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Legislative Assembly of Nunavut



Nunavut Maligaliurvia  
Assemblée législative du Nunavut

August 14, 2020

The Honourable Bill Blair, P.C, M.P.  
Minister of Public Safety and Emergency Preparedness  
House of Commons  
Ottawa, ON, K1A 0A6

Tabled Document

291-5(2) *Sgn 24/20*

The Honourable David Lametti, P.C, Q.C., M.P.  
Minister of Justice and Attorney General  
House of Commons  
Ottawa, ON, K1A 0A6

Dear Ministers:

I am writing to you in my capacity as the Member of the Legislative Assembly of Nunavut for Iqaluit-Manirajak to draw your attention to the attached exchange of correspondence that I recently had with the Honourable Jeannie Ehloak, Minister of Justice for Nunavut, concerning the important issue of introducing a "Clare's Law" for the territory. As you will note in her reply to me, Minister Ehloak indicates that:

"... the Royal Canadian Mounted Police has been on record regarding the incompatibility of this type of legislation with existing federal privacy laws. As the RCMP is the only provider of policing services in Nunavut, their inability to provide information due to federal statutes would be a major barrier to implementing this legislation. Until such time that the federal government has decided to support Clare's Law, the introduction of this legislation in Nunavut would offer little to no support for vulnerable persons."

As you will appreciate, I would very much welcome your commitment to address this issue through the introduction of appropriate amendments to federal legislation. By way of copy, I am drawing this issue to the attention of Nunavut's federal Parliamentarians, as well as your provincial counterparts whose jurisdictions have recently passed "Clare's Law" initiatives.

I look forward to your reply.

Yours sincerely,

Adam Arreak Lightstone, MLA  
Iqaluit-Manirajak

c.c. Dennis Patterson, Senator for Nunavut  
Mumilaag Qaqqag, Member of Parliament for Nunavut  
Jeannie Ehloak, Minister of Justice, Nunavut  
Don Morgan, Minister of Justice, Saskatchewan  
Andrew Parsons, Minister of Justice, Newfoundland  
Doug Schweitzer, Minister of Justice, Alberta





Government  
of  
Saskatchewan

Minister of Justice  
and Attorney General  
Legislative Building  
Regina, Canada S4S 0B3

June 19, 2020

Honourable Bill Blair  
Minister of Public Safety and Emergency Preparedness  
House of Commons  
Ottawa, Ontario  
Canada  
K1A 0A6

Dear Minister Blair:

We are extremely disappointed to have been informally advised this week that the RCMP in Saskatchewan has now indicated its refusal to participate in an important new interpersonal violence protection program. As you know, "*Clare's Law*" is legislation passed in the province of Saskatchewan to protect primarily women from interpersonal violence by authorizing the disclosure of limited risk information to individuals regarding their intimate partners.

This legislation was introduced in the Fall of 2018 and unanimously passed in the Legislative Assembly of Saskatchewan in the Spring of 2019. The RCMP representatives in Saskatchewan both directly and through the Saskatchewan Association of Chiefs of Police have been involved in the development of the Act, the Regulations and the Protocol on an ongoing basis from the outset. This includes monthly meetings since June of 2019 regarding the specific development of the Protocol. This legislation is scheduled to come into force on June 29, 2020. To now be advised that the RCMP, in its capacity as the Saskatchewan Provincial Police Service, is refusing to comply with this process is beyond disappointing.

We have not been advised why the RCMP has taken this position other than reference to an undisclosed legal opinion. We have offered from the outset to meet with any legal counsel the RCMP may be using to explain how this process works and why it is in full compliance with any applicable legal requirements, including privacy legislation.

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Honourable Bill Blair

June 19, 2020

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We remain open to establishing a dialogue with respect to this matter and urge you to ensure that this decision of the RCMP is revisited. It is unclear why the RCMP is refusing to protect potential victims of interpersonal violence through *Clare's Law*. Alberta and Newfoundland and Labrador are among the other provinces that have introduced similar legislation and we cannot accept that the RCMP cannot find a positive solution to their concerns, whatever they may be.

We trust that you share our commitment to the protection of victims of interpersonal violence and that you will ask that this issue be immediately addressed. Whether that requires adjustments to the Saskatchewan Protocol (none of which have been identified in the year and a half that the RCMP has participated with the ministry in the development of this program), or whether an adjustment at the federal level is required, this problem needs to be resolved.

In Saskatchewan, we have taken this step to recognize both an individual's "right to ask" for information regarding an intimate partner they feel may put them at risk as well as their "right to know" that information once the police have it. We think these potential victims have a right to know why the federal government now seems to think otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Morgan". The signature is written in a cursive, flowing style.

