Standing Committee on Oversight of **Government Operations and Public Accounts Hearing on the 2016-17 Annual** Report of the Legal Services Board of Nunavut Igaluit, Nunavut

October 1, 2018

Members Present:

John Main, Chair Cathy Towtongie, Co-Chair Tony Akoak Joelie Kaernerk Mila Kamingoak Adam Lightstone Simeon Mikkungwak Margaret Nakashuk Patterk Netser Emiliano Qirngnuq Paul Quassa Allan Rumbolt

Staff Members:

Alex Baldwin Stephen Innuksuk

Interpreters:

Andrew Dialla Mary Nashook Philip Paneak Blandina Tulugarjuk

Witnesses:

Jonathan Ellsworth, Chief Operating Officer of the Legal Services Board Madeleine Redfern, Chairperson of the Legal

Services Board

Tara Tootoo-Fotheringham, Member of the Executive Committee of the Board of Directors of the Legal Services Board

>>Committee commenced at 13:32

Chairman (Mr. Main)(interpretation): Good day. Mr. Mikkungwak, can you lead us in

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prayer, please. Thank you.

>>Prayer

Chairman (interpretation): Simeon, I thank you. Good day, my colleagues and witnesses.

(interpretation ends) I am pleased to begin by welcoming everyone to this meeting of the Legislative Assembly's Standing Committee on Oversight of Government Operations and Public Accounts.

We have convened today on the occasion of the Standing Committee's televised hearing on the 2016-17 *Annual Report of the Legal* Services Board of Nunavut.

(interpretation) I would now like to introduce my Standing Committee colleagues:

- Simeon Mikkungwak, Member for Baker Lake;
- Allan Rumbolt, Member for Hudson Bay;
- Tony Akoak, Member for Gjoa Haven;
- Patterk Netser, Member for Aivilik;
- Joelie Kaernerk, Member for Amittuq;
- Adam Arreak Lightstone, Member for Iqaluit-Manirajak;
- Paul Quassa, Member for Aggu;
- Mila Kamingoak, Member for Kugluktuk;
- Emiliano Qirngnuq, Member for Netsilik;
- Margaret Nakashuk, Member for Pangnirtung;
- Cathy Towtongie, Member for Rankin Inlet North-Chesterfield Inlet; and
- Pauloosie Keyootak, Member for Uqqummiut.

(interpretation ends) Today's televised hearing constitutes the first time since the creation of Nunavut that the Legal Services Board has been invited to publicly account in this manner to elected MLAs for the contents of its annual reports and for its planned Ľa.

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activities and expenditures.

The Legal Services Board's 2016-17 annual report indicates that it spent approximately \$11.3 million during the fiscal year. The 2018-19 main estimates of the Department of Justice include approximately \$11.8 million in direct public funding for the organization.

Today's televised hearing will provide an opportunity to address a number of important themes and issues. These include:

- The Legal Services Board's governance framework, including legislation and policies for which the board is responsible;
- The Legal Services Board's organizational structure;
- The Legal Services Board's management of its financial and human resources; and
- The Legal Services Board's initiatives in the areas of access to justice and public education.

I will now cover a number of housekeeping matters.

I ask all Members, including myself, witnesses, and visitors in the gallery to ensure that their cellphones and other electronic devices do not disrupt these proceedings.

In order to assist our interpreters and technical staff, I ask that all Members and witnesses go through the Chair before speaking.

Members of the Standing Committee have been provided with a number of reports and other documents for their ease of reference during this televised hearing. For the benefit of our witnesses and interpreters, I ask Members to be precise when quoting from or making reference to specific documents. Ċჼdd bNLÀ5 LCUCLAGY BNLA5dNP5°PS
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This hearing is being televised live across Nunavut on community cable stations and the direct-to-home satellite services of both the Bell and Shaw networks.

Transcripts of the televised hearing will be posted on the Legislative Assembly's website at a later date.

In keeping with parliamentary practice, the Standing Committee anticipates reporting its findings and recommendations from this televised hearing to the Legislative Assembly. Under Rule 91(5) of the *Rules of the Legislative Assembly of Nunavut*, the government will be required to provide a formal response to the Standing Committee's report within 120 days of its presentation.

I now invite the Chairperson of the Legal Services Board to deliver her opening statement. Ms. Redfern, welcome and you may proceed. (interpretation) Thank you.

Ms. Redfern: Good morning and thank you, Mr. Chairman and Hon. Members of this Committee. My name is Madeleine Redfern and I am the Chair of the Legal Services Board. To my right is Tara Tootoo-Fotheringham, the Kivalliq board member and on our LSB board, and to my left is Jonathan Ellsworth, our Chief Operating Officer. I send my regrets and regards on behalf of Teena Hartman, our CEO, but she was unwell and medically unable to travel.

The Legal Services Board (LSB) of Nunavut provides eligible Nunavummiut legal representation for criminal law, family law, and some civil matters related to poverty, employment issues, landlord-tenancy issues, human rights, excessive use of police force, and some inquests where there is a connection between the inquiry and our mandate.

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Presently the board is made up of the following individuals who represent their respective regions or organizations:

- Myself, I'm on the Maliiganik board representing Qikiqtaaluk;
- Julie Bedford is the board member for the Law Society of Nunavut;
- Tara Tootoo-Fotheringham is the Kivalliq board member;
- Wendy Kootoo-Wood is the board member for the Kitikmeot region; and
- Elijah Padluq is the member at large.

Currently the Government of Nunavut board member position is vacant as is another board member at large.

Offices

Nunavut's legal aid plan under the umbrella of the LSB is comprised of five employers: the LSB territorially, which is ultimately responsible for all lawyers and senior management; the GN employs Gjoa Haven employees seconded to the LSB; and three regional clinics.

The three regional clinics are in Iqaluit, Rankin Inlet, and Cambridge Bay. The clinics are societies with their own boards and have employees that provide administrative and community court workers to assist our staff lawyers, private lawyers, clients, and of course our communities.

The administrative offices of the LSB are located in Gjoa Haven, Rankin Inlet, and Iqaluit. Accounts payable and receivable, client intake management, application assessments, and financial eligibility analysis are handled in the Gjoa Haven office.

The LSB and the GN Justice with Finance and HR are working together to ascertain what the true number of the employees are in

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Employees

There are approximately 68 employees in total: 7 LSB management positions; 2 administrative support staff positions; 25 staff lawyers, which includes our CEO, 16 who work in criminal law, 6 in family, and 2 in civil poverty; and approximately 10 regional clinic administrative staff. There are currently 24 court workers within our 23 Nunavut communities.

Private Lawyers on Panels

The board contracts approximately 40 private lawyers for criminal, family and civil assignments. These private lawyers help the LSB deal with conflicts, volume, and handle some of the more complex matters. Panel lawyers also assist with legal coverage when and where there are staff vacancies, leave, or unanticipated gaps in service delivery. The rate for paying these private lawyers is set down in legislation in the regulations of the *Legal Services Act*. These rates have not been updated since 2001. The LSB recommends to the GN Justice and this Standing Committee that these rates should be reviewed and increased.

Criminal Law

In criminal law, the LSB assisted 2,506 individuals this past year in respect to criminal law matters. In 2017 there were 345 court weeks versus the 269 court weeks last year. There were 204 in the Qikiqtaaluk, 81 in the Kivalliq, and 60 in the Kitikmeot.

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Family Law

In family law, the LSB is currently providing services to some 615 clients. A total of 134 applications were received with 192 approvals issued, 61 as a direct response to state instituted proceedings, including responding to 73 child apprehensions.

Civil Poverty Law

The civil poverty law practice is co-managed between assigned counsel, the Office of the Chief Legal Officer, the chief operations officer, the comptroller, and the chief executive office.

There were a total of 155 applications for civil/poverty legal aid assistance: 47 in employment law areas, 41 landlord/tenancy, 40 poverty miscellaneous, 14 small claims, and 9 excessive use of force.

Finally, it should be noted that approximately 90 percent of matters appearing before the Nunavut Court of Justice are legally aided.

Public Guardianships

It has also been brought to the LSB's attention that there are Nunavummiut being subjected to guardianship applications with no legal representation or assistance. This includes individuals who do not appear to be a threat to themselves or to anyone else. Some are merely low-functioning or homeless and may not have met the legal test for public guardianship. This may very well be a charter infraction regarding the right to legal representation if the government wishes to restrict or remove a person's freedom to make their own decisions, including where they live or what they do or for how long.

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Budget

The LSB's annual budget is approximately \$12 million, which has more than doubled over the last eight years to meet the increasing demand for legal aid, especially with the increase in the number of court weeks, severity of crimes, and cases with multiple offenders, which files require each accused to need their own lawyer.

Finances

The LSB has been working hard to increase the accuracy and transparency of its financial management and reporting. Since 2010 the LSB has developed our own budget and been independently audited rather than the Government of Nunavut's eight line items. No one, not the LSB nor the GN, previously could have known how much the LSB was spending in any area, not in criminal law, family law, how much we spent on staff lawyers versus private lawyers, the LSB's own budget and financial reports. It means that this organization can better manage its finances and know where there is forced growth, such as increased need or demand in practice areas like criminal law or family law or court weeks. This has helped the LSB develop our business cases because it's based on real information and operational needs.

The last approved LSB business case was in 2015, resulting in a budget increase to \$11,818,000. In November 2016 the board submitted a business case for \$1.9 million additional funding to the GN Justice to address uncontrollable forced growth factors, including implementing the LSB's strategic plan, Inuit Employment Plan, succession plan, and the court worker program enhancement plan.

The LSB was told by the GN Justice that the business case was not approved by the

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Financial Management Board and was therefore not presented to the Legislative Assembly. The LSB's business case was resubmitted in 2017 as a partial year request of \$1.3 million for supplementary appropriations and a new business case for \$1.8 million for the 2018-19 year.

Even though the LSB had a surplus in 2017, this was primarily due to staff shortages and efforts by management to ensure that the LSB did not run into a deficit position. The uncertainty of funding while trying to cut other resources to cover uncontrollable growth has stretched already critically short resources and jeopardized the LSB's operational stability for the last two years. The LSB remains underfunded and may have to cut services in the near future to avoid deficits.

The business case is focused on forced growth factors, such as increased number of court weeks; increased applications for legal aid assistance; increased travel and operational costs in line with annual inflation; transferring administrative duties from lawyers to clinic directors to stabilize clinic management and enhance management support in the regions; at the same time fulfilling our land claim obligations under Article 23; respond to increase in crime severity and more complex cases; increase in inquest applications; and increases in requests for services both in family and civil law.

The business case also includes an assessment of costs to move forward to the next stages in implementing the LSB's strategic plan, Inuit Employment Plan, our court worker program enhancement plan, and the LSB's succession plan, including creating summer and articling positions for students of the Nunavut Law Program and an access to justice director position which would

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coordinate and support the court workers and public legal education mandates of the LSB.

