flexibility in special circumstances.
21. Any money recovered from the student will be returned by the Society to the sponsors on a pro-rata basis.

Consequences of Termination of the Sponsorship Program or the Law School:

22. If, for any reason, the Sponsorship Program and/or the Law School cease to operate before graduation, all obligations of the students to the sponsors or to the Society immediately cease and are waived. In this event, the students will no longer have an obligation to repay any Student Allowance paid to date, nor to complete work placements during the term of the program, nor to work for a sponsor at any time. If during the Law School program all of the Sponsors withdraw their support or become unable to meet their sponsorship commitments and if the Society is unable, after reasonable best efforts, to obtain sponsorship contributions or to recruit new sponsors then the Sponsorship Program and the payment of Student Allowances will cease. In that event the Society and the College will have no liability to the students in respect of the payment of Student

Allowances once all sponsorship funds held by the Society, the Sponsorship Account and any sponsorship Contingency Fund have been depleted through payment of Student Allowances.

23. The parties acknowledge that the operation of the Law School depends on financial support from third party funding agencies. The Society will have no liability to the Students under this Agreement or otherwise if, after the Society's reasonable best fundraising efforts, sufficient operating resources are not available at any time to maintain the Law School operations in whole or in part.
25. In the event the Law School ceases to operate for any reason, this agreement shall not affect the Student's enrollment in the University of Victoria Faculty of Law.

Mediation

26. The Parties will attempt in good faith to promptly settle all disputes and controversies that may arise under this contract. If such good faith efforts to settle, however, do not succeed within fifteen (15) days from the date when the dispute or controversy first arose, any Party may, by notice in writing to the other Party, direct the matter to mediation.
27. Where a Party has directed a dispute or controversy to mediation, the mediation shall be undertaken before a mediator mutually agreeable to the Parties. The Parties shall select the mediator on the rates to be paid for his or her services. Failing agreement on the selection of the mediator within the said time period, any Party may apply to the Nunavut Court of Justice for the appointment of a mediator.

Applicable Law

28. This Agreement shall be governed by, construed and enforced in accordance with the laws of Nunavut and the laws of Canada as applicable.
29. All suits and actions arising under this Agreement shall be brought in Nunavut and the parties hereby submit and attorn to the jurisdiction of the Nunavut Court of Justice and its appellate Courts. Entire Agreement

Entire Agreement

30. The Agreement constitutes and expresses the entire agreement and shall take effect in substitution to all previous agreements and arrangements whether express or implied between the Society and the Student and all such agreements and arrangements shall be deemed to have been terminated by mutual consent as of the date of signing hereof.

Amendment

- 31. This Agreement may be amended with the consent, in writing of the Society and of all the Students enrolled in the Sponsorship Program.
- 32. The Student agrees that the Sponsorship Program may be reviewed and reassessed by the sponsors at the end of every academic year and, with the consent of the sponsors and the Society such changes may be made to the program as are necessary to reflect the goals of the Law School and to ensure fairness to all the students.
- 33. The Sponsorship Program may necessitate a series of further agreements between the Society and the Student. The Parties acknowledge this possibility and agree to co-operate, negotiate and jointly enter into such future arrangements as may be required.

IN WITNESS WHEREOF the parties hereto have executed the Agreement on the dates written below.

AKITSIRAQ LAW SCHOOL SOCIETY

Director

Name: _____

Date: _____

Director

Name: _____

Date: _____

STUDENT

Name: _____

Date: _____

Appendix V**AKITSIRAQ LAW SCHOOL
NUNAVUT ARCTIC COLLEGE****ELDER-IN-RESIDENCE****INFORMATION****Introduction**

The Akitsiraq Law School was formed in September 2001 for the purpose of training a small group of Inuit lawyers. It was designed to fulfill federal and territorial government commitments under Article 23 of the *Nunavut Land Claims Agreement* requiring representative Inuit employment within government. It is also for the purpose of expanding the base of private legal practitioners for the benefit of all Nunavummiut. At the moment there is only one Inuk lawyer in Nunavut – Paul Okalik. The Law School is in partnership with the University of Victoria and Nunavut Arctic College for the delivery of a Bachelor of Laws program taught over four years. Students take the same curriculum as law students at the University of Victoria, but with a Northern and Inuit perspective. At the end of this period of studies (June 2005) the Akitsiraq graduates will be eligible to article and be admitted to the Bar by 2006 with the purpose of practicing as lawyers in Nunavut. While in school, and during work placements when classes are not in session, those students who are beneficiaries under the *Nunavut Land Claims Agreement* are sponsored by various government and Inuit organizations. As of February 2005 there are 11 students enrolled in the Program, nine of whom are sponsored.

One of the primary requirements of the Akitsiraq Law School is to ensure that students receive not only the best legal education available by Southern standards, but that the curriculum reflects the needs and priorities of the North. It is essential to ensure that Inuit culture and language education in Inuktitut at various levels is taught to all the students. An understanding and application of Inuit Qaujimajatuqangit in the law school curriculum is also a fundamental requirement of our sponsors, the Akitsiraq Law School Society and the University of Victoria, Faculty of Law.

There are basically three areas for continuing development within the Law School:

- Inuit Qaujimajatuqangit including (but not limited to) *Inuit Maligangit Piqujangillu* or traditional knowledge on justice; leadership and political structures; transmission of “rules” and enforcement; trade, sharing and borrowing; relationships with non-Inuit peoples; relationships with elders, children, animals, the land, spirits; adaptation of traditional knowledge to modern life within the context of the *Nunavut Land Claims Agreement* and other legal structures

- Inuktitut language education at the intermediate and advanced levels, including teaching of legal terminology and translation issues
- Wellness and healing; team-building; working with people who are themselves in need of healing

In addition it is hoped that the IQ and language components of the Program (currently being recorded on audio tape and by note-taking, including notes of our Elder and Inuit Cultural Facilitator) can be transcribed, translated and edited into a published volume of knowledge for everyone to share. This publication component of the Program can hopefully be completed by the end of 2005/2006.

The Law School's commitment to Inuit culture and Inuktitut reflects another key legal obligation under the *Nunavut Land Claims Agreement*. Article 32 sets out the right of Inuit "to participate in the development of social and cultural policies, and in the design of social and cultural programs and services, including their method of delivery, within the Nunavut Settlement Area." The Nunavut Social Development Council (envisioned in this Article and now administered by Nunavut Tunngavik Inc.) has the mandate to "assist Inuit to define and promote their social and cultural development goals and objectives. . ." under Article 32.3. To that end the Council and NTI ought to:

- Conduct research on social and cultural issues
- Publish and distribute information on social and cultural issues to Inuit, government and the public
- Consult and work in collaboration with community, regional, territorial, federal and other bodies and agencies involved in social and cultural issues
- Advise Inuit and governments on social and cultural policies, programs and services that relate to the Nunavut Settlement Area, and
- Undertake other activities relating to social and cultural issues in the Nunavut Settlement Area

The Akitsiraq Law School has worked hard to ensure that language and culture are a top priority. In addition to compulsory Inuktitut language training, Inuit and Northern perspectives are incorporated into Akitsiraq Program courses as they are taught. For example, Property Law in the first semester of the Program spent a lot of time discussing the legal issues around land and property in the context of the Nunavut Land Claims Agreement. Constitutional Law situated the *Agreement* within the legal landscape of federalism and division of powers. Criminal Law and Family Law deliberately used examples from a Northern or Inuit perspective. Legal Process included a component on colonial legal history incorporating Northern issues. Statutory materials in courses obviously include Nunavut or NWT legislative materials as they apply in Nunavut. Legal Research and Writing included skills training involving legal research of Nunavut cases, statutes and other materials. A Curriculum Workshop in February 2002 included the perspectives of Inuit elders on the needs of Nunavummiut and their inclusion in the Program. In September 2003 a week-long intensive workshop on the *Nunavut Land Claims Agreement* was held (in cooperation with NTI, GN Justice and other contributors). This was open to invited guests as well as being a credit course for the

students. An advanced course on the Land Claim is being taught in the Fall of 2004 as well as courses on Natural Resource Management, Employment Law and the final component of Administrative Law, all of which have major implications for Nunavut. A course in Intellectual Property will include students' writing of chapters for a report to be submitted to Pauktuutit on the protection of Inuit cultural and knowledge. For those students not doing their final semester at the University of Victoria, courses will be offered in Iqaluit during February and March 2005 which continue to reflect Nunavut issues and Inuit knowledge.

