

Standing Committee on  
Social Development



# Report on the Statutory Review of the *Legal Aid Act*

20<sup>th</sup> Northwest Territories Legislative Assembly

Chair: Ms. Jane Weyallon Armstrong

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Kate Reid  
MLA Great Slave



SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker:

Your Standing Committee on Social Development is pleased to provide its Report on the Statutory Review of the *Legal Aid Act* and commends it to the House.

Jane A. Waller Armstrong

MLA Jane Weyallon Armstrong  
Chair, Standing Committee on Social Development

**STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT**

**REPORT ON THE STATUTORY REVIEW OF THE *LEGAL AID ACT***

**Table of Contents**

|  |    |
|--|----|
| INTRODUCTION AND BACKGROUND.....         | 1  |
| PUBLIC ENGAGEMENT .....                  | 1  |
| 1. Administration.....                   | 2  |
| 2. Provision of legal aid services ..... | 3  |
| 3. Legal Aid Lawyers .....               | 6  |
| 4. Governance .....                      | 8  |
| CONCLUSION .....                         | 9  |
| ENDNOTES .....                           | 10 |
| APPENDIX A .....                         | 11 |
| PRESENTATIONS and SUBMISSIONS.....       | 11 |

## **STANDING COMMITTEE ON SOCIAL DEVELOPMENT**

### **REPORT ON STATUTORY REVIEW: *LEGAL AID ACT***

#### **INTRODUCTION AND BACKGROUND**

The *Legal Aid Act* (“the Act”) requires the Legislative Assembly or one of its Standing or Special Committees to commence a review of the Act and its operations, by December 28, 2014, and every ten years thereafter (s. 21)<sup>1</sup>. The review shall examine how the Act is administered and implemented, assess the effectiveness of its provisions, and may include recommendations for legislative changes.

The Northwest Territories (NWT)’s *Legal Aid Act* was passed on November 6, 2012, and came into force December 28, 2014. This Act repealed and replaced the *Legal Services Act* and substituted a Legal Aid Commission (the Commission) for the previous standing Legal Services Board.

The Act provides a framework for the delivery of legal aid services for residents of the NWT, including the governance and operational structure of the NWT Legal Aid Commission, which uses an integrated staff lawyer/private practitioner model. The Act aims to increase access to justice for eligible residents by offering legal aid services, promoting public knowledge of the law, and operating in an independent but accountable framework.

The Standing Committee on Social Development (Committee) has conducted the review process for the Act’s first statutory review and presents this report, with thirteen (13) recommendations to the House.

#### **PUBLIC ENGAGEMENT**

Between February 2025 to July 2025, Committee engaged the public.

On April 4, 2025, Committee received a public briefing from the Minister of Justice and the NWT Legal Aid Commission<sup>2</sup>. Committee also received a briefing from a

criminal law lawyer on recommended amendments to the *Legal Aid Act* and the legal aid program in the NWT<sup>3</sup>. Committee received one written submission from the YWCA NWT. The presentations and written submissions are included in Appendix A of this report.

Committee wishes to thank those who offered their feedback and perspectives at public meetings and in written submissions. This input helped shape Committee's understanding of the Act and the recommendations for change.

Committee categorized public comments received into four (4) themes:

1. Administration;
2. Provision of legal aid services;
3. Legal aid lawyers; and
4. Governance

## 1. Administration

On April 4, 2025, Committee received a presentation from John Hale, a criminal law lawyer practicing in the NWT. Committee was provided with context on the legal aid program in the NWT and was presented with recommendations to improve the *Legal Aid Act* and its Regulations<sup>4</sup>.

Section 6 of the Act currently requires that the Executive Director of the Commission be a lawyer. It was noted to Committee that whether or not the candidate for Executive Director is a lawyer is one factor to be considered, along with other experiences and qualifications. Therefore, the recommendation brought forward was Section 6 of the Act be amended to remove the requirement that the Executive Director of the Legal Aid Commission be a lawyer. Committee agrees with this suggestion, and presents the following recommendation:

**Recommendation 1:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend Section 6 of the Northwest Territories' *Legal Aid Act* to remove the requirement that the Executive Director of the Northwest Territories Legal Aid Commission be a lawyer.

