



**Nunavut Canada**  
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Official Report

**DAY 7**

**THURSDAY, MAY 20, 1999**

**Pages 227 - 259**

Speaker: The Hon. Levi Barnabas, M.L.A.

# Legislative Assembly of Nunavut

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(Akulliq)

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**Hunter Tootoo**  
(Iqaluit Centre)

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*Minister of Education*

**Uriash Puqiqnak**  
(Nattilik)  
*Deputy Speaker*

**Hon. Peter Kilabuk**  
(Pangnirtung)  
*Minister of Sustainable Development*

**Hon. Jack Anawak**  
(Rankin Inlet North)  
*Minister of Justice; Minister of Community Government, Housing and Transportation*

**Hon. Manitok Thompson**  
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## Iqaluit, Nunavut

**Thursday May 20, 1999**

### **Members Present:**

Mr. Ovide Alakannuark, Mr. Olayuk Akesuk, Honourable Jack Anawak, Honourable James Arvaluk, Honourable Levi Barnabas, Honourable Donald Haviyok, Mr. David Iqaqrialu, Mr. Enoki Irqittuq, Mr. Peter Kattuk, Honourable Peter Kilabuk, Mr. Glenn McLean, Honourable Kelvin Ng, Mr. Jobie Nutarak, Mr. Kevin O'Brien, Mr. Uriash Puqiqnak, Honourable Manitok Thompson, Mr. Hunter Tootoo.

### **Item 1: Prayer**

**Speaker** (interpretation): Mr. Puqiqnak please start the opening prayer.

>>Prayer

**Speaker:** (interpretation): Thank you Mr. Puqiqnak. Before we go to Item 2, I would like to make an announcement, it's not urgent. During this meeting I will be giving the members an opportunity, but you will have to realize that we do have House rules and we will have to adhere to those rules, before they are changed by the Rules Committee once the Rules Committee is struck. Please write down what you would like to see amended in the House Rules. We will have to adhere to those rules prior to their being changed by the rules committee.

Item 2, Ministers' Statements. Ministers' Statements. Item # 3, Members' Statements. Mr. McLean.

### **Item 3: Members' Statements**

#### **Members' Statement 43 - 1 (2): Importance of Literacy, Birthday**

**Mr. McLean:** Thank you Mr. Speaker. Recognizing that our children are the future leaders of Nunavut it is imperative to give them the tools leading to their success. We can do this by installing in them at the earliest possible age, the importance and benefits of literacy. I believe that literacy is very important and should not be overlooked, it is crucial that the Government of the Nunavut acknowledge the seriousness of this issue by continuing to support literacy. I would also like to take this opportunity to wish my son Kyle Siksinaaq McLean a happy 8<sup>th</sup> Birthday and I'd like to be there today. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. McLean. Members' Statements. Mr. Alakannuark.

**Members' Statement 44 - 1 (2): Urgency of Passing on Traditional Knowledge**

**Mr. Alakannuark:** (interpretation): Thank you Mr. Speaker. There is a need to educate young people about survival on the land and this includes Harvesting as well as processing the meat and the skins. Our Elders who are knowledgeable in this area are dying off, therefore it's urgent get the Elders to teach these skills right away. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Alakannuark, the statement you just made was pretty understandable. Mr. Puqiqnak.

**Members' Statement 45 - 1 (2): Sympathy for Bereaved Family**

**Mr. Puqiqnak:** (interpretation): Thank you Mr. Speaker. Yesterday we had a long meeting and I called home to Uqsuqtuuq, they had a burial yesterday in Uqsuqtuuq, this girl was 17 years old has had seizures since she was a child. She died during a seizure at 17 years old, so I would like all of us here to think of her family and to show our sympathy for the family members.

**Speaker:** (interpretation): As a Member, and on behalf of the Legislative Assembly, we will send a letter of condolences to the family. Members' Statements. Mr. Tootoo

**Members' Statement 46 - 1 (2): Equitable Staff Housing Allocation**

**Mr. Tootoo:** Thank you Speaker. Mr. Speaker I rise today to speak on the matter of staff housing, not only here in Iqaluit, but in the rest of our communities. I think we all agree that the employees of the Government of Nunavut deserve to be in adequate accommodations. I am concerned that there seems to be multiple levels operating, especially here in Iqaluit.

We understand from the Minister of Human Resources, that there's a staff housing policy in place that has been carried over from the GNWT and that there's an allocation committee for Regional staff housing and also an allocation committee for Headquarters staff which was set by the Office of Interim Commissioner prior to March 31<sup>st</sup>. Some of the new staff units here in Iqaluit have only been allocated by the OIC housing allocation committee to Headquarter staff and the GNWT staff have been allocated older staff housing units, such as white row units and the units in the high-rise have gone to the regional staff and they've been allocated by the GNWT allocation committee.

I hope now after April 1<sup>st</sup>, there is only one standard and that all employees, whether their Headquarters or Regional Staff are being allocated housing based on their need for suitable, affordable, adequate housing. It is my understanding, that there's some staff, that are not in suitable housing, they and their families are not in housing suitable for them and they're waiting for the new units such as the Urbco Units up the hill to be allocated.

I hope that these decisions can be made very quickly, so that this new housing can be occupied and we can have staff with the higher morale associated with having proper housing and being involved in a fair and equitable staff housing policy. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Tootoo. Members' Statements. Mr. Arvaluk.

### **Members' Statement 47 - 1 (2): Congratulations to Coral Harbour Teacher Education Program Graduates**

**Hon. James Arvaluk:** (interpretation): Thank you Mr. Speaker. Mr. Speaker I'm pleased and proud as the Member from Nanulik to extend my congratulations to the first graduates of the community Teacher Education Program in Coral Harbour, who are graduating today.

These graduates have taken the first step to success and whether they go on to further study or go directly to the workplace they are the future of this new Territory. These graduates also will be the teachers of the future generations to come. We did not achieve Nunavut alone, nor have they achieved graduation alone, therefore I would also like to thank their families, friends and teachers for the support they have given them throughout their studies and trying times. Education is not accomplished alone and the support of others is essential, our culture is one of collaboration and connectedness.

We must continue to celebrate the sense of community and sharing. Education does not necessarily mean textbooks alone, it also includes the community and sharing culturally and I would like to congratulate these students on their success. That's a real position that you have worked hard to obtain and you deserve the honour accompanied by the success. That is for the students in Coral Harbour. Thank you Mr. Speaker.

>>Applause

**Speaker:** (interpretation): Thank you Mr. Arvaluk. Since we're all new, I would like to remind everyone, that you as a Minister of Education, cannot say that you make this announcement as a Minister, you have to make those kinds of statements under Ministers' Statements. I just wanted to remind everyone, that's the procedure and as you stated the Nunavut Minister of Education, if you're going to say such a statement, you should have done that during the Ministers' Statements. Mr. Arvaluk

**Hon. James Arvaluk:** (interpretation): Thank you Mr. Speaker, when I first heard the statement saying Nunavut Minister of Education, when I was speaking in Inuktitut, it's not going to appear as Nunavut Minister of Education in the Hansard. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Arvaluk. Members' Statements. Ms. Thompson.



**Members' Statement 48 - 1 (2): Congratulations to Coral Harbour Teacher Education Program Graduates**

**Hon. Manitok Thompson:** (interpretation): Thank you Mr. Speaker. Mr. Arvaluk, I would like to extend my congratulations to the community of Coral Harbour as I used to be from there. We apologize that we will not be able to attend your dinner this evening on behalf of the graduates. I would like to extend my congratulations also to the graduates. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Ms. Thompson. Members Statements. Members' Statements. Going back to the Orders of the Day. Item # 4, Returns to Oral Questions. Item 5, Recognition of Visitors in the Gallery. Mr. Anawak.

**Item 5: Recognition of Visitors in the Gallery**

**Hon. Jack Anawak:** (interpretation): Though I no longer represent this person, I still would like to recognize this person in the gallery, who used to work with us in Parliament and he was very essential during the negotiations of the Land Claim Agreements. I would like to recognize Peter Itinnuar who worked very hard on behalf of the creation of the Nunavut Government. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Anawak. Please be welcome to our meeting Mr. Itinnuar. Recognition of visitors in the gallery. Mr. Picco.

**Hon. Ed Picco:** Thank you Mr. Speaker. Mr. Speaker I would like to welcome to the gallery Mr. Ian Rose, constituency of Iqaluit east, now an employee of the Department of Education with the Government of Nunavut. Mr. Hugh Lloyd with the Department of Executive, Government of Nunavut and Mr. Dwayne Wilkin from Nunatsiaq News covering us today. Thank you Mr. Speaker.

