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Building Nunavut Together
Nunavuliuqatigiingniq
Bâtir le Nunavut ensemble

Government of Nunavut

Annual Report 2024/2025

Unlawful Property Forfeiture Act

Contents

Introduction 1
General 1
Activities and Progress for the Reporting Period 2
Training 2
Educational Campaign 3
Civil Forfeiture Proceedings 3
Budget and Expenditure by Type 4
Conclusion 4

Introduction

This report of the Nunavut Forfeiture Office covers the period from April 1, 2024, to March 31, 2025.

The Nunavut Forfeiture Office was established under the *Unlawful Property Forfeiture Act S.Nu. 2017, c.14* (the "*Act*"), which allows for the forfeiture of property obtained through unlawful activity. The *Act* was passed by the Legislative Assembly in March 2017 and came into force on April 1, 2021.

The purpose of the *Act* is to promote safe and healthy communities in accordance with Inuit societal values by providing civil remedies that:

- prevent individuals from keeping property through unlawful activity;
- prevent property from being used to engage in unlawful activity; and
- allow for the disposition of property derived from or used in unlawful activity for socially beneficial purposes, including providing assistance to victims of crime and supporting community-based wellness programs.

The *Act* grants the Director of the Nunavut Forfeiture Office the authority to initiate civil forfeiture proceedings against proceeds and instruments of unlawful activity.

This report is respectfully submitted in accordance with section 36 of the *Act*.

General

Civil forfeiture proceedings under the *Unlawful Property Forfeiture Act* are distinct from criminal law matters and do not require a criminal conviction to proceed. Instead, civil forfeiture proceedings are brought against the property itself, rather than individuals. There is no criminal record resulting from these proceedings, and no findings of guilt or innocence are made by the Court in a civil forfeiture matter.

While the decision to initiate civil forfeiture proceedings is made by the Director, who is appointed by the Minister pursuant to section 24 of the *Act*, the Nunavut Court of Justice determines, on a balance of probabilities, whether the property is the proceeds of, or an instrument of, unlawful activity.

> *"Proceeds of unlawful activity" is money or any type of property gained from an unlawful activity (e.g. cash from a drug trafficking).*
>
> *"Instruments of unlawful activity" is any property that is used to commit an unlawful activity (e.g. a vehicle used to illegally sell alcohol).*
>
> *"Unlawful activity" is any act committed in Nunavut that is an offence under federal legislation or territorial legislation (e.g. Criminal Code of Canada, Nunavut Liquor Act). It is also an act committed outside Nunavut that is an offence in the territory.*

In Nunavut, proceeds from successful civil forfeitures are used to support crime prevention and victim services programs, including compensating victims and funding community-based initiatives.

The *Act* does not provide powers of search or seizure to the Nunavut Civil Forfeiture Office. Instead, it enables the Director to collaborate with law enforcement agencies and rely on evidence gathered during criminal investigations. Where information gathered during a criminal investigation indicates a basis to commence proceedings under the *Act*, it may be provided to the Director for review and determination. The Director may also receive information about potential cases from the public in the form of tips.

Before initiating a forfeiture action, the Director ensures that the civil proceedings do not conflict with any related criminal investigations or proceedings and confirms whether the federal Public Prosecution Service of Canada (PPSC) intends to pursue criminal forfeiture under federal legislation.

Activities and Progress for the Reporting Period

This year, the Forfeiture Office continued to work closely with the Royal Canadian Mounted Police (RCMP) "V" Division and the PPSC. The Information Sharing Agreement with the RCMP and the Memorandum of Understanding with PPSC continue to support a collaborative approach that ensures civil forfeiture proceedings do not interfere with criminal investigations.

The Director has completed the development of key operational policies necessary for the effective functioning of the Forfeiture Office. The Office is now focused on applying these processes in the assessment and advancement of civil forfeiture files.

As part of the Forfeiture Office's commitment to public outreach, efforts were made to reestablish an educational campaign to raise awareness of civil forfeiture and its role in crime prevention, as well as the reinvestment of forfeited funds into victim services and community wellness programs. This initiative includes delivering presentations to RCMP and PPSC offices in Iqaluit and will continue to support greater awareness of civil forfeiture in Nunavut.

Training

The Forfeiture Office continues to participate in the National Civil Forfeiture Committee (NCFC), a federal, provincial and territorial group of civil forfeiture offices from across Canada that share best practices and collaborate on common challenges. This network supports the Office in maintaining current practices and strengthening its approach to civil forfeiture in Nunavut.

