

Legal Services Board of Nunavut Annual Report 2015/2016



Sixteenth Annual Report
2015/2016

Executive Summary

The Legal Services Board of Nunavut (LSB) is in its seventeenth year of operations. This year LSB bid farewell to territorial Board members Margaret Hollis and Norma Hansen. LSB then welcomed Stephen Mansell, GN representative and Wendy Kootoo Wood, Kitikmeot regional representative to the Board of Directors. LSB's organizational stability and capacity remained constant, despite an extended leave of absence of the CEO for half of the the fiscal year. The dedicated and long-time experience and skill of the executive management team enabled LSB's day-to-day operations to continue uninterrupted, however some of the projects were delayed.



LSB also began to implement an organizational shift between the territorial and regional clinics, shift away from lawyers with added clinic management duties to full-time dedicated clinic directors to manage the regional clinics operations, finances and staff. Historically, the clinic staff and operations were much smaller but the responsibilities have grown along with the demands on the clinics and it was no longer reasonable or practical to expect lawyers with full-time practices to manage clinics. Maliganik Tukisiniarvik in Iqaluit is the first of the clinics to have a beneficiary, full-time clinic director.

LSB maintained its complement of 16 staff criminal defence lawyers and 6 staff family lawyers distributed between the 3 regional clinics. In addition, 2 staff civil/poverty lawyers were based in Iqaluit and Cambridge Bay. As per statute, the CEO is also a lawyer. Some vacancies occurred over the course of the year and recruitment quickly followed.

LSB staff lawyers were supported by a private panel of 27 private panel members, of whom 3 were resident in the territory.

From April 1st 2015 to March 31st, 2016 LSB provided significant legal aid services to eligible Nunavummiut. LSB criminal lawyers opened 2030 new files this fiscal, closing 1755. In addition to covering 308 weeks of Court, defence counsel responded to 637 regular hours arrest calls and 628 after-hours calls. Those calls resulted in 287 regular hours bail hearings and another 123 after-hours bail hearings.

LSB processed 177 new family law applications and approved 166 for family law coverage with 61 family files closed upon completion of matters. Currently LSB lawyers are working on 652 active files of which 47 are child welfare matters. An apparent increase in child welfare matters and child representation files resulted in a small backlog of pending applications.

LSB's civil team processed and approved 131 new applications. These applications involved residential tenancy matters, employment issues, human rights matters and allegations of

excessive use of police force. The hiring of the second civil lawyer in Cambridge Bay was a much needed and welcome addition to address the growing demand for civil poverty legal assistance.

In 2014, LSB assumed responsibility for representing clients before the Mental Health Review Board with 18 such files handled by LSB lawyers.

The Inuit Court Worker Program continued to provide essential supports to the legal aid practices. The 24 Inuit court workers, based in small hamlets around the territory, contributed services such as interpretation, application processing, client and witness supports on the 308 Court weeks of 2015-16. The LSB Board undertook a Court Worker Program Assessment this year, identifying needs such as a court worker coordinator, pay/benefit parity across the regions, and updated descriptions of roles and responsibilities.

LSB's independent financial audit confirmed the reliable and consistent financial management processes of LSB. With an annual budget of \$11,818,000, LSB recorded a surplus of only \$73,000, which is less than 1% of the total budget. This also indicates that the current funding levels for LSB are tightly matched to core operational needs, and any increases in demand or operational costs will require additional financial resources without compromising quality and consistency of services.

The territorial Board of Directors held 3 in-person meetings across the territory this year. The Executive Committee of the Board also participated in another 7 teleconferences throughout the year to deal with on-going business such as appeals of legal aid denials or emerging organizational issues.

The Board instituted a number of significant projects this year including the development of a LSB Inuit Employment Plan that includes the Regional Clinics, a LSB Succession Plan, a Court Worker Program assessment, a Strategic Planning Session, and a comprehensive policy review. The Board also created a Financial Working Group to focus on internal finance policies and procurement issues. LSB Directors continue to be very active and fully participatory in Board initiatives such as those outlined above.

During this fiscal year, LSB continued to deliver quality, comprehensive legal services across Nunavut. All members of the legal aid team: administrative staff, court workers, finance team, lawyers, management, and Board members - consistently performed their best, resulting in a successful year for the organization.

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Message from the Chair of the Board

On behalf of the Board of Directors of the Legal Services Board of Nunavut, I am pleased to present the 2015-16 Annual Report.

The Executive team was required to step up and support each other and the organization to ensure stable operations and delivery of services in the absence of the CEO for half of the year. Thankfully, due to the Executive team's dedication and experience, there was no major disruption of LSB's programs and services to the clientele or administration of justice.

While a few major initiatives were put on hold, such as finalizing the strategic plan or implementing an independent IT platform. Nonetheless, the organization produced some significant and important reports and plans such as the draft Inuit Employment Plan, Court worker Program Assessment, and draft management succession plan. We began an extensive review of existing policies, commenced development of new policies and completed a very successful strategic planning workshop.

LSB recognizes that its ongoing goal of improving delivery of its programs and services requires regular and honest critical assessment of its operations and its policies, along with making the necessary adjustments; and that changes have to be well-managed in their implementation.

While crime rates have gone down in Nunavut, there are more complex cases with unique challenges and needs, requiring more organizational resources, such as more lawyers, more lawyer time resulting in higher expenditures. LSB manages its and its clinic resources very carefully and dynamically to meet operational and service requirements. LSB has strived to ensure it has strengthened its operational, financial management and service delivery to develop strategies and timely management to identify and manage our organizational resources to balance the need for prudent, transparent and responsible fiscal management and balancing the organization and client needs.

LSB remains committed to providing these high quality services to its clients. It is with continued and grateful appreciation that I and LSB acknowledges the Board and staff, administrative support staff, lawyers and managers who with their expertise and commitment to Nunavummiut is able to provide quality access to justice throughout Nunavut.

Sincerely,

Madeleine Redfern, LLB

Chair, Legal Services Board of Nunavut



Mandate

The Legal Services Board (“LSB”) mandate is articulated in section 7 of the *Legal Services Act*. The organization is to provide legal representation to eligible applicants and to deliver public legal education and information to Nunavummiut. *The objects of the Board are to ensure the provision of legal services to all eligible persons;*

The Legal Services Board also ensures that the legal services provided and the various systems for providing those services are the best that circumstances permit; this is assessed by thorough examination of the relevant available information.

We are tasked with developing and coordinating territorial or local programs, this includes increasing knowledge of the law, legal processes and the administration of justice; and, providing public education and outreach.

The Legal Services Board of Nunavut is committed to meeting its legislative obligations and doing so in a way that is transparent and accountable to funders, the clients and to other related stakeholders.

Governance and Board of Directors

The Legal Services Board of Nunavut (LSB) was incorporated in July 2000, pursuant to the *Legal Services Act* as the territory's legal aid plan. LSB provides legal services to eligible Nunavummiut in the areas of criminal, family and civil law. The LSB is also mandated to deliver public legal education and information in the territory and to support the Inuit court worker program. LSB programs also include an after-hours law line for citizens who have been arrested outside of office hours, a family law line and a civil/poverty law line, both of which offer general family and civil law information.