>>Applause

**Speaker:** (interpretation): Thank you Mr. Picco. Mr. Iqaqrialu.

**Mr. Iqaqrialu:** (interpretation): Thank you Mr. Speaker. I would like to recognize a person who has to move to Iqaluit, quite some while ago and who I grew up with in Clyde River, her name is Leah Inutiq and her daughter next to her. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Iqaqrialu. Welcome to our meeting, recognition of visitors in the gallery. Mr. Tootoo.

**Mr. Tootoo:** Thank you Mr. Speaker. I'd also would like to recognize some constituents, I'd like to recognize Catherine Dallas who's a former employee of the NWT Housing Corporation, who is now with Policy in Community Government, Housing and Transportation and Marianne Ran Itinnuar back there who is also a constituent. Mr.

Speaker, I'd also would like to recognize a well known constituent, Mr. Jimmy Echo, back there also known as the Inuk Elvis, I'd like to recognize those people. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Tootoo and welcome to those people in the gallery. Mr. Kilabuk

**Hon. Peter Kilabuk:** (interpretation): Thank you Mr. Speaker. As Members of the Legislative Assembly, we make comments about these people back home and missing them. At times we don't recognize the spouses of our employees. I would like to recognize Patrick Best and his wife, I would like to welcome them and I would like to recognize them. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Kilabuk. Oral questions item # 6, on your orders of the day. Mr. Tootoo.

### **Item 6: Oral Questions**

#### **Question 66 - 1 (2): Allocation of Staff Housing**

**Mr. Tootoo:** Thank you Mr. Speaker. My question is for the Minister responsible for staff housing, I believe the Minister for Human Resources. As the Minister indicated the other day in Committee of the Whole, that there were two levels of staff housing, one the new staff housing that was for Headquarters employees and also existing stock that GNWT had prior to April 1<sup>st</sup>. Mr. Speaker I'm wondering if the Minister could inform us as to whether this staff housing is for all government employees or is there a distinction between headquarters and regional staff. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Tootoo. Mr. Ng

**Hon. Kelvin Ng:** Thank you Mr. Speaker. Mr. Speaker, right now as I indicated there are two different approval mechanisms and I also believe I have indicated, that's why we're trying to co-ordinate a new staff housing policy and take into consideration all those factors. We also have the issue of staff housing in our regional centres as well that we've inherited, so there is a multitude of issues that has to address. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Ng. Mr. Tootoo.

**Mr. Tootoo:** Thank you Mr. Speaker. Mr. Speaker, there are two approval mechanisms in place, in my understanding we have staff housing for Government of Nunavut employees, period, and I don't understand why there needs to be two levels of allocations, I wonder if you can explain that. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Tootoo. Mr. Ng

**Hon. Kelvin Ng:** Thank you Mr. Speaker. Mr. Speaker, I believe I indicated that we inherited both mechanisms and both policies for allocations. One, and he recognized it in his statement as well, one from GNWT on the regional allocation for regional positions, and one at the Headquarters level, that was inherited from the Office of Interim Commissioner.

So right now one of the issues, quite frankly, is how do you deal with that? Do you pull them together and if that were the case, for example, you have dedicated headquarters positions that are targeted for headquarter staffing. So if you were to open it wide open right now and regional staff were to move into all of those units and there were no available units for incoming headquarters staff, that would jeopardise the staffing up of headquarters departments of the Government of the Nunavut.

So those are the kinds of issues, as I have indicated, that have to be addressed. One other issue, quite frankly, the people probably haven't realized and I think that we have to address that as well, is what about our employees right now that are in public housing? Are they entitled to the Government of Nunavut staff housing as well, because that will have an impact, if we're trying to be consistent, how we treat all our employees then all of those issues have to be addressed and that's not a matter of doing something overnight. It has to be looked at and explored in some form of these. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Ng. Mr. Tootoo

**Mr. Tootoo:** Thank you Mr. Speaker. Mr. Speaker, the Minister indicated that there is basically segregated housing, I'm wondering Mr. Speaker if he feels that it's fair as members came on staff with the GNWT prior to April 1<sup>st</sup> and are in certain accommodations, because that's all there was available at the time. Do they have to be stuck in those accommodations, while we have existing units that are sitting empty and I believe we're paying for them. I'm just wondering Mr. Speaker, how that can be justified by the Department. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Speaker. Mr. Ng

**Hon. Kelvin Ng:** Thank you Mr. Speaker. Mr. Speaker, I would respond that we're trying to bring some consistency to the overall housing policy of the Government of Nunavut, whether they be at the Regional level or Headquarters level. That's what we're working toward and we'll do it as quickly as possible. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Ng. Oral questions. Mr. Tootoo

**Mr. Tootoo:** Thank you Mr. Speaker. I'm sure you can correct me if I'm wrong, I'm just wondering if I can ask another question to the Minister responsible for staff housing. He indicated in his earlier statement that he was worried about those units that were slated for headquarters positions. If you took the whole inventory and someone that was not in adequate staff housing at this moment in time and put them into a unit that might be available up there, that does not change the inventory, you're just taking and moving

from within, I'm just wondering if that's something the Department will be looking at. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Tootoo. Mr. Ng

**Hon. Kelvin Ng:** Thank you Mr. Speaker. Mr. Speaker, that's obviously one of the options that we must address. Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Ng. Mr. Tootoo

**Mr. Tootoo:** Thank you Mr. Speaker. Could the Minister indicate as to if and when any of those new units that are up the hill, will be allocated or are they available to be allocated at this time? Thank you Mr. Speaker.

**Speaker:** (interpretation): Thank you Mr. Tootoo. Mr. Ng.

**Hon. Kelvin Ng:** Thank you Mr. Speaker. Mr. Speaker, I don't know, as I have indicated, for all the housing, I don't know exactly what is available and what isn't, but I will find that out, since the member has a particular concern about that issue. Thank you Mr. Speaker.

**Speaker:** (interpretation): Oral questions, if that's the case back to our orders, Item # 7, written questions. Mr. McLean.

### **Item 5: Written Questions**

#### **Written Question 2 - 1 (2): Contract for Medical Boarding Home Services, Keewatin Health and Social Services Board and T.C. Enterprises**

**Mr. McLean:** Thank you Mr. Speaker. Today Mr. Speaker I have 23 written questions regarding the contract for services between the Keewatin Health and Social Services Board and T.C. Enterprises regarding the medical boarding home in Winnipeg.

1. What were the terms of the Request for Proposals issued by the Keewatin Health and Social Services Board with respect to the operation of the medical boarding home in Winnipeg?
2. Were there any supplementary documents provided to persons who submitted proposals? If so, what were they and what specific information was contained in them?
3. What are the terms of the new contract between the Keewatin Health and Social Services Board and T.C. Enterprises?
4. Specifically, what is the dollar amount of the contract?
5. What were the specific criteria used to evaluate the proposals?
6. How were the specific criteria weighted in the final evaluation of the proposals?
7. Was any other information considered in the evaluation of any of the proposals?

8. Who specifically was involved in reviewing and evaluating the proposals on April 14, 1999 in Rankin Inlet?
9. What was the date of the meeting of the Keewatin Health and Social Services Board when this contract was voted upon?
10. Who was in attendance at the Keewatin Health and Social Services Board when this contract was voted upon?
11. Was any conflict of interest issue raised by any member of the Keewatin Health and Social Services Board with respect to any concern about their own involvement or any other person's involvement in the review and selection process for this contract?
12. Was there a recorded vote of the Keewatin Health and Social Services Board on this matter?
13. Who specifically signed the contract on behalf of the Keewatin Health and Social Services Board?
14. Who specifically signed the contract on behalf of T.C. Enterprises?
15. Were any community organizations or individuals consulted with respect to their preferences or issues of concern?
16. Were any community organizations' or individuals' preferences or concerns factored into the decision?
17. Were community members notified in any way prior to the decision that the existing services of Mrs. Gloria Penner at Ublivik Centre may not be continued as a result of the RFP process?
18. Have any formal evaluations been done over the past five years on the existing service of Mrs. Gloria Penner at the Ublivik Centre? If so, by whom and what were their findings?
19. Specifically what is the term of the contract with T.C. Enterprises?
20. On what grounds can the contract with T.C. be cancelled?
21. Who are the owners and operators of T.C. Enterprises?
22. Who will be the senior person responsible for the day to day operations of the medical boarding home in Winnipeg under the new contract?
23. What specifically were the findings of the review of this matter conducted by the Department of Public Works, by the Department of Justice and by the Department of Health and Social Services?

**Speaker** (interpretation): Thank you Mr. McLean. For your information, for the Hansard, you have one written question with 23 items.