A further way in which knowledge of Inuit culture is being addressed is through elders'

visits to the class. This includes elders' workshops that were held in 2002 on:

- Property – borrowing, possession, interference with use of lands
- Torts – compensation for wrongs, approaches to resolving conflicts about harm, defining harm
- Law Legislation and Policy – leadership concepts
- Songs as a form of traditional law
- Custom adoption

From September 2001 onwards teachers have been hired to teach Inuktitut at three levels for all the students. In January 2003 an Inuit elder, Mr. Lucien Ukaliannuk, was hired on a part-time casual basis to teach Advanced Inuktitut to the students. During 2003 we also had a visit by an elder for a day and a half for a "healing circle" to address issues of wellness. This remains, in addition to traditional knowledge, a primary concern of the students and the Law School. Beginning in September 2003 Mr. Ukaliannuk, in addition to continuing to teach Advanced Inuktitut, also designed and taught a new course on *Inuit Maligangit Piqujangillu/Inuit Traditional Law*. This is a credit course recognized as part of the students' degree program by the University of Victoria which will continue until the end of the Program. Finally, in July 2004 the students attended a two-day Conflict Resolution Workshop with Justice Rosemary Gallagher of the BC Provincial Court, Mr. Ukaliannuk and two elders from Arctic Bay.

Elder-in-Residence Pilot Project 2003 – 2004

In the fall of 2003 a Pilot Elder-in-Residence Project was introduced in the Law School in cooperation with Nunavut Arctic College and GN Justice. Mr. Lucien Ukaliannuk, a respected elder familiar with community justice, human rights and legal terminology issues, was invited to be our Elder on a part-time basis. He continued teaching Inuktitut. His new course on *Inuit Maligangit Piqujangillu* is being offered as a credit course through the University of Victoria and includes both oral and written assessment. It was taught in Inuktitut with interpretation by the students and external interpreters during the Fall Term of 2003. The course was continued as a credit course in both the Summer and Fall Terms of 2004. Mr. Ukaliannuk is continuing to work on language and traditional

knowledge with the students who remain in Iqaluit (five are at the University of Victoria finishing their degree, while six remain at Nunavut Arctic College).

Mr. Ukaliannuk is ideally suited for performing the role of Elder-in-Residence. He already has extensive experience working on justice, culture and language issues through the Iglulik Research Center. He was born and raised on the land in North Baffin and resided in Iglulik for many years before moving to Iqaluit in January, 2003. He is highly respected for his work on legal terminology, human rights and as a cultural advisor on artistic projects such as the film *Atanarjuat: Fast Runner*. During the winter term 2003 he taught Advanced Inuktitut to Akitsiraq students during which he became an integral and much-respected participant in their education. In September he spoke at our *Nunavut Land Claims Agreement Workshop*, representing the perspective of elders. He has also served as the Elder for the Department of Justice (Nunavut) for most of this year including acting as a witness during the legislative debate on the *Human Rights Act*.

Mr. Ukaliannuk's experience in integrating Inuit and Canadian legal perspectives has been an invaluable asset to the Law School. His course on Inuit Traditional Law is providing not only a novel learning experience for the students, other instructors and the Northern Director, but is also providing a priceless oral history. The course is being tape-recorded and notes taken and kept. Mr. Ukaliannuk also has extensive written materials in Inuktitut which he has developed over several years.

In addition to language training and teaching Inuit Traditional Law, Mr. Ukaliannuk has also made himself available to students as a counselor and adviser. He provides a calming presence of stability and continuity and seems able to understand the concerns of many students making the transition from a primarily traditional culture with Inuktitut as their first language to a Euro-Canadian legal culture conducted in English. He has addressed difficult cultural, social and psychological issues both in class and (when asked) on a one-to-one basis. One student commented that without Mr. Ukaliannuk in the Program some students would have a much more difficult time. The continuation of at least some students in the Program is probably owing to his presence, as well as the inclusion of other elders from time to time.

In early spring 2004 Elisapee Karetak (after completing her first-year subjects such that she was able to receive a Diploma in Legal Fundamentals from Nunavut Arctic College) joined our staff as the Akitsiraq Inuit Cultural Facilitator. In this role she teaches Intermediate Inuktitut, assists Lucien with Advanced Inuktitut and Inuit Traditional Law and is currently transcribing and translating tapes from his classes. It is hoped that we can hire a research assistant to continue this work from the end of April to mid-August, 2005.

Project Proposal for 2004 – 2006

It is necessary that our Elder-in-Residence Program continue until the termination of classes in March 2005. The Oral History Project will continue into 2005 and 2006. Semesters for the 2004-2005 academic years are as follows:

- January 2004 – intensive January term at the University of Ottawa, Faculty of Law (just completed). Lucien came to Ottawa and gave a talk for the class in Aboriginal Business Law
- February to April 2004 – work placements
- May to August 2004 – summer semester of full-time classes focusing on Evidence, Administrative Law, Advanced Criminal Justice, Criminal Procedure, Inuktitut and Inuit Traditional Law
- September to December 2004 – fall semester of full-time classes focusing on Intellectual Property, Employment Law, Natural Resources Management, Nunavut Land Claims Advanced Course as well as Inuktitut and Inuit Traditional Law
- January to April 2004 – students have the option of doing one semester at the University of Victoria taking a variety of subjects from the options available. Those who are unable to take up this option will complete their studies in Iqaluit (there are six who chose to remain). Proposed subjects include International Law, Human Rights, a supervised research paper (required by each student in order to graduate), Business Associations and two Workshops on Arctic Sovereignty and on Restorative Justice.
- April 2005 to March 2006 – completion of Oral History Project with Mr. Ukaliannuk and research assistant. To be completed under the supervision of Shelley Wright (Northern Director), Alexina Kublu (Chair, Akitsiraq Law School Society) and with the assistance of others, particularly Susan Sammons of the Inuit Studies program at Nunavut Arctic College.
- Each student must also complete a supervised 7500 word research essay for completion of their degree from the University of Victoria.

During non-teaching times Mr. Ukaliannuk works with research students (paid either through their work placement sponsorship or through other funding) and the Northern Director on preparing Inuktitut, Inuit Traditional Law and workshops. He is continuing to teach Inuit Traditional Law. *Inuit Maligangit Piqujangillu* in each semester was designed to bring together themes and elements being explored in the other courses. During the summer of 2004 this included dispute resolution and criminal justice issues. During the fall of 2004 this included property, trade, sharing and work issues. Mr. Ukaliannuk also continues to be available to advise students on elements of Inuit Traditional Law that they may wish to discuss in their research papers.

It is important to incorporate the perspectives of other elders who have a particular interest in certain aspects of Inuit culture (such as art, community justice or wellness) from time to time. We feel it is also necessary to incorporate traditional perspectives from other regions of Nunavut, in particular Kivalliq and Kitikmeot. Because Mr.

Ukaliannuk is from North Baffin, this means inviting and funding other elders to come to our classes from time to time.

Mr. Ukaliannuk is working with us on a part-time basis (shared with GN Justice). It has been extremely useful having Elisapee as our full-time Inuit Cultural Facilitator to work with our Elder and other elders.

There has been a lot of community enthusiasm regarding the cultural and language components of our Program including requests from people outside the Program to participate. The Nunavut Land Claims Agreement Workshop hosted by Akitsiraq, NTI and GN Justice is a good example of how the Law School can contribute to a wider audience on legal and traditional law issues. We would like to continue and expand this aspect of our Program. This might be particularly effective for some of the future workshops now being planned.

Another aspect of our Program is the need for collecting oral history and transcribing it. At the moment Mr. Ukaliannuk and other participants in the Program are gathering and teaching a wealth of information on Inuit traditional law, Northern perspectives and the relationship between Inuit and non-Inuit approaches to law. Inuktitut language classes are also allowing for the transmission of Inuit traditions and perspectives. These are being audio-taped. All course materials are being archived. As the Program is drawing to a close all these taped and written materials need to be collated, translated and put into a form that can be used by others in the future. This is an opportunity to share knowledge that may never be available again.