## 2. Provision of legal aid services

Section 9 and 10 of the Act relate to the eligibility for Legal Aid services, and whether eligible persons should be authorized (or approved) to receive legal aid. In his presentation to Committee, Hale recommended changes to these sections, suggesting that individuals who have an active Legal Aid approval in place, or who have been approved in the past 12 months be deemed to be eligible for Legal Aid services upon advising the Commission that their financial situation has not materially changed.

Committee agrees with this feedback and believes this suggestion will significantly streamline the administration of legal aid and potentially reduce administration burden. The following recommendation is presented:

**Recommendation 2:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend Sections 9 and 10 of the Northwest Territories' *Legal Aid Act* to deem individuals automatically eligible for legal aid if they (a) already have an active Legal Aid application approval in place, or (b) have been approved in the past 12 months, so long as they confirm with the Northwest Territories Legal Aid Commission that their financial situation has not materially changed.

Committee had discussions during the April 4<sup>th</sup> public ministerial briefing about the expansion of legal aid services available in the Northwest Territories. During the briefing, the Department of Justice noted that current legal aid services include services for criminal offences, child protection matters, family law matters, NWT legislative offences such as *Motor Vehicle Act* and *Liquor Act* offences, and for youth in youth court. They also noted that the Act does not allow legal aid services for defamation actions, business or real property transactions, labour matters, or election dispute matters. During their briefing with the Minister and through Committee's own research, Committee noted legal services that are needed in communities across the NWT such as legal assistance with land entitlement, with the drafting of wills and estates, with access to justice for evictions and housing related matters as well as legal assistance for those held under mental health legislation.

During his briefing to Committee, Hale also responded to the possibility of expanding the provision of legal aid services in the Territory highlighting that civil matters, including matters related to estates, may be addressed within the legal aid outreach clinics. It was described that legal aid tends to be focused on criminal

and family law matters, and that expansion of services would necessarily also require an expansion of the funding envelope to legal aid.

Committee acknowledges these challenges and supports expanding restorative justice strategies alongside legal aid as part of a wrap-around approach to improving the justice system, and access to justice. In addition to restorative justice strategies, Committee believes it is important to increase the public's knowledge of the law, and in doing so suggest that lawyers and staff of the Commission be able to conduct outreach activities in smaller communities in the days leading up to the Territorial Court Circuit. Committee defines outreach activities as activities that build knowledge and trust in the justice system, specifically in smaller communities. Committee maintains that the development of specific training for staff and panel lawyers working in small communities in the NWT would be beneficial in understanding the realities of needs in smaller communities, as well as the legal landscape of the Territory.

Lastly, in its own research, Committee found its sentiments aligned well with the Yukon's *Legal Services Society Act*'s provisions on legal aid services. Specifically, Section 16(1) of their legislation, that describes a broad spectrum of activities that their legal aid program can administer under their legislation. In summary, their provision of legal aid services states that their Legal Services Society may provide legal aid to individuals for criminal proceedings, civil proceedings, proceedings respecting domestic disputes, or legal problems that threaten their livelihood, the physical or mental safety or health of themselves or their families, or their abilities to provide food, clothing, and shelter for themselves or their families.

Committee therefore presents the following three recommendations to ensure that the legal aid envelope can be expanded when required and as needs arise for residents of the NWT, as well as ensuring that restorative justice practices and outreach strategies are prioritized:

**Recommendation 3:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend Section 8 of the *Legal Aid Act* to align with wording presented in Section 16(1) of the Yukon's *Legal Services Society Act* to ensure the provision of legal aid services is broad and nimble to address emerging legal needs in the Northwest Territories.



**Recommendation 4:** The Standing Committee on Social Development recommends the Government of the Northwest Territories increase funding allocated to restorative justice programs in the Northwest Territories, in addition to budgeting more time for panel lawyers to conduct outreach activities during the Territorial Court Circuit.

**Recommendation 5:** The Standing Committee on Social Development recommends the Government of the Northwest Territories develop specific training for staff and panel lawyers practicing in the Northwest Territories to ensure they understand the legal landscape of the Northwest Territories and remain sensitive to different cultures and ways of life of residents in smaller communities.