Finally, as it relates to the LSB's audits, I am happy to inform the Committee that the LSB and its three regional clinics again successfully completed independent audits for 2017-18. These audits and annual reports are a clear demonstration of the development of the organization's capacity to manage and report on our services and finances responsibly.

Inuit Employment Plan

I would like to speak to the LSB's efforts to increase Inuit employment. The LSB is a government agency and therefore required under Article 23 of the Nunavut land claim to proportional Inuit representation. The board of directors approved our Inuit Employment Plan in early 2017 and immediately began implementation. The biggest and most important factor affecting Inuit employment within the LSB is outside of our control: Nunavut needs more Inuit lawyers.

The LSB is also transferring clinic duties from non-Inuit lawyers to Inuit managers. This meant lawyers do law work and our clinic managers improve and stabilize management at the clinics and overall with the legal aid team. The LSB now has 100 percent Inuit employment in clinic management, administration support, and court workers. The LSB has also hired an Inuk comptroller trainee under our Inuit Employment Plan. She is receiving intensive education and training to assume the position of comptroller once she has attained her CPA certification.

The LSB is very excited and supportive of the Nunavut Law Program. We work closely with its director in supporting the students' public legal education initiatives. In addition, Δ 64% Δ 6'-> Δ 66 Δ 5'6% Γ

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The board recognizes that it requires a fulltime dedicated employee, one called an access to justice director, to provide the court workers support but also to work with other justice partners with respect to potential and improved partnerships, such as restorative and community justice, family abuse intervention orders, and public legal education.

To achieve these objectives, the Inuit Employment Plan requires additional core funding, but sadly the LSB has not secured the necessary funding as outlined in our business cases.

Conclusion

In conclusion, the lack of Nunavut-based treatment facilities for those who have been traumatized, the lack of Nunavut-based addictions and mental health facilities, the lack of resources for families and continued violation of rights means that some of these individuals find themselves in need of legal aid assistance, whether for criminal law, family law or civil law matters. Legislative, ethical, moral, professional and community standards demand that we provide assistance and we do.

The Legal Services Board of Nunavut is committed to fulfilling our mandate and providing high-quality legal services to eligible Nunavummiut. The Legal Services Board continues to ensure that our lawyers help and represent clients in court in every community of this territory. This ensures that

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The board of directors and staff take their responsibilities seriously and recognize that while tremendous improvements have been made over the past years as a result of organizational reviews, there are still many areas of improvement. The *Legal Services* Act needs to be reformed and updated. In its current form it creates much inefficiency that the board has tried to tackle. Producing independent financial audits, capturing and reporting accurate statistical information, identifying organizational needs and legal practice trends have all contributed to a more productive and efficient legal aid plan for Nunavummiut. This approach has resulted in an organization that we believe is not only transparent but responsive to its clients, its staff, and fully accountable to its funders and the public at large, all of which is respectfully submitted and subject to any questions.

Those are my opening comments. Thank you.

Chairman: Thank you. (interpretation) Thank you. Before we proceed and we go into the meat of the details, I would like to ask the Members if they have general comments to the opening comments. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. First of all, I would just like to welcome Her Worship to the Assembly and thank you for appearing before us today, as well as Madam

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Tootoo-Fotheringham and Mr. Ellsworth. I would also like to express a very warm welcome to one of our youngest legislative fans, Mr. Liam Ellsworth. Welcome and thank you for coming.

I just wanted to first of all thank you for putting together such a thorough opening statement. I was a bit concerned with some of the items that you brought up and expressly the rates that are paid to our hard-working lawyers that represent those in need, as well as I was sort of shocked to hear about the business case that identified your need and which was unfortunately denied.

In order to sort of assist us in our questioning over the next day and a half, I was wondering if it would be possible to share that business case with us so that we can read it over this evening and ask further questions on it tomorrow. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. I just have one clarification question on page 4 under the paragraph "Budget." The last sentence states, "...severity of crimes, and cases with multiple offenders..." Multiple offenders, is that referring to recidivism cases? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: In some cases there can be several people who commit a crime together. When that happens, each person is entitled to their own legal aid lawyer, even though on the other side there will just be one Crown lawyer arguing on behalf of the state. Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you, Ms. Redfern. (interpretation ends) Returning to my colleague's question regarding the business case, would you care to respond to that? My apologies, Mr. Lightstone. Ms. Redfern.

Ms. Redfern: We do have the business case and we would be happy to print them off and they are available in English and they were translated into Inuktitut by Justice. We will have to see if we can get those Inuktitut versions as well.

Chairman (interpretation): Thank you. (interpretation ends) Just to streamline things for our camera operators, if you can just end it with a "thank you" and then that's their queue to switch to the next speaker. Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman. I have a question on item 2. With the creation of Nunavut, we are given certain rights of self-government. What's the term of the board of directors and do we have board members who are no longer living in Nunavut? I don't see it identified here in your opening comments. That's my question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. The term is three years as affirmed by the Minister and the representation of the board is one per regional clinic, one Government of Nunavut, one law society, and two members at large. For the most part, our board has tended to be 80 percent to 90 percent Inuit, and therefore also from all regions. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'll just remind

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Committee Members that we're at general comments in terms of responding to the opening address. Ms. Towtongie.

Ms. Towtongie: Thank you. I'll try to make it a general comment. Thank you for the reminder. I don't see where it states.... Even when we are running for an MLA, we have to be a resident within Nunavut for a year. Are there requirements or criteria to be a resident of Nunavut within a certain time frame or is it open right across Canada? I don't see that anywhere for the board members. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We follow the *Legal Services Act* and the Minister follows the *Legal Services Act*. There currently is no residency requirement. However, the majority of our board are residents of Nunavut or have very strong ties with Nunavut. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Member Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. Welcome to the Committee meeting.

I had a question on family law and it's on page 3 of your opening comments. It indicates here that there are (interpretation ends) 73 child apprehensions, (interpretation) which is a very large number. I do know and you stated earlier that you're an arm's-length entity, and I'm sure that IQ is followed when there are child apprehension cases. There is also Family Services, whom I believe has this mandate. I am sure you follow IQ and I am sure that there are options available instead of apprehending children.

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Mr. Chairman, this has been brought up repeatedly by the people of Nunavut. When it comes to child apprehensions, there is not enough IQ factored in there. That's my question, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We respond at the Legal Services Board to these child apprehensions by providing legal aid lawyers to the families, in some cases to the parent. Where there is a special or different interest, sometimes a legal aid lawyer is also provided to a child.

We totally understand and appreciate that the number of child apprehensions is high. Whether or not the apprehension occurs belongs in the realm of the social services and Family Services. We merely respond and ensure that the rights of those parents and those children are represented in court. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. To add on to that, yes, we as a government say that our foundation is based on *Inuit Qaujimajatuqangit* and I know that is also your foundation. I just want to hear that is carrying on.

Another matter on page 7 of your comments is on employing more Inuit under the Inuit Employment Plan. You just stated that your budget proposal was not approved. I just want to add that the Makigiaqta Inuit Training Corporation's foundation is Article 23. My question is: have you applied for funding from them? That's all, Mr. Chairman. Thank you.

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Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I've had several meetings as has Jonathan Ellsworth with NTI and the Government of Nunavut. We find ourselves in a situation where the Government of Nunavut has said that their Inuit employment training funds are for their employees, but if there's space available, it might be available for our employees. Initially NTI's position was that those funds were not available to government or government agencies. We've also had meetings with both NTI and the GN and shared our plans with them. At this point in time we hoped that we would get funding through the business case. We have yet to actually get funds for that in any place we have tried. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. I don't understand why the (interpretation ends) Makigiagta Inuit Training Corporation (interpretation) said that the government can't apply for the funding. They should be able to do so and they should be open to that. I don't think they should be saying that about government agencies. I'm also aware that Nunavut Arctic College has applied for funding under that program and they were told that they were not eligible. That was a mistake. A mistake was made by Makigiaqta. Perhaps I'll say that the government should be eligible for that funding and I'm encouraging them to apply. You should be able to access that funding and I fully support you in that. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. I think that was just a comment. Thank you. Moving on. Mr. Qirngnuq.

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This is not really a question. As Inuit, we notice either documents or non-documents and we look at other people. In your opening comments on page 3 under (interpretation ends) Employees, Private Lawyers on Panels, (interpretation) and under (interpretation ends) Civil Poverty Law, (interpretation) it says, "approximately." Looking at that and thinking about it, the (interpretation ends) Legal Services Board (interpretation) is created under the law. Statutes are very important and we would like to see something very clear or accurate when you're putting it in your documents. I hope I'm clear, Mr. Chairman. Thank you.

Chairman (interpretation): I think that's just a general comment. (interpretation ends) Would you like to respond, Ms. Redfern?

Ms. Redfern: Thank you, Mr. Chairman. We have what we call a mixed model. We have staff lawyers, which the legislation provides for. We also have private lawyers, which the legislation provides for. We hire the private lawyers on panels. There's a panel for criminal law, lawyers that work privately but not staff who want to be able to receive or work for legal aid and represent clients in criminal law. We also have a panel for family law and a panel for civil law. A few lawyers are actually on more than one panel.

The legislation provides for that model and we find that having this mixed model works best for us. We're able to get the private lawyers to help cover off staff vacancies or in some cases, where there is a conflict where in family law, you're going to have maybe a spouse represented by a family law lawyer and then a private law lawyer represents the other spouse. Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. Are you done? Okay. Moving on. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. Welcome to the witnesses and Ms. Redfern. We are happy that you are able to appear before us.

Justice or court services touch everybody, Mr. Chairman. As MLAs, we don't have the knowledge to answer some questions and we wonder whether we are breaking the law when it comes to children or when someone passes away and who family members can approach. I appreciate that you're able to appear before us in this House so that we can have a better understanding.

I have a question, or are we just on opening comments? Okay. Thank you, Mr. Chairman. (interpretation ends) On page 1.... (interpretation) This seems to be in two parts. The (interpretation ends) Legal Services Board (interpretation) seems to be dealing with poverty. On page 1, it states that (interpretation ends) "The Legal Services Board of Nunavut provides eligible Nunavummiut legal representation for criminal law, family law, and...civil matters related to poverty... (interpretation) Also, on page 2, with respect to employees, (interpretation ends) there are two civil poverty lawyers. I would just like to ask Ms. Redfern: how do you address these poverty issues? (interpretation) Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We have two staff civil poverty law lawyers. We also have some private law lawyers that can help in these matters as it relates to human rights violations, employment law, landlord and tenancy issues, police excessive use of force, and inquest.

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Chairman (interpretation): Thank you. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. (interpretation ends) This poverty section of the LSB does not relate to helping those that are poor into getting them back on their feet. Is that what I understand? (interpretation) Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: We're a legal aid society; we're not family services or social services. When people's rights have been violated and if they apply and if they're eligible, at that point in time we can assist them. It doesn't mean necessarily that we always take the matter to court.