Professor Shelley Wright
Northern Director
Akitsiraq Law School

**ELDER-IN-RESIDENCE PROJECT BUDGETS
2003-2005**

**Year One (being Year 3 for the students)
April 1, 2003 to March 31, 2004**

Expenditures were as follows:

Elder-in-Residence (Lucien Ukaliannuk)	\$39,600
• Inuit Traditional Law	
• Inuktitut Language Training	
• Counseling and Mentoring	
Student research assistance	\$11,750
Translation (Inuit Traditional Law)	\$ 3,500
In-class Interpretation	\$ 1,510
Intermediate Inuktitut (Mick Mallon)	\$ 720
TOTAL EXPENDITURES	\$57,080

Mr. Ukaliannuk's salary was based on part-time work at \$60 per hour for 20 hours a week over 33 weeks from April 1, 2003 to March 31, 2004. Student research assistance included \$1,570 for the month of August 2003 (part-time) and \$10,000 from February 2 to April 9, 2004 (full-time).

For 2003-2004 funding for the Elder-in-Residence Program at Akitsiraq Law School was supported by three external agencies:

Kakivak Association	\$22,920
Walter and Duncan Gordon Foundation (through the University of Victoria)	\$13,000
Nunavut Tunngavik Inc. (donation)	\$ 2,000
TOTAL REVENUES	\$37,929
EXPENDITURES	(57,080)
<u>SHORTFALL 2003-04</u>	<u>(19,160)</u>

Because of a lack of funding from other sources, the Law School's day-to-day operating budget contributed funding for the first year of the Elder-in-Residence Program.

Akitsiraq Law School Society (contribution)	\$ 5,000
Akitsiraq Operations (contribution)	<u>\$14,160</u>
OPERATING CONTRIBUTION	\$19,160

**Year Two (being year 4 for the students)
April 1, 2004 to March 31, 2005**

In 2004-05 there were two individuals involved in the Elder-in Residence project

Expenditures were as follows:

Elder-in-Residence	
Paid through Akitsiraq	\$16,800
Paid through GN Justice	\$21,000
• Inuit Traditional Law	
• Inuktitut Language Training	
• Counseling and Mentoring	
Inuit Cultural Facilitator	\$50,050
• Assisting in Inuit Traditional Law course preparation, interpretation and translation	
• Assisting in Advanced Inuktitut course	
• Intermediate Inuktitut Instruction	
• Organization, fundraising and participation in Workshops (Professional Responsibility and IQ, Restorative Justice, Cultural Protection and other)	
• Oral History Project	
Research Assistance	\$ 2,000
Student research assistance	\$11,750
Translation (Inuit Traditional Law)	\$ 3,500
In-class Interpretation	\$ 1,510
Intermediate Inuktitut	\$ 720
<u>TOTAL EXPENDITURES</u>	<u>\$107,330</u>

REVENUES

Department of Culture, Language, Elders and Youth	\$45,140
University of Victoria (Academic Budget)	\$14,000
Department of Justice Nunavut	\$21,000
Gordon Foundation (through University of Victoria)	\$18,800
<u>TOTAL REVENUES</u>	<u>\$98,940</u>
EXPENDITURES	(107,330)
SHORTFALL 2004-05	(8,390)
SHORTFALL 2003-04	(19,160)
TOTAL SHORTFALL	(27,550)

Because of a lack of funding from other sources, the Law School's day-to-day operating budget contributed \$ 8,390.00 in funding for the second year of the Elder-in-Residence

Program, for a total contribution over two years of \$27,550.

April 1, 2005 to March 31, 2006

Projected Budget for continuation of Oral History Project to August 31, 2005

Elder-in-Residence Salary (Lucien Ukaliannuk) <ul style="list-style-type: none"> • Working with research assistant in preparing oral teachings for written publication 	Projected Reimbursement to GN Justice for Salary Costs (from April 1 to August 31)	\$12,000
Full-time Research Assistance <ul style="list-style-type: none"> • Completion of transcription of audio-tapes into Inuktitut • Translation into English • Editing for publication 	Salary costs from April 1 to August 15 (research assistant will likely be an Akitsiraq graduate who will start articles in early September)	\$12,000
Equipment (tapes, CD-Rom's, office supplies)		\$500
Preparation of proposal to potential publishers		\$500
TOTAL		\$25,000

Name: _____

Date: _____

Appendix VI**AKITSIRAQ LAW SCHOOL****Introduction to the Organizations involved in the Program Creation
and the Delivery of the Program****Akitsiraq Society**

The Akitsiraq Society was incorporated under the *Societies Act*. At each annual general meeting a Board of Directors was elected. At the first board meeting, the Executive was chosen from amongst the board members. The Executive would handle the day-to-day business decisions of the law school. The Akitsiraq Society was the hub of most activities involving the financial, structural, and student life of the Law School. Although the Society did not handle the academics side of the program, they were involved in most other areas. The Board would be the overall vetting organization for the ongoing decisions of the Board. Many of the Board members were lawyers or others interested in legal education in Nunavut.

Southern Director

The Southern Director position was an existing UVic professor who was appointed to this project. However, the Society contributed funds to the University of Victoria to cover half that professor's salary during the set-up and full-time during the project. The Southern Director was in charge of all the academic issues that would arise during the course of the program, including admissions, extensions, consulting with professors, hiring professors, setting professor wages, and assigning courses.

Northern Director

The Northern Director was hired by the Akitsiraq Society after consultation with the University of Victoria. The Northern Director was paid approximately \$100,000 per year for the work and also received a subsidy for rent. The rent for all the professors and the Northern Director were negotiated by the Society. The professors did not pay for their accommodations, while the Northern Director did. The Northern Director was involved actively with the College making sure that infrastructure issues were always dealt with appropriately. The Northern Director was integrally involved with students and student issues. This Director was always involved with acclimatizing professors to the Nunavut reality. Other responsibilities of the Northern Director included financial accounting, accountability and keeping track of all the organizations and individuals involved in this complex process.

Elder-in-Residence

Once an Elder-in-Residence was hired, it became clear that a cultural advisor was required to bridge the gap between the elder and those who spoke English only. Funds were received from Department of Culture, Language, Elders and Youth to allow the hiring of a cultural advisor to assist the Elder-in-Residence program.

Library Support

Some funds were paid to the University of Victoria to allow one of their librarians, Serena, to assist the students with research projects and learning about library processes on a half-time basis.

Computers

There were eight computers in the Law School classroom. The Northern Director arranged for these computers from the Nunavut Arctic College. QuickLaw and other legal research tools were installed on these computers and students effectively learned how to deal with computer research programs.

University of Victoria

The University of Victoria was the academic partner for the creation and implementation of the law school. The University of Victoria paid the professors and the Southern Director. Professors were to be hired by the University of Victoria after consultations with the Akitsiraq Law School Society. The Southern Director was hired by the University of Victoria as the academic person in charge of the Akitsiraq program. The Akitsiraq Society paid the University of Victoria those funds required to pay the salaries of the professors and the Southern Director, and their accommodations while they were in Iqaluit. The University would invoice the Society and the invoices would be paid accordingly. UVic took sole responsibility for hiring and paying professors. The Society really had no information as to how much they were paid and how their contracts were negotiated.