Item 8. Returns to Written Questions. Replies to Opening Address. Item 9: Replies to Opening Address Item 10: (English) Replies to Budget Address. Item 11: Petitions. Item 12: Reports of Standing Committees and Special Committees. Item 13: Reports of Committees on the Review of Bills. Item 14: Tabling of Documents . Mr. McLean.

**Item 14: Tabling of Documents****Tabled Document 9 - 1 (2): Purchase of Old Nursing Station, Hamlet of Baker Lake**

**Mr. McLean:** Thank you Mr. Speaker. I would like to table one document to the Minister of Public Works, Telecommunications regarding the purchase of the old nurses residence in Baker Lake for the Hamlet.

**Tabled Document 10 - 1 (2): Transfer of WCB Positions**

The second document is going to the Minister responsible for the Workers Compensation Board regarding the movement of jobs into Rankin Inlet when they should have went to Baker Lake. Thank you Mr. Speaker.

**Mr. Speaker** (interpretation): Thank you Mr. McLean. Tabling of Documents. Mr. Puqiqnak.

**Tabled Document 11 - 1 (2): Trip to International Year of Older Persons Conference**

**Mr. Puqiqnak** (interpretation): Yes, thank you Mr. Speaker. I would like to table a document that I referred to earlier about the trip the elders took to Ontario and this comes from Barbara Carthew. Thank you Mr. Speaker.

**Speaker** (interpretation): Thank you Mr. Puqiqnak. Tabling of Documents. Tabling of Documents. Item 15 Notices of Motions. Item 16, Notices of Motions for First Reading of Bills. Mr. Picco.

**Item 16: Notices of Motions for First Reading of Bills**

**Hon. Ed Picco:** Thank you Okakti. Okakti. I move, seconded by the Honourable member – I am sorry, Mr. Speaker the Minister of Finance is confused he doesn't know what he is doing either.

**Speaker:** Ok lets have order here. We are on Item 16. Notice of First Reading of Bills. Mr. Picco.

**Hon. Ed Picco:** Thank you Mr. Speaker. Mr. Speaker I move, seconded by the Hon. Member from Pangnirtung . . .

>> clapping

**Speaker:** Mr. Picco, your motion will be addressed in Item 18. Sorry about that. Item 16 Notice of Motion for First Reading of Bills.

Item 17 Motions

Item 18 First Reading of Bills, Mr. Picco

### **Item 18: First Reading of Bills**

#### **Bill 2 - Boards of Management Dissolution Act**

**A Member:** Bravo, Bravo

>>Applause

**Hon. Ed Picco:** Thank you Mr. Speaker and thank you colleagues. I move, seconded by the Hon. Member from Pangnirtung, that Bill Two, Boards of Management Dissolution Act be read for the first time. Kuyannami.

**Speaker:** The motion is in order. To the motion. Question is being called. All those in favour? All those opposed? Motion is carried. First Reading of Bills. Mr. Arvaluk.

#### **Bill 3 - Divisional Education Councils Dissolution Act**

**Hon. James Arvaluk:** I move seconded by the Hon. Member for Rankin North that Bill Three, Divisional Board of Education Dissolution Act be read for the first time. Thank you Mr. Speaker.

**Speaker** (interpretation): Thank you Mr. Arvaluk. There is a motion on the floor. Any comments or questions? Those in favour? Those in favour of the motion? Those opposed? The motion is carried. First Reading of Bills. Item 19 Second reading of Bills.

### **Item 20: Consideration in Committee of the Whole of Bills and Other Matters**

**Speaker** (interpretation): Item 20, Consideration of Committee of the Whole, Bills and Other Matters. Bill One. Appropriation Act 1999/2000. Committee reports 1-1(2), 2-2(2), 3-1(2), 4-1(2) with Mr. Irqittuq in the Chair.

**Chairperson** (Mr. Irqittuq) (interpretation): Prior to going into business, we will take a short break.

>> break

**Chairperson** (interpretation): Please take your seats. Thank you. Thank you for having taken your seats. At this time we will resume our meeting. In respect to the Appropriation Bill. What is your wish today Members, in respect to the Committee of the Whole main estimates. Mr. Nutarak?

**Mr. Nutarak** (interpretation): Thank you Mr. Chairperson. I would like the Minister of Justice to make his report. Thank you.

**Chairperson** (interpretation): Mr. Nutarak would like the Minister of Justice to speak. Agreed?

**Some Members:** Agreed.

**Chairperson** (interpretation): Would the Minister of Justice please make his opening comments. You can make your opening comments either at your seat or at either place. At your convenience. Mr. Anawak. I am sorry the microphone doesn't work there. Yes we can hear.

**Hon. Jack Anawak** (interpretation): Thank you Mr. Chairman. You will be handed out the notes for my opening comments.

Mr. Chairman and Honourable members of the Legislative Assembly, I am pleased to present to you the 1999/2000 main estimates for the Department of Justice. I think I will be introducing the officials later. Remind me if I forget.

The justice system is important to each one of us. It affects the everyday lives of people across Nunavut. The 1999-2000 main estimates reflect the Department's effort to promote a shift in the way that justice services have been delivered in the past. The Department of Justice in partnership with communities, other agencies and other Nunavut departments, is striving for a justice system that is more reflective of Nunavut realities as well as being responsive to the needs of the people of Nunavut.

The business plan, which we wish to undertake, outlines critical issues facing the Department of Justice. We face serious challenges. The answers will not be easy.

The business plan and the budget for the Department of Justice does not include funding for new initiatives, other than the establishment of the Nunavut Court of Justice. This Nunavut Court of Justice was already put in motion by the Interim Commissioner, on the advice of the Nunavut Implementation Commission, and after a consultation conference sponsored by the Office of the Interim Commissioner in November 1997.

In this initial year, we will be assessing the expenditures of the department, and determining first if there are any funds that can be re-allocated within existing allocations.

We believe that long term solutions will only be reached through working with communities, or better yet, giving communities the authority to deal with problems themselves. We recognize that in order for this to happen, we will need to provide more support, including funding to communities in the future.

The responsibility to support communities in providing healing, training, and crime prevention will also require us to work closely with other departments of the Nunavut Government; Culture Language Elders and Youth as an example, Health and Social



Services, Education, and my other portfolio, Community Government, Housing and Transportation.

1999/2000 will be an important year for the department as we work with programs that we have inherited from the NWT, and we will have to assess how they are functioning and what changes may be needed.

Several of our programs are contracted back to the GNWT for this transitional year. We will be working hard to get the staff and infrastructure in place to establish the full range of programs here in Nunavut by the end of the year.

We will be doing some important planning this year too. For example, a corrections planning committee has been established to review corrections program and facility requirements and make recommendations. This committee has representation from communities as well as from the corrections system and we expect them to consider new approaches to the way in which inmates are handled.

In cooperation with the Department of Justice for Canada, the Assistant Deputy Minister, Rebecca Williams has held meetings with Community Justice Chairs from all the regions within Nunavut. The information and advice received from them will help guide the department in determining how to support further development of community justice capacity, as an alternative to the formal justice system within Nunavut.

I also have to say that the delivery of probation services will continue to be done by social workers. The Social Workers are paid through the Department of Health and Social Services. This will continue. With regard to the Law Review process being requested by Cabinet, additional funds will have to be found. My department's budget would not cover this expenditure.

You will see in your materials that the budget for the Department of Justice is broken down into two main categories. First, Operations and Maintenance and then the Capital Plan.

In your review of the main estimates, you will see on page 5-3 that our operations and maintenance budget totals \$36,998,000.00. Through the framework exercise our original budget requirement was reduced to the amount currently allocated. The reductions will have some effect on our ability to deliver programs and services, but we will be managing as carefully as possible, for example by delaying staffing of some positions, to try to minimize the impact of this on the budget.

The operations and maintenance part of the budget is broken down by these branches within the department: Directorate, Law Enforcement, Legal Services Board, Lawyer Support Services, Registries and Court Services, as well as Community Justice and Corrections Directorate.

Directorate: This branch is responsible for the management and administration of the department.

Law Enforcement: This refers to the contract with the R.C.M.P.

Legal Services Board: The Boards are responsible for the delivery of legal aid services throughout Nunavut.

Lawyer Support Services: Departmental lawyers are responsible for example we have departmental lawyers in our department. They will be providing the Nunavut Government with legal advice.

Registries and Court Services: This category covers a wide range of items, including the various legal registries, the Nunavut Court of Justice, and other functions such as the coroner and the Fair Practices/Rental Officer.

Community Justice and Corrections: This branch is responsible for the operation of the Baffin Correctional Centre here in Iqaluit, and out post camps, as well as the funding for community justice committees.