The LSB is governed by a territorial Board of Directors comprised of a Government of Nunavut representative, a Law Society of Nunavut representative, three regional clinic representatives, and two members-at-large. The Minister of Justice appoints all LSB Board members for a three-year term. Legal services are provided through three regional clinics, each of which has a regional board of directors. The administrative offices of LSB are located in Gjoa Haven, Rankin Inlet and Iqaluit. Functions including accounts payable and receivable are handled in the Gjoa Haven office, along with client intake, application assessments, and financial eligibility analysis. The Chief Executive Officer is located in Rankin Inlet, and is supported by a Chief Operations Officer in Iqaluit, a Comptroller, and an Executive Services Coordinator.

LSB's regional legal aid clinics are located in Cambridge Bay (Kitikmeot Law Centre), Rankin Inlet (Kivalliq Legal Services), and Iqaluit (Maliiganik Tukisiniarvik). Each clinic is staffed by a complement of criminal lawyers, family lawyers, administrative support, and Court Workers. Court Workers are based both within the clinics and in most Nunavut communities. There are also civil/poverty lawyers on staff at the Iqaluit and Cambridge Bay clinics.



The Legal Services Board works closely with its regional offices to ensure affective and efficient response to community needs.

The territorial Board members are appointed by the Minister of Justice. Territorial Board positions are designated as follows:

- 3 regional representatives, a Board member from each regional Board of directors;
- 1 Law Society of Nunavut representative;
- 1 GN Department of Justice representative;
- 2 members-at-large.

The LSB Board of Directors is responsible for financial management and reporting, policy development, and strategic planning for the organization. The Board rotates its in-person meetings throughout the three regions.

Members of the Legal Services Board for the relevant fiscal period were as follows:

Madeleine Redfern	Chair, and MT Board Member, Qikiqtaaluk
Malcolm Kempt	Board Member, Law Society of Nunavut Representative
Stephen Mansell	Board Member, Government of Nunavut Representative
Tara Tootoo-Fotheringham	Board Member, Kivalliq Legal Services Representative
Wendy Kootoo-Wood	Board Member, Kitikmeot Legal Services Representative
Tommy Owljoot	Board Member-at-Large, Nunavut
Kimberly Tattuinee	Board Member-at-Large, Nunavut

Legal aid offices in Nunavut are situated in the three regional clinics: Iqaluit, Rankin Inlet, and Cambridge Bay. Funded by the LSB, each clinic is a separate registered society and is governed by their own regional board of directors and by-laws.

Currently, each regional board is responsible for the financial and administrative management of each clinic. Note: Lawyers are employees or contracted by engagement letter by the LSB and are not clinic staff.

During this fiscal period the LSB began transitioning the Clinic Director positions into a new model. Historically, the clinic directors were practicing lawyers who had dual responsibilities of managing the affairs of the clinic and carrying a full case load. As the organization and clinics have grown - the practice of having lawyers also act as clinic directors has become unsuitable and unsustainable. This year saw the appointment of a Nunavut land claims beneficiary, non-lawyer clinic director for Qikiqtaaluk – the plan is to continue this process through the other regional offices in the next year. The Clinic Directors are LSB employees who work closely with Regional Boards in fulfilling their respective legal aid mandate in providing organizational and administrative support to LSB lawyers. The regional Boards report to the territorial Board through a designated member who sits on both boards, and through the regional clinic directors.

In any given year, the LSB Board of Directors meets for two to three in-person meetings. These Board meetings rotate through the regions, most often in regional centres where regional clinics are situated and Gjoa Haven where LSB administrative staff are located. From time to time, meetings are added onto other project meetings in different locations to maximize efficiencies. In 2015/2016, the Board met for 2 regular meetings and again for a comprehensive strategic planning event.

There is also an Executive Committee to the Board comprised of at least 3 Board members. The Executive Committee members are: Madeleine Redfern, Tara Tootoo-Fotheringham, and Malcolm Kempt. The Executive Board or Committee, usually meet on an as needed basis, either in person, by teleconference or email; depending on the amount of Board business requiring attention and/or decisions in-between regular Board meetings. The Chair ensures information flow and oversight by the full Board by providing regular updates to the full board on Executive business and decisions at the following Board meeting.



LSB Board members and staff leaving Gjoa Haven following a meeting

In 2015-2016, the LSB saw the departure of both Margaret Hollis (GN representative) and Norma Hansen (Kitikmeot Law Centre representative). The Board of Directors wishes to thank and acknowledge Margaret and Norma's important contributions during their terms, in particular, their sound and sage observations and advice in dealing with some challenging and difficult decisions.

In the fall of 2015, the Minister appointed a new Board member, Stephen Mansell as the Government of Nunavut's representative and Wendy Kootoo-Wood as the Kitikmeot Regional Representative. Both new members were active Board participants during the final months of 2015-16.

In addition to regular Board business, members identified three key areas for development this year. They included drafting an LSB Inuit Employment Plan, a LSB Succession Plan, and conducting a Strategic Planning event.

The Strategic Planning Session was held in March 2016 and attended by the territorial Board members, executive management team, and regional clinic directors. The 3 day event was intensive and very inclusive. A comprehensive multi year plan was developed and approved before the end of the session. A copy of the LSB Strategic Plan is attached in Appendix 'C'.

In addition, the LSB Chair took the lead on the development of a detailed, multi-organizational and multi-tier Inuit Employment Plan for LSB and the Regional Clinics. The Plan addresses the current obstacles to LSB achieving legal and senior level Inuit employees, along with detailed suggestions for overcoming them. Initial drafts have been completed and reviewed by the full Board, and it is expected that the Plan will be finalized and approved in the next fiscal year.

Development on the LSB Succession Plan is closely tied to the Inuit Employment Plan, but is more focused on managers and senior executives. It is also expected that before the end of next fiscal that plan will also be reviewed and approved.

LSB Full Board Meetings and Location:

November 2015; Regular Board meeting; Iqaluit

February 2016; Regular Board meeting; Gjoa Haven

March 2016: Strategic Planning Session; Winnipeg

LSB Executive Committee Meetings (primarily teleconferences for on-going business)

August 2015; September 2015 x 2; October 2015; December 2015; January 2016; March 2016.

Organizational Structure

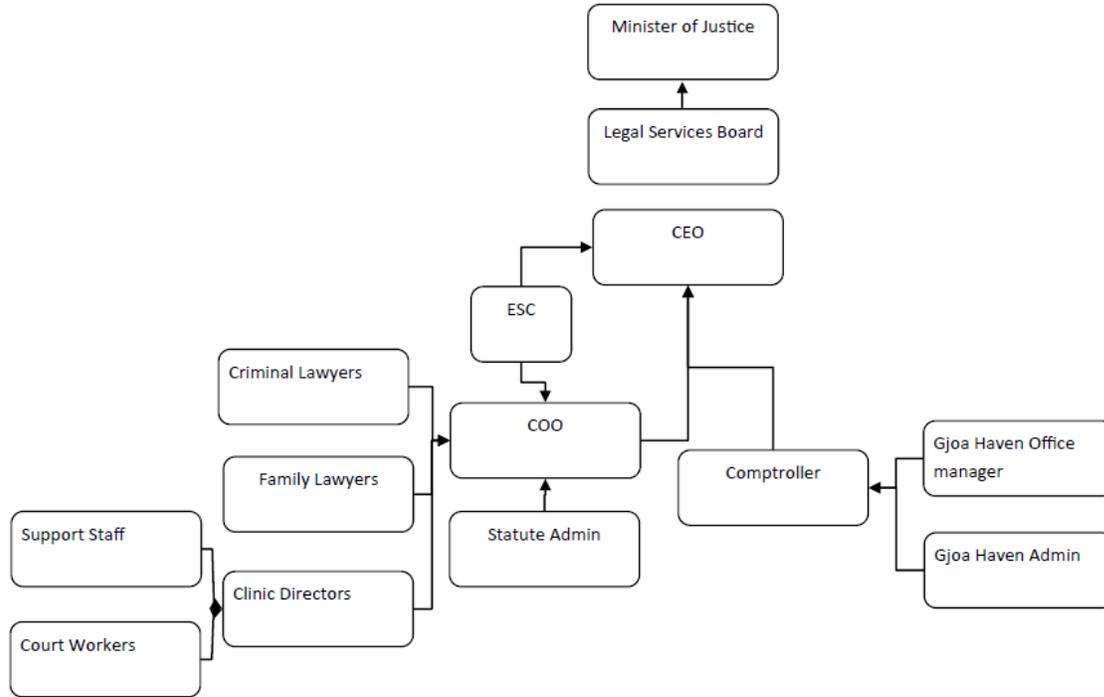
LSB's organizational structure is challenging to accurately reflect in an organizational chart.