Committee continues to be concerned that residents of the NWT have adequate access to justice for evictions and housing related matters. Notably, the *Legal Aid Regulations* expressly excludes matters arising under the *Residential Tenancies Act* as services for which legal aid is provided. In Committee's Report on Housing as a Human Right, Committee outlines its learnings on promoting the right to housing through enhanced legal assistance for tenants. Access to justice for evictions can often be contradicted as "non-complex" law, although research has shown there is no lesser form of legal need. There is often a visible (or invisible) power differential between a landlord and a tenant. It is difficult to receive access to legal help or representation for tenants across Canada, and this struggle often means that tenants do not have coverage when facing eviction.

In its study on Housing as a Human Right, Committee learned of the federal Blueprint for a Renter's Bill of Rights, which aims to build a national consensus on principles to protect renters' rights. It includes the principles of fairness and transparency, specifically in respect of ensuring the protection and enforcement of existing tenant rights.

Committee presents the following recommendation to increase legal assistance for tenants. Committee has also included this recommendation in its Report on the Housing as a Human Right:

**Recommendation 6:** The Standing Committee on Social Development recommends the Government of the Northwest Territories amend the *Legal Aid Act* and its regulations to include matters arising under the *Residential Tenancies Act*, as well as other housing-related legal matters, such as evictions, that may fall outside of the *Residential Tenancies Act*, as subjects to which legal aid services may be provided. The Government of the Northwest Territories should utilize the upcoming new federal Blueprint for a Renters' Bill of Rights to inform the development of effective legal aid services for tenants that reduce the power imbalance. To provide effective legal services, the Government of the Northwest Territories should allocate funding to the Legal Aid program to support services provided for housing-related matters.

### 3. Legal Aid Lawyers

Committee received the recommendation to amend Section 15(2) of the Act by adding as a consideration, whether there is a pre-existing lawyer-client relationship. This section deals with how the Executive Director assigns lawyers to cases, which during Committee's ministerial briefing, the Department noted that currently the legislation gives power to the Executive Director to "assign a case to either a panel lawyer or staff lawyer". Section 15(2) of the Act also stipulates that the Executive Director consider the clients' rights, fiscal responsibility, conflicts of interest, and the legal expertise necessary in each case. The Act also emphasizes that when issues arise between a lawyer and a client, the client may be reassigned. Adding the consideration of a pre-existing relationship would entail recognizing the nature of a relationship, the trust built over time, and a lawyer's experience with a client's life situation.

Committee feels the recommendation to amend Section 15(2) may help build more trust in the lawyer-client relationship and in the justice system. Committee therefore presents the following recommendation:

**Recommendation 7:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend Section 15(2) of the Northwest Territories' *Legal Aid Act* to add the consideration of a pre-existing lawyer-client relationship as and when the Executive Director assigns lawyers to cases.

Elements related to the retention and remuneration of panel lawyers was also brought to Committee's attention. Section 22 of the Act authorizes the Commissioner, on recommendation of the Minister, to make regulations under the Act with respect to the remuneration and reimbursement of lawyers, the way remuneration is paid, and prescribing legal aid services that may be provided, etc.

Hale focused on discussing with Committee four areas with respect to the *Legal Aid Regulations* (Regulations), including suggesting improvements to hourly and

daily rates of pay for panel lawyers, noting that they have not changed since December 2014. He suggested *Table 1: Tariff of Rates*, which provides an outline of the remuneration of panel lawyers, be increased by 29% to keep up with rates of inflation. It was also suggested that there be a built-in annual cost-of-living increase to the rates. Notably, at the ministerial briefing, the Legal Aid Commission described difficulties in retaining staff and panel lawyers, as similar struggles are occurring in many jurisdictions across Canada.

According to suggestions and considering retention remarks made by the Commission, Committee recommends:

**Recommendation 8:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend the *Legal Aid Regulations* under the *Legal Aid Act* to increase hourly rates and daily circuit rates in *Table 1: Tariff of Rates* by 29% to reflect rates of inflation, and that annual cost-of-living increases are built into the rates to ensure competitive pay.