The assigned legal aid lawyer will basically look at what the options are. In some cases it is representing them in front of the Human Rights Tribunal, but also talking to the employer or the entity that might have violated the rights and make them aware and see how they can receive restitution or they be put in the situation where they were beforehand.

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It is up to the other departments, in some cases outside of, once the rights violation has been addressed or corrected, but generally poverty issues or housing issues in general belong to that of the Government of Nunavut. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. My question now is, Ms. Redfern, when children are a cause when the parents have conflict, I think it's under Gjoa Haven, but sometimes when they don't get a response from Gjoa Haven, when the (interpretation ends) Legal Services Board (interpretation) employees don't provide a proper response, where can they make their appeals? When they don't get the proper response from legal aid, who do they approach? Thank you.

Chairman (interpretation): Thank you. (interpretation ends) It's a very good question and we're getting into some quite detailed discussions, which is understandable because there are a number of very interesting areas. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Court workers in the communities are often the very first point of contact for a person who needs legal aid assistance. The court workers help individuals fill in the applications. Once those applications have been filled in and complete, they get sent to the Gjoa Haven office. They're reviewed and if there's missing information, the Gjoa Haven staff will work with the court worker to get, let's say, employment verification. If they're on social assistance, they're automatically deemed eligible and they will receive a lawyer.

If they're denied legal aid, there is an appeal process. We make sure that that applicant,

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that individual receives information about how to appeal. We have an appeals committee and we hear those appeals. I can tell you that sometimes we choose to provide representation even though the staff that process the application deemed on the criteria in the policy that they were initially ineligible. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'm just going to try to get through the general comments, Mr. Netser, if that's okay. Mr. Keyootak.

Mr. Keyootak (interpretation): Thank you, Mr. Chairman. I would like to ask a question on page 3 of your opening comments. In the third paragraph, they talk about regional matters. I was somewhat surprised with this section. Now, I represent constituents in Qikiqtarjuaq. There were 60 in the Kitikmeot and 81 in the Kivalliq. It says Qikiqtarjuaq, 204. Is that correct or is that an error? I'm looking at the Inuktitut version and they say that there were 204 court weeks in Qikiqtarjuaq, 81 in the Kivalliq and 60 in the Kitikmeot. In Qikiqtarjuaq it's 204. Is that correct? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. In the English version it does say Qikiqtaaluk. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I know it's confusing when you think that there are 52 weeks in a year, but what happens is that there could be multiple courts happening. You might have court happening in Iqaluit, another court happening in Pond Inlet, and another court happening in Clyde River. There are actually three courts in Iqaluit. They could be all hearing cases at the same time. That is why, and it is not a typo, there were 204 court weeks in the Qikiqtaaluk or Qikiqtani region in that year. Thank you, Mr. Chairman.

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Chairman: Just to clarify between the two, I believe it was a typographical error. (interpretation) Mr. Keyootak, do you have another question? Are you done? Thank you. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. Good afternoon, Mayor Redfern and colleagues. Good to see familiar faces.

I just wanted clarification on page 3 at the top of what a sentence means. It says "...to ascertain what is the true number of employees in the Gjoa Haven office..." I just want an explanation on that. Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. It's come to our attention that there are multiple and different organizational charts for the LSB. In some of those charts there are positions that have dotted lines. With some additional research, we found that some of those positions may not have actually been created because they may not have gone through the full GN HR approval process, where job descriptions may not have been developed, and where funding attached to those positions may not have been approved. We're still working GN Justice, GN HR, and Finance to figure it out. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Kaernerk.

Mr. Kaernerk (interpretation): Thank you, Mr. Chairman. Good day. Welcome.

(interpretation ends) First of all, I would just like to show my support with your plan here. Under the Inuit Employment Plan you mention restorative justice there, along with family abuse intervention and community justice.

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Just a question, and I'm supportive of the 100 percent Inuit employment in your clinics, when it comes to educating the public, for those of us who live in the smaller communities, I'm just wondering if there is a plan that is put in place that you train the court workers when it comes to law because law is very confusing for those who really don't understand it, especially being Inuk. I'm just wondering: is there a plan that you guys involve court workers in educating the public? (interpretation) Thank you, Mr. Chairman. That's all.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. In our business case we identify the need and requirement to have an additional person, the access to justice director.

We had done a court worker review, interviewed all the court workers, and recognized that they need more training. They need more support. Even though once a year we are able, for the most part, with our funding to be able to bring them for training, we know they need more.

It is our hope and desire that we would get that funding so that we can not only enhance their skill set but ultimately be able to help our communities and our applicants, the people who seek and require legal aid representation, better service. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Just to clarify a few of my colleague's questions before we move on here, do any of the current board members live outside of Nunavut? Ms. Redfern.

Ms. Redfern: I can speak to definitely one. Tara Tootoo-Fotheringham currently resides

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in Winnipeg. She is originally from Rankin Inlet. She continues to work and provide services to Nunavummiut through her business. She has been chosen by the Kivalliq board, who she is the board member for, to be on our Legal Services Board. That request for appointment goes up to the Minister and the Minister has affirmed it.

Julie Bedford is a recent new addition to our board, whom I actually haven't met or served with. I have just been informed that she was a resident of Nunavut and no longer a resident. Other than that, all the other board members are residents. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. I just have one question. On page 3, (interpretation ends) Employees, (interpretation) you explained quite well that the (interpretation ends) court workers (interpretation) are the frontline workers in the communities whenever something happens and you said there are 24 (interpretation ends) court workers. (interpretation) I'm not quite sure what you call them in Inuktitut, but they are (interpretation ends) court workers (interpretation ends) and you have 24 of them in 23 communities. How many are there supposed to be? Are you lacking some? Not including Igaluit, there are 24 communities, so I would imagine that each community would have a court worker because they are the frontline workers whenever the court circuit is going to be in the communities. My question is: do you have a full complement of staff in court workers or how many court workers are there supposed to be? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

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Ms. Redfern: Thank you, Mr. Chairman. We currently do not have court workers in the communities of Whale Cove, Grise Fiord, and Chesterfield Inlet, in part because of the size of the community, the difficultness of securing a part-time worker. In those circumstances, what we do is we support those communities by having a nearby community court worker provide service and we also have a travel line item in our budget that allows and facilitates those court workers to travel into the communities to provide support.

I can also say that in those smaller communities, the number of courts travelling to the community thankfully is quite small, but we do regularly assess what the demand and need is and try to ensure that those communities are appropriately and adequately served. Thank you, Mr. Chairman.

Chairman: Thank you. Just a follow-up on my colleague's question, is there a list of court workers that we can access or can you commit to providing us with a list of court workers in each community? Ms. Redfern.

Ms. Redfern: Yes, Mr. Chairman, we can. Thank you.

Chairman: Thank you. That concludes our general comments, but I think, as is apparent, there are some serious and very important issues that we're chomping at the bit to discuss with you.

For the purpose of our hearing over the next day and a half, we have chosen to group things thematically. There are five different topics that we wish to cover. The first one is board governance; the second one will be organizational structure, financial management, and human resources; the third one is access to justice and public education;

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the fourth one is policies and legislation; and the fifth, contracting and procurement.

We will also allow time for Members to raise other questions that might not fit in any of those categories. We will begin the questions with board governance. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. Section 4 of the *Legal Services Act* provides that the board shall "At its first meeting in each fiscal year...elect a chairperson from among its members." Is this provision being followed by the board? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Yes. Thank you, Mr. Chairman. We do that every year. The regional boards affirm their representative and the Minister appoints board members for a three-year term and the board chooses a chair every year. It has been me off and on. I would probably say about seven years out of the ten it has been me. I have sometimes not been the chair when my other work or duties have precluded me from being able to be as involved. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. I'll just proceed with that. Does the board of directors support amending the *Legal Services Act* to provide for multi-year terms for its chairperson? Do you support that idea? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: By default, for the last ten years, I have held the majority of the position

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of chair, but I understand and appreciate where the Member is coming from. It's important to have stability and consistency. I did not expect to return this fourth time, but given the amount of turnover in the organization at the board level, the board felt it was important to make me chair again. I agree and support that a three-year term instead of every year affirming it would provide more stability for the organization. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. Page 9 of the 2016-17 annual report of the Legal Services Board indicates that the board of directors held three inperson meetings during the 2016-17 fiscal year in the communities of Cambridge Bay, Rankin Inlet, and Iqaluit. How many inperson meetings did the Board of Directors of the Legal Services Board hold during the 2017-18 fiscal year and how many has it held to date during the 2018-19 fiscal year? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. If I understood the Member's question correctly, in 2017 we held a board meeting in Rankin Inlet in January, another one in August in Iqaluit, and another one in October in Iqaluit. The board of directors is committed to trying to alternate our board meetings by the region, but sometimes due to operational requirements or change in politics even here in Iqaluit, we will sometimes change the venue.

You asked for this past year, was it? We held another meeting here in Iqaluit in 2018 and that was in part as a result to try to combine

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it with the CEO candidate interviews. We were trying to save money by doing two things at once. I believe we may have had one of those meetings, and it was probably the January one, meeting with the newly elected or appointed Minister of Justice. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. In listening to the opening comments made by the chair, it was made to be understood and some Members probably already know this, the headquarters is supposed to be based in Gjoa Haven. Are there any plans of holding meetings in person within the headquarters community of Gjoa Haven? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Two and a half years ago we did have a board meeting in Gjoa Haven. We chartered a plane because of the cost and the time that it takes. We do have senior management regularly go to Gjoa Haven and our headquarters is in Gjoa Haven; it remains so. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. The other question I would have here is: when we look at the Board of Directors of the Legal Services Board, have there been any in-person meetings outside of Nunavut within the last five years and, if so, how many? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

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Ms. Redfern: Thank you, Mr. Chairman. I cannot recall any board meetings outside of the territory in the last five years. What I can recall is we have held some strategic workshops in Winnipeg because of cost and the facilitators were situated in the south. Cost is one of the factors and availability of bringing all the board members from different regions. I think one board meeting, I may correct myself, Mr. Chairman, I can't remember which year, we held in Yellowknife because we could not get into Cambridge Bay. The flight went mechanical, there were weather delays, and as a result the board decided to hold the meeting in Yellowknife. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) As MLAs, we're all very familiar with delays and mechanicals and getting stuck all over the place. Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. Just one last question here, seeing that the Fifth Legislative Assembly is pretty fairly new into their life here, about a year now almost, has the Legal Services Board met with the Minister of Justice regarding concerns related to the legal aid system in Nunavut? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. As I indicated earlier, we did meet with the Minister of Justice in January 2018. We produced a briefing note or a summary of our organization and our key issues with the Minister. I know that there have also been some follow-up letter exchanges on key issues and we do also meet quite regularly with the Deputy Minister. Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. Following my list of names, Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. My first question is going to be: what would be the consequences of the LSB exceeding their budget? Would there be an immediate cut-off for their expenditures or is the LSB able to go in sort of a negative in their bank account? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'll just remind Committee Members that we're on board governance right now, so as much as possible, if you can frame your questions in terms of the board, but if you would like to respond, Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We're prohibited from going over budget. In the past there had been some allowance by the former Government of Nunavut that would cover any shortfall or deficits. The problem is we can't control the number of crimes that are committed, the type of crimes, family breakups, or how many children are going to be apprehended by the state.