Present fundamental organizational structural realities include:

- ✚ 4 main legal aid entities with 4 Boards (LSB: territory-wide; and, 3 regional clinics)
- ✚ 5 employers (67 employees): LSB (28), three regional clinics (36) & GN (3 Gjoa Haven office)
- ✚ GN employees unionized: 1 manager (exempt), 1 necessity (exempt), 1 union
- ✚ LSB employs 7 managers (executive and middle management), administrators and assistant with two employers in four locations: (4 staff) LSB and (3 staff) GN
- ✚ 4 main legal aid offices (Gjoa Haven, Cambridge Bay, Rankin Inlet, Iqaluit)
- ✚ LSB employs all staff lawyers (25), who work out of regional clinic offices
- ✚ LSB contracts with private lawyers (27) for panels (criminal and family), only 3 are resident of Nunavut
- ✚ regional clinic employs their own clinic staff, but the regional clinic directors are LSB employees (currently one director is a non-lawyer while the other two are full-time practicing lawyers)
- ✚ each regional clinic employs court workers within their respective region
- ✚ each regional clinic operates its own financial systems, including own bank accounts and independent financial audits
- ✚ LSB has two financial systems, no bank account, and the LSB audit must incorporate regional clinic audits
- ✚ LSB's independent financial audit is completed once the GN feebalance system has been reconciled against the LSB's chart of accounts
- ✚ LSB reports to the territorial and federal departments of Justice (GN Justice Corporate Services is main liaison with LSB)
- ✚ LSB finances managed by the LSB but processed by GN finance (GN Gjoa Haven employees data enter, GN Justice Corporate Services review, GN Finance processes payment)
- ✚ LSB responsible for own financial management form approvals, budgets, projections, allocations, reporting, etc.
- ✚ not all communities have resident court workers, and where no court worker resides those communities are served by court workers in other communities

The current legislative structure was developed in the days of the NWT and would have been more functional when LSB and its regional clinics were smaller and less connected. These days, with an increase in the number of LSB and regional clinic staff, it has been increasingly more challenging and difficult to operate in this model. There are many unnecessary redundancies in respect of payroll, accounts payable and HR practices. Clearly the structure is not as efficient as it could or should be and leads to many operational inefficiencies, challenges, problems and at times conflicts for both LSB and our territorial funders. Recognition of such gave rise to the

Systemic (Structural) Organizational Review to identify structural deficiencies and recommend changes that would lead to organizational improvements, in particular developing recommendations that will lead to organizational efficiencies, operational effectiveness and maximizing value for dollar.



The Legal Services Board of Nunavut organizational chart –hierarchal structure – in basic terms.

The Team

The team comprises the LSB Board, regional clinic boards, senior LSB staff, GN Gjoa Haven staff, lawyers, and regional clinic administrative staff and court workers. In addition, the private lawyers on LSB panels support and greatly assist with the workload. There were 27 panel members during the reporting period, 3 of whom are resident in Nunavut. Nunavut resident private lawyers are given preferential consideration in the assignment of legal aid work and receive higher compensation than non-resident panel members per the tariff regulation.

Lawyers

Staff lawyers are based in 3 regional clinics: Maliiganik Tukisiniarvik Legal Services (Iqaluit), Kivalliq Legal Services (Rankin Inlet), and the Kitikmeot Law Centre (Cambridge Bay). LSB maintains staff positions for 16 criminal lawyers, 6 family lawyers, 2 civil/poverty lawyers and the CEO who is required by statute to be a lawyer.

Management and Administrative Support Staff

In addition to the staff lawyers, LSB employs an executive management team consisting of a Chief Executive Officer, a Chief Operations Officer, a Comptroller, an Executive Services Coordinator and a Finance Assistant trainee. In the Gjoa Haven office there are three Government of Nunavut employees assigned to LSB, the Senior Statute Administrator, a Finance & Operations Analyst/Statute Clerk and Finance/Office Manager. The Finance/Office Manager position remained vacant for the fiscal period but was filled in early May of 2016 with a long-time resident of Gjoa Haven, Matthew Gee.

Court Workers

A fundamental component to LSB's successful service delivery is the Inuit Court Worker Program. LSB can report that there were 21 court workers working in all 25 communities around the territory. Court workers provide clients with a critical link to the justice system, and provide lawyers with an important cultural connection to the communities and clients they represent and serve. Court worker support includes but is not limited to providing community members with legal aid applications, interpretation, finding and arranging client and/or witness-lawyer meetings in preparation for court appearances and assisting community clinics.

Senior Management & Administrative Staff			
Staff	Location	With LSB since	Position
Teena Hartman	Rankin Inlet	August 2003	Chief Executive Officer, LSB
Jonathan Ellsworth	Iqaluit	May 2004	Chief Operations Officer, LSB
Tiffany Halstead	Steinbach, MB	September 2012	Comptroller, LSB
Vacant	Gjoa Haven		Office Manager
Sara Takkirug	Gjoa Haven	February 2000	Senior Statute Administrator
Hannah Qirqqut	Gjoa Haven	September 2004	Finance & Ops Analyst; Statute Clerk
Kathy Martha Padluq	Iqaluit	February 2015	Executive Services Coordinator – Clinic Director – Maliganik – April 2016
Sam Kavik	Rankin Inlet	Date:??	Finance Clerk

Criminal Practice			
Glen Wilson	Rankin Inlet	February 2006	Lead & Criminal Lawyer
Tamara Fairchild	Iqaluit	September 2010	Lead & Criminal Lawyer
Kathryn Kellough	Iqaluit	August 2011	Criminal Lawyer
Stephen Shabala	Iqaluit	January 2013	Criminal Lawyer
Susan Charlesworth	Iqaluit	September 2013	Criminal Lawyer
Joey Murdoch-Flowers	Iqaluit	August 2013	Criminal Lawyer
Julie Bedford	Iqaluit	November 2013	Criminal Lawyer
Morna Boyle	Rankin Inlet	August 2013	Criminal Lawyer
Patrick Bruce	Iqaluit	January 2013	Criminal Lawyer
Sara Siebert	Cambridge Bay	March 2014	Lead & Criminal Lawyer
Lana Walker	Iqaluit	January 2015	Criminal Lawyer
Caleb Christie	Iqaluit		Student-at-Law; Called to bar October 2015 - Criminal Lawyer
Iman Amin	Rankin Inlet		Student-at-Law; Called to Bar April 2016 – Criminal Lawyer
Shannon O'Connor	Iqaluit	August 2015	Criminal Lawyer
Will McNair	Iqaluit	August 2015	Criminal Lawyer
Adjoa Adjei	Rankin Inlet	August 2015	Criminal Lawyer
Joanna Goldenberg	Cambridge Bay	July 2015	Criminal Lawyer