Committee was made aware of issues with panel lawyer remuneration, specifically that lawyers are currently being paid within thirty (30) days of rendering an account. The suggestion presented was that this timeline be changed to two (2) weeks, and in addition, that there be a way for lawyers to be reimbursed immediately for expenses incurred, such as airfare for court circuit work (under Section 15(1) of the *Legal Aid Regulations*). Committee understands these suggestions and recommends the following:

**Recommendation 9:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend the *Legal Aid Regulations* under the *Legal Aid Act* to ensure panel lawyers are paid within fourteen (14) days of rendering an account, and include in the *Legal Aid Regulations* that panel lawyers be reimbursed immediately for expenses incurred, such as airfare and accommodations for court circuit work.

It was noted that the Regulations also be amended to align with recent changes to Canada's categorization of offences, suggesting that Type A and B offences be collapsed into one category and that sexual offences are categorized into what are now Type C offences, even in cases where the Crown proceeds by summary conviction. As currently described in the Regulations, Type A means an offence dealt with by summary conviction, Type B means an offence dealt with by indictment that is punishable by a term of five years imprisonment or less, including an offence listed in section 553 of the *Criminal Code*, and Type C means an offence dealt with by indictment that is punishable by a term of more than five years imprisonment, including an offence under section 348 of the *Criminal Code* and section 5 of the *Controlled Drugs and Substances Act*, other than an offence that

is dealt with by indictment and is punishable by a maximum term of life imprisonment.

Committee agrees with these suggestions, and presents the following recommendation:

**Recommendation 10:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend the *Legal Aid Regulations* under the *Legal Aid Act* to combine Type A and B offences into one category, and to categorize sexual offences as their own category of offence.

Finally, there were suggested amendments to *Table 2: Maximum Time Allocated to Matters* (Table 2) under the Regulations to double the maximum allocated hours to matters and permit additional hours for preparation during an ongoing trial.

Committee believes that adjusting time allocated to matters will help with proper representation of legal aid clients, and therefore presents the following recommendation:

**Recommendation 11:** The Standing Committee on Social Development recommends the Government of the Northwest Territories review and amend *Table 2: Maximum Time Allocated to Matters* under the *Legal Aid Regulations* by doubling the maximum allocated hours, and by permitting additional hours for preparation during an ongoing trial.

#### 4. Governance

During the Minister of Justice's briefing to Committee, Committee posed questions regarding the governance structure of the Commission and particularly how the Minister reviews and decides upon recommendations from the Commission. Committee notes that under Section 3 of the Act, the Minister shall consider recommendations made by the Commission.

In line with this section of the Act, Committee has concerns regarding the decision to eliminate the Office of the Children's Lawyer, and subsequently transferring its' functions into the legal aid program. Committee's concerns include the following:

- The lack of adequate support, guidance and advice to staff and panel lawyers serving children. Serving this vulnerable population may require specific training and resources;
- The absence of a dedicated office that may address gaps and suggest improvements to a child's access to justice in the NWT; and

- The lack of clear processes and protocols for how children can acquire a lawyer or access to justice.

Committee emphasizes the need for accountability in decision-making, especially regarding access to justice, the effective operation of the Commission, and providing essential legal programs for children. Committee therefore presents the following recommendation, in an effort to support justification for decision-making:

**Recommendation 12:** The Standing Committee on Social Development recommends that the Government of the Northwest Territories review and amend Section 3 of the Legal Aid Act to require that the Minister of Justice provide written reasoning and justification to the Northwest Territories Legal Aid Commission when they accept or reject a recommendation.

## CONCLUSION

This concludes the Standing Committee on Social Development's statutory review of the *Legal Aid Act*.

**Recommendation 13:** The Standing Committee on Social Development recommends the Government of the Northwest Territories provide a response to this report within 120 days.