Nunavut Arctic College

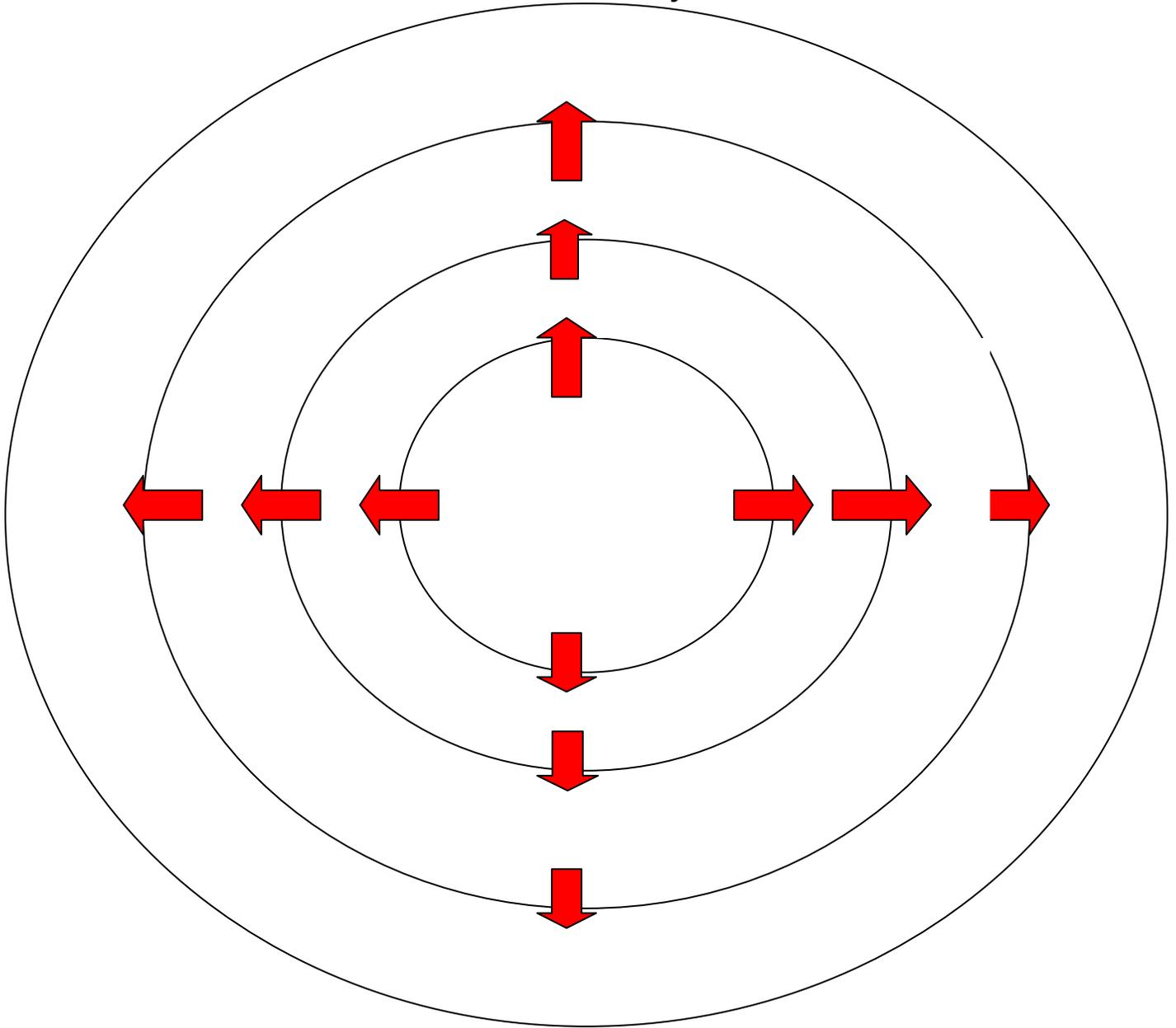
The Nunavut Arctic College provided classroom, administrative space and administrative support to the law school. The law school was housed in one regular classroom and one large office that contained two desks and work areas. Nunavut Arctic College also paid the students' salaries and any additional sponsorship monies that were authorized to be paid through the Sponsorship Committee.

Sponsorship Committee

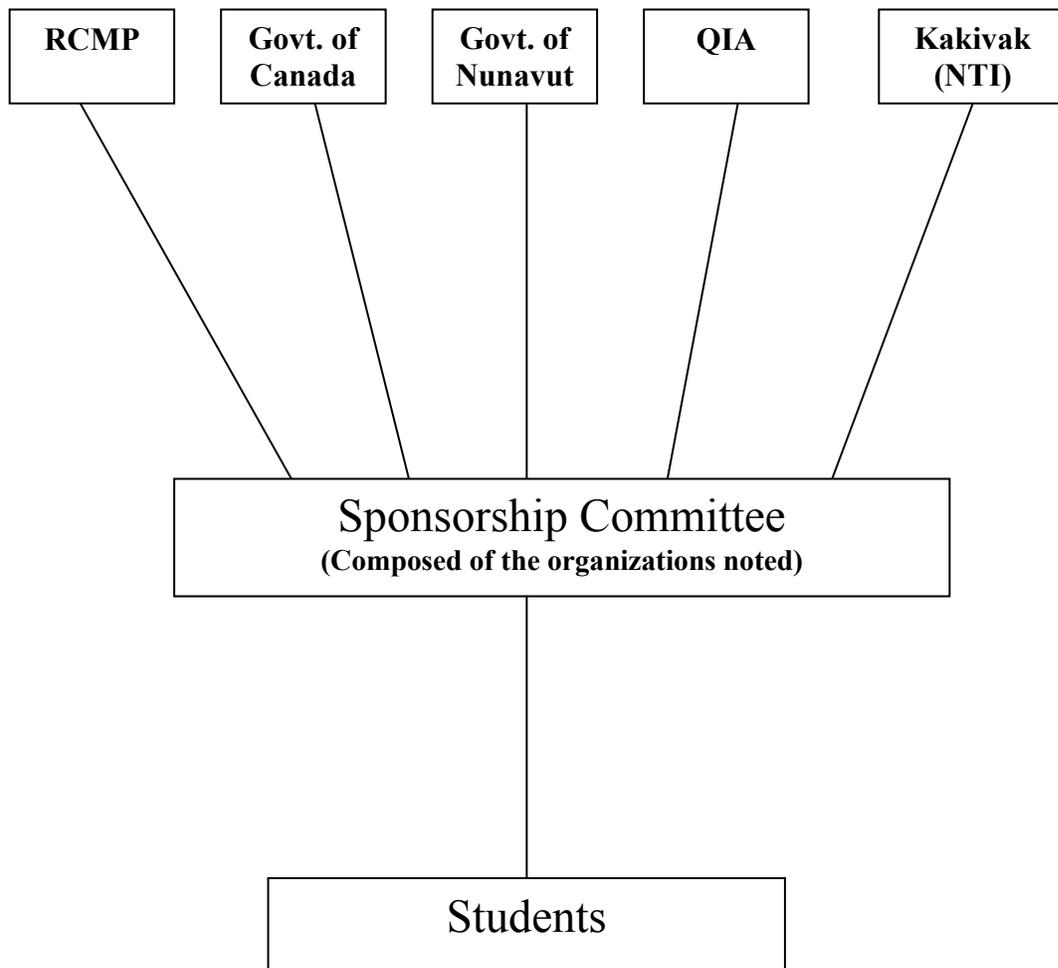
The Sponsorship Committee was composed of a representative of each of the funding sponsors of the law school. The Sponsorship Committee was chaired by the Northern Director. In addition to monitoring the students' salaries, this Sponsorship Committee was also given the authority to pay students extra financial support, upon application by the student, for crises of various kinds. The Sponsorship Committee continues to meet from time to time to follow up with the students in monitoring sponsorship obligations.

During the school years, pursuant to their sponsorship contract, students were required to attend school regularly, maintain passing grades and hand in assignments on time. If the students slipped on any of those requirements, the Sponsorship Committee had the authority to cancel their sponsorship and require them to re-pay any sponsorship paid to date. The Sponsorship Committee, therefore, played an integral role in supporting the success of various students and ensuring that the significant commitment of finances by the sponsors was properly disbursed.

Flow of Authority



Sponsorship Committee



Appendix VII

**Evaluation of the Akitsiraq Law School Program
By Participants and Graduates**



Introduction

This student evaluation is based on the opinions and views of 11 former students of the Akitsiraq Law School Program, conducted in-person, by e-mail and by telephone in May of 2007, at the request of the Akitsiraq Law School Society. Eight of the people I interviewed were graduates of the program, while three had not finished for various reasons.

This report is built on the voices of the individuals I interviewed. There was hardly any need for my commentary, as each of the individuals interviewed was more than capable of expressing relevant thoughts and opinions clearly and plainly.

I would like to thank the former students for participating in this evaluation and wish them all the best in the future.

Mathilde Matthijsse
Iqaluit, 2007

STUDENT EVALUATIONS OF THE AKITSIRAQ LAW SCHOOL EXPERIENCE

Why Study Law ? Why Akitsiraq ?

In the eleven interviews conducted, students gave reasons for applying to the Akitsiraq Law School Program which encompassed a general interest in law, a desire to help and represent people, a desire for a law system that would be more compatible with Inuit traditional law and a desire to understand "how the systems work and how to work within them and maybe some day effect change".

"...and maybe someday effect change."