As you can see, the Department of Justice has a very small capital budget totalling \$313,000. Approximately \$300,000 is for security upgrades at the Correctional Centre here in Iqaluit.

Additional capital funding will be required in the future if we are going to repatriate our offenders from NWT institutions. The department is waiting for recommendations from the Corrections Planning Committee before identifying these future capital needs.

Mr. Chairman, this concludes the formal part of my presentation today. We will be pleased to answer any questions you have about the budget for the Department of Justice. I am also interested in comments you may have, or ideas about how we can work together to build a stronger justice system.

I would like to invite my officials Mr. Chairman; Nora Sanders, my Deputy Minister, and Mike Rudolph my Financial Advisor

Thank you

**Chairperson** (interpretation): Thank you Mr. Anawak. You may step to the witness chair including your officials. Welcome all and thank you for giving us the opportunity. The Chair for the Committee will read his committee report You may proceed to read. Mr. Puqiqnak7.

**Mr. Puqiqnak** (interpretation): Thank you Mr. Chairman. I will be reading so please do not, I will try not to put you to sleep so please bear with me. In respect to the Department of Justice Mr. Chairman, I will be reading the report.

Mr. Anawak appeared before the Committee on the morning of April 30<sup>th</sup>. The main estimate summary provided to the Committee indicated the total 1999/2000 in expenditures of \$37,310,706 of which \$313,000.00 is allotted to capital spending. The Committee was quite impressed with the level of detail provided during the Ministers appearance.

The Nunavut Law Review. The Minister stated that the Cabinet had approved in principle a Nunavut Law Review which would operate independently but they would have to report to the Minister of Justice. This would be in consultation with the Minister of Culture, Language, Elders and Youth. The Committee encouraged the Minister to involve the elders in the work of the review to the fullest extent as possible.

Mr. Chairman we also want to speak to the single time zone for Nunavut. I believe they say that they use a different clock, they use a different one but we are speaking about the single time zone for Nunavut. The Minister indicated that his department had undertaken a legal review of this initiative that was announced by the Commissioner in her opening address to the Assembly on April 1/ 1999. The Minister also indicated that this might be accomplished in the Spring or Summer of this year. The Committee urged the Minister to implement this change at the earliest opportunity

Mr. Chairman in respect to the gun registration. The committee expressed a very strong concern in respect to unilingual Inuit constituents have great difficulty associated with completing paperwork. This has caused difficulties for the people associated with the Federal Government registration policies. The Minister indicated that in respect of the upcoming discussions with his federal counterpart, that the issue would be raised with a view to exploring solutions. The committee would like an update on this issue as soon as new information becomes available to the department in respect to gun registration issues.

Community Justice. The committee was very happy and applauded the Ministers' commitment to emphasizing the importance of progress in this field. The committee noted the Ministers' caution that budgetary restraints have put pressure on the funds allocated for this area. One member suggested that the communities should be responsible for dealing with summary offences. For example, using summary offences that are not dangerous acts, the community justice committee should be able to deal with them.

Mr. Chairman the Minister also indicated his desire to see a more uniform functioning of the community justice committees across Nunavut. The committee was clear in its' desire that the department should pursue every opportunity to emphasize programs that have education and rehabilitation as their foundation so as to decrease the need for incarceration and reduce the rate of recidivism in Nunavut. Just as an example, to ensure that offenders do not become repeat offenders. The committee was supportive of the Ministers' goal to work with Minister Picco in pursuing the establishment of a probation system for the department.

Corrections Planning Committee. The Minister provided an update on the activities of the newly formed corrections planning committee which would be meeting again in May. One issue that the members of the committee raised was the possibility of a federal correctional facility being established in Nunavut. The Minister indicated that the corrections planning committee would study the issue but that it was too soon to say yes to a joint facility. Members expressed their interest in seeing a correctional facility established in the Kitikmeot and Keewatin.

On the Land Outpost Camps. The committee expressed its' desire to see the program accelerated. The Minister indicated that the program hadn't taken off as quickly as the department would have liked, but they would make efforts to do so if feasible. The Ministers' Deputy further noted that the corrections representatives had recently travelled to Baker Lake and Arviat and would travel to Kitikmeot in June. Security considerations were cited as being an obstacle to overnight success with respect to this issue. That concludes the committee report Mr. Chairman, I would like to move a motion.

**Chairperson** (interpretation): Go ahead.

#### **Committee Motion 10 – 1 (2): Elders Involvement in Law Review**

**Mr. Puqiqnak** (interpretation): I would like to move that the Standing Committee would like to have elders involved with the legislative reform review. Thank you Mr. Chairperson.

**Chairperson** (interpretation): Are you completed with your motion and your reports? Mr. Puqiqnak made a motion on the floor. All those in favour? Opposed? The motion is carried. Mr. Puqiqnak.

#### **Committee Motion 11 – 1 (2): Federal Gun Registration Policies**

**Mr. Puqiqnak** (interpretation): Thank you Mr. Chairperson. I would also like to move that this committee recommends that the department make every effort to ensure that the traditional hunters are not adversely effected by the red tape associated with federal gun registration policies.

**Chairperson** (interpretation): Thank you Mr. Puqiqnak. Comments to the motion, questions. To the motion. All those in favour. Opposed. It's carried. Mr. Puqiqnak.

#### **Committee Motion 12 – 1 (2): Support Community Justice Committees**

**Mr. Puqiqnak** (interpretation): Thank you Mr. Chairperson. I move that this committee recommends that the department emphasize education and rehabilitation as the core of its' correction policy and that it support the work of community justice committees to the fullest extent possible.

**Chairperson** (interpretation): Thank you Mr. Puqiqnak. Questions or comments to the motion. All those in favour? Opposed. The motion is carried. Any other motions, Mr. Puqiqnak.

### **Committee Motion 13 – 1 (2): Mid Year Progress Report**

**Mr. Puqiqnak** (interpretation): Mr. Chairman, this is my last motion. I move that the committee recommends that the department provide a mid-year progress report to the Standing Committee for review in October of this year. Thank you Mr. Chairperson.

**Chairperson** (interpretation): Thank you Mr. Puqiqnak. Questions or comments to the motion. All those in favour. Opposed. Its' carried. Thank you Mr. Puqiqnak. Are there any general questions to the Directorate of the Department of Justice. Mr. Iqaqrialu.

**Mr. Iqaqrialu** (interpretation): Thank you Mr. Chairperson. The standing committees' reports on the Main Estimates. I wonder why the figures in the Main Estimates and the ones on the committees' report do not correlate, they are not the same. Here it says 313 thousand for capital and in the main estimates it says 37 million, 311 thousand. In the committees' report the figure is different. I would like to ask the Minister, that in his opening remarks his figures are totally different from the committee report and from the Main Estimates. I would like to get a response as the figures in all three documents are different. Thank you Mr. Chairperson.

**Chairperson** (interpretation): Thank you Mr. Iqaqrialu. Mr. Anawak.

**Hon. Jack Anawak** (interpretation): Thank you Mr. Chairperson. The department's Main Estimates are 37 million, 311 thousand; for Capital Expenditures 313 thousand. Part of the 313 thousand is for security upgrades at the correctional centre here in Iqaluit. I could get detailed information for the 313 thousand, but the main estimates figure is 37 million, 311 thousand, it did not change. I just want to explain to you that the Capital will be 313 thousand but the operations & maintenance is 36 thousand 998, Mr. Chairman.

**Chairperson** (interpretation): Mr. Iqaqrialu are you more clear now?

**Mr. Iqaqrialu** (interpretation): Yes, I see them now, Thank you.

**Chairperson** (interpretation): Are there any other general comments? I don't have any people on my list, please raise your hands if you have any questions. Mr. Tootoo.

**Mr. Tootoo**: Thank you Mr. Chairperson. Just in regards to the gun control registration. I wanted to ask the Minister if that was a responsibility of his department or was the responsibility for that program under his federal counterparts department. Thank you Mr. Chairperson.

**Chairperson** (interpretation): Thank you Mr. Tootoo. Minister Anawak.

**Hon. Jack Anawak** (interpretation): Thank you Mr. Chairperson. The Federal Government's Justice Minister is responsible for gun registration. I was going to meet with Minister Ann McLellan on May 3<sup>rd</sup>, I went down to Ottawa to meet with her but somebody got shot in Alberta and she had to go to the funeral. Therefore I couldn't get connected with her so we will have a meeting on June 7th.

Chairperson: Mr. Tootoo.

**Mr. Tootoo**: Thank you Mr. Chairperson. I guess the administration of this program, as the Minister indicated, falls under federal jurisdiction. Is the Minister aware of how many employees the federal justice department has to administer this program in Nunavut? Thank you Mr. Chairperson.