Family Practice			
Naomi Wilman	Iqaluit	February 2009	Family Lawyer – departed early April 2016
Jack Squire	Iqaluit	June 2011	Family Lawyer
Susan Switch	Rankin Inlet	March 2011	Family Lawyer; Clinic Director – Kivalliq Legal Services
Janet Rowsell	Iqaluit	May 2012	Family Lawyer
Ted Hopkins	Rankin Inlet	February 2014	Family Lawyer
Caroline Pothemont	Cambridge Bay	March 2014	Family Lawyer

Civil Practice			
Mark Mossey	Iqaluit	January 2010	Civil/Poverty Lawyer; Clinic Director – Maliganik Tukisiniarvik - departed September 2015
Pete LeCain	Cambridge Bay	August 2015	Civil/Poverty Lawyer – Kitikmeot Legal Services

LSB extends a heartfelt thanks to all staff for their efforts in continuing to deliver high quality legal aid services throughout Nunavut. This team has proven itself to be dedicated, hard-working, and committed to Nunavummiut.

The Board's Finances

LSB is a publicly funded agency. Funding is allocated by the GN Department of Justice through a contribution agreement that incorporates the federal-territorial Access to Justice Agreement between Justice Canada and the Department of Justice Nunavut to the Legal Services Board.

LSB and its three regional clinics successfully completed audits for 2015/16. The LSB budget for 2015/16 was \$11,818,000. Additional funding of \$45,258 was secured to cover a total of \$11,745,245 in expenses and leave a small surplus of \$73,000, less than 1% of LSB's annual budget. The surplus was primarily due to unfilled staff positions during the year. The LSB is fortunate to have a stable and ready compliment of staff lawyers to ensure continued availability and service to legal aid clients. Nonetheless, from time to time operational realities result in vacant positions, which can sometimes be challenging to fill in such a remote jurisdiction and not unique to LSB.

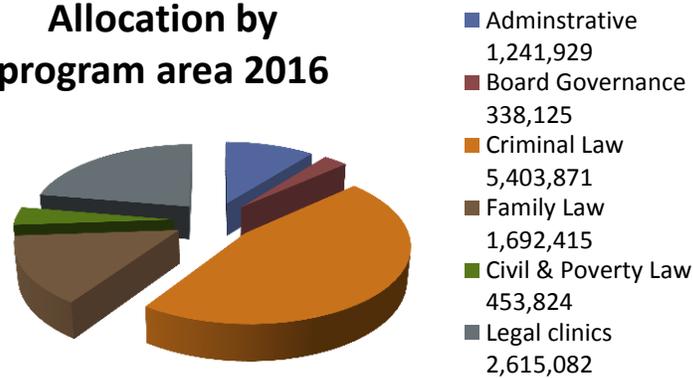
LSB continues to have two financial systems in place. LSB has an internal simply accounting system that permits the organization to better manage its finances. This system enables LSB to produce a budget with more appropriate breakdown in expenditures, such as: Governance; Administration; Criminal Law Practice; Family Law Practice; Civil Law Practice; Regional Clinics and further breakdowns in each area.

The GN continues to process LSB's payments through its FreeBalance System but the standardized budgetary line items simply do not meet the governance and management needs of LSB. Although there

is significant benefit to LSB's control and reporting through its internal accounting system, however having two systems in place adds work for both LSB and GN finance staff. LSB has been working with the GN Finance department to amend the GN system to align itself with LSB's internal system. LSB continues to work with the GN to ensure consistency and accuracy of LSB's finances, especially in Freebalance. This work has started, and LSB looks forward to working with the GN Department of Finance in the next year to fine tune the system and achieve financial consistency and efficiencies.

The audits are a testament to LSB's pursuit and commitment to transparency and accountability. It is also a clear demonstration of the development of the organization's capacity to manage and report on services and finances responsibly. The Legal Services Board expenditures in the 2015/16 fiscal period were \$11,745,245. For additional information, see the independently Audited Financial Statements.

Allocation by program area 2016



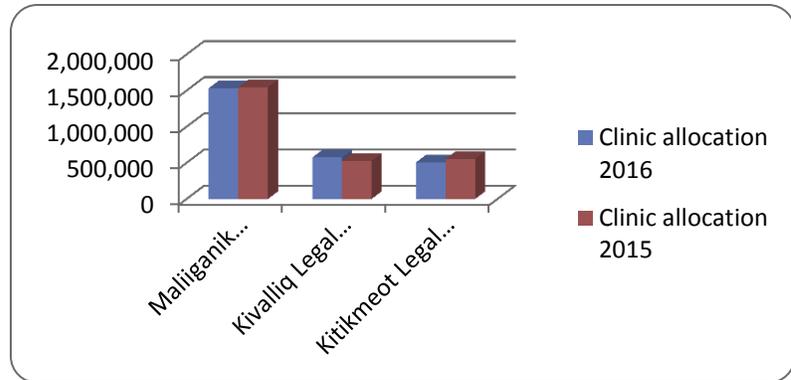
Regional Legal aid Clinics

Regional clinics situated in Iqaluit, Rankin Inlet and Cambridge Bay are societies pursuant to the Societies Act and are in good standing with the registrar.

The LSB funds the regional clinics (\$2.6Million/per year) by way of contribution agreement. Each regional office is up to date with the reporting requirements enunciated in those agreements.

Essentially, the Clinics serve as access to justice points for their respective regions and provide

support services to staff lawyers and private lawyers contracted for supplemental legal aid services. Each clinic employs support staff and court workers within the Clinic and in the majority of communities throughout Nunavut. If there is not a court worker in a community, the community will be served by another court worker.



The Clinic Director is an LSB employee who has dual-reporting obligations – to the LSB and to their respective regional board. An independent consultant, hired by LSB, recently undertook an internal assessment and analysis of the LSB and its three Regional Clinics. The consultant has made some recommendations to improve organization structure, systems and processes. There were additional considerations to be made in areas that were overlooked in the first assessment and/or reassessments as a result of some operational changes within the LSB, Regional Clinics and/or the GN.

All of the regional offices have modern and adequate office space and offices in the communities for its court workers – some are full time offices, whilst others are as-and-when arrangements.

Regional clinics boast a 100% Inuit employment rate; administrative support staff and court workers. All three clinics combined, employ 34 Inuit, the majority of whom are situated in the communities throughout Nunavut. More information about the Court Workers can be found in the Inuit Court Worker Program section of this Report.