We monitor our budget really carefully and we have managed, for the most part, to come under budget because of some staff vacancies. If we were fully staffed, if we maintained or tried to maintain the same level of service, we would find ourselves in a terrible problem. As I have said in my opening statements, if the demand of services continues and we don't get an increase in budget, we will literally have to figure out where to cut services. We would either have to lower financial ineligibility. That would mean more people would go before the courts without a lawyer in criminal law or family law or civil law. Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. I have a question regarding the timeline of the business case if I may be permitted to ask at this time. I would rather ask it today before we receive the business case to read tonight, if that's okay. Thank you, Mr. Chairman.

In your opening statement, you have indicated that "The last approved LSB business case was in 2015," resulting to increasing the budget to its current level. I sort of want to get a timeline around the current situation. The last time the LSB received an increase was in the 2014-15 fiscal year. That's my first question.

Then after that, on page 4 of your opening statements then you go on to identifying that you have submitted a business case in November of 2016 for \$1.9 million, which was then, on the next page, it states, "The LSB was told by...Justice that the business case was not approved by the FMB and was therefore not presented to the Legislative Assembly." Then the next sentence, "The LSB's business case was resubmitted in 2017...for the supplementary appropriations and a new business case" for the 2018-19 fiscal year.

I just sort of want to seek some clarification on those two paragraphs and give us an idea of the background behind all of that. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Before you respond, I just want to remind you that we have interpreters and it would be preferable to refrain from using abbreviations. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. The Member is correct. The last increase was

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We also have a business case in for the next fiscal year. We try really hard to come in budget, but it does mean that we're not able to proceed with some things like the Inuit Employment Plan or hiring the access to justice director. We do have to sometimes be very aware and try to manage the staff positions because we have only managed to come under budget because we don't have all positions filled.

I hope that answers your question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Further on board governance, Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Section 27 of the *Legal Services Act* allows for an advisory committee to be established. It is intended to make recommendations.... Sorry. The advisory committee makes the recommendations to the Minister of Justice, I believe. My first question is: does this advisory committee currently exist? Are there members on this advisory committee and, if so, have they provided recommendations to the Minister of Justice? Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We have one territorial board and we have the three regional boards. It was decided and determined that it would be very unwieldy to have an advisory committee in addition. As a result, what we do is we've had those organizational reviews or strategic workshops. We have sometimes brought in other individuals in those circumstances to help determine where the needs are for legal aid in the territory and by region and to incorporate those in the strategic plan. We consider ourselves one and the same. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Page 24 of the 2016-17 Annual Report of the Legal Services Board makes reference to the work of the Nunavut Justice Efficiency Committee, which is now referred to as the Court Users Committee. The annual report indicates that the role of this committee is to "...examine systemic issues with a view to finding ways to increase efficiencies, maximizing value for dollars and make the experience for Nunavummiut navigating court processes less cumbersome and difficult." My question is: what specific recommendations did this body make during the 2016 fiscal year and the 2017-18 fiscal year? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I will actually allow the member of that committee to speak to that answer, Jonathan Ellsworth, our Chief Operating Officer.

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To answer your question directly, sir, there are no recommendations *per se* that came out of the work of that committee, rather actions that were taken to address what we could internally and by working together collaboratively if there was an issue that we could identify perhaps at the Crown's office or perhaps at Child and Family Services or otherwise those officials would then take the necessary steps to address them.

Unfortunately, during the changeover of our senior justices at the Nunavut Court of Justice, this committee was dissolved. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. (interpretation ends) If an advisory committee has been established under section 27 of the *Legal Services Act*, how often does it meet? (interpretation) Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. As I previously indicated, there is no such

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Chairman: Thank you, Ms. Redfern. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. How are the members of the executive committee chosen, how many members comprise that committee, and how does the board choose the members? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. The Legal Services Board usually has three of its board members on the executive, me as chair and the other two board members are chosen by the full board. Currently Tara Tootoo-Fotheringham is on the executive, but because of the recent change in the Law Society of Nunavut representative, we just lost that board member on our executive. We have yet to have a board meeting to appoint a third member to our executive. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Netser.

Mr. Netser (interpretation): The executive committee makes (interpretation ends) recommendations (interpretation) to the board of directors. Are the recommendations discussed at the board meetings? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman.

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What we do is the executive or I as the chair of the executive report to the full board when and how many meetings the executive have met since the last board meeting, any decisions that we have made in the interim, and any recommendations that we would like the board to consider. They generally are not included in the annual report. What are included are the activities that we undertook rather than the specific recommendations or decisions of the executive on their own. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Before I move on, I would just like to get a clarification. With regard to that business case which you had mentioned and the board, did the board receive any specific reasons as to why that business case was turned down? Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We were told that the activities that we had proposed in the business case were new and not as a result of forced growth. We explained that changing the model from having lawyers to have an add-on work overseeing the clinic began to be problematic insomuch as that lawyers are very expensive, and that the demand of law work really meant the best and most efficient use was for lawyers to do law work.

We also found with a growth of our legal team that only having three managers was inadequate. Also with the lawyers being clinic directors and the turnover of lawyers, especially in the Kitikmeot, meant that every time we lost a lawyer who was a clinic director, those clinic staff had no supervisor, the court workers in those regions had no supervisor support.

We were also told that for the Inuit Employment Plan, that was a new initiative.

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We explained that we were bound by the land claim agreement and the fact that previously we didn't have an Inuit employment plan and we should have, the fact that we want to fulfill our modern land claim obligations, our legal obligations, we argued that it wasn't new or it should not be new.

I think that we have tried to explain this to Justice that these activities, like the access to justice director, again from the review, we know and we need to support our court workers better. The status quo is not acceptable, especially when there is continued demand for more legal aid. We need to keep up with the quality of service and ensure that we serve our communities and our clients well, but I would hazard a guess that that was a difference of opinion or a difference of a perspective.

When you have more clients, more crime, and more family law applications, you need to be able to have the right amount of staff doing the right amount of work otherwise the quality of service degrades. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. In some or all of the communities we have (interpretation ends) community justice committees (interpretation) that have been established. They are more focused on following traditional laws or *Inuit Qaujimajatuqangit*. I'm not sure what they are called in Inuktitut, but those committees do exist. How do you work with those committees? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

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Ms. Redfern: Thank you, Mr. Chairman. I'm glad the Member brought up the community justice or the restorative justice committees. We know they exist. Our court workers often work with their coordinator or the committees.

What's important for the Members to understand is that the police can refer a matter to the community justice or the Crown prosecutor or the judge. Legal aid lawyers actually have no ability to refer a matter to the community justice. We do believe that many or some of the lesser matters, especially when we have heard a child who has stolen a chocolate bar in Sanikiluaq going to the court, should have gone to a community justice committee. We've had meetings with community justice.

In part also why we would like the access to justice director position filled is that in order to strengthen those working relationships, not only at the territorial level but on the ground, providing our court workers more support, we believe that we might be able to see those lesser matters, which clog up the court system, are not an efficient and effective use of not only of our time but of the court's time, of the police time, of the Crown's time, we would love to see a robust community justice in all our communities. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Are you done? I have no more names on my list, but I do have two questions regarding the three entities under the (interpretation ends) Legal Services Board. (interpretation) You have a board of directors for the Qikiqtaaluk region, Kivalliq region, and Kitikmeot region. Who are the board members of these regional boards, (interpretation ends) director board members? Who are the board members of the regional Legal Services bodies? Ms. Redfern.

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Ms. Redfern: Thank you, Mr. Chairman. I can speak to my board, but I will have to get back to the Members with respect to who the members are of the other boards. Here in the Maliiganik Tukisiiniakvik board is myself, Noah Papatsie, Caroline Anawak, and Joanne Ashley currently are the board members. I'll let Tara Tootoo-Fotheringham speak to who are the members on her Kivalliq board, if you would permit, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Ms. Tootoo.

Ms. Tootoo-Fotheringham: Thank you. We actually just had some new board members appointed just recently, so I may, without having the list in front of me, have omitted somebody, but I can assure you that we now have a full complement. It has been quite the struggle.

We currently have Page Burt as our chairperson for Kivalliq services and we have Mora Kablalik, we have Randy.... I'm forgetting the last name right now, pardon me. We have Dorothy Tootoo and we have two other people who are waiting to get approval from their GN employers before I can release their names. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Just to clear that up, can you commit to providing us a list of the board members? Ms. Redfern.

Ms. Redfern: Yes, I can, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) What is the process or how do you find the board members for these three different boards? I know it's quite difficult to find people with specific experience in this type of area. Use the

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Ms. Redfern: Thank you, Mr. Chairman. The society is required to advertise our annual general meeting. We do so. I can tell you, usually for Maliiganik Tukisiiniakvik, it is posted around town, it's advertised on Facebook. We would love to have more people attend our AGM. Unfortunately I can say that legal aid is not one of the boards that a lot of people want to be on, but thankfully we do have people who do show up and are committed to providing direction to those clinics, and that we have that relationship of a representative to the territorial board. We bring our issues up to the LSB and then we report back the LSB activities to our regional boards.

I can let my colleague speak to what efforts they just recently took to increase their board and to get the full complement, at your pleasure, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Ms. Tootoo.

Ms. Tootoo-Fotheringham: Thank you, Mr. Chairman. We do an advertisement on the radio, we do an advertisement around town requesting any members who would be interested in coming out to our annual general meeting. At that time we also actually make it an open house in which we have in the past had lawyers that are in town with certain, different levels of skills offer information on such things as pardons and such things as wills. We actually do open it up to be fairly extensive over about a day and a bit so that even members who are questioning their involvement with the society can get some information on some parts of law. Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. (interpretation ends) My final question is: we know that your organizational structure is very complex at a staff level, but I'm not asking about that, not right now anyway.

At a board level, when you have this one, I'll call it the "super-board," and then you have your three regional boards underneath it, it must make things incredibly complicated in terms of your finances or in terms of trying to make changes.

I'm interested in what are some of the issues that you run into at the board level because it's so complicated with running these separate boards within the one organization. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. You're absolutely right. It takes a lot of work and effort to make sure that the regional board representative that goes out to the LSB, as I indicated earlier, brings those regional issues up so that the whole territorial board can be aware of them.

Those regional boards, with the assistance of their clinic staff, will develop business cases or policy that they may need support with. That is also why we did the organizational reviews and implemented the recommendations from them. That is why we did a strategic workshop as a territorial board and shared that with our regional boards. We have committed to a follow-up workshop with representatives of the regional boards, not just the one board member but actually three regional board members and their regional clinic director to participate in how we implement the strategic plan together.