**Chairperson**: Mr. Anawak.

**Hon. Jack Anawak** (interpretation): GNWT did not want to take on this responsibility, so the federal government has this jurisdiction at this time. GNWT had been asked to take on this responsibility but they did not want to take it on. We don't have any staff members so I would like to discuss this matter. I tried to meet with Ann McLellan but she had to go to Alberta for a funeral as a student was shot in one of the schools. At his time we don't have any staff members now but would like to get a staff member who is Inuit and bilingual and could reflect Inuit culture.

**Chairperson** (interpretation): Thank you Mr. Anawak. Mr. Tootoo.

**Mr. Tootoo**: Thank you Mr. Chairperson. The Minister mentioned the GNWT, I wonder if he meant the Government of Nunavut, or the old GNWT, as far as taking on these programs.

**Hon. Jack Anawak** (interpretation): They asked the GNWT if they would take on this responsibility. I have been trying to get together with the Minister so we can look at means and ways of dealing with gun registration in Nunavut.

**Chairperson** (interpretation): Please recognize the Chair before you make your comments. Thank you. Mr. Tootoo.

**Mr. Tootoo**: Thank you Mr. Chairperson. Mr. Chairman, just to point out to the Minister, I know hopefully he will be bringing up these concerns with his federal counterpart, is that this whole process is very cumbersome for the Inuit people in Nunavut. In the communities, as far as personnel, there is only one person here in Iqaluit dealing with it, but they have been very difficult for people in the communities to try and register their firearms when they are buying them. So I hope the Minister would be passing on these sentiments to the federal Minister in Ottawa during his meetings and hopefully we will get adequate resources to administer this program in a way that is accessible and will work here in Nunavut.

**Hon. Jack Anawak** (interpretation): That is what I have been trying to say for a long time. I have been trying to get in touch with the Minister and I know the concerns very well as I am a hunter myself. I know exactly where the rest of the hunters of Nunavut are coming from. I think we should be able to do that without spending any money from Nunavut. What we have been trying to do is work together with the Justice department at the federal level. We have tried to set up meetings. We did have two tentative meetings which were cancelled and there is another one set up for June 7, I believe.

**Chairperson** (interpretation): Is that an adequate response Mr. Tootoo? Mr. O'Brien.

**Mr. O'Brien**: Thank you Mr. Chairperson. Mr. Chairman the Minister spoke about the use of traditional counselling, land camps and so on and I think that everyone here is in support of that, strongly. My question would be, in reference to the more serious crimes such as murder, I notice there is nothing in the capital budget, is the Minister considering any type of a facility that could be located in one of the regions that could be used to house inmates for such serious crimes? Thank you.

**Chairperson** (interpretation): Mr. Anawak.

**Hon. Jack Anawak** (interpretation): Thank you. As I said earlier, there is a committee struck to deal with the setting up of such a structure. Rebecca Williams can talk about it in detail because she works with that committee. They are considering, and talking with the department of Justice at the federal level, about setting up some type of facility in the Nunavut area. Rebecca Williams and I went to Fenbrook which is a federal penitentiary. I can't say it was a nice tour, but the facility is situated in a southern province. We would like to get one set up here, like Mr. O'Brien stated. It is very likely that we won't get inmates, for example, that have committed murder to be held here, but there are people who are convicted under the federal laws and then there are the territorial law in Nunavut. We are going to work very hard to see if we can house those inmates up here and we are going to keep looking for money.

When it comes to the department of Justice and the court system, I hope to have a meeting, I would like to meet with the federal Solicitor General, Lawrence MacAulay and talk about either extending or enlarging the present facility we have here or setting up a separate facility. We are going to be talking and looking at all of the options. For the serious crimes we are going to keep sending the inmates down south.

**Chairperson**: Mr. O'Brien.

**Mr. O'Brien**: Just for a point of clarification Mr. Chairman. The Minister indicated that there was a committee struck to look at setting up the type of facility that I am speaking of, but on the other hand, are you saying that you want to keep sending people that have committed serious crimes back down south? Can you clarify that, Thank you.

**Chairperson**: Mr. Anawak.

**Hon. Jack Anawak** (interpretation): Mr. Chairman. (interpretation ends) There is a possibility of getting some funding to get a correctional facility up here which would probably focus at the beginning on the more medium security type inmates. At this point in time I don't know if we will get the ability to hold any offenders who have killed somebody or committed murder all that, that is a maximum security type of sentence, so all I am saying is that the committee is looking at the possibility of at least expanding what we have here in Iqaluit, or maybe in another community or in Iqaluit, but at least expanding the type of facility that we have now.

**Chairperson:** Mr. O'Brien.

**Mr. O'Brien:** Thank you Mr. Chairperson. Thank you Mr. Anawak, that answered my question. I thought it was a little too harsh using the word murderers, but what I was referring to was the more serious crimes but not to that degree. More or less an expansion of what we have now for example in the Baffin and over in YK.

My second comment or question is in reference to law reform. You have indicated that you are going to involve elders in this review. What role do you see for the members that sit on the Standing Committee on Justice. What role do you see these members playing in this review.

**Chairperson:** Mr. Anawak.

**Hon. Jack Anawak:** Mr. Chairman at this point in time we are having discussions with Culture, Language, Elders & Youth on the law review. We have not come to the point of deciding exactly what the make up will be, but it will certainly be with the advice and the participation of some members or a member of that committee. I mean if we are going to move forward we want to move forward with regular members.

**Chairperson** (interpretation): Thank you Mr. Anawak. Mr. Puqiqnak.

**Mr. Puqiqnak** (interpretation): Thank you Mr. Chairperson. For further clarification I would like to know how many judges there are in Nunavut. How many judges are there that work on the circuit in the Nunavut area.

**Chairperson:** Mr. Anawak.

**Hon. Jack Anawak** (interpretation): Maybe Ms. Sanders could respond to that question.

**Chairperson:** Ms. Sanders.

**Ms. Sanders:** Two judges have been appointed. The Senior Judge, Judge Brown, is already sitting here. The second judge, judge Kilpatrick, will be coming in June. He was sworn in on April 1st, but has not yet started. Hopefully by this time next year there will



be a third judge appointed and those three judges will serve all of Nunavut. So right now, 2 and there will be 3.

At times we also have Deputy Judges, or judges from other jurisdictions that come for a week or two, to help out or to do a circuit, that sort of thing. That can be where there is a conflict or where the work load gets too heavy.

**Chairperson** (interpretation): Thank you Ms. Sanders. We heard both the Inuktitut and the English on one channel. Could we have the technician fix that problem please? Mr. Puqiqnak.

**Mr. Puqiqnak** (interpretation): Thank you Mr. Chairperson. The reason why I asked that question is just because you don't have enough judges, you defer some of the sittings. For example they set appointments for when they're going to be sitting and they keep deferring the date from one date to the next and possibly three-four times. They're adjourned three-four times, is it because of a lack of judges that you keep adjourning the sittings? They set up an appointment, it doesn't go through, then they set another sitting, and so on, and it effects the people who have to wait a long time to go through the court system. Is there a good reason? There could be a lot of reasons that the person can be effected, like there's tiredness, there's anxiousness, and everything else, so that's why I asked my question.

**Chairperson** (interpretation): Thank you, Puqiqnak. Mr. Anawak?

**Hon. Jack Anawak** (interpretation): Ms. Sanders will make a supplementary to my remarks. What we did was set up one court system when we became Nunavut because it seems that it takes a longer time when you have different levels. I know exactly where you're coming from because I went through that same thing with my daughter, so what we've been trying to do is use the justices of the peace more at the community level so that there will be a decrease in numbers for the ones that have to go through the formal justice system.

Possibly, Ms. Sanders could make a supplementary comment.

**Chairperson:** Ms. Sanders?

**Ms. Sanders:** I think the Minister's already said the important things. I'll just add kind of a technical level about why there could be different reasons for an adjournment – the lawyer needs more time to prepare the defence for the accused, or the prosecution needs more time to prepare with the witnesses or something like that, so there can be different reasons. I think the Minister's already said the important things, that was part of the reason why we wanted the new court, to try to avoid those extra delays, and also part of why we want to have training and support for the JP's so that they can deal with some of the cases in their own communities.

**Chairperson** (interpretation): Any further questions?

**Mr. Iqaqrialu** (interpretation): Thank you, Mr. Chairman. While we are on the issue of justice, there's the correctional centre, the jails, if we're going to be building such a facility, of course we'll have to be paying, the Nunavut government, of course we'll have to be paying for operations and maintenance; we're going to be responsible for the operations and maintenance, and because of that, I will not be able to support the building of such facilities.