Educational Campaign

To promote public awareness and understanding of civil forfeiture under the *Unlawful Property Forfeiture Act*, the Forfeiture Office has taken steps to reestablish its educational campaign during the 2024-2025 reporting period. This work involves collaboration with various organizations, including the RCMP, PPSC, Liquor Commission, alcohol and education committees, and the Sheriff's Office.

Through these presentations, the Office provides an overview of how civil forfeiture operates in Nunavut and engages with partners on their respective roles in supporting the program.

Civil Forfeiture Proceedings

Civil forfeiture matters do not always align with a single reporting period, as a matter may span several years from referral and assessment to court proceedings, disposition of funds, or resolution under federal legislation.

During the 2024-2025 reporting period, six files progressed to formal assessment as potential civil forfeiture matters. One civil proceeding commenced and remained ongoing as of March 31, 2025. One matter was resolved through federal forfeiture. The remaining four matters did not proceed because there was insufficient information or outstanding disclosure. The matters assessed during the reporting period involved suspected drug trafficking and seized cash.

No forfeiture orders were obtained under the *Act* during the reporting period.

The Forfeiture Office continues to review files involving both real property and other assets, as it expands its scope in addressing unlawful activity.

New cases are assessed as they arise to determine whether it is appropriate to commence proceedings under the *Act*.

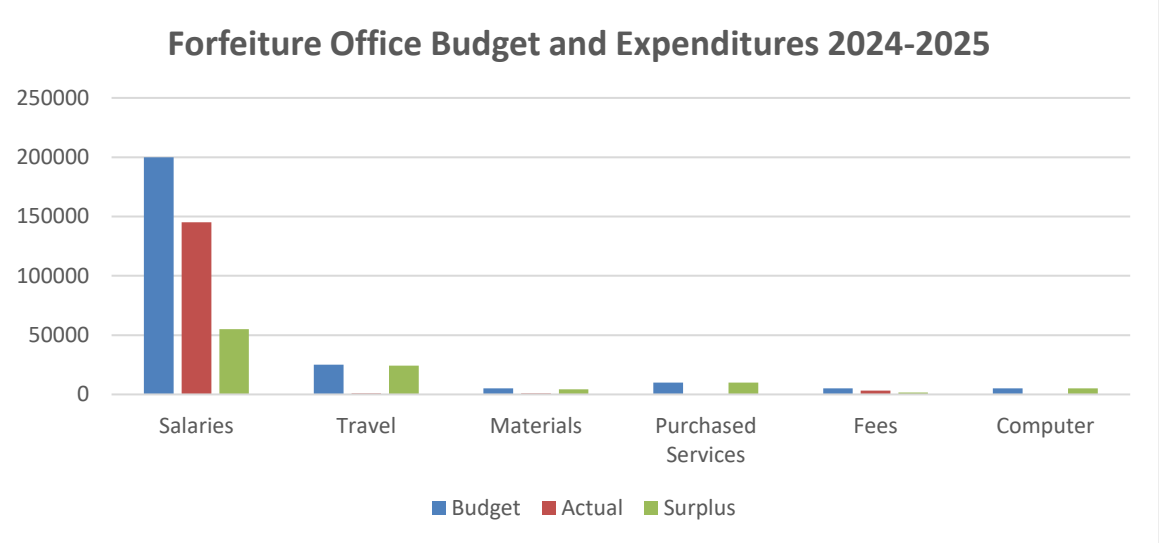
Forfeiture Office Expenditures - 2024 - 2025

Budget and Expenditure by Type

Total expenditures for the Forfeiture Office during the reporting period were $149,966, against a total budget of $250,000, as set out in the table below.

Expenditures vary based on factors such as staffing, case volume, travel requirements for files, education activities, training, and necessary equipment or service contracts.

	Budgeted	Actual Expenditures	Surplus
Permanent Salaries	$200,000	$145,062	$54,938
Travel & Transportation	$25,000	$852	$24,148
Materials & Supplies	$5,000	$697	$4,303
Purchased Services	$10,000	$0	$10,000
Fees and Payments	$5,000	$3,354	$1,646
Computer Hardware and Software	$5,000	$0	$5,000
Total	**$250,000**	**$149,966**	**$100,034**



Conclusion

The Nunavut Forfeiture Office continues to advance its mandate by pursuing court-ordered forfeiture of property obtained through unlawful activity. The Office remains committed to working collaboratively with law enforcement agencies, community organizations, and Nunavummiut to prevent crime and support victims.