It requires coordination, it requires a lot of good communication, but it also requires resources to have three representatives from the regional boards come together to ensure PY40 bUF; C, PUFP; PuFP; PuFP 4U.U4, CVF, CVF, PUFP; AV, PUFP PUFP, CVF, PUFP; PUFP; PUFP PUFP; CVF, PUFP; PUFP; PUFP PUFP; PU

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that we develop a work plan so that everyone is on the same page and that we achieve the desired outcomes. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) That was going to be my last question on this, but something that you just mentioned, would you support a move to amend the Act and remove the regional boards? Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. It actually was identified in a former organizational review that we had done. The interesting or strange situation is that those regional clinics and their societies have their own bank accounts. Probably the biggest hurdle for us to implement that new model is actually the LSB as a territorial board does not...we can't actually buy stamps unless you buy it and get refunded from the Government of Nunavut.

We have very strong governance. We've got very strong financial systems in place. We have very good management in place. Despite the challenges that the Act itself imposes on us, as I said, our biggest hurdle is the fact that we don't have the level of independence to bring about that efficiency. We have four audits and we can't actually complete or submit our annual report on time until those three regional audits are done. Our regional audit then has to incorporate those audits. It causes delays. It causes inefficiencies. It costs more money. Thank you, Mr. Chairman.

Chairman: Thank you. Those are not the words that we want to hear, increased cost and inefficiency. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. (interpretation ends) Just to follow up on your questions on these regional boards, I'm from the Kivalliq and I serve a

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Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: It depends on what type of help that individual is seeking. If they're looking for a legal aid lawyer, they would go to the court worker. If they're looking on a policy issue that is affecting their community, how often the court comes to their community or how long the court stayed or how often the court put over matters, an issue with the quality of their lawyer, if it's an issue with their lawyer, then we would recommend that they go to the LSB, the territorial board, because we employ the lawyers. If it's a policy issue, they could either go to the regional board or they could go to the territorial board, but as I said, more often than not, what the vast majority of individuals are seeking is in a legal aid lawyer, they would go to the court worker. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. (interpretation ends) It sounds like it's a very convoluted system with the way the Legal Services Board is set up. Would doing away with the other regional boards and just having one super-board be more cost efficient? Yes, the question arises too. Nunavut is quite large now and 25 different communities with different time zones, three time zones, I think it is. Let's say a client wants to speak to a lawyer up in Gjoa Haven or Rankin Inlet or Cambridge Bay. How would you address that if he cannot connect with the family lawyers or civil lawyers for

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that matter? (interpretation) Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. The very first thing that we would recommend an individual do is to work with their court worker, which is situated usually in the community. We also have a 1-800 number for criminal matters after hours. We have a 1-800 number which people can call from any community during regular work hours. We also have a family law 1-800 number. They would need to apply to get legal aid and, if they are approved, at that point in time they would be notified.

It depends on whether it's criminal law or family law or civil. The processes are a little bit different. In criminal law, they would then learn who their criminal law defence lawyer is and that lawyer would reach out to them and understand the charges that his client has been subjected to.

In the case of family law, once they have been deemed financially eligible, the assessment about whether or not their matter is something that they could get a family law lawyer. We only provide family law lawyers for child support, child custody, adoption, or child apprehension. If you had two people who were married and wanted a divorce with no children, we don't actually provide a lawyer in that circumstance when they are dividing property, but if they are talking about spousal support, the lawyer would have to assess, "They have met the eligibility. Now do they actually want a lawyer in an area of law we can provide?"

The same type of thing goes for civil law or human rights or tenancy issues. Once it has been deemed that they are eligible, they will be contacted and said, "You have been LCU504%AS? (J\ANJP65%D%) 5d5°&L6.

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approved for a lawyer," and then that lawyer will connect with them. It doesn't matter if that client lives in Coral Harbour or Gjoa Haven or Chesterfield Inlet. They will be notified and told one way or another, and they will be told who their lawyer is and their lawyer will contact them.

If they cannot speak English, then we have a system in place that actually provides for interpretation. Thank you, Mr. Chairman.

Chairman: Thank you. It's a very complex system and very important to Nunavummiut. Mr. Netser.

Mr. Netser (interpretation): Thank you, Mr. Chairman. (interpretation ends) I'll have more questions later on, so that's all for now. (interpretation) Thank you.

Chairman: Thank you. At this point I'll call a 10-minute break.

>>Committee recessed at 15:12 and resumed at 15:32

Chairman (interpretation): We're now back. Before our break, the Members were asking questions on board governance and we will continue with questions on that. Mr. Mikkungwak.

Mr. Mikkungwak (interpretation): Thank you very much, Mr. Chairman. I have questions about the board. They are the Legal Services Board. You read about defence lawyers and conflict of interest or on the need to declare conflict. It's not in the annual report. Is that given to the Legal Services Board members? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Just for clarity, I believe my colleague is referring to conflict of interest specifically. Ms. Redfern.

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Chairman (interpretation): Thank you. Mr. Mikkungwak.

Mr. Mikkungwak (interpretation): If this were presented to the board members, who would make the final decision? Is it the chair or the defence lawyer? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I just want to clarify two things. One is that if there's a matter that is before us as a board of directors, whether it's policy related or a decision that is going to affect someone who is at the board level, then it is the full board that makes the decision.

When it comes to issues around criminal defence, the board does not get to decide who gets a lawyer or who does not get a lawyer. That's why we have a policy. The staff basically does that assessment. First is financial eligibility and second, is it an area that we would provide coverage? In criminal law we absolutely provide coverage where someone's life and liberty is at stake.

The only time a matter would come up to the

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board is if there has been a denial of legal aid coverage, and then there is a committee of board members. It has happened where that person is related to a board member. In that case they would have to declare conflict and remove themselves and not participate in the discussion or the decision. That has happened. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Mikkungwak.

Mr. Mikkungwak (interpretation): Thank you, Mr. Chairman. This will be my last question. Before I was an MLA, I was on the hamlet council. We were asked in the Kivalliq to appoint board members for the Kivalliq Legal Services Board. Many years have passed. When it comes to board members, how would you advertise for the position? For example, there are 12 communities in the Kivalliq. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. With respect to trying to get board members, you're absolutely right. There used to be attempts to try to get board members from other communities, and I understand on the Kivalliq board that it does have some. Here in Iqaluit we have residents that come from all communities. All 24 of the communities have people who live here.

The challenge was, especially in the Kitikmeot, that the regional board, not the LSB board, would try to request board members from the hamlets and councils and often those boards wouldn't get a response. Eventually they would struggle and not get quorum. There was also a tremendous cost in trying to bring representatives from all the communities to a regional clinic meeting.

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Over time, as the growth and demand of services grew for our regional clinics and our territorial board, one of the areas, for cost-cutting measures, we stopped getting board members from the other communities but also, as I said, in some cases they just stopped responding and stopped sending representatives. There would be no quorum and there would be no meetings as a result. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Just to wrap this up, with regard to those regional boards, what type of person are you looking for to sit on those boards? Do they have to be a lawyer or do they have to be experienced in the courts in terms of the people to serve on those regional boards? Ms. Redfern.

Ms. Redfern: Thank you. For the regional boards, there are no disqualifications except if you work for the LSB. If you are a staff lawyer, you are not allowed to be on our board. There have been issues sometimes where someone is a client. That again has posed sometimes a problem, sort of being a client and then trying to oversee the delivery of legal services.

For the most part, we are happy to get anyone who shows up at the AGM. We sometimes have joked that if you have a family member or a friend who has driven you to the meeting, guess what? You're also on the board. Anyone who has an interest in access to justice, anyone who wants to ensure that legal aid services are delivered to Nunavummiut, we have rarely had the need or requirement for an election because anyone who shows up is pretty much acclaimed as long as they have accepted the nomination. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I think we can all relate.

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With that, we're ready to move on to our next thematic area, which is organizational structure, financial management, and human resources. If you would like to start us off, Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman. My first question is: why does the Legal Services Board not prepare and publicly release its own annual business plan? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Actually, most of all of our plans we have developed ourselves. Prior to 2010, though, this board did not even develop its own budget and couldn't actually get the financial information that helped us develop the business case. I'm happy to report that the organizational reviews, the strategic plan, the Inuit Employment Plan, and the court worker enhancement plan are ours.

The business case plan that we produce, we provide to Justice, and then we hope that they will champion our business case at the Financial Management Board and that it will get approved so that it could come before the Legislative Assembly. I understand that not so long ago we had the opportunity to represent our own interests. Lately, however, it has had to go through Justice. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman. The current business plan of

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the Government of Nunavut's Department of Justice indicates that the Legal Services Board "prepared business planning to support organizational changes in line with the Board's Strategic Plan..." I'm very concerned about the Kivalliq board members being too closely related and the inmates being incarcerated in Rankin Inlet. I'm concerned about whether there are, to say it in English, (interpretation ends) checks and balances. I'm concerned. What specific organizational changes to the Legal Services Board were made during the 2016-17 and 2017-18 fiscal years? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. If I understand the Member's question and concerns correctly, having two family members on a board of directors does not, in and of itself, disqualify them. They are acting in the best interests of the community and the region. If there was ever a conflict where they themselves were trying to personally benefit from the board and their organization, then they would not be able to participate.

The fact is also that if you have someone on a regional board and a family member is being represented by legal aid or has a criminal conviction, our regional boards never ever get to review those applications. Even at our territorial board where we provide the staff and the private lawyers, we don't review those applications. The only time we will review an individual applicant would be when they have appealed.

As I stated earlier, if there was a committee member or a board member whose family member has appealed a decision, they would have to declare conflict. I can personally attest that in one application I am aware of, **Δ•/ペኦርጭ**: L'α. Γ' ▷ሲ^ເጵ°.

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there was that personal connection and they did declare conflict. They did not participate in the decision. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Towtongie.

Ms. Towtongie: Thank you, Mr. Chairman. My question in English was: looking at the regional services board selection process, there appears to be no checks and balances because I see more than one family member on the board and they're all from Rankin Inlet. There's one outside of the region.

My question was: what specific organizational changes are currently in the process of being made to ensure there is a wide spectrum of selection of board members from right across the Kivalliq? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) The witness did mention earlier that they have had difficulty in getting board members on the regional boards, but if you would like to reiterate that or add anything further, Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Thank you to the Member for the question. It is up to those individuals in the community who have shown up at an annual general meeting to nominate anyone who is present to be on the board, as long as they're eligible, as long as they are a Canadian citizen, over the age of 18, and as I stated earlier, not disqualified because they are a staff member or that they themselves are a current client with a matter before the courts.

I am pretty certain that those persons who attended the recent Kivalliq AGM which was, as explained, widely advertised by radio, posters around town, probably also on social media or Facebook, and anyone is

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eligible to run and the people in the room who attended decided, there is no inherent benefit of either of two family members being on the board getting benefit from the services that we inherently provide to Nunayummiut.