I can only give my support in prevention and education programs to be used in the Nunavut area, if that is going to be the case, if we're going to be using any money at all, I would suggest that we use prevention and educational programs because it would be more helpful to the people of Nunavut.

The correctional... if we're looking at the correctional centres in the Nunavut area, we're just going to be using money instead of helping our people. We have to think like that in the future. I think it's very important that we, as people of Nunavut, we are a very small population, and there's going to be... the population is going to increase over the years, and I think that we would use our money a lot wiser if we invest it in prevention programs and educational programs for the people of Nunavut. If we're going to be building correctional centres, and jails, and so on, it's just going to be eating our money without helping the people. I think that should be... those issues should be seriously considered because it's very important as communities and with the communities getting larger and larger, the people – the Inuit should always look for things that can improve their lives. With that in mind, the Nunavut government should seriously look into preventative and educational programs. Thank you, Mr. Chairman.

**Chairperson** (interpretation): Mr. Anawak?

**Hon. Jack Anawak** (interpretation): Thank you. I... we would be very glad to start such programs if we didn't need correctional centres or jails. I truly support the idea of setting up such programs, but of course there's always going to be people in correctional facilities. There's some in Fenbrook, and some in Bowden, and some in Yellowknife. We are putting our money into those facilities every day and we pay the Ontario government, we pay the Alberta government, and the government of the Northwest Territories for housing these inmates.

Of course we truly support preventative methods, and educational programs if we can find money to pay for such programs. But looking at the number of people that are in the southern penitentiaries, I don't believe that the numbers are going to decrease. If we're going to be giving our money to the Ontario government, to the Alberta government, and to the government of the Northwest Territories, then we should seriously consider building one in the Nunavut area because of course there's country food, there's local employment, and so on. So I believe once this facility goes up, once the initial costs have been incurred – once the capital is expended, then the money would go to the Nunavut government.

I support you fully in your idea of setting up preventative measures, but there are still going to be people who will have to be housed in those penitentiaries, and if we set up a facility here, then we'd be increasing the employment of the people, and more than one person has asked me if there is going to be a correctional facility built in their community. So we're just going to go ahead with that and the inmates, we do know that they're there for a good reason, but when you visit them, they feel so out of place down there in a southern penitentiary.

**Chairperson** (interpretation): Thank you. Mr. Iqaqrialu?

**Mr. Iqaqrialu** (interpretation): Thank you. There's not much we can do in that area but I think we have to work together. I should... I truly believe that we should build the facility in the Nunavut area, but I still believe that we have to look at preventative programs and setting up educational programs because it helps our people and today... I have been a justice of the peace for five years... approximately five years and I have seen how the system works and there are some people who are incarcerated and they cost money for airfares and daily upkeep and so on, even if their crime was petty, not serious.

In the Inuit culture and tradition, there is counselling, traditional counselling that could be used and when I have been involved in the justice system, there are some people who are not criminals that we tag as criminals and use a lot of money for their upkeep and it's true that we seriously have to work together sometime in the future in order to alleviate this problem. Thank you, Mr. Chairman.

**Chairperson** (interpretation): Mr. Anawak?

**Hon. Jack Anawak** (interpretation): Regarding the comments that were just made by the member. I know that... I think there's a concern in all of the communities. People often feel that someone who hasn't offended seriously should not have been sent away. That's why we want to see local people dealing with these issues especially when they are JPs dealing with people that they know and who come from the community. If there was a young offender who committed an offence in a community and they're going to be arrested by the R.C.M.P., they will be told what they have done and for what they have been arrested. If that was an Inuk person and if that person happened to be a young offender, I think the Inuk person would be asking "Why are you doing this? What is your problem? What can we do to help you?" but that step is not part of the present administration of justice, so we want to promote those kinds of things and we're working on getting those kinds of programs in place.

**Chairperson** (interpretation): Thank you, Mr. Anawak. Are you finished? Yes, I understand what you are saying and I think that you all understand the same thing but you're just in different stages of trying to reach your goal. Mr. Alakannuark?

**Mr. Alakannuark** (interpretation): Thank you, Mr. Chairman. I have a question that I would like to ask regarding the role of the elders and it's one of the goals of the department to involve elders in their programs. Now, in which way are you going to

involve the elders? Is that going to be at the local level, or are you going to get the elders together to decide on the goals and objectives of the department? Thank you.

**Chairperson** (interpretation): Mr. Anawak?

**Hon. Jack Anawak** (interpretation): Yes, thank you. Our objective, our overall objective is to involve the elders at all levels of the programs, but initially we're looking at involving the elders in the law review because the present legislation from the GNWT needs to be looked at, and changed to reflect what we want to do in Nunavut.

I think we also have to be aware that not only the elders have to be involved. We will have to involve the young people as well, because I think we all know that they have different things to contribute. We have different understandings and different issues in various stages of life. When we say adults we're thinking about elders, those people who are older than us, not just adults. I just want you to be aware of that.

The elders are much more involved in justice issues, especially in the area of justice committees in smaller communities. When we're talking about the department of justice, I know you're asking about that. I think that the Nunavut government is going to be using the elders in their programs. We're trying to institute the Inuit Traditional Knowledge, or Inuit Qaujimajituqangit. This is going to be one of the first priorities in how we can involve the elders and other people in the communities. Thank you.

**Chairperson** (interpretation): Mr. Alakannuark?

**Mr. Alakannuark** (interpretation): Thank you, Mr. Chairman. Yes, I understand what you are saying. We will need jails in the future as well as now. We have a traditional system of justice and our forefathers did not use jails. The way we dealt with offenders was that the elders would deal with the offender, and if they felt that they could not solve the problem at that level, and I think that by using the traditional form of justice, I think that can be a major saving. I know that you have to send some people to jail, yes, that's a given, and it's not going to go away, but we have to... somehow to use the traditional form of dealing with the offenders.

The other thing is that the way it's done is a person goes to court, is placed on probation, and has to see a probation officer, and that does not involve the community or the resources available like the elders at all. That has not worked. I think sometimes people are sent away to jail, like to penitentiaries when it would not have been necessary. Even people who are still in denial of having committed a crime are convicted in court and is sent away to heal. Once a person is in jail, they are just getting more angry for being put away for an offence they feel they did not commit, and if it's not so serious that a community could not deal with it, I think it could have stayed at the community level and be solved right there, and that healing process would have started. Presently, the people who have been sent away to correctional centres and jails have not seen a healing process. Thank you, Mr. Chairman.

**Chairperson** (interpretation): Minister Anawak?

**Hon. Jack Anawak** (interpretation): Yes, thank you, Mr. Chairman. I'm sorry I forgot to mention that. That is another area that we're seriously looking at. We need to have on the land programs where people can go to as an alternative to jails.

This has been an ongoing process in the Baffin region but it's not so apparent in Kitikmeot and Kivalliq, so we're looking at that right now, I think that we can look at alternative ways to sending people away to jail and I think that's one of the alternatives that we need to look at is to have on the land facilities. If we're going to institute a traditional form of justice, I think we can be looking at that.

If we change everything right away, it might not be a good thing for everybody. I know that people have been hurt by the system because it's not their system and they did not set it up, but right now we don't have much alternative to the present court system. That's why we want to review this first and try and institute the Inuit way of dealing with offenders. I think that we're going to see fewer people being put away, even though I was talking about putting people into correctional centres or penitentiaries, but in an Inuit sense, being punished is not really in our vocabulary. What we're trying to do is to utilize the Inuit way which is that you try to correct a person from doing it again, and to integrate that person back into the community and to society, and to deal with the problem that caused him to start committing crimes in the first place and to start healing them.

We will keep those in mind, but we have laws, we have a criminal code that requires that a person be brought to court if they commit certain offences, and these will be in place for some time, and we have little alternative but to go that route right now. Thank you, Mr. Chairperson.

**Chairperson** (interpretation): Thank you, Mr. Anawak. Tootoo?

**Mr. Tootoo**: Thank you, Mr. Chairman. Mr. Chairman, just a question for the Minister. I was just wondering relating to the contentious issue with many residents of Nunavut, and that is the gun control legislation, I'm just wondering if his department will be reviewing any possibility as to whether or not the government of Nunavut will be joining the other provinces and territories in pursuing a challenge on that legislation to the federal government. Thank you, Mr. Chairman.

**Chairperson** (interpretation): Mr. Anawak?

**Hon. Jack Anawak** : To that, I guess the cabinet would have to take a look at it, but right now, there is no money set aside for such a measure, but again, if the legislature is willing to put up something in the neighbourhood of \$400,000, we'll reconsider.