## ENDNOTES

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<sup>1</sup> <https://www.justice.gov.nt.ca/en/files/legislation/legal-aid/legal-aid.a.pdf>

<sup>2</sup> Video of Committee February 6, 2025, public briefing on the statutory review of the *Legal Aid Act* with the Minister of Justice is available at:

[https://www.youtube.com/watch?v=in0p4aUZtsE&list=PLZiv8ITEMg4dqZsYMEW\\_--kMWhEAsBGae&index=33&t=8s](https://www.youtube.com/watch?v=in0p4aUZtsE&list=PLZiv8ITEMg4dqZsYMEW_--kMWhEAsBGae&index=33&t=8s)

<sup>3</sup> Video of Committee April 26, 2025, witness panel for statutory review of the *Legal Aid Act* is available at: <https://www.youtube.com/watch?v=jnqMXhOgeBA>

<sup>4</sup> <https://www.justice.gov.nt.ca/en/files/legislation/legal-aid/legal-aid.r1.pdf>

## **APPENDIX A**

### **PRESENTATIONS and SUBMISSIONS**



# Department of Justice

## The *Legal Aid Act*

February 06, 2025

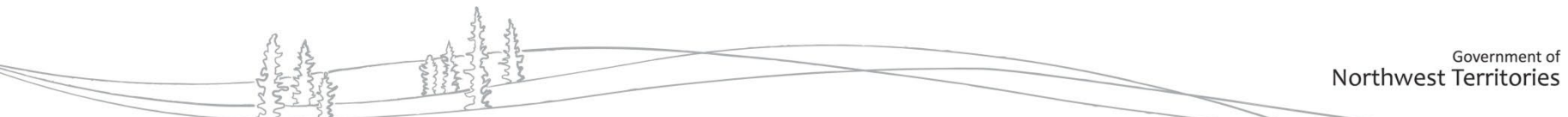


Government of  
Northwest Territories



# Legal Aid in the Northwest Territories

- The Government of the Northwest Territories has been responsible for providing legal aid since 1971.
- The Legal Services Board was established and given responsibility for providing legal aid, court worker services, and public legal education and information services throughout the Northwest Territories.



# Legal Aid in the Northwest Territories

- The *Legal Services Act* was replaced with the *Legal Aid Act* in 2014, replacing the Legal Services Board with the Legal Aid Commission of the Northwest Territories.
- The “new legislation provided a modernized governance and operational structure for the delivery of legal aid services using an integrated staff lawyer/private practitioner model.”
- The Act also requires that a review be conducted every 10 years.

# Overview of the Act

- The *Legal Aid Act* exists “to promote access to justice throughout the Northwest Territories...”
- It mandates provision of accessible legal aid services, promotion of public legal education, facilitating alternative dispute resolution processes, and responding to the diverse needs of eligible persons.
- It establishes a public independent agency (the Legal Aid Commission) to provide services.



# The Minister

- The Minister must consider recommendations made by the Commission under the Act.
- The Minister may determine staff levels and programming choices on the recommendation of the Commission.
- The Minister may enter into agreements with the federal government for cost sharing of legal aid services, and with provincial/ territorial governments for reciprocal administration.



# The Legal Aid Commission

- Section 4 of the *Legal Aid Act* establishes the Commission as a continuation of the former Legal Services Board. It's independence (with fiscal accountability) is guaranteed by section 4(3).
- The Commission must consist of three to five members appointed by the Minister to three-year terms, reflecting the NWT's diversity.
  - One member must be a lawyer in private practice nominated by the Law Society; and
  - One member must be part of the public service.



# Duties of the Legal Aid Commission

- The Commission's duties include preparing an annual report, receiving and making payment for legal services, hearing and deciding appeals, and supervising the Executive Director of Legal Aid.
- The Commission sets policy, makes recommendations to the Minister, administers legal aid clinics, and maintains a panel of private lawyers.
- Much of the Commission's work consists of hearing appeals in cases where legal aid has been denied.



# Powers of the Legal Aid Commission

- The Commission's powers include creating legal aid service guidelines, managing public legal education programs, entering agreements with the Minister for administration of the Act, establishing and evaluating legal aid delivery programs, exchanging program information with other provinces and territories, and advising the Minister on amendments to the Act.



# Executive Director

- The Commissioner must appoint an Executive Director to serve as chief executive officer of the Commission.
- The Executive Director's duties include supervising Commission staff, and other tasks assigned by the Commission.
- The Executive Director's powers include entering agreements and contracts, designating legal aid representatives, and delegation.