If we had more money, we would love to be able to fly in people from the other communities to be on the board, but we do have the members at large, which anyone can apply from the territory. We've had members from Arviat on our board, we've had from Kimmirut, I remember from, I think, Gjoa Haven once. Pangnirtung had applied, but ultimately the Minister decides the representation on our territorial board. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'll just reiterate Ms. Towtongie's question, which was regarding organizational changes to the Legal Services Board. She had asked: what specific organizational changes were made during the 2016-17 and 2017-18 fiscal years? Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Organizational changes as it relates to the board, I'm not aware of any to the board. There were staff changes, but given that the topic is on board governance, Mr. Chairman, would you like me to speak to staff changes?

We stopped having our lawyers do the work of the regional clinic management. They were all non-Inuit. They often would change, especially in the Kitikmeot region, almost every two years or less. Given the demand of legal services, we thought it was best for lawyers to do law work. We hired Inuit regional clinic directors to do the management and administration and the support of the court workers. That was the biggest change.

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The other one is we hired an Inuk comptroller trainee because we value the Inuit Employment Plan. For many years, we had hired at least six finance trainees over four years. We decided to up the qualifications and requirement, and so this was a person who had completed school in finance, and we're helping them to get their CPA accreditation.

This year we added a chief legal officer because of, again, the need to manage lawyers, both the staff lawyers and the private law lawyers.

Those are the five, I would say, changes to the organizational structure that we made. Thank you, Mr. Chairman.

Chairman: Thank you. Ms. Towtongie.

Ms. Towtongie: Thank you, Mr. Chairman. With respect to the chair, Madeleine Redfern, having represented two communities in the Keewatin, she spoke about it was widely advertised, it went on radio, and it went on social media. For myself, and I do try to keep up with the latest trends, I did not get the information, so did a large majority of the individuals throughout the Keewatin. I just wanted to make that as a comment.

The other one, I'm interested in the current business plan of the Government of Nunavut's Department of Justice, that "Implementation of key pieces of the change management plan have been on hold as the government continues to assess the Board's Business Plan first submitted in 2016."

My last question is: what specific differences are there between the legal services "change management plan" and its "Strategic Plan"? Thank you, Mr. Chairman. That is my final question.

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Chairman (interpretation): Thank you. Mr. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I'll have Jonathan Ellsworth, our Chief Operating Officer, speak to the differences between the two plans. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Ellsworth.

Mr. Ellsworth: Thank you, Mr. Chairman. We're up against quite a challenge with regard to actually affecting and implementing some of our plans. As we discussed earlier in our presentation, you will recall that a lot of our plans require additional funding and that funding has not yet been forthcoming. Notwithstanding that, we have managed to implement a number of low-cost or no-cost changes to the way we operate. I'm sure this Committee will get into more detail with regard to our structural and organizational review and our strategic plan, but I can advise that of the 26 recommendations of the organizational review, we have managed to implement a number of them with little to no cost.

However, and notwithstanding our advancements in that regard, one of our largest challenges is that our legislation requires us to operate in this inefficient model. As my chair, Madam Chair Redfern mentioned earlier, we have done our best to try to incorporate regional versions or regional voices from every community of the territory, but like she also said, it is very challenging to get people interested in the work that we're doing for various reasons.

I recognize that we have indicated for a number of years in the Government of Nunavut's business planning process that we want to move forward with our **Δ•/ペኦር**%: L'α. Γ' ኦሲ^ເጵ°.

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organizational change that is based largely originally in the structural and organizational review, but also following that review of the strategic plan which highlights very highlevel changes to make our work more efficient and more effective and to ensure that the voices of Nunavummiut, not only those who we serve but those who have an interest in positive outcomes for our clients, are collated within those processes.

Again, we've had a consultation with the regional boards to gather and to identify the best communications strategies. What we have to recognize is a communications strategy for Qikiqtaaluk will be very different potentially from a communications strategy in the Kitikmeot and one in the Kivalliq.

Trying to gather, harness, and collate all of these views and visions for how legal services can best be provided in our communities, again, is a challenge, but it's a challenge that requires funding and support from our legislators and from this House in fact.

I hope that answers your question. Thank you, Mr. Chairman.

Chairman: Thank you. Ms. Redfern, you have something else you would like to add?

Ms. Redfern: Thank you, Mr. Chairman. I would just like to be a little bit more specific to ensure that the Member's question is answered.

The change management plan, I spoke to some change in management, adding the Inuit clinic directors, adding the comptroller, adding the chief legal officer. The strategic plan, however, speaks more to it than that. It's speaks to reviewing, evaluating, and making necessary adjustments to improve organizational efficiencies and program

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delivery. It speaks to reviewing and developing new policies to ensure that they fulfill our desire to provide high-quality services in areas that we're currently serving or new areas that we currently have identified.

In the strategic plan it speaks to developing and implementing the public legal education initiative with partners. This is also why we want the access to justice director position. To make changes on the case change management plan, I already discussed that, and also providing support to the Nunavut Law Program. We want to effectively, also through supporting that, become the employer of choice for the graduates. We want to implement the Inuit Employment Plan. We want to implement the court worker enhancement plan.

The strategic plan incorporates the change management plan and we are beginning to implement the change management plan because we know that we needed to. Without doing it, it posed too many operational risks, but it has come at a cost insomuch as that if we were fully staffed with all the lawyer positions, we would find ourselves in a shortfall. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Just for clarity, how many different plans do you currently have? There are the strategic plan and the change management plan. Are there additional plans that you are working under? Ms. Redfern.

Ms. Redfern: The strategic plan is the big one and under that plan there are sub-plans. The Inuit Employment Plan is one; the court worker enhancement plan is another. The case management plan is one, and the succession plan. It's really the strategic plan is the master plan, but in order to affect the other areas, they have more detailed work

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plans. Thank you, Mr. Chairman. **Chairman** (interpretation): Thank you. Ms. Kamingoak.

Ms. Kamingoak: Thank you, Mr. Chairman. Welcome, witnesses. Good afternoon, Nunavummiut.

My questions concern the role of elder advisors in the justice system, including their role in such proceedings as sentencing hearings. I understand and recognize that the Legal Services Board is not directly responsible for elder advisors. However, I would like the witnesses to describe today the extent to which the Legal Services Board works with elder advisors and I would like the witnesses to indicate what specific recommendations, if any, they have with respect to the role of elder advisors in our justice system. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Thank you to the Member for asking that question. We are thrilled to have Elijah Padluq return back to our territorial board. We greatly missed the need and the wisdom that having an elder board member provided. Elijah had been on our board previously and having served with him, I can tell you that while he may not have spoken often, when he did, it was wise, measured, and greatly appreciated.

We recently had Tommy Owlijoot from Arviat serve on our board. I know that when Elijah was on our board, there had been another elder. There was only, I think, maybe less than a year where there was not an elder on our board. You're absolutely right. They bring a perspective that is much needed and much appreciated. Thank you, Mr. Chairman. **Δ⁶/<6>**C⁶: L'α. Γ¹ ¹6Γ⁶ ¹1√1¹⁶.

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Chairman (interpretation): Thank you. (interpretation ends) Maybe just to supplement my colleague's question, when it comes to actual involvement in the courts, (interpretation) how do the elders take part in the court system in the communities? Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Unfortunately we have little say as to how the court choses to organize itself. I recall that when we had Beverly Browne, she often would have elder advisors as a part of her court in whatever community she attended. I haven't seen that happening for many years.

I would hope and trust that the community justice committees would have elders. Again, it's something that we see much value, but it's not within our control. We want to have elders participate, especially at the community level. They often know what's best. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. If I understood you correctly, it's at the discretion of the judge to include elder advisors in the court system, or does the Minister approve the elder advisor or is it the individual judges? I would like clarification on that. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I will actually let Jonathan Ellsworth, our Chief Operating Officer, answer the question.

Chairman (interpretation): Thank you. Mr. Ellsworth.

Mr. Ellsworth: Thank you, Mr. Chairman. I don't believe that you will find anywhere in legislation where it dictates how an elder advisor is appointed through the court system.

It is my understanding that the resident

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As my colleague has mentioned, we can't overstate the importance of infusing *Inuit Qaujimajatuqangit* within those proceedings. However, as I mentioned, there is no legislative authority found in the Criminal Code or otherwise for these types of situations.

I would also add, for the benefit of this House, you may recall that under previous governments there was some discussion about actually having an elder certification process. You might appreciate that just because one person is old doesn't make them an elder or someone who is wise from whom we should take advice from, and I respect that. However, I don't know whether or not that process had ever gotten past the debate stage.

Certainly we would encourage elders to be participating not only in the Nunavut Court of Justice but also in Justice of the Peace Court, perhaps at residential tenancy hearings, perhaps in the context of the Human Rights Tribunal. There is significant opportunity for elders to be involved in these processes.

It's my view that if the government took the necessary steps to either legislate that within the current framework of legislation or otherwise instruct their departments to do so, it might be something that could become a reality for our territory. (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman.

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My first question is going to be regarding the business plans. I'm sort of curious: to what extent does the Department of Justice review and approve the Legal Services Board's annual business plans? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We produce the business plan and submit it to Justice, but we will have had meetings or discussions with them beforehand letting them know that we intend to do so and what areas where we intend to request additional funding. We have also worked sometimes with the Department of Finance, especially the Deputy Minister, so that our cases meet their requirements both by Justice and Finance.

Before the final version goes to the FMB, we will usually have a follow-up meeting to discuss it and explain our rationale. There will sometimes be follow-up questions for us to prove that we need those funds and that they are based on forced growth or the best use and efficient use of our resources.

Once we have handed it over to Justice to give to the FMB, it's out of our hands for the most part. I think there was once where we were allowed or invited to attend the meeting with Justice, but it has only happened once in all the business case submissions. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Member Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Thank you for that information. I'm going to continue on with the business case. The current business plan for the Department of Justice indicates that the amount of funding

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for the Legal Services Board is not projected to increase from the \$11.8 million over the next two fiscal years. Would you be able to reiterate to us once again what sort of implications that would have on the Legal Services Board and specifically meeting the growing demand? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I'm going to let Jonathan Ellsworth speak to some of it and I may supplement it depending on how fulsome his answer is. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Ellsworth.

Mr. Ellsworth: Thank you, Mr. Chairman. The reality if those values are not increased is that the Legal Services Board will have to take a really close look at the services we are providing and determine, through consultation, what of those services need to be reduced. However, having said that, that's the reality of government across the board. I think we're all aware of that, but I think, based on our submissions with regard to our enhanced budgets over the course of the last six years or more and the fact that our statistics show nothing but growth, we would have the support of the necessary department to see those realities come to light.

I'm not sure whether or not or why those cases have never been put past the FMB. I know the FMB is challenged with many competing priorities that the government is trying to respond to, but the reality for the Legal Services Board is that we have built something that responds to Nunavummiut's legal needs. These legal needs have huge impact on the lives of not only our clients but their families, their family's family, and the

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whole community.