"I've always been a bit of a social activist and feeling more empowered to try and achieve those goals. Just trying to change the social dynamics, the hangover from the colonial era and the impacts that it had. Whether its poverty and social issues. Just trying to empower a nation I guess."

The fact that the program was offered 'at home' and that the program was going to provide financial assistance, to cover tuition and administration costs, rent, utilities and food, made taking part in the program a real possibility.

Students mentioned the benefit of having the law school program in a familiar environment. One student had actually attempted to follow a law school program down South, but left after one month.

"There was a sense of much more competitiveness in that university, just in the one month that I was there. So it was good to be in an environment that was kind of safe, your own social setting. Because learning law in itself ... you feel displaced learning about the law as it is. It's a culture shock, basically. And I think to be in an environment where it's not your own, something that you're not familiar with, would have a more compounding effect on you. And I think the confidence level to continue would be much lower. So it was good in that sense that it was here and not in that competitive environment, but at the same time, when you leave law school, that competitive environment is there, in the law profession. So you can't shelter people too much from it either. So it would be good maybe for people to have to experience not just the safe environment, but also elsewhere."

Some of the eleven mentioned the location of the course and others mentioned the existence of financial support as being integral/essential/helpful to their decision to study law. A few identified that they would not have taken up this challenge without these conditions.

What did you expect ?

Expectations were high. All the students interviewed expected and hoped for both an education that was level with law school education in the rest of the country, and distinctive Northern, Inuit and Nunavut content.

"I wanted to know how the court system operated, why they weren't compatible with Inuit beliefs and laws and how they could be more compatible."

"I wanted to have the credibility of other lawyers in Canada. Everything they learn in law school, plus more. Because I wanted Inuit law to be part of it." **"I wanted to have the credibility of other lawyers in Canada.....I wanted Inuit to be part of it."**

But there were some reservations too. The program was seen by students as an experiment and students saw themselves as:

"guinea pigs, so we would have to take the major bumps in the road, we would really feel them" and,

"there was so much talk about how this was just going to be one of those dumbed-down-for-Inuit courses, and I really, and a lot of us, just really wanted to prove that wrong."

The media attention generated some worry among students about their ability to "cut the mustard", because "there was a lot of pressure."

...late nights and early mornings, and tension.....in the shoulders."

Students expected to "work hard. It's really rewarding, but it's a lot of hours of hard work and late nights and early mornings and tension...in the shoulders."

The smaller class size was expected to make the interaction with the professors more accessible, and although it was expected that "the Inuit stuff would be part of it, the level of dedication and commitment from the professors exceeded my expectations."

There was also an expectation of extra support in the form of tutorials and counselling support.

Most students had high expectations, yet on another level there were many unknowns.

"It was like being pregnant and you have no idea how it is to give birth. You have no idea what you're getting yourself into, the amount of reading, the total embrace you have to put into the study of law. You have to give yourself 100%, there's no time for children, no time for family, just no time even to dream about other things. It was so difficult, I did not believe that it was going to be so difficult."

What prior experience did you have ?

Most students entering the law school program had either had some experience working in a field related to the area of law, or had gone to college or university previously. Those experiences were a very valuable basis on which to build the skills and knowledge required in the law school program.

"I had gone to university for a bit in Ottawa and I found that very helpful in terms of having the discipline. I don't know how encouraged it is in our school system. Because I don't remember being pushed hard in High School to get essays done and in the evenings and knowing time-management in order to prepare for exams."

"I'd say with my writing skills, my undergrad helped in that respect, and just sort of handling the workload, the time management aspect of things, you go in with the ambition to do everything, and then you realize that can be difficult to manage sometimes."

"I worked with corrections predominantly, when it came to studying criminal law, I had independently gotten myself familiar with the criminal justice system through the corrections perspective."

"I worked in the young offenders facility, it really gave me extensive background into the criminal aspect, which is a very small part of the four years, but I never even strayed from the idea that I was going to be a criminal defence lawyer. So all of my four work placements were criminal law related. So both work previous to law school and work experience during law school really contributed to my knowledge."

"I think the debating team at high school helped me see issues from both sides, pros and cons and how to debate."

"I've always taken the area of law extremely seriously, so it was always helpful that when I went to law school I had all this life experience. I could give and provide examples, so that what the teacher was telling you, which was primarily academic and theoretical, be able to put it in a real life experience. Yes, you have these legal rights and obligations, but at the same time, you do have to conduct yourself professionally, and how you approach resolving conflicts can avoid having legal problems later."

The law school had attracted students that were a little bit older than the average age of students in southern law schools. Many were confident and determined to succeed.

"I think when I went into law school I was ready. Because I had been to school before at an age where, I think I might have just been too carefree you know? And then I came back and worked for a number of years, matured and was ready to really go to school and be at school and learning, on my own accord, rather than feeling like it's just my obligation, I have to be here."

There was still an appreciation that it would have been helpful if they had had more practice in academic skills:

"[I found it hard to get] the discipline of going from A to Z and finishing it within a certain amount of time."

"[I would have liked to have] studying skills, research skills and writing skills [before I started], for me, writing skills in particular. I found I was unable to write anything more than a page on one particular topic, in the beginning I really needed to learn. The basic skills have to be there. And then how to read, how do I read a case and how do I take from it what I'm supposed to..... it just totally was above my head."

Why did you stay ?

Students were in agreement that they all experienced stress in completing the program. Some struggled academically, some in their personal life, and for others it was a psychological struggle.

"I guess I was lucky that it was so many women. I'm very open, I wear my heart on my sleeve, me, I have to talk and that's what kept me sane. When I was struggling with a particular course, or when the things I was going through personally were making it hard, I just kept telling myself, you have to finish what you start, you just got to keep busy, rather than procrastinating, because if you don't procrastinate you'll get there. We were very good support for each other. We naturally connected more, in our work and things, and even though sometimes there was tension, at the end of the day, we were all very supportive of one another. We were like a family, and that's how you have to be. And if we'd hear someone complain, we'd all talk to them, or go by more and try to spend more time with them, have a pep talk, just try to pick people up and they would do it for you."

In difficult times, many students didn't feel like they had the option of dropping out because of the social obligation to the community, to Nunavut and to the people that organized and funded the program.

"I knew how much work had been put into creating the program, so I felt a bit of a social obligation to continue. And also the expectation from the community, not just the community here, but Nunavut-wide. Because it was a program that was unique and something community driven, I wanted to show that it could work and that it was successful. So that sense of obligation, even though things got hard I never thought of dropping out at all. And of course, knowing the end result would be a law degree..."

"[Dropping out is] not something I would have allowed myself to do unless something terribly drastic happened, but it's not something that I would have allowed myself to do. Because it wasn't just me, it wasn't just me in a university, it was me in a university funded by a lot of people that were rooting for us. Not only the funding, but a lot of people were rooting and supporting all of us, so it would just feel like a disappointment to myself and a disappointment to so many other people."

"[I got my] social assistance cut off when I went to school. It's like the system is trying to stop you, when you're a mother, when you're a single mother. There is just nothing out there for you. The system doesn't support people like me. And on many many levels, this is why I went to law school, this is why I did not quit, because there's so much work that we have to do. Why do we have a system that is trying to discourage people from contributing to society, that's absurd! I wish that everybody would have access to education. And not being barred whether they were a certain colour or a certain heritage, that we all could have a free education."

As well as the very negative reactions students heard or were informed of – on the part of some members of the public who saw the Akitsiraq program as a diluted program, or watered-down-for-Inuit program, another one of those free aboriginal programs – there were also very positive reactions from the community and all of Nunavut.

There was an expectation that "somehow this program, and the graduates would save Nunavut", would demonstrate that setting high objectives and achieving them was possible in Nunavut, and perhaps even was possible because of Nunavut. For some, this expectation meant a real pressure, while for others, it helped them to stay focussed and determined to finish, and some wanted to take up the challenge and really make a difference.

How did your family impact on student life ?

Most of the students that started the law school program had family responsibilities. Some knew that they had to carefully balance their different responsibilities in order to make it work, but for others, this was an obstacle and they went through serious crises as a result.

"I was the oldest [of my family] and I still abide by Inuit tradition that a mother looks after the household. And I never really gave that up, I never really gave my husband: 'can you do this for me, can you cook on these days so that I can do this...' I did everything. I didn't pass on any responsibilities, me and my husband grew up traditionally and we abide by tradition. So that put a lot of stress on my studies and our home."