**Mr. Tootoo**: Thank you, Mr. Chairman. I guess I wasn't really asking about the cost involved in pursuing a challenge as far as... as much as a possibility or the avenue of

there being enough reasoning or rationale in there in order to take... pursue that option and go forward in pursuing that challenge. I was just wondering if his department is doing any preliminary work to see whether it's something that is winnable or is not worth looking at. I was just wondering that, Mr. Chairman. Thank you.

**Hon. Jack Anawak** (interpretation): Mr. Chairman, at this time, we cannot say at this time if we're going to talk about a challenge about the gun law and taking it to court, we have to talk about money right away, it comes right down to it right away and we don't have any money set aside for a contingency of this kind. So I will be discussing ways with Ann McLellan to explore these issues and discuss how we can deal with this issue outside of court and look for ways as to how we can correct the concerns and issues that we are facing right now outside of court, but if we're talking about court action, we have to first speak about how much it would cost for us to challenge this legislation in court. Thank you.

**Chairperson:** Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Again, I guess I'm not asking... I guess in order to make a decision of whether we want to pursue something in court or commit fund for it, we have to know whether there is grounds for it, and I was just wondering if any work is going to be done by the department to look into whether there are grounds to pursue legal action on this. Thank you, Mr. Chairman.

**Chairperson** (interpretation): Anawak?

**Hon. Jack Anawak:** There has to be an understanding that the gun control challenge, has nothing to do with hunting rights. All it has to do with is whether it constitutionally can pass, the judgement is going to come down in July on the challenge by the western territory and provinces, and I would suggest that we see what the judgement is. At this point, if we join in the challenge, we'd just be along for the ride rather than contributing to the discussion because of the judgement coming down in July, but again, I point out that any discussion on challenge would have to include a discussion on the funding or financing of such a challenge.

**Chairperson** (interpretation): Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I don't mean to get going on this, but he still hasn't answered whether there would be grounds to pursue it or not? And no mention to whether it relates to hunting rights or anything like that, I'm just wondering if there are grounds to pursue a challenge or not, I'm wondering if there are grounds or not. That's quite simple. Thank you, Mr. Chairman.

**Hon. Jack Anawak:** Obviously there are some people who think there are grounds, like the western provinces and the western territory, but at the same time, the rest of the provinces don't have a challenge with the gun control bill, so it depends on what you

define by grounds. One part of Canada is not challenging the bill . It's a judgement call more than anything else.

**Chairperson** (interpretation): Tootoo? I think it'll be your last question, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I guess then... in that case and as the Minister mentioned it, it's up to what you consider grounds. Is it not the justice department's mandate to provide advice to the government on such matters? Thank you, Mr. Chairman.

**Chairperson** (interpretation): Mr. Anawak?

**Hon. Jack Anawak:** Again, my advice is that we don't have to expend the 400 thousand dollars.

**Chairperson** (interpretation): I would like to give a chance to those members who did not have a chance to ask their questions or comments. Mr. Nutarak did you want to make a comment? No? Mr. Akesuk?

**Mr. Akesuk** (interpretation): Thank you Mr. Chairman. The Nunavut Government has contracts, does the Nunavut Government contract out to the GNWT for the Department of Justice?

**Chairperson** (interpretation): Mr. Anawak?

**Hon. Jack Anawak** (interpretation): Yes we do have a contract with GNWT. Perhaps Ms. Sanders can give you the information.

**Chairperson:** Ms. Sanders.

**Ms. Sanders:** We have a number of programs contracted back for this current fiscal year. They still show up in our budget because the money we would be using to run the program here instead, we are using to pay the GNWT to run them and then to set up to get people in place so they will be in place by the beginning of the new fiscal year.

The programs we are contracting back include the Labour Standards Board, Labour Services, the people that do the inspections under the Labour Standards Act, whether people are paying minimum wage and that kind of thing. The Public Trustee Office, the Chief Coroner, and in that program we hope to have it relocated to Nunavut well within the fiscal year. We have already advertised for a Chief Coroner so by the summer that will be fully in place. Legal Services Board that runs the Legal Aid Clinics, three clinics with four offices in Nunavut, they are still functioning but we are still using the administration services of the Board in Yellowknife and Legal Registries which runs the Corporate Registries/Land Titles those kind of things. They have set up a separate office, that is a Nunavut Office, separate from the GNWT office, but still in Yellowknife, using

some of the same staff and then we are making steps to move that office to Kugluktuk during the current fiscal year.

**Chairperson:** Mr. Akasuk.

**Mr. Akasuk** (interpretation): Thank you Mr. Chairperson. Could you tell us what you are paying for those services. Nakurmik.

**Chairperson** (interpretation): Who would like to respond first? Maybe the person who finds the document first. Ms Sanders?

**Ms. Sanders:** The total amount that we are spending is \$2,400,000. That's actually, I am sorry, that is the Legal Services Board, which is the single largest one, and that is a little bit misleading because that is really including the cost of the clinics here and the costs paid to lawyers for services here. I am just trying to see if we have a total for all of the programs. Do you have it there Mike? We would have to undertake to provide that to you because it is broken down in each of the different program areas by program, and transitionally during the course of the year, with some of them, we hope to be able to finish paying the GNWT and have our offices set up but we have entered into the agreements for the full year just in case it takes us that length of time.

**Chairperson** (interpretation): Are you finished Mr. Akasuk? Mr. O'Brien.

**Mr. O'Brien:** Thank you Mr. Chairman. Mr. Chairman, I want to get back to the Gun Bill. I understand what Mr. Tootoo is saying and we know that there is a lot of concern out there regarding the Bill. I know in my community there have been many comments and concerns raised. I guess at this point, given the fact that we have other parties that are, sort of, they are already trying to deal with this and hopefully we will find out over the next few months as to what the end result will be, I am not sure that money will be wisely spent right now. I guess the train is already heading down the track and somebody else is paying for the gas we should just look forward to it getting to it's destination.

My concern right now is the problem we have in the meantime in people trying to get their guns registered. It is an ongoing problem and I think if we are going to spend four or five hundred thousand dollars maybe we could spend it helping the people in the communities to get some type of assistance to deal with the paperwork. I am not saying that we shouldn't, I guess, deal with the Gun Bill through the court, but at this point in time, while others are doing it, we may be better off trying to help the various people trying to deal with this paperwork that they have so much difficulty with. Thank you.

**Chairperson** (interpretation): Who would like to respond?

**Hon. Jack Anawak:** That is why I was trying to point out that some of this I might have been able to answer if I had been able to meet with Anne McLellan, the Minister of Justice, and I wasn't able to meet with her because she was attending the funeral of that young man who was shot in a high school. So all I am saying is that as soon as I am able



to meet with the Minister of Justice, we will be discussing those very things and I thank the Member for his questions.

**Chairperson** (interpretation): Do you have anything further Mr. O'Brien?

**Mr. O'Brien:** No that's all I have to say at this point. Mr. Chairman I wonder if it is time to move on to line by line.

**Chairperson** (interpretation): If there are no further comments, yes we can go line by line. Are there any comments? Just in case we adjourn early I would like to take a ten minute break.

>>Committee recesses for ten minutes

**Chairperson** (interpretation): Please get back to your seats. Is anybody missing? Is everybody here? We will go on with our business. Thank you for coming back. Mr. Anawak.

**Hon. Jack Anawak** (interpretation): For information purposes for Mr. Akesuk the contracts that we have total \$3,983,563. These are the contracts that we have. I apologize for something I said earlier. We are not paying for the Federal inmates. It is the Federal Government that pays for the services. I thought we were paying for the whole Justice Services, but for the Federal legislation, we are not paying for any Federal inmates.

Oh I am sorry, when I was talking about the amount of money we were spending on the inmates, I may have inadvertently said something wrong here. Regarding the Federal inmates, the Government of Nunavut is not putting any money into the Federal inmates. That is paid for by the Government of Canada. I just wanted to clarify that.

(interpretation) Mr. Chairman if it is ok with you I would like to recognize two people who are here. I would like to acknowledge Nicole Campaugh. She was from Rankin Inlet but she moved to Yellowknife and another person who is here from Rankin Inlet, Mayor of Rankin Inlet, Simon Okpatauyak.

**Chairperson** (interpretation): Thank you. I would like to welcome you to this session. We can go on line by line. For the main estimates for the year 99/2000. Page 5-4 Directorate. Directorate. Did you find the page?

Directorate. Total operations and Maintenance \$1,352,000.00. Total Capital nil. Total expenditures \$1,352,000.00, Agreed?