Don Morgan, Q.C.  
Minister of Justice  
and Attorney General



# **Saskatchewan RCMP is committed to supporting victims and survivors of domestic violence**

June 22, 2020

Saskatchewan, Saskatchewan

<https://www.rcmp-grc.gc.ca/en/news/2020/saskatchewan-rcmp-is-committed-supporting-victims-and-survivors-domestic-violence>

## **Statement**

We know there have been questions relating to how the RCMP provides support to victims of domestic violence since the announcement of changes to provincial legislation. We know these changes will be especially meaningful for anyone experiencing domestic violence.

Investigating reports of domestic violence is not new to us. We hear you. We believe you. We will be with you every step of the way. What we want victims and survivors of domestic violence to know is that you can continue to rely on the Saskatchewan RCMP to keep you safe, 24/7.

Domestic violence is not a private affair and causes serious harm to families and loved ones involved. It is also a serious social problem often resulting in violation of the law. We prioritize all reports of domestic violence and ensure we place the victim's safety at the forefront.

We recognize that domestic violence continues to harm people in the communities we serve, which is why we continue to increase our efforts, services and support for all victims and survivors.

In October, we launched a Violence in Relationships Course. This training gave our officers an opportunity to listen, firsthand, to the experiences of survivors of domestic violence. This helped our officers increase their understanding of the cycles of violence and how interactions with police impacts the situation.

We have been involved with the planning for Clare's Law from the very beginning. We have been, and continue to be, supportive of this initiative. Early on in the discussions and planning for the implementation of Clare's Law, we identified to our partners that there may be some challenges with our participation because unlike municipal police services, the RCMP is subject to federal privacy legislation.

The RCMP is continuing to look into the matter, and considering how best it can support Clare's Law objectives within its obligations under the federal *Privacy Act*. This hasn't impacted our commitment to keeping families and communities safe and we will continue to work in a cooperative manner with our partner agencies and government departments to seek solutions to the serious problem of domestic violence.

We remain committed to helping any individual with concerns on domestic violence through processes that have always existed for the RCMP. We are also implementing a process that will ensure anyone who comes forward with concerns and is then identified by the RCMP as being at risk is safe and has access to Victim's Services and other resources to assist with their safety. It is important to note that any member of the public can access information relating to criminal convictions through provincial court houses.

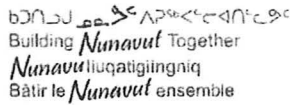
Our focus has, and always will continue to be on victims and survivors. This will never change.

There are many resources that can assist victims and survivors with safety planning. Whether or not victims and survivors decide to report the violence to police, they can reach out to local victim services, shelters, cultural and community health centres, Indigenous friendship centres and other community centers for support.

If you think someone you know might be a victim or survivor, we encourage you to reach out to them and encourage them to seek support and identify their support network.

For more information on intimate partner violence and abuse, creating safety plans and where to get support, visit: <https://www.rcmp-grc.gc.ca/en/intimate-partner-violence-and-abuse>. Call 211, text 211 or visit website [abuse.sk.211.ca](http://abuse.sk.211.ca) to connect domestic violence victims with resources in their community. The service is free, confidential, 24/7 service available in over 175 languages, including 17 Indigenous languages.

All non-emergency incidents can be reported to any local RCMP detachment by calling 306-310-RCMP (7267).



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**Minister of Justice**  
**Minista Maligaliqiyitkut**  
**Ministre de la Justice**

*Translation to follow*

Mr. Adam Lightstone  
MLA – Iqaluit Manirajak  
Legislative Assembly of Nunavut  
PO Box 1200  
IQUALUIT, NU X0A 0H0

Thank you for your letter regarding the implementation of Clare's Law in Nunavut.

Finally, the RCMP has been on record regarding the incompatibility of this type of legislation with existing federal privacy laws. As the RCMP is the only provider of policing services in Nunavut, their inability to provide information due to federal statutes would be a major barrier to implementing this legislation. Until such time that the federal government has decided to support Clare's Law, the introduction of this legislation in Nunavut would offer little to no support for vulnerable persons.

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The department may consider this legislation in the future, however given the information presented, it is not a priority for the department at this time. I have committed to amendments to the *Labour Standards Act* that will allow individuals facing domestic violence to seek out support and assistance without fearing the loss of employment. In addition, the Department of Justice continues to work on the review of the *Family Abuse Intervention Act* to ensure it is addressing the needs of families facing violence and continues to be effectively implemented.

Yours truly,

  
Jeannie Ehloak  
Minister

cc: The Honourable Senator Patterson, Senator for Nunavut  
Ms. Mumilaaq Qaqqaq, Member of Parliament for Nunavut  
The Honourable Don Morgan, Minister of Justice, Government of Saskatchewan  
Regular MLA's  
Mr. Stephen Mansell, Deputy Minister, Department of Justice, Government of  
Nunavut