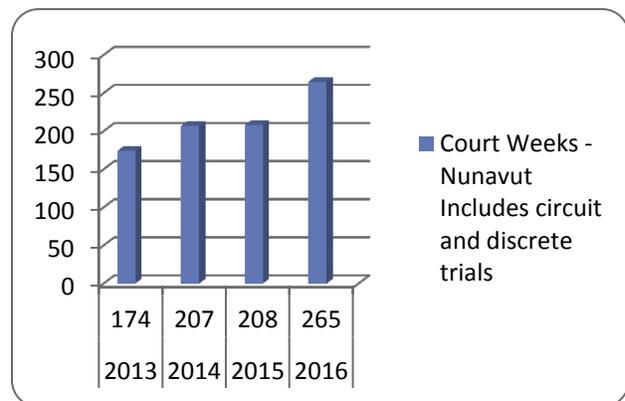
The Practice of Legal Aid

Household Size	Annual Gross income Level
1 person	\$50,400
2 people	\$62,400
3 people	\$88,800
4 people	\$96,000
5 people	\$103,200
6 people	\$110,400
7 people	\$117,600
8 people	\$124,800
9 people	\$132,000
10+ people	\$139,200

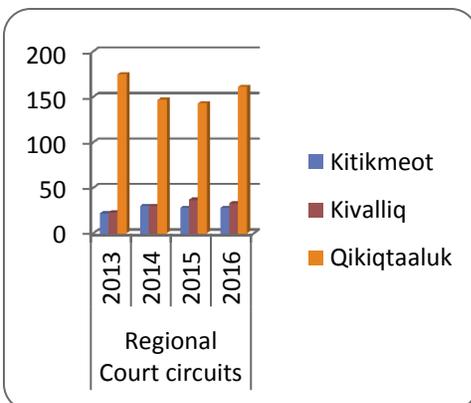
LSB provides legal aid services to financially eligible Nunavummiut, in the legal areas of coverage as set out by the *Legal Services Act*. This includes criminal defense representation, child representation, child protection and family law coverage, and civil/poverty representation in the areas of residential tenancy issues, employment/labour law, poverty related issues, excessive use of force by police and human rights. A Board approved eligibility scale defines the criteria for accessing legal aid in Nunavut, the income thresholds are defined in the adjacent chart.

Criminal Practice

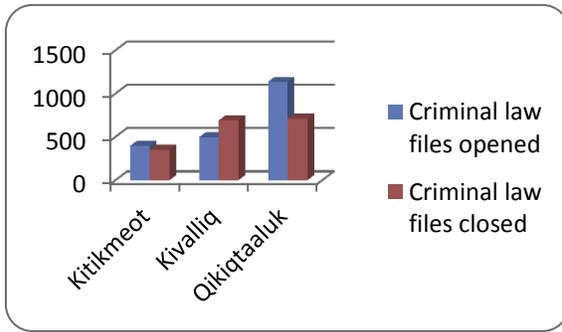
The criminal practice continues to evolve and improve despite obvious logistical and practical challenges and is functioning at exceptional levels. Iqaluit remains the busiest center due largely to the population demographic and enhanced access to institutions of justice. Circuit court is perhaps the most challenging, yet rewarding, part of delivering legal aid in Nunavut. The LSB prides itself on delivering quality representation to individuals while on circuit in Nunavut’s 25 communities. The LSB typically dispatches lawyers to communities by the Friday prior a circuit to ensure adequate preparations with clients and negotiations with crown prosecutors can be completed with a view to ensuring efficient use of judicial resources and effective outcomes for our clients.



LSB is mindful of the trend in respect of the severity of crime in Nunavut and has allocated

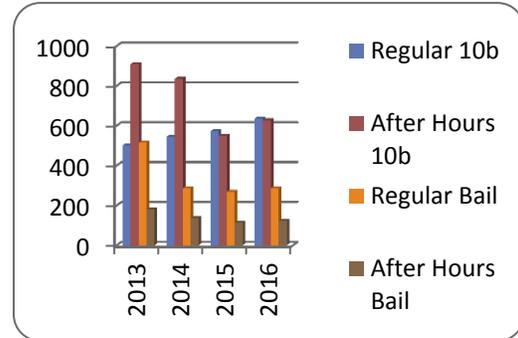


resources to meet the complexity and seriousness of matters, despite the decline in actual charges. Criminal defence work is handled by 16 dedicated staff lawyers and some 27 private lawyers who attend every circuit and special sitting of the court scheduled in Nunavut. This year these lawyers attended 265 circuits; 161, 33 and 28 in the Qikiqtaaluk, Kivalliq and Kitikmeot, respectively; plus 43 special sitting weeks (Jury and Judge alone trials) of the court. In total, legal aid covered 308 Court weeks this year.



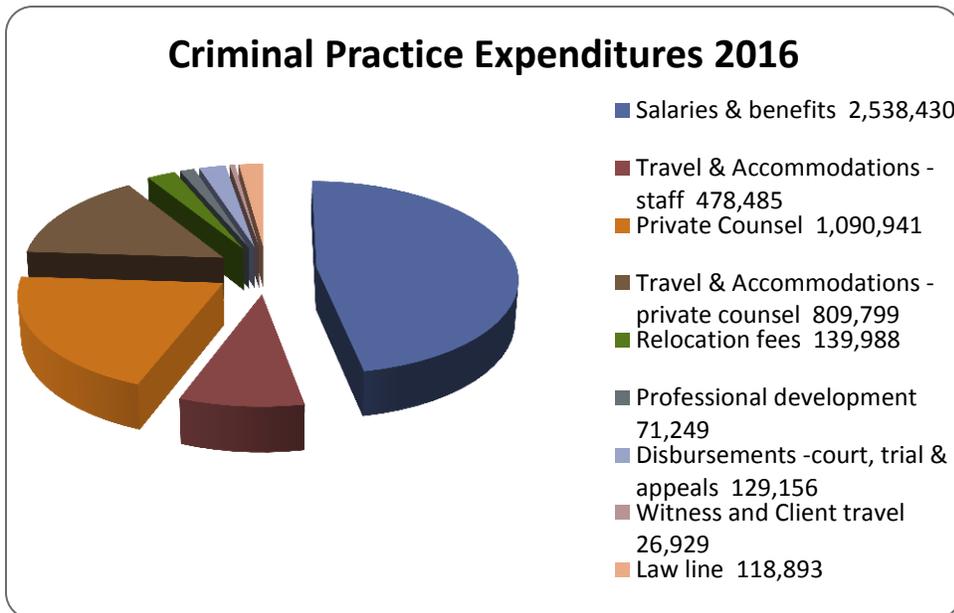
LSB represents approx. 98% of individuals in the areas of family and criminal law. This year there were 244 individuals who applied for full coverage, similar to that of previous years. This year the LSB opened 2030 new criminal law files and closed 1755.

In addition to the circuits attended by staff and private lawyers, the LSB also provides after hours service for individuals who are arrested outside of office hours, including representation at show cause hearings (bail hearings) that are sometimes scheduled outside of regular working hours. This year’s numbers saw an increase from the previous reporting period with 637 regular hours arrest calls and 287 bail hearings. There were 628 after-hours calls and 123 after-hours bail hearings.



The LSB administered 100% of serious charges including homicide and related allegations, and although only four were reported during the relevant time, during the fiscal period there were approximately 14 ongoing matters.

The costs of providing services in criminal law were \$5,403,871; and are detailed here:

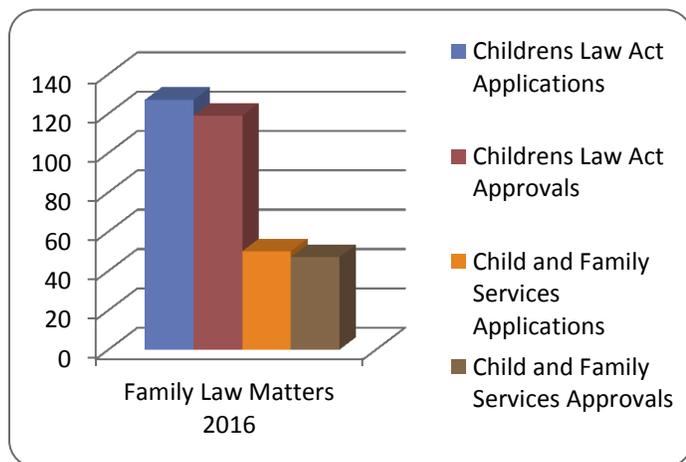


The criminal law practice management model comprises lead counsel in each regional office and the COO’s office. Together they manage the file requirement arising from the practice, assign conflict files to private counsel and identify trends to ensure coverage is at adequate levels. Quality assurance processes have been developed and implemented to monitor the work of staff and private lawyers alike. The practice was fully staffed during the material time.