"Yeah, there's a lot of pressure, and it affects the whole family. It created a lot of stress I know between spouses, because our traditional role as mothers we could barely fulfill anymore, so our spouses had to pick it up or deal with it, you know, it changed, so sometimes it caused tension and fights..."

"I guess in general I feel that if I wanted to get all A's I could have gotten all A's. But for me I had to strike a balance between my family and education, and I can't have an A in a course and failing at my family responsibilities, that's just not part of who I am. So it was a struggle to balance sometimes, but it worked out in the end...that would be one of the major struggles, the balancing act of those two things. The focus really has to be on school for those four years. Because it's just really demanding, both time consuming demanding and on your person it's very demanding."

"That's the balance you have to find when you have a family, is whether you want to be an A-student and never see your family, or you'll live with your Bs and know that you have supper and chats with your family every evening."

"I felt sometimes like I was being looked at as if I didn't value the program as much, because I had to balance my family and my schooling, I had to make decisions that sometimes didn't allow me to always excel. But I really think that everyone did a lot of learning and in the end really understood that kind of thing. If everyone understood that from the beginning it might be a bit of an easier track-through, because the education itself is difficult enough."

In addition to the time required to do a law degree, studying law can also be an empowering process, and this could be an added stress on family and relationships.

"[A]bout 50% of marriages, of people who are married when they are in law school, fail, their relationships end. Just because of the time required to do your studies, but I also think that there's an added thing that happens. Some husbands or partners can feel very threatened when their wife or partner is getting higher education especially in this area (in the area of law). They are learning leaps and bounds, their earning potential is being increased, their knowledge of their rights, [their] mind and world is broadened. And I think that it's really hard for many male spouses, they feel left behind. I think guys can be very insecure and intimidated, and then all of a sudden the woman that they married or had a relationship with is transforming, not in any bad way, but some individuals, I just don't think can cope. And especially I think in the more traditional Inuit family setting, where it's an Inuk woman and an Inuk husband, where men are supposed to be the breadwinners and they know how the world works and the world of politics, it's even more emasculating."

"Law school also taught me how to be more assertive. How to fight for myself. I have rights: I have a right to a quiet house, I have a right to rest, I have a right not to make love, don't touch me. Like I said I was very traditional, so I was always saying yes to my husband even if I didn't feel like doing anything, so law school has taught me that a person has a right to say no. And if I say no, that person I said no to has an obligation to respect my right. So that's when I started to think that I'm not a stepping stone, I'm not a mat, I'm not a maid."

Students described family and friends as a source of much needed support. Many received financial, emotional and practical support. For example, the husband took on more responsibilities raising the children, doing the shopping, parents helped with babysitting, friends took older kids for sleepovers. There was help with Inuktitut for papers, friends shared ideas, helped with homework, or offered a listening ear when needed:

"In every year there would be a point where you're just emotionally drained. You get so tired physically and everything else...you just get upset and stressed out. So, [my family was] just there to remind me, you're half way through, or you've done your first year, or you've got six months left... So in every way possible they were supportive...."

"They fed me when I had no food, they helped me de-stress when I was freaking out, just general encouragement and support every day. And just helping maintain perspective in terms of why I was at school."

"[My children] were learning so much about law and it was benefiting them in their intellectual world, what their rights are and what the issues are, because everything ultimately is related to law."

"It has helped me so much in every aspect of my life, of my children's life, of the life of the community of the life of all of Nunavut, because we have become role models. Women who knew me from when I left my husband and from all the hardship that I had to endure, they see that anything is possible, that you can pick up yourself and attain something. I have women thanking me for setting a good example, for all the things that I'm capable of doing. The law school has given me a sense of ability. That I have a right as a person to steer my future, or to choose a career or to choose a way of life."

But not everyone felt comfortable asking for help:

"I'm a very private person, it's really hard for me to ask for help. So that's one area where I lacked strength in, to ask for help. I was really struggling...So that's one regret I have, not trusting my immediate family to help me."

The social aspect of the law school was also an important part of the positive experience for the students. The students came to regard each other as friends, as extended family, as sources of academic and emotional support:

"We all pulled each other through."

"I especially loved the outings and the get togethers."

"we trusted each other, we helped each other, we went out together, we had some study sessions together."

"I'm still in touch with all of the students and we're still close. We have that special bond and we know our weaknesses and strengths, so we're still friends and colleagues. Even though we don't see each other very often, we still have that connection."

Was the program true to its Nunavut promises ?

The Inuit, Northern and Nunavut content of the program was very much appreciated by all the students. It was valuable to keep a mental and academic balance in the program. The students learned both the Euro-Canadian law and traditional Inuit law, and they learned about situations and issues common in the North. Many graduates were happily surprised to find that the program was so well-adapted to their own experiences and are using that knowledge in their current careers.

"We're very privileged because even though it was only, unfortunately, one elder's view, at least we got a window, where most Inuit don't even get that now. So not to say that it can't be improved upon but...It was very useful, it was useful during the course, to keep us there, so that we don't drop out, because for once this was a course that is willing to find our culture relevant. But in our personal lives it taught us a lot and we carry that through in our career."

"The Traditional Law training we learned can never be underestimated. I try to apply much of it in my field of work as much as possible."

"I find that the Inuit law courses are very helpful in that they kept me more on a balance and it helps to remind me that our society also had norms and laws and for me to be able to carry that over to today's field. It is difficult to try and implement some of the Inuit laws, however there are some ways that you can transfer very easily. There are so few of us, Inuit lawyers, there's still sometimes high expectations of Inuit lawyers, but the Inuit traditional law classes have helped me to balance and accept the high expectations that we face."

"I think the material provided [for Inuit studies] was more than adequate, because a program like this has never existed before, that includes Inuit academic thinking of Inuit law. Inuit law is more than academics and it has never been explored to the depth that our law classes explored it."

"But we have to get away from the idea that every elder is an expert in everything. There is more than one view on the same aspect, and there are gender differences and there are regional differences. I just came back from a meeting and the elder there, the only elder, said: ' we're sick of having just one elder, because a lot of these things are complicated and when we have two or three of us we can help each other out and share.'"

"I felt that we gained an education that was at par with any other university with the subjects that were being taught. But I feel we gained also on top of that this other component of Inuit cultural values incorporated into the majority of each of those courses. But there was just so much incorporation of Nunavut-related topics that I just found that we got a better education than I think I would have received if I had attended a law school in the south."

"We got all the same legal education that you would be getting down south, but then you had all this added bonus of the Nunavut context and the Inuit context."

The students did struggle with the cultural content of studying Inuit law within the structures of a conventional legal education. Many found it difficult to write essays for the Inuit traditional law classes, as they were not experts on the field, nor were there readily available resources to fall back on:

"The one thing I found, and it wasn't just me that found that, that when we were going to do an Inuit law assignment, a lot of us were like, what do I know? Do I just write out what the Resident Elder has spoke about in class, and that is my content? And where do you research this? And a lot of it is not available in books, other than white explorers that came up, and a lot of that is inaccurate or biased and there were no resources."

"We were all feeling the same way, what do I write about? I'm not an expert on my culture, I'm just a student. Until you have lived your life and you come out the other end, where you can speak with some authority, that was very hard, what do I know? What do I write about? But we could have even wrote interesting papers contrasting property law the Euro Canadian way with property law the Inuit way."

"We could tie it into the Euro-Canadian courses we're learning and ... then it leads to research, because then you're starting to gain a body of knowledge on Inuit [law]."

"But we also need to be able to talk about what are individual, community and collective beliefs now? Same thing about property, who owns it, borrowing it, and what happens if you damage it? What if you damage someone's skidoo, because in the old days a person will help out."

"Part of the courses that you do take in law school is learning about social norms, and conventions and how values get incorporated into laws and interplay between politics and law. So you get all that from a Southern perspective, what's missing is the same similar Northern analysis, or a Nunavut and Inuit analyses of how you interplay law and social norms and values and how to get values put into legislation."

"I've thought about that before, not to completely fry and burden your Elder, but just once in a while you can identify the concept and which one fits and the conflicts and have the elder learn the Western Euro Canadian Legal concept and the student come up with the Inuit one and allow them to agree and extend or clarify."