It would be completely inappropriate, in my view, to see our budget sort of be maintained at its current level and the LSB forced to reduce services. We don't see a trend that there are fewer files or less work or less need for our services. We see the exact opposite in fact. In my view, as I mentioned, the negative implications of not seeing an enhanced allocation for our mandated services will result in an unfortunate cut in services that will have a direct impact on many lives in this territory. Thank you, Mr. Speaker.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Thank you for that response. Hopefully the Legal Services Board will not have to reduce their services.

I'm looking at page 43 of the annual report and it lists the number denials or those whom the LSB was able provide service to. I see that there are a total of 22 individuals that had income over the guideline threshold and a total of 43 individuals in total who were denied LSB services. Of those individuals who were denied, are you aware of how many were forced to self-represent in court? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. It really depends on also what area of law that they were applying for.

Our eligibility grid that can be found in both our criminal law, family law, and civil attempts to ensure that people who have a reasonable income but probably insufficient to pay for a lawyer can get coverage. If it's in ᢧᡆᠸᡄĽᠬᠬᡏᠴᡃ᠘ᢀ᠘ᠣᡩ᠘ᠺ

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the area of family law, it would likely mean that they're not going to proceed with getting child support or child custody. If it's in the area of civil law, it means that they will probably not proceed with a human rights tribunal or a landlord tenancy issue.

In our experience, more often than not, when people are denied legal aid, they don't proceed with their matter. The only one that they have no choice with is in criminal law. The court is going to force them to come before them. I would have to say with confidence that most people who have been charged will get legal aid unless you make a significantly sufficient and high income.

I'm just taking a look at the rates to remind and familiarize the Members. If you're a single person and you make more than \$50,000 or if you're in a household with four individuals, you would need to make more than \$96,000 or if you're in a household of eight persons, you would need to make more than \$124,800.

We are also very aware that even though we have the highest financial eligibility rates in the country, it is extremely expensive to live in Nunavut unless you live in subsidized housing or unless you have a spouse who also makes good money. You're going to find yourself before the courts or not proceeding with a legal matter. We're very aware and we think access to justice is incredibly important.

When we faced the same situation back in 2014, I think, with a business case that had not been put forward by Justice, we met with the Minister and the Deputy Minister and asked them, "Could you tell us where you want to make those cuts? Are you going to tell us to reduce the amount of the financial eligibility so that the cut-off is lower? Are you going to tell us that we don't represent

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I have probably answered more than what you asked. The courts are a scary place. The tribunals are very hard to navigate. Why we actually started participating in the inquest are because families in the communities said, "We don't understand that process; we need your help," and we stepped up. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) It is a very important issue and I anticipate getting quite deep into it when we get to our next thematic area, which is access to justice and public education.

On organizational structure, financial management, and human resources, Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Page 10 of the 2016-17 annual report indicates that the Legal Services Board has a total of 67 positions. As of today, which of these positions are filled, how many are filled with permanent employees, how many are casual, how many are contract, and for those that are truly vacant, how long have these positions been vacant? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I believe that there are currently five criminal law staff positions that are vacant that actually, I have just been updated, have been reduced down to three because we just signed some contracts, so yay. For family law, there

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are six lawyers and no vacancies. Both civil law staff lawyers are filled. All administrative staff positions in the clinics are filled. All the court worker positions are filled except for those communities that get served by their follow-up communities, but they don't actually have a position in them. That means that there are only three staff positions, the criminal law, that are currently not filled.

For the most part, we don't use casuals. We hire full-time positions. We see a need and a value to ensure that the positions are advertised and people get their full entitlements and their full benefits, and we make tremendous efforts. I think the one position that's not filled but we are in the process of trying to recruit is a new CEO, a new chief executive officer, and we have been trying to fill that position for the last year and a half.

The criminal law positions, the length of time for recruitment can vary from several months to over a year. We're in pretty much a constant recruitment mode for lawyers because we know some lawyers are going to be leaving. That's why it's such a low vacancy rate in our organization. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) If you will allow me, Mr. Lightstone, where is the CEO position located? Ms. Redfern.

Ms. Redfern: The CEO position is situated in Rankin Inlet. Over the years it had moved from Rankin Inlet with the Minister's knowledge and approval, that was Minister Peterson, to Iqaluit and that was under the former Minister Okalik, and then before that, it had been in the Gjoa Haven office. The reason why it moved out of the Gjoa Haven office is that after three recruitment processes

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over a period of three years, we couldn't fill it and with the Minister's full knowledge and approval, it got moved outside of Gjoa Haven. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for clarifying that. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Other than the rates paid to the lawyers, are the salary ranges for the Legal Services Board's permanent positions determined by the board itself or the Job Evaluation Division of the Department of Finance? Thank you, Mr. Chairman.

Chairman: Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. The board of the legal services determines the range of pay for first year, second year, third year call, and all the way, actually, past up to 12 years. We recently undertook a staff lawyer salary review. We hired an independent firm that looked at not only lawyer salaries plus benefits in this territory but also with other legal aid plans across the country. We wanted to remain competitive. We wanted to ensure that we retain the lawyers that we hire and that they don't leave us. That's why we undertook that process. I think we pay our lawyers well and our benefits are good because we recognize the value of the work that they do. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. The Legal Service Board determines its own salary. Alright. Thank you. My next question, in the annual report there were a number of references to how the Legal Services Board supports the law students in

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the law program itself. You had previously mentioned that the LSB had one summer student last summer. Was that because all of the other summer students were able to find their own work or was that due to budget constraints? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I believe that we would have been very pleased to have more than the one and that budget constraints was the primary factor. It is a challenge to make the decision or the determination whether you proceed because you've got other vacancies. We would have loved to have more and we would love to support the Nunavut Law Program more than we are currently.

We do lectures. We have quite a number of lawyers go in and speak to the students. We would love to participate in more public legal education with them and mentorship. The fact that our budget is not going to increase in the next two years will continue to limit our ability to do more because we recognize how important their work placements are in their legal education. We would love to see at least one of the students being able to get work placements in the Kitikmeot and one in the Kivalliq, but there are costs associated with it. That's salary and that's also travel and accommodation. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. On the topic of summer students, how many law students had expressed interest in being a summer student last year, and how many summer students would you like to hire next summer? Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Two students had expressed interest. I think we would have been a little bit more assertive if we knew that we could offer three. We would love to be able to commit three work placements in the summer next year and the year after until they graduate. We have talked as a board and with senior management of even offering three to five potential articling positions, but without that budget increase, we wouldn't be in a situation to do so. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. You sort of led into my next question and that's regarding the articling of the students. You sort of mentioned three or five, but can you expand a little bit on the topic of articling, what exactly that means, and how many grads will actually be articling? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. There are 25 students in the Nunavut Law Program. Ideally all 25 will graduate and ideally all 25 will want to be able to article in Nunavut. It will pose a challenge without good planning and without sufficient resources of all the potential employers to accommodate 25 articling students at the same time.

What articling is, for those who may not know, is that after you finish law school, in order to become a lawyer, you have to work at a law firm or something similar to it like the Department of Justice or the court. You Δ **ዾ፞፞፞፞፞፞፞፞፞፞፞፞፞፞ዾ**(\dot{D} ^{\dot{C}}(\dot{D} ^{\dot{C}}): 'd৮° \dot{C} ^{\dot{C}}. Γ' \dot{D} \dot{C} °.

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submit an articling plan to the law society with your prospective employer that says they will expose you and support you to be able to get legal experience in particular areas. If you work at the Crown's office, you will get exposure to the court and that area of criminal law, but if you're interested in working as a justice government lawyer, you will get exposure to that. If you were interested in working in legal aid, you would work for a legal services board.

After a year of working and you've got real work experience and it's not just theory anymore, you will be required to take usually what's called a bar exam. There are usually two exams, one that focuses on a number of pieces of legislation and another one that focuses on your ethical and professional requirements and duties as a lawyer. When you pass that, then you get to go to the court and they will do effectively a passing of the bar, which is like a ceremony, and then you get to practise as a lawyer.

It's incredibly important that the Government of Nunavut and the Legal Services Board plus the Crown's office plus Nunavut Tunngavik Incorporated plus the private law firms in this territory come together soon in the next two years, ideally one year before graduation and ensure that we have 25 articling opportunities because without that they will be forced to leave the territory and they will not be able to be called to the bar and become lawyers that practise in Nunavut. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) As much as possible, I'll just ask if you can keep your answers a bit shorter and also please try to keep our interpreters in mind. I know I have that same problem myself sometimes, so it's a reminder for myself as well. Mr. Qirngnuq.

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Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. If I can backtrack to the board, I would like clarification on the question asked earlier by Rankin Inlet North MLA, Mr. Chairman, if it's okay.

When they become board members, it was mentioned earlier that some people watch them, not only here but when families start working together, and it has to be the last resort. How long are the terms? Are the smaller communities sent information and who is that information directed to in the smaller communities? Mr. Chairman, I hope I'm clear. Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Because the regional boards do not have a budget to have board members from the other communities, there's no travel, which can be quite costly between the communities. The majority of board members in the Kivalliq, the Kitikmeot, and here in Iqaluit at Maliiganik reside in Iqaluit, but because they're also regional centres, the board members often have come from other home communities. In the case of Noah Papatsie, long-time resident in Iqaluit but home community of Pangnirtung, remains in close ties to.... One of the Kivalliq board members is from Whale Cove.

If we had more money, we would be able to have board members from the other communities. We simply do not have that additional budget, but we see value in having those regional perspectives. We're very fortunate to have the court workers in all the communities and so we know what's happening in the communities because of those court workers and because our staff lawyers and private lawyers travel into the communities for court. Thank you, Mr.

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Chairman.

Chairman (interpretation): Thank you. (interpretation ends) When you're referring to those court workers being in all communities, I have to point out, representing Whale Cove, they're not in all communities; they're in most communities. It's one word. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. I also thank you for explaining that. I believe we're now on (interpretation ends) organizational structure, financial managmenet, and human resources. (interpretation) I'll ask my question in English so that it's clear. (interpretation ends) What specific actions is the Legal Services Board currently taking to enhance support for court workers? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Sorry, I don't know if I completely heard the Member's question. What are we doing to enhance the court workers by our board, we provide annual training to our court workers, but we know we want to do more. We want to have the access to justice director provide more support for them and develop an individualized training plan and develop regional training plans. We know those court workers want more help and we want to give them more assistance, but we can't do so without additional funding. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. (interpretation ends) As of today, which court worker positions are

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vacant? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Sorry, Mr. Chairman. I had my headset on and it was Inuktitut on channel 2, so I completely only heard the Inuktitut. Could I have the question repeated, please, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Mr. Qirngnuq.

Mr. Qirngnuq: As of today, which court worker positions are vacant? (interpretation) I hope that was clear. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. There are no current vacant positions. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. (interpretation ends) As of today, which communities do not have resident court worker positions? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. Grise Fiord, Whale Cove, Chesterfield Inlet, and Coral Harbour. Okay, sorry, there were four. I didn't realize that and missed that one before. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr.