LSB also initiated private lawyer evaluations in the immediate prior fiscal period, as a mechanism to ensure quality representation by non-staff counsel and to assist with assigning private panel work. The evaluations are filled out by LSB and clinic staff following each circuit and submitted to the COO and CEO. The Board of Directors amended the panel policy in the previous fiscal year to give the CEO and their designate some guidelines on how to exercise their discretion with respect to assignment of files to private lawyers, and the evaluation forms assist in implementation of assignments. The policy objective is to ensure that lawyers assigned to files have the necessary experience, expertise and qualification required for the case and court circuits that the lawyers are assigned to. The relevant information may include lawyers’ seniority, seniority at the Nunavut Bar, previous and relevant Nunavut practice area experience, culture and language skills, practice experience in the Nunavut Court of Justice, previous lawyer evaluations, and any history with respect to the lawyer’s past performance, complaints and other administrative burden within the LSB. This ensures that clients receive appropriate and qualified lawyers and that LSB ensures that the administration of justice is well-served.

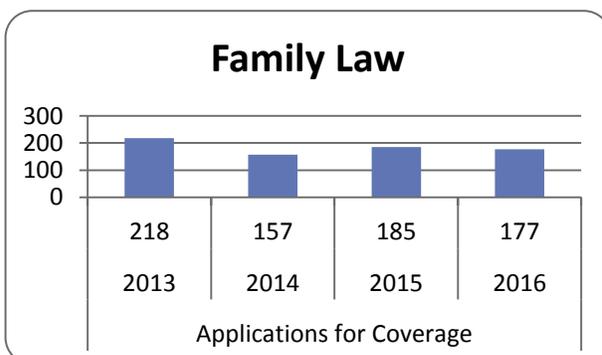
Family Practice

The family law practice has struggled to keep up with the demand of those applying for assistance, due largely to the number of ongoing matters lawyers are already carrying. This has resulted in a slight backlog in the approval of Children’s Law Act matters but has not affected Child and Family Services assignments. Family-Children’s Law Act - which can include, where children are involved, divorce, separation, support, custody and access; and, Child and



Family Services, which includes individual interactions with the state in the context of child apprehension. Despite an onslaught of child welfare matters and court ordered appointment of counsel for children, family lawyers continue to offer the legislated range of services to

Nunavummiut.

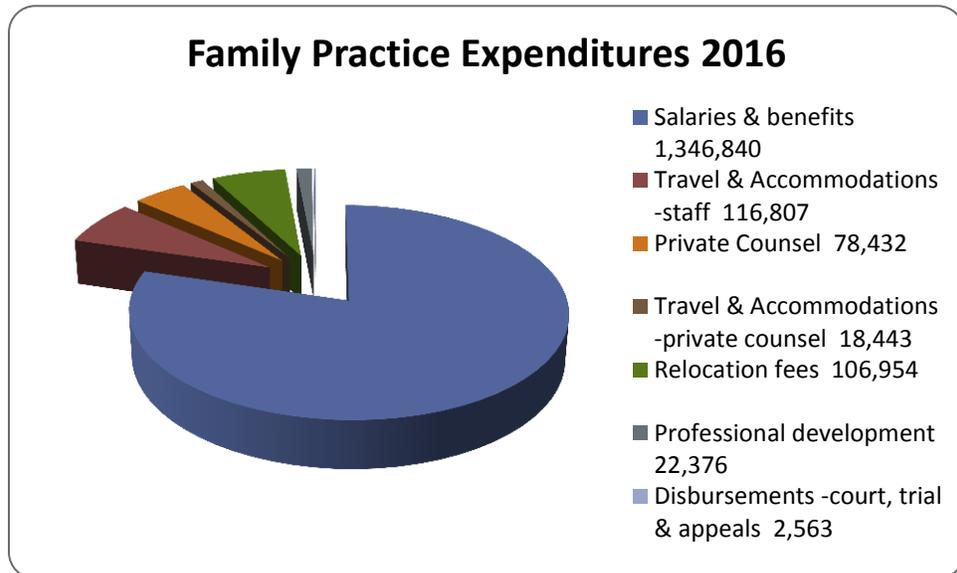


During the fiscal period a total of 177 applications were received while 166 approvals were issued.

Six staff lawyers and six private lawyers deliver services in this practice portfolio. LSB recognized the need for additional private family law lawyers on its panels, in particular, to deal with practice conflicts. It's beneficial to now have more private family law lawyers to draw upon when conflicts or other issues arise. In this fiscal period there were a total of 177 full coverage applications for family law services, 50 of which were a direct response to state instituted proceedings. In total there were 166 approvals issued in the family law practice areas.

A toll free family law information line is also supported by LSB for individuals seeking general legal information. Much like in the criminal practice, private lawyers are important in the context of conflict and managing files with a particular degree of complexity or specialization.

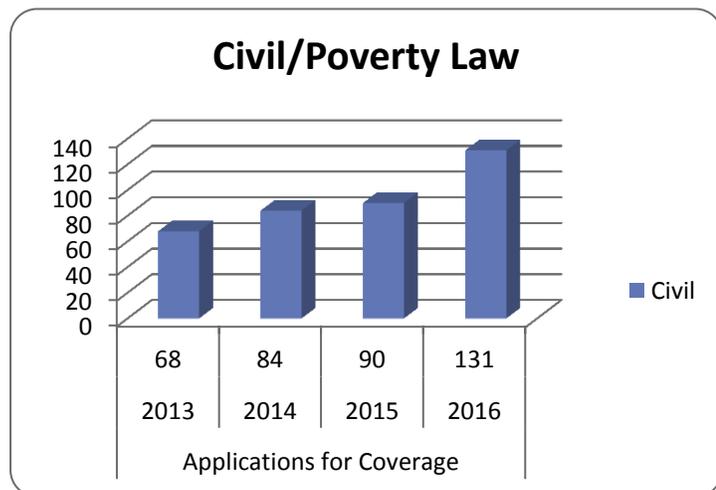
The costs of providing services in family law were \$1,692,415; and are detailed here:



The practice is currently providing services to some 652 clients while 92 matters remain pending and 61 files were closed. The practice management model comprises counsel, the CEO and the COO who together manage the daily requirements of this busy and important practice area.