"In order for you to make something better, you need to find out how it functions, where does it come from and how come it is the way it is. And I think the law program did that very well."

"I was out to: when I finish law school, I'm going to kick the government's ass, for degrading, relocating people, for genocide. And I learned from Inuit law, that's not how you do things, that's not the kind of person I am. Those were the motivations I had when I went to law school. We had an Inuk Elder resident, and I think he helped us pull through. I think it was because of his lessons and of his lectures that the students finished law school. Because he not only taught us Inuit law, he taught us how to understand and how Inuit would deal with injustices...in a very humane way. He calmed a lot of my anger, inside anger and frustrations and hurt and it makes me want to spend more time with Elders."

Was the financial support sufficient ?

Despite the fact that there was financial support for the law school, many of the students still went through difficult financial times.

"[W]hen I was going to law school my income was substantially less and it became difficult at times, financially, especially with the mortgage and two young children."

"I took a significant salary drop, so it's a commitment we made, that we'd just suffer the low income and I think that's the biggest support."

"I realize a lot was done for us to succeed in law school. This was necessary – hardly any of us understood the breadth or the complexities of university training. Without the support, it wouldn't have been possible. But maybe we received more than what was necessary or reasonable for a scholarship because of the long-term expectations of the Program. The amount of the scholarship, I think, although initially to procure a select intake of students for a one-time program, should be re-considered in light of the view that we as Inuit should start to learn or regain independence in terms of planning, accountability and responsibility."

"We almost went backwards when we went to the working world. So I think, for me, even though I was a huge proponent to keep the funding level at the same, I'm thinking now it might be better if it's more in line with the [expected level of the first year wage]."

"They shouldn't say we got too much financial support, no, we have now proven that really any program, whether the NTEP program or the technology program or the nursing program, requires students to get a certain amount of financial support, so that they don't get into massive debt, that they can basically have less financial stress and be able to pay their rent and or mortgage and put food on the table. I mean, none of us got rich during the law school program, we just made it by."

Part of the financial issue was the issue of housing. Most students had no real complaints about the housing they lived in and were grateful for a place to live in a community with such high housing stresses, but it was mentioned that rents varied depending on the housing, whether territorial, federal or student housing. There were also students with mortgages who were shouldering an even higher financial commitment during those years.

Students suggested that the funding could be adjusted to account for these differences.

I think that if [the next program] can get student housing, that they should try and get student housing, for those that are not mortgaging. And for those that are mortgaging, they should have a little bit of assistance.

Was the funding formula equitable ?

It was very clear that not all students were treated equally. Two of the students were not land claim beneficiaries, and were not eligible for the funding that others received. It was hard for these two to be treated differently and it created tension between the students. In the first 18 months, these two students received no funding at all, which caused a great deal of stress:

"Financially I was so in the hole after the first year and a half, that I did feel like I was not going to be able to continue. There was a period where I thought that I was going to have to work my way out of the hole a little bit and then maybe go back to UVic or something, but luckily, with [UVic's] help and the Gordon foundation, they found ways to help me with grants."

"I don't think there was a time where I didn't think of not continuing. For me it was being treated differently was too hard on me. It was very, very hard especially in the first year to live with it, because I had no money, I had nothing for my children for Christmas. I had no access to the contingency fund, any kind of funding from the law program and it was not only hard financially, it was emotionally also very hard. And law school itself is very, very hard emotionally and that factor being added made it very hard. But now, I'm happy I never quit."

The students who were beneficiaries echoed the same concern, asking that there be:

"...more financial equity, for all students at the same level."

Have your career prospects improved ?

All the graduates are very happy with the improvement of their career opportunities, even if, as first-year lawyers, they are still earning less than before they started the program. They recognise that before they started they were at or near the top of what they could possibly achieve, and now they are at the bottom of a new field, but the ceiling of what they can achieve is much higher.

"I don't know that I would have gone off to school if I wouldn't have had the chance to do it this way. I would have liked to have, but I don't know if I would have had the confidence in my ability if I didn't have peers and colleagues here that were applying as well. And I was very intimidated by the idea of law school and the legal field. I viewed law as a transient entity that came to the community infrequently. It wasn't something that grew out of our community, it came in, and so I felt disadvantaged, I wasn't ever someone who was familiar with the legal game in this country. I didn't grow up with familiarity of that. I knew the criminal system because it was something that we saw every few months, but the rest of it I didn't have the face-to-face experience with necessarily. So, I doubt I would have had the confidence to pursue it, it was scary, a scary idea to go to law school, it was an unattainable, inaccessible kind of field, before this opportunity."

"We'll see, it's so early. I'm still making less than when I left GN, we're just starting, so it's hard to answer that question. It's been just 7 months since I passed the bar..."

"Now I could be a more qualified manager, because I know employment laws, just stuff like that. I guess I'm saying there's no doubt I would have wound up working in management, but I think now I'm more qualified. And I also have the option of opening up my own firm, be in self-employment, litigation...."

"It really has changed my career drastically, because I, first of all realised in my fourth, or late third year early fourth year that: I don't want to be a criminal defence lawyer. A lot of people still don't know what they want to do when they have graduated, but I'm so thankful that I realised that before I actually became a criminal defence lawyer. [During a work placement] I started to become interested in family law and I did a few assignments for the family lawyer there. For my articling year I applied to the Inuit organization, NTI, because I was very interested in aboriginal law and Inuit rights, I wanted to see if that's the place I wanted to be. And as much as I enjoyed that, I gained experience there, I think I opened doors there, but it still wasn't exactly what I wanted to do. So in my articling year I also worked for about a month and a half with the family law office and it just felt as if that was exactly where I wanted to be and I felt that I would be happy doing that. But I think that it's just the beginning, if I in ten years or in twenty years decide that, ok, I'm done with law school, the career doesn't end there. I really feel that going to law school has opened so many doors to either working with the government, working with the Inuit organisations, just numerous different paths."

"It has changed, the six-year span from when it started until now, has changed my career opportunities from very moderate, being able to choose a handful [of jobs] at the most to being able to choose any. That is incredible, when you look at the past six years, the difference is astounding, and it's hard to believe for me. Like, I was just on social assistance, raising my five children."

"And even if you don't want to become a lawyer, having a law degree just opens up many more employment opportunities, even if I went and worked for a different non-governmental organisation, having a law degree just gives you more sense as to what is not only legally possible, but politically possible, because the two are so interconnected. And you're able to really work or function at a higher professional level. The fact that once you've got that degree under your belt, rightly or wrongly, most professionals take you a little bit more seriously, especially as a woman, and as a minority woman. As an Inuk."

Should Akitsiraq do it again ?

Students were very positive about a second intake for the Akitsiraq program and for professional programs in Nunavut on a more general basis:

"Just for the future I very much would like to see a university up here, and if we cannot set one up we need to start a second intake as soon as possible. We have already set the precedent, it has already been done. And for Nunavut to become what it should be, we need more educated people, not only the law school, but university level of education. We can't wait any longer, because knowledge is power. We cannot be kept in the dark anymore, we need to start taking part in developing policies and legislation that affect Nunavut and Nunavummiut. This is one way we can take part, not only for Inuit, but for people who are born in Nunavut or who live in Nunavut, I think we need to start working together."

The students are aware of interest from other individuals in Nunavut and Inuit communities in attending law school, they also believe that it will be necessary and hope that the program will run again. Therefore, they wanted to share their experiences so that the Akitsiraq Law School Society could learn and develop.

The students also looked ahead, for new challenges and different opportunities.

"One day I would like to be a principal for an Akitsiraq Grad. I'd do what my principle did for me, I'd teach them the ropes, that's what I'd like to do, I think that would be awesome, maybe one day I'll do my Masters and then I can teach in Akitsiraq. That I'd like to do too, those are the two things I daydream about. My masters and teaching."

What would you change for a second program ?

Despite the very positive overall experience of the law school for all students involved, it was clearly a first-time program. All the students were aware that it was hard to foresee exactly what was going to happen, and what the students would need in terms of support. It was to be expected that, to a certain extent, the program direction and administration was reactionary in nature.

1. Admissions

Although the admission process was considered to be appropriate on the whole, many remembered the interview to be very uncomfortable. It appears that the 'challenge' function that the interviewers adopted to test the applicants was received by applicants as an [unsuccessful] attempt to discourage them. This is an obvious example of the early cultural gap between conventional legal culture and the incoming students.