# Services Covered

- Legal aid services may be provided for criminal offences; child protection, family and civil matters; offences against NWT Acts; and for prescribed offences.
- Legal aid services may not be provided for defamation, business and real property transactions, labour and election disputes, or other profit-seeking court action.



# Eligible Persons

- Individuals may apply to be recognized as eligible persons (to receive services) by the Executive Director.
- Applicants will provide required information to the Executive Director to make a determination.
- Applicants will notify the Executive Director of a change in material circumstances which may result in revocation of eligibility.
- The Executive Director can authorize provision of legal services in accordance with s 10 of the Act.



# Legal Aid Lawyers

- The Commission establishes and maintains panels of lawyers who are not public servants and meet other Commission requirements.
- A person may apply to the Executive Director to be designated as an eligible panel lawyer.
- The Commission (on recommendation of the Executive Director) may suspend or cancel designations.



# Assignment of Cases

- The Act gives the Executive Director the power to “assign a case to either a panel lawyer or a staff lawyer.”
- In determining case assignment, the Executive Director must consider prejudice to the client’s rights, fiscal responsibility, lawyer conflicts of interest and expertise, and any other relevant factors.
- Where there is a breakdown in a relationship between a client and lawyer, the Executive Director may try to mediate a solution, revoke the assignment, or assign the case to another lawyer.



# Legal Aid Clinics

- Three legal aid clinics in Yellowknife continue to offer criminal defense and family law services to clients in all NWT communities.
  - Yellowknife Legal Aid Clinic
  - Somba K'e Legal Aid Clinic
  - Community Legal Aid Clinic



# Outreach Legal Aid Clinic

- The Outreach Legal Aid Clinic is staffed by a court worker and an outreach lawyer who hold walk-in and phone clinics, and travel to smaller communities.
- The Clinic offers up to 3 hours of free legal advice and coaching to any NWT resident who has a legal problem in select areas.
- Between January 2023 and November 15, 2023, the Clinic assisted 941 people, 638 of whom self-identified as Indigenous.



# Funding for the Legal Aid Commission

- The Legislative Assembly allocates money to the Legal Aid Commission to administer the *Legal Aid Act* and provide legal services and other programs under the Act.
- The Northwest Territories also receives funding for the Legal Aid Program, Indigenous Court Work Program, and public legal education, through the Access to Justice Agreement with the Government of Canada.



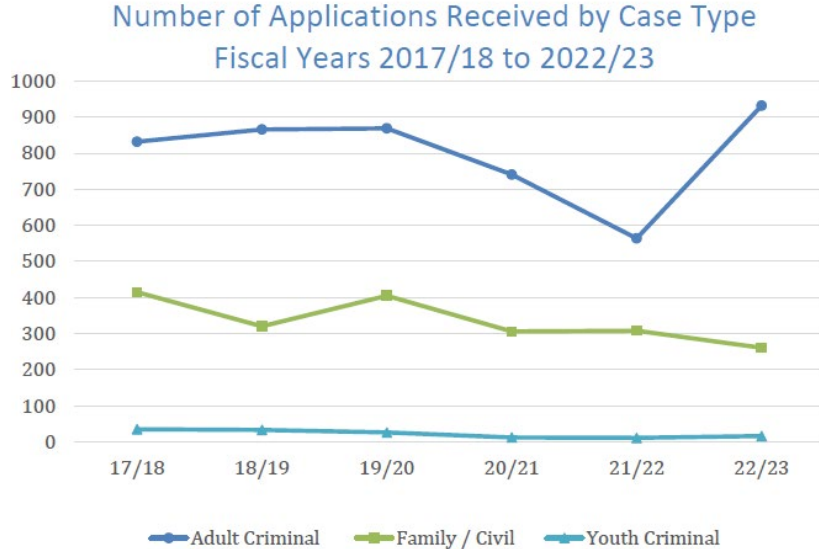
# Funding for the Legal Aid Commission

- There is currently a funding agreement in place with Justice Canada through to 2027.
- In 2025-2026, the budget for Legal Aid Services is proposed to increase \$433,000 over the prior year. The federal contribution in 2025-26 is set at \$4,390,052.
- Uncertainty related to long-term federal funding agreements is an issue, and the Department continues to work with our provincial and territorial colleagues to advocate in this area.