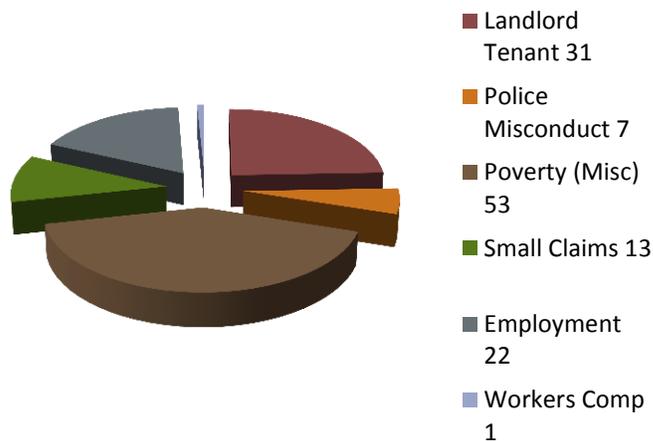
Civil Practice

This year there were a total of 131 applications for full coverage in this practice area, which are broken down in the chart. This is an increase from prior reporting periods attributable to an increased demand. There have been significant in-roads especially with the Nunavut Housing Corporation and subsidiary housing authorities respecting tenant rights; we've seen a significant culture shift



in those organizations resulting directly from this practice area and the advocacy of counsel.

Civil Law Statistics



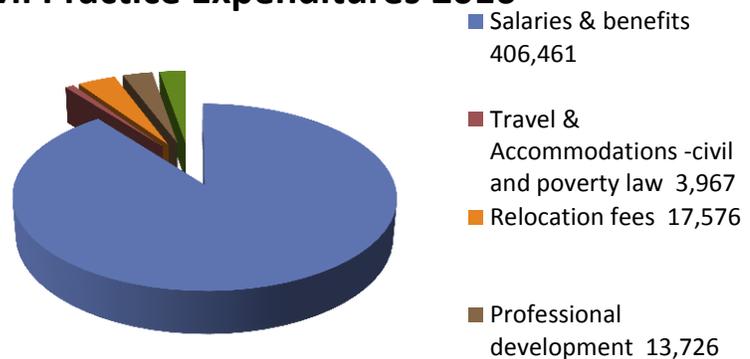
The civil practice saw the addition of counsel in Cambridge Bay and the departure of Iqaluit based counsel mid-fiscal period. Despite the transition the practice enjoys stability and remains an integral core program area for legal aid in Nunavut. The Civil/poverty law practice has been an area of practice for the LSB since it piloted in 2005. There remains a steady and increasing need for services in the areas of residential tenancy, employment law, poverty related issues, human rights, in

addition to excessive use of police force matters and LSB’s involvement in inquests.

The LSB remains committed to maintaining current service levels in the civil practice.

The costs of providing services in family law were \$453,824;

Civil Practice Expenditures 2016



Mental Health Review Board

In 2014/2015 the Nunavut Department of Justice transferred responsibility of managing the services associated with representation before the Nunavut Review Board. The LSB bolstered and supported necessary ancillary training and required resources to assist the lawyers in representing their clients. In this fiscal year the LSB received and approved 2 new applications for legal services and continued to provide assistance on the 16 outstanding matters from previous fiscal years.

Practice Conclusion

During fiscal period 2015-2016 the Legal Services Board was successful in providing the services it is mandated, attached and appended as Appendix B is the LSB’s summary statistics which support this conclusion.

Inuit Courtworker Program

A fundamental component to LSB's service delivery is its support of the Inuit Courtworker Program. While court workers are actually employed by the regional clinics (either full-time or part-time as needed), it is LSB that funds the clinics to support these positions. This year, LSB can report that there were 24 court workers working in communities around the territory.

Court worker positions are based in clinics and in smaller hamlets throughout the regions. The Kitikmeot Law Centre employed 5 court workers throughout their 5 communities, Kivalliq Legal Services employed 4 court workers for their 7 communities, and Maliiganik Tukisiiniakvik employed 15 court workers for their 13 communities.

Court workers provide essential services in realizing access to justice. Not only do court workers provide vital support to circuit lawyers such as interpretation, client and witness support, they also provide much needed administrative assistance in coordinating community legal aid applications, maintaining contact to clients without phones or computers, and serving documents.

Court workers provide clients with a critical link to the justice system, and provide lawyers with an important cultural connection to the communities they are tasked with serving.

All of the demands articulated in the previous sections are also faced by the Court Worker program. Every legally aided matter is assisted and complemented by the Court Workers who are resident in the communities of Nunavut. Constant pressures and demand for service leaves the Iqaluit and other regionally based Court Worker operating and working within the court system on an almost daily basis. To be clear, it's our contention based on the above and collateral information that court workers assisted some 2030 individuals on criminal matters; assisted with facilitating the applications for 244 new criminal files; assisted with facilitating 308 new family and civil matters and 652 ongoing matters; and, provided liaison, support and interpretation on 222 circuit weeks and 43 discrete trial weeks which confirms that court workers are involved in nearly every activity of the LSB.

Recognizing that the program requires additional supports to maintain stability the LSB commissioned an assessment of the program during this fiscal year. This review examines the current state of the court worker program in Nunavut and makes recommendations to the Legal Services Board of Nunavut (LSB) based on that analysis for the improvement of the program. Informal and formal interviews were conducted with lawyers, clinic directors and senior court workers for the purpose of drafting recommendations to be considered by the territorial Board.

The interview process highlighted numerous areas of concern from clinic directors, lawyers and court workers. These challenges will need to be considered and addressed when planning changes to the program. One positive element of the generation of this document was the general consensus among the court workers, lawyers and directors on most aspects of these areas of concern, thus allowing LSB to proceed knowing that the bulk of the organization is, for the most part, working on common ground.

Recommendations for moving forward will be presented at the conclusion of the review in relation to the following headings:

1. Roles and Responsibilities of the Court Worker
2. Office Space
3. Public Legal Education
4. The Need for a Court Worker Coordinator position
5. Training and Capacity
6. Hiring
7. Pay Scale

LSB recognizes more supports are required in the Court Worker program, in particular, ensuring better and more training, assistance, mentoring and professional development opportunities. LSB remains committed to reviewing the findings of the assessment and making positive change where necessary.

Community and Professional Relations

The LSB enjoys positive and meaningful relationships with the legal community and inter-related justice organizations in Nunavut and elsewhere in Canada. In addition, our interactions with Nunavut Health, Social Services, Family Services, and more recently Office of the Advocate for Children and Youth have been mutually beneficial.

Association of Legal Aid Plans

The CEO sits on, and is a member of the Executive of the Association of Legal Aid Plans of Canada (ALAP), which organization comprises senior management and board members of all of the legal aid plans in Canada and is mandated to undertake, support and facilitate research concerning access to justice issues; to improve public awareness of access to justice issues; and, to undertake such activities, on its own or with others, as may be in the interest of access to justice in Canada.

This year, the LSB Chair attended the ALAP CEO succession planning workshop. The timing of this national legal aid plan workshop was perfectly timed as LSB was in the development of its organizational management succession plan. LSB was able to share and obtain some very useful and beneficial information, including template and approach with respect to succession planning for the CEO and other senior management positions.

Nunavut Justice Efficiency Committee

The COO sits on the justice efficiency committee, which comprises senior officials in the justice department, the RCMP, the PPSC as well as the Senior Judge of the Nunavut Court of Justice. Together we examine systemic issues with a view to realizing efficiencies, maximizing value for dollars and ensuring the experience is the best possible for Nunavummiut navigating court processes. Though the scope of this committee remains of paramount importance there was only two collaborations during the material time.

Provincial/Territorial Working Group re Access to Justice Service Agreement

The COO also sits, with officials of the Department of Justice Nunavut, Department of Justice Canada and other provincial/territorial legal aid plans, on the PWG/TWG groups arising from the Access to Justice Service Agreement, we meet regularly to discuss, inter alia, issues arising from the operation of the agreements, funding formulae, and the court worker program(s). This year the PWG met in Quebec City and court worker program directors developed a nationwide strategic plan.