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Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. I also thank you for the response. (interpretation ends) How are court worker services being provided to communities which do not have resident court worker positions? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. What we do in these circumstances is that the court worker of a community nearby will provide support to the other community. We have their name and telephone number advertised. We have the 1-800 number that people call too from any community and they will be directed to the appropriate court worker which is nearby and has been assigned to them. We also have a travel budget for those court workers to be able to go into the communities that they don't reside in but are supporting. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. I also thank her for clarifying that. (interpretation ends) As of today, how many court worker positions are filled on an indeterminate basis and how many are filled on a casual basis? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. They're all indeterminate positions. However, some are part-time positions because of the workload. Thank you, Mr.

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Chairman (interpretation): Thank you. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. In which communities are the court workers located? I think she mentioned four communities. Perhaps the court workers are in those communities. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: We have court workers in all the communities except Chesterfield Inlet, Grise Fiord, Whale Cove, and Coral Harbour. We have committed to providing the Members a list of all the court workers and we will do so tomorrow morning. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Maybe just for clarity, if it could also include which ones are full time and which ones are half time, it would be useful information. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. I also thank her for that information. This will be my last question. (interpretation ends) What is the salary range for a court worker position? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I just wanted to verify it. The range in salary for court workers is \$30 an hour to approximately \$55 an hour. If they are part time and depending on their workload and their level of experience, this can range between \$50,000 and \$60,000 at the lower

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end to approximately \$90,000 at the top end. Thank you, Mr. Chairman.

Chairman: Maybe just to add onto my colleague's question, what type of benefits package do these court workers get? Is it just a straight, bare minimum or is it more similar to what's offered in the public service? Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. As a result of having recently completed a court worker review program, there were also some recommendations to attempt to bring harmony between the different court worker payments. The court workers are employees of the clinics and not of the Legal Services Board. Nonetheless, we recognize the need for consistency.

On average some of the benefits include bilingual bonuses, especially where court workers are providing interpretation and translation. Some of the court workers get a northern living allowance and extended health benefits. Some have the ability for RSP if they're working full time.

Part of having the access to justice director position filled would basically attempt to ensure that the court workers right across the territory receive the same benefits, but again, without sort of additional funding, we struggle to ensure that there is harmony and consistency across the board. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for providing that. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. The current business plan of the Government of Nunavut's Department of Justice indicates that the Legal Services Board's "Succession Plan has been implemented for senior

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Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We do have a succession plan and the rationale behind it was to ensure that there would be no large gap between senior management when one leaves and a new one is hired.

The chief executive officer currently resides in New Brunswick. She offered and tendered her resignation with the organization about a year and a half ago. Because we commit to ensuring that there is the littlest disruption in our senior management, we asked her that she continue on. She continues to provide support, primarily on a part-time basis to our senior management while we are in recruitment mode, otherwise we would have no CEO. She provides support.

Our comptroller resides in Manitoba. We have hired a comptroller trainee because, again, the goal always was to have that position filled not only with someone who lives in Nunavut but also who is Inuk. The first six finance trainees have come and gone in less than four years. We are happy and pleased to say that the trainee that we have is at a higher qualification, resides in Rankin Inlet, and is being trained and supported so that she will get her CPA designation and that she will work for the Legal Services Board, and there will be no need for a comptroller that resides outside of the territory. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr.

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Akoak.

Mr. Akoak: Thank you, Mr. Chairman. Thank you for the response. How much has been spent on travel and related expenses over the past five years for the board's senior management positions? Thank you, Mr. Chairman.

Chairman: Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We will have to come back to the Committee tomorrow with an exact number, but I can tell you that we do pay for our senior management to travel, the chief executive officer to attend our board meetings wherever they may be, along with our comptroller and sometimes with our chief operating officer. We also have the comptroller often go to Gjoa Haven every year to assist in the audit. We also have some of the regional clinic director/managers come once a year usually to meet, plan, and support each other.

Travel is an important and necessary expenditure to ensure that our senior managers meet with their regional clinic staff, but also for the purposes of our board meetings and working on our business case or implementing our strategic plan. Thank you, Mr. Chairman. I commit to finding what those numbers are and providing them to the Committee tomorrow. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. The current business plan of the Government of Nunavut's Department of Justice makes reference to the "imminent departure" of the Legal Services Board's current chief executive officer and the 2016-17 Annual Report of the Legal Services Board indicates

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Chairman (interpretation): Thank you, Mr. Akoak. She already spoke to that, but maybe she would like to provide a clarification. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. When our chief executive officer informed us of her intention to leave the territory, the board of directors immediately issued an RFP to seek a professional recruitment firm. That firm was hired a few months later. They then undertook the process of advertising and trying to get us candidates. We did go through the process of shortlisting and interviewing three individuals here in Iqaluit almost about a year ago and one additional person outside of the territory.

As a result of not finding a successful candidate, we hired a new recruitment firm and they have done extensive searches. I'm happy to report to the Standing Committee that this month the hiring committee will be interviewing three candidates who are eligible. They have to be lawyers and be able to be called to the bar and have the senior management skill sets that we feel are necessary to oversee this organization. If that interview is successful in identifying one individual, then we would be hopeful that they will start work in the new year.

Our chief executive officer is actually doing us a tremendous favour for staying on in the interim and providing that extra help. I can't say that I think there's one single member of our staff out of the 68 that feels otherwise. Thank you, Mr. Chairman.

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Chairman (interpretation): Thank you. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. With that, any plans on bringing the position back into Gjoa Haven? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Ms. Redfern, if you could clarify where the intention is where to put the CEO, please. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. The priority community that the board has determined is for Rankin Inlet. However, we are offering the candidates the option to live either in Rankin Inlet, Cambridge Bay, or Gjoa Haven. Iqaluit is not actually being offered as a location for them to work or reside because the board is so committed to ensuring that the CEO understands what life and work is like outside of the capital. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Akoak.

Mr. Akoak: Thank you for the response. Is it the same idea with the COO? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. There are currently no plans to relocate the COO. When and if our COO decides to move on, at that point in time the board will assess. It has worked out well to this date to have senior management located in different parts of our territory. With the ability to communicate by email and by telephone and having three-times-a-year board meetings, we can provide the good-quality senior management.

We're the only legal partner in this territory

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that has as much of our legal staff in the three regions and in the majority of our Nunavut communities. You can't say that for court. You can't say that for the Crown. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Akoak.

Mr. Akoak: Thank you for the response. You mentioned this already when I asked about your comments earlier, but I just want more clarification. It seemed like there were going to be some jobs lost at the Gjoa Haven office and I didn't like that very much.

Page 3 of the 2016-17 Annual Report of the Legal Services Board indicates that "The Board and the GN continue to investigate and assess the Gjoa Haven office structure...ascertaining which GN positions were properly approved and to ensure that there is a proper organizational chart that reflects both formal government ratification and operational reality." As of today, what is the status of this assessment and what is meant by the term "operational reality"? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We have been working with the different Ministers of Justice and the different Deputy Ministers of Justice for a number of years, including with GN Finance and HR staff, to get to the bottom of how many Gjoa Haven GN employees there are. These are not LSB positions that we created and as a result, we rely heavily on the GN for their assistance to figure out how many positions there were or are in Gjoa Haven.

As I indicated earlier, there are a number of different organizational charts in existence,

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including some with dotted lines around certain positions. One of the charts shows that two Akitsiraq law students are graduates in that position. Having spoken previously to Minister Peterson, who was both Minister of Justice and HR and Finance, he explained to us that the detailed process in which the GN itself goes through to ensure that new staff positions are created and that we rely on the GN HR-Finance to do some more research and to get back to us. That is the status. We will ask the Deputy Minister where things are at on that review, but I don't think there has been a definitive answer provided to date. Thank you.

Sorry, Mr. Chairman. What I can speak to is: what is operational reality? The reality is right now there are three positions in Gjoa Haven and we're extremely appreciative of those positions. It took two and a half years to fill your vacancy, Mr. Akoak, and we almost lost another Gjoa Have staff member in that process because they lacked housing. It really is a challenge and we want to support them and we want to see those positions, whatever ones that exist, filled, but it is reliant and incumbent on the GN. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. Just a comment, yes, I have constituents in the communities that do want to work. I don't want to lose the staff with that office. When I used to work there, we had six people working in that office. We're just down to three, so I'm hoping it will never decrease. It's just a comment. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Quassa.

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Mr. Quassa (interpretation): Thank you, Mr. Chairman. (interpretation ends) As we were hearing earlier, there are a lot of reports and strategic plans that are underway. First of all, when will the Legal Services Board's current strategic plan and the Inuit Employment Plan be published or released? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We have shared the Inuit Employment Plan with the Government of Nunavut Department of Justice. I also think we have shared it with NTI. We shared it also with EIA, Executive and Intergovernmental Affairs, because they were responsible for the Inuit employment plans. There's no reason why it can't be shared.

With respect to the strategic plan, again, that has been shared with Justice. There's nothing in the plan that, I think, poses any problems for it to be shared. For the most part, especially the strategic plan, an internal operational document, often it forms the basis of our business case, which will be shared with the Members. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Ouassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. (interpretation ends) Just on that same level, when is the court worker assessment going to be made publicly available? (interpretation) Thank you.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. We shared it with the Department of Justice.

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As you will note, finding office space is very challenging in some communities. We have tried working with hamlets or other potential community partners to share space because we acknowledge it's not appropriate for clients or community members going into court workers' homes. That's not appropriate. It is a real challenge and problem, though. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Ouassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. Thank you for that response. We completely understand that now. Apparently they were available, but they didn't reach us yet.

Page 2 of your 2016-17 annual report also indicates that "A draft Court Worker Report was developed...and will guide the enhanced support for Court Workers throughout the territory." I believe there has been a lot of talk about court workers in Nunavut. Perhaps she will provide a similar response, but when will this report be made publicly available? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. It just reminded me that the federal Department of Justice actually also did an aboriginal court worker program review. That is

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available and it highlighted that we have one of the best court worker programs in the country.

We did our own review and extensive interviews with all court workers, the clinic directors, staff lawyers, and others. Again, that document was made available to the Department of Justice and we're happy to share it. It's just a question of either Justice doing that sharing on our behalf or if the Members so wish that we share the report, whatever the Committee prefers. Thank you, Mr. Chairman.

Chairman: Well, speaking for the Committee, we would prefer to get the document, if you could commit to sharing that with us. Ms. Redfern.

Ms. Redfern: Thank you, Mr. Chairman. I'm not sure if it's in Inuktitut since it's an internal working document and it has been shared with Justice, but absolutely we will print it and make it available with the other documents that we will share with the Committee tomorrow. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Recognizing the clock, we are running out of time. My colleagues still have a lot of questions. I would like to thank the individuals at the witness table. I would like to remind you that our meeting will resume tomorrow at nine o'clock in the morning. Enjoy your evening and we will see you tomorrow. Thank you.

>>Committee adjourned at 17:01

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