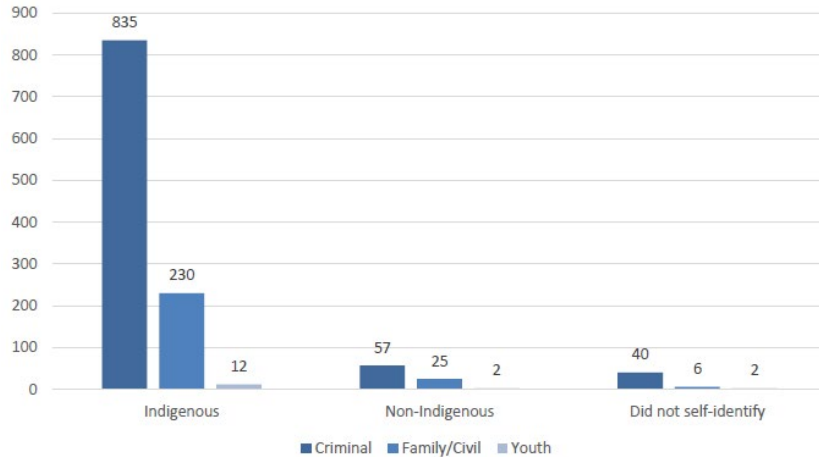
# Legal Aid Statistics



- Applications for Legal Aid are spiking sharply, especially among criminal cases.
- They are now at a historic high.

# Legal Aid Statistics

Legal Aid Approval by Case Type and Self-Identification 2022/23



- 89% of approved applicants self-identified as Indigenous in 2022-2023.
- The vast majority of approvals were for criminal cases.

# Overall Considerations

- The Executive Director has indicated the Act has been functioning well since it was brought into force.
- They have also noted that operational concerns such as lawyer recruitment and retention are of a much more pressing nature.
- Secure, long-term federal funding is required to adequately plan and manage legal aid in the Northwest Territories as demand for services increases.



# Questions/Discussion



## **Statutory Review of the *Legal Aid Act* – April 24, 2025 (John Hale)**

### **RECOMMENDATIONS**

Section 6 of the *Act* requires that the Executive Director of Legal Aid *MUST* be a lawyer.

**RECOMMENDATION: whether or not the candidate for Executive Director is a lawyer is one factor to be considered, along with other experience and qualifications.**

Sections 9 and 10 of the *Act* relate to eligibility for Legal Aid services, and whether eligible persons should be authorized (or approved) for Legal Aid.

**RECOMMENDATION: individuals who have an active Legal Aid approval in place, or who have been approved in the past 12 months, be deemed to be eligible for Legal Aid services upon advising Legal Aid that their financial situation has not materially changed.**

Section 15(2) of the *Act* deals with how the Executive Director assigns lawyers to cases

**RECOMMENDATION: amend by adding as a consideration whether there is a pre-existing lawyer-client relationship.**

Section 22 of the *Act* authorizes the Commissioner, on recommendation of the Minister, to make regulations under the *Legal Aid Act* with respect to (a) remuneration, and (c) the manner in which remuneration is paid. I would like to focus on four areas with respect to the Regulations:

**(1) RECOMMENDATION: the hourly and daily rates of pay to panel lawyers, which have not changed since December 2014, be increased by 29% to keep up with inflation (“TABLE 1: TARIFF OF RATES”). There should also be a built-in annual cost-of-living increase to the rates.**

**(2) RECOMMENDATION: Lawyers should be paid within two weeks of rendering an account, not the current 30 days. There should also be a way for lawyers to be reimbursed immediately for expenses incurred, such as airfare for circuit work.**

**(3) RECOMMENDATION: Regulation 1 should be amended so that Type A and B offences are collapsed into one; sexual**

offences should always be categorized as what are now Type C offences even if Crown elects by summary conviction.

(4) RECOMMENDATION: “TABLE 2, MAXIMUM TIME ALLOCATED TO MATTERS” should be amended by doubling the maximum allocated hours, and by permitting additional preparation during an ongoing trial.

## **Review of the *Legal Aid Act***

***YWCA NWT input***