Nunavut Communities

Most importantly, the LSB engages communities at the community level, legal counsel and Court Workers have interactions with justice committees, hamlet councils, schools, mental health service providers and end users. We've partnered with our communities and have provided meaningful community based public legal education.

Public Legal Education & Information

Public legal education and information (PLEI) is a mandated responsibility of LSB. This is a challenging task in a jurisdiction with many spread-out communities with different language and cultural issues, especially in respect of complex legal concepts. Each of LSB's lawyers has committed to performing PLEI initiatives, and the result has been some creative and meaningful interaction with Nunavut's communities and their residents. LSB continues to work towards identifying and delivering PLEI in the communities with local partners.

Family and Civil/Poverty Law Lines

LSB offers a toll free family law and civil/poverty law information lines. Staff lawyers participated in sessions at high schools and Nunavut Arctic College campuses around the territory. Partnerships are established with local Inuit organizations and have resulted in community sessions on residential tenancies and wills and estates in the Kivalliq region and the development of mental health programming in the Kitikmeot.

Trade Shows, High School – CBA Mock Trial/College, Shelter Visits, GN Liaison, Radio Shows

This year Kivalliq Legal Services again participated in the trade show in Rankin Inlet which in our view enhanced our visibility in that community. The office also partnered with the shelter society in providing general legal information to shelter staff, their volunteer board of directors, and participating in the development and distribution of a family violence prevention poster around the region.

Maliganik Tukisinarvik staff offers sessions at the Iqaluit Women's Shelter, Baffin Correctional and Makigiarvik Centers and volunteered with the Canadian Bar Association mock trial project with the local high school in Iqaluit. Maliganik Court Worker and support staff also assisted with the annual gathering of the Elders and provided information on Elder's rights. In September Maliganik lawyers presented information and provided materials at the annual meeting of GN Liaison officers. In Sanikiluaq there was a presentation in respect of various legal issues and hosted a question and answer session on: what to do when you're arrested; rights to counsel, and search and seizure. Maliganik also hosted radio shows in Cape Dorset, Pond Inlet, Pangnirtung, Iqaluit and Arctic Bay.

The Kitikmeot Law Centre also built on key partnerships with the Cambridge Bay Wellness Centre and their local high school to deliver PLEI materials and information sessions. The Kitikmeot Law Centre hosted community forums on the role of the Kitikmeot Law Centre and Family Law in Nunavut at the Campus in Cambridge Bay and attended the high school to deliver a presentation on "law as a career". In addition the office participated in the community readiness initiative (CRI) in Cambridge Bay.

Website

In 2015 the Legal Services Board launched its revised website. Content on the LSB website is in Nunavut's four official languages and can be viewed at www.nulas.ca. The website provides information on LSB's services, policies, annual reports, along with contact information for the three regional clinics and its law lines. The website is regularly updated with revised information as necessary.

Policies, Directives and Other Projects

Usually the Board provides the senior staff directives as a result of reviewing programs and services at its Board meetings. An ongoing list of policies to be reviewed/developed and other projects are identified throughout the year with a view of assigning tasks to appropriate committees or staff. Due to organizational demands and limitations, LSB sole sourced a consultant on GN Justice's SOA list to review all existing policies and amend policies where required and draft new ones. In addition to the amendments to the Panel Policy, a list of new policies has been identified for development in the next year. Accompanying the policy review project is a plan to approach GN Justice with a view to completing a MoU on a number of administrative issues of mutual concern.

Conclusion

The Legal Services Board of Nunavut is committed to fulfilling its mandate and providing legal services to eligible Nunavummiut.

The Board of Directors takes its responsibilities seriously and recognizes that while tremendous improvements have been made over the past seven years there are still many areas of improvement that can and should be made.

LSB is tremendously appreciative to have received from the GN the much needed support and additional resources to allow LSB to provide eligible Nunavummiut with the legal services they are entitled to under the law. Without this necessary support and funding, LSB would have been forced to reduce or eliminate services, which would have resulted in Nunavummiut having to self-represent themselves in court on criminal charges or less families not receiving family law advocacy, such as getting child support they need and are entitled to. In 2014/2015, LSB had for the first time in many years, received sufficient funding without having to request additional funding from the GN by developing a business case for a supplemental funding request.

Producing independent financial audits, capturing and reporting accurate statistical information, identifying organizational needs and legal practice trends has all contributed to a more productive and efficient legal aid plan. This approach has resulted in an organization that is not only transparent, but responsive to its clients, its staff and fully accountable to its funders and public.

The practice areas are well served by both staff and private lawyers. LSB believes it currently has sufficient funding in these areas.

The exceptional efforts made by the Board of Directors, the senior management team, the legal staff, regional clinics and Boards and their Court Workers and administrative staff, the support of our funders and justice colleagues, all have played a role in improving access to justice for Nunavummiut.

Appendix A – Audited Financial Statements



Appendix B – Summary Statistics

SUMMARY REPORT FOR 2015/16 STATISTICAL DATA AND CLINIC INFORMATION

The following is a summary of information contained within the clinic reports, law line report, civil law report and statistical data with respect to the provision of legal services offered by the Legal Services Board and its regional offices for periods April 1, 2015 to March 31, 2016.

CRIMINAL PORTFOLIO

CRIMINAL LAW Statistic	Kitikmeot	Kivalliq	Qikiqtaaluk	Totals
Brydges (10b) arrest calls regular hours	113	82	442	637
Bail hearings Regular hours	61	20	206	287
Law line Brydges (10b) calls	106	142	380	628
Law line Bail hearings	25	29	69	123
Law line Youth	16	17	15	48
Criminal Law files opened	397	497	1136	2030
Criminal Law files closed	353	692	710	1755
Circuit weeks	28	33	161	222
Discrete Trial weeks	2	13	28	43
Full Coverage Criminal Applications	51	62	131	244
Full Coverage Criminal Approvals	23	35	86	144
Full Coverage Criminal Pending	13	18	36	67
Choice of Counsel Active	0	3	26	29
Criminal appeal considered/approved	0	0	6/5	6/5

FAMILY PORTFOLIO

FAMILY LAW Statistic	Kitikmeot	Kivalliq	Qikiqtaaluk	Reciprocal	Totals
Family Applications Children's Law Act	38	37	52		127
Family Approvals Children's Law Act	26	35	58		119
Child and Family Services	8	6	36	0	50
Approvals Child and Family Services	7	6	34	0	47
Family Appeal Considered/Approved	0	0	0	0	0

Summary

Active opinions:	99
ATP matters:	461
Pending:	92
Total active files:	652
Closed in 15/16:	61

ATP – Authorized to pursue relief applied for and approved following opinion.

*As at 2016/03/31

CIVIL PORTFOLIO

CIVIL LAW Statistic	Kitikmeot	Kivalliq	Qikiqtaaluk	Totals
Civil Applications	30	25	76	131
Landlord Tenant	4	9	18	31
Police Misconduct	1	2	4	7
Human Rights	1	0	4	5
Employment	8	2	12	22
Poverty (Misc)	13	9	31	53
Small Claims	3	3	7	13

DENIALS

Denials	Civil	Criminal	Family
Income over guidelines	2	2	5
Lack of Merit	0	0	0
Outside scope of coverage	8	0	0
Totals:	10	2	5

Appendix C – Strategic Plan