**Some Members:** Agreed.

**Chairperson** (interpretation): Law Enforcement. Operations and Maintenance \$14,396,000. Total Capital nil. Total Expenditures \$14,396,000. Agreed?

**Some Members:** Agreed.

**Chairperson** (interpretation): Legal Services Board. Operations and Maintenance Total \$2,865,000.00. Capital nil. Total Expenditures \$2,865,000.00. Agreed?

**Some Members:** Agreed.

**Chairperson** (interpretation): Lawyers Support Services Operations and Maintenance \$1,236,000.00. Capital nil. Total Expenditures \$1,236,000.00. Agreed?

**Some Members:** Agreed.

**Chairperson** (interpretation): Registries and Court Services. Operations and Maintenance \$4,223,000.00. Capital nil. Total Expenditures \$4,223,000.00. Agreed?

**Some Members:** Agreed.

**Chairperson** (interpretation): Community Justice/Corrections Operations and Maintenance \$12,926,000.00. Mr. Iqaqrialu?

**Mr. Iqaqrialu** (interpretation): Thank you Mr. Chairman. In the middle one under Grants and Contributions – \$510,000.00. I would like to get further clarification on what that is for. Thank you Mr. Chairman.

**Chairperson** (interpretation): Minister Anawak?

**Hon. Jack Anawak** (interpretation): Yes. This \$510,000.00 is for the communities. It is the community Justice Program. Perhaps I will talk a little bit about that issue. In Baffin Region \$215,000.00. Kitikmeot \$94,000.00 and Keewatin \$13,000.00 Total, \$440,500.00. But the difference, the remaining funds could be used for Victim Assistance Programs. This \$440,500.00 will be used for community justice programs but the remainder will be for the victims; \$60,000.00. Is that clear now?

**Chairperson** (interpretation): Mr. Iqaqrialu if you could look at the last page. In the details of Grants and Contributions there is detailed information here. Do you have any further questions? Which page are you on? 5-11, Details of Grants and Contributions. Page 5-11. The detailed information is in that page. Contributions for Community Justice Initiatives. Mr. Iqaqrialu.

**Mr. Iqaqrialu** (interpretation): Thank you Mr. Chairman. Every year sometimes the justice system expenditures differ from year to year, and at times we spend a smaller amount than previous years. So I was wondering what you do with the surplus if you happen to have a surplus within a fiscal year. Thank you Mr. Chairman.

**Chairperson** (interpretation): Thank you. Minister Anawak.

**Hon. Jack Anawak** (interpretation): Regarding the \$440,000.00 that is geared towards community justice programs, if there was a surplus from that program, we would not take it back. They would keep it. But I could give you detailed information as to what is allowed to the communities on these funds that are allotted to community justice programs. Perhaps, I apologize, I would like Ms. Sanders to explain this.

**Chairperson** (interpretation): Go ahead Ms. Sanders.

**Ms. Sanders** (interpretation): Thank you Mr. Chairman. (interpretation ends) Each of the community contributions to the Justice Committees that we have allocated this year are the same as they received last year. We are also negotiating today and tomorrow with Justice Canada to see if they will match that funding. That is not a definite thing yet but we are quite optimistic about that. So that would increase the amount for each community. But it is not a decrease, it is the same amount that they had last year and each committee is allocated the amounts based on the size of their community and the activity of their Justice Committee, but that is to support the work of the Justice Committee in each community.

**Hon. Jack Anawak** (interpretation): In view of these court system changes perhaps we are now trying to give more responsibility to the community justice committees. Although this fund is now \$440,500.00 if it is possible to get additional funding from the Federal Government we will work harder to get the amount larger next year.

**Chairperson**: Mr. Iqaqrialu.

**Mr. Iqaqrialu** (interpretation): Thank you Mr. Chairman. The community justice committees, I don't know if they are paid honoraria when they deal with these issues. If this includes the JP's. I don't know if the JP's get honoraria or if they are paid. I think everyone has to have a clear understanding including myself and my constituency as to what kind of Operations and Maintenance they have for each community. This is self explanatory but I don't know especially in our community if we have a justice program in our community so I will look into it.

**Chairperson** (interpretation): Thank you. Mr. Anawak.

**Hon. Jack Anawak** (interpretation): When the funding is allotted to the communities, the community justice committee, it is up to their discretion as to how much they would expend there is no criteria given to the committees in the communities.

**Chairperson** (interpretation): Yes, in regards to Mr. Iqaqrialus' comment it would be easier to understand if it was that way. Tootoo?

**Mr. Tootoo**: Thank you Mr. Chairman. Mr. Chairman, this is the area that deals with the correctional, in paying for the inmates that we send over to YCC and that area. Is that the

amount included in the other O&M, in the 6.8 million. I just wanted to get clarification on that?

**Hon. Jack Anawak:** The budget for offenders held in the NWT is;

Adult male offenders, \$4,281,000.00.  
Female offenders \$241,000.00, and  
Young Offenders, \$603,000.00 for a  
total of \$5, 125,000.00 in terms of spending on all the offenders  
based in the NWT,

**Chairperson:** Mr. Tootoo.

**Mr. Tootoo:** Thank you Mr. Chairman. Mr. Chairman I wonder if the amount allocated in the budget takes into consideration the fee that we get charged from the Government of the Northwest Territories only in that area. I was wondering if that is what is budgeted in there. Thank you Mr. Chairman.

**Ms. Sanders:** These budget amounts are not all being paid to the GNWT. We are not committed to paying those to the NWT. If there were fewer inmates placed in the west or if we were able to establish alternative placements here, including camp placements some of that money could be used for that purpose and we will be working to do that. But at any given time we may have as many offenders there as we have here because of the lack of capacity to be here.

**Chairperson** (interpretation): Mr. Tootoo

**Mr. Tootoo:** Thank you Mr. Chairman. What I was trying to get at was that I had heard that the budget amounts for the departments that, like the costs that were being charged by the GNWT for the service has been budgeted but the costs of travel and the travel for the staff and the time for the staff were not taken into consideration. I was wondering if that was something that was added on to after or if it has indeed been something that was overlooked. Thank you Mr. Chairman.

**Ms. Sanders** (interpretation): Thank you Mr. Chairman. (interpretation ends) Apparently those calculations were estimated as part of the budgets for the Corrections facility here. That is where the transportation costs for the inmates were included and we are hoping that they will be adequate.

**Chairperson** (interpretation): Is that all? And to proceed. The total operations and maintenance is \$12,926,000.00. Are you agreed? Agreed.

Capital plans. The total capital budget is \$313,000.00. Are you agreed? Agreed.

In the total expenditures for Community Justice and Corrections \$13,239,00.00. Are you agreed?

The report, the community justice and Corrections in respect to the Baffin Correctional Centre in the Baffin Region. Total Capital is \$313,000.00. Do you agree? Agreed. Thank you.

The Details of Grants and Contributions. This is mainly an information item. Are you agreed? Since there were no nays.

I would like to return to page 5-3.

The Detail of Expenditure Page 199/2000. The total Operations and Maintenance – in respect to the Details of Expenditures, the total Operations and Maintenance budget is \$36,998,000.00 Are you agreed?

Capital? The total capital budget is \$313,000.00. Are you agreed? Agreed.

Total Expenditures for this fiscal year, is \$37,311,000.00 are you agreed? Agreed

Our meeting is ended please leave. You may leave. Thank you Minister Jack Anawak and your officials. Are you agreed that the Departments budget items are completed? Thank you Minister Anawak and your senior officials, Nora Sanders and the other staff.

>>(audio unavailable)

**Speaker** (interpretation): Thank you. Item 22, Third Reading of Bills. Item 23, Orders of the Day. Mr. Clerk.

### **Item 23: Orders of the Day**

**Mr. Quirke:** Thank you Mr. Speaker. Friday, May 21st, 8.30 in the morning regular caucus, Parish Hall.

Friday, May 21, 1999

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions

7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Replies to Budget Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motions
16. Notices of Motions for First Reading of Bills
17. Motions
18. First Reading of Bills
19. Second Reading of Bills:
  - 1 - Boards of Management Dissolution Act
  - 2 - Divisional Education Council Dissolution Act
20. Consideration in Committee of the Whole of Bills and Other Matters:
  - Bill 1 - Appropriation Act 1999/2000.
  - Standing Committee Reports 1-1(2), 2-1(2), 3-1(2) 4-1(2)
21. Report of Committee of the Whole
22. Third Reading of Bills
23. Orders of the Day

Thank you Mr. Speaker.

**Speaker** (interpretation): Thank you Mr. Clerk the House is now adjourned until Friday May 21, 1999 at 10 o'clock. Sergeant at Arms.

>>House Adjourned at 4.35 pm