"Basically being told by a [the interviewer] that you are not Inuk enough"

"I was pregnant at the time, and [the interviewer] was saying: 'do you honestly believe you can go to school with a baby?'"

'Yeah!'

'How do you know you can?'

'I just know, how do you know I can't?'

You know, so I was just lucky that there were other women who believed in me, because from someone's perspective I was crazy considering going to school with a baby on the way."

"I was really hurt and upset when I walked away from that interview. They said: 'we're concerned that you might be too assertive, and the other Inuit students would have a difficult time going to law school with you.' I worked really closely with a lot of Inuit not only as a board member, as a volunteer, as a community member and I found it not only disrespectful, but a personal attack on my identity. And also, this is law, don't you think that being in the area of law, assertiveness is a good thing?"

The decision to allow a second admission group after year 1 was well-received:

"Once there started to be drop-outs, [it was good that they] allowed others to get in, but let them know that there's always next year. There will be a drop-out, there will be, so let them know there's always next year."

2. Orientation

When the orientation was discussed, it was felt that it was not representative of the volume of work that needed to be done during law school. Because of the huge effect the law school can have on family, relationships and children, one of the graduates offered a piece of advice for the future:

"I think as a family we didn't realize what we were getting ourselves into. I think there should be a family talk, with students who have a family. [They] should be talked to that this is very serious and everybody has to agree that the mother or the father is going to be very very busy and there is going to be no time."

Some proposed that basic study skills should be taught during the orientation. Others suggested that policies and expectations, from the program, from the staff and from the students, should be explained and presented in writing. Clear and transparent disciplinary structures should be in place and adhered to from the beginning right through to the end.

"It didn't say anything in the rules about warnings and how many warnings. They never really kept attendance or enforced it. Give someone the chance to rectify a problem. It was very informal, no attendance progress, or financial progress, I just think there weren't enough checks and balances."

"There has to be a way in the governance to make it more transparent, what are the considerations, how are we going to do it, and set that whole process out so that it's equitable, rather than feeling it's just inconsistent, unfair and preferential treatment."

"They needed to have more of a structure, in terms of [discipline], it can't be in one person's mind, how you're going to record it, what happened with it, I would try to put a structure in place."

The grading system needed to have been explained properly and the opportunities and (grading) requirements for further education.

"In hindsight, I could have tried harder. I realize now that I can't enter an M.A. or Ph.D without a specific G.P.A. number. It could have been helpful to know beforehand, so that it could have been a planning tool for those that wanted to continue on with their legal studies in the future."

One student suggested that the availability of an appeals board, however well-communicated, didn't really work in practice:

"UVic also had an independent appeals board for students if they disagreed with the grade (pass/fails/grades etc) – this was communicated sufficiently enough. However, in practical terms, Iqaluit being a small town and having only one Northern Director, it was difficult to fully exercise these appeal rights. I suggest that the support person or someone else be designated to intake student appeals – to provide an independent third-party venue."

One student mentioned she would have liked to have had support with finding daycare spaces or schools for her children.

3. Advance Planning and Notice

A number of students mentioned that some organisational issues with the program caused them inconvenience. For example, work and study terms were not always worked out well in advance. For students with Sponsorships, the terms and conditions of that contract were not clear to everyone, and the obligation to work for two or four years after graduation was not matched always with related job opportunities:

"Even during law school, one of the things that was tough, especially when you have family and kids, is sometimes things were planned last minute. You didn't know if you had the summer off until a month or two before."

Part of the uncertainty was a lack of clear transition from university student to articling student and into the labour market. Contracts and obligations were in place but they did not always correspond to the opportunities available.

"I think after law school, there was really poor planning, because the whole time the focus was on our law school experience, and nobody really thought: 'oh, what about once they graduate?' So we were in limbo after graduating, not knowing how we're going to do our bar adds, where we're going to do our bar adds. So that was no fun."

"The Sponsors should have been more organized in providing the employment that they obligated us to engage in after. There became a shortfall in employment, variety and availability of employment after articling."

4. Administration roles

A significant number of students wanted to address the issue of the ambiguity between the role of the Northern Director and the need for external support services:

"A Director is not going to like every student all the time, necessarily, but when they're also your disciplinarian...it must have been a very hard job, they had to be your disciplinarian, they also had to be your councillor, they had to be this and that and I think it put students in a really hard position sometimes, and it might have even driven a student or two out of the program. In terms of student support, they were always very good. In terms of, if you needed to hop on a plane, you could do that. But they needed to have more of a structure, in terms of, it can't be in one person's mind, how you're going to record it, what happened with it, I would try to put a structure in place."

"The Northern Director is not a professional counsellor and they don't necessarily know how to address issues of confidentiality. Confidentiality was often breached, that was not appropriate to us. If we had been referred from the Northern Director to a counsellor, that counsellor would have been completely bound by professional code of ethics not to then disclose personal information to a disciplinary committee."

"[the position of the Northern Director] is the only thing that I would have improved, but I'm not complaining. In the end, I know they will learn from past practice, it was the first program, and it just made me tougher, right?"

In addition, translations during classes were mentioned as problematic:

"And it definitely was not right nor fair to expect the more advanced Inuktitut speakers to do translation and interpretation."

"I remember it was really hard the days they were trying to get me to translate for my uncle. Because even the Inuktitut of his generation and the Inuktitut from my generation that I'm just familiar with hearing on the street, I don't understand it half the time."

"There's an interpreter/translator course [at the college]. Make translating our classes as part of their course. [That way ...] you work together to meet both needs. And they can be evaluated on their translating by doing our classes."

A number of the students mentioned that although the smaller classes were very good in some ways, there was also a downside to the class size. Students didn't have the ability to pick and chose courses or professors as much as a student in a law program down south would, and it was also difficult to catch up on courses if you were unable to attend when the course was offered the first time around.

Overall feelings ?

Being part of the Akitsiraq Law School Program was experienced as overwhelmingly positive by all the students. It could have been improved upon, in fact the graduates knew of many things that could be better, and it was very hard and stressful. But overall, the experience was a very positive one, and the students were thankful and proud that they had been given the opportunity to be part of the program.

The summary can be left in the graduates own words:

"I enjoyed the experience, but as I said, it was very stressful. If I would recommend it to someone like my children: Definitely!"

"It met my expectations, my high expectations. While I was going through the process itself, I needed help. I had to ask my Elder for help, I had to ask my directors for help and I had to ask professional counsellors for help. In the end I managed, it was a struggle, but I managed to go through with it."

"It was challenging overall, but good. I'm so lucky that I was part of it, I'm so thankful."

"How I experienced it, it was amazing, only the public eye, that was a bit tough. In my family, definitely it was very trying. But we're all the better for it, my kids are all the better for it. No, it was good to be able to be part of it."

"There were definite ups and downs, but for the most part I loved it. I loved the...we had great teachers, sometimes it was very overwhelming and demanding, but for the most part very positive. No regrets...Would I do it all again? 'Yeah, in a heartbeat'"

"It went over and above [my expectations], right? In terms of opportunities, I went to Ottawa, for three weeks down there. I got to go to BC with my kids for the last semester, I didn't go in expecting that! That was really great."

"It met [my expectations] completely, we got a very good legal education. I wanted that, I wanted a legal education that was on par with an education that any other law student in the country got and I think that our education probably exceeded it. We were given the added aspects in terms of studying traditional law and advanced Inuktitut and our education was enriched in that respect. And contextually I would say it was enriched because we had a co-op type program where we were constantly exposed to and engaging in work that had a real impact with what was going on in our own community and within our own legal climate so it exceeded my expectations in that sense. We were blessed with many, many fabulous teachers, the climate of the classroom and the climate of the legal and political environment in Nunavut created a really rich experience all around."

"It was such a growing experience for me, it felt like such a long time, but such a short time all together. Four years went by so quickly, but when we were in it, it just seemed to be the most...It was the most stressful thing I have ever gone through, but also the most rewarding, hard working experience that I've had."

"I felt very privileged, I felt very honoured, I felt very, very lucky that I was able to take part in the program. I think it was absolutely not a right, it was such a privilege that very, very few people get in this world. I have been saying thank you, thank you, thank you for six years, I cannot be grateful enough and I look forward to be able to give back what I have learned to Nunavut. It has been a tremendous honour to be part of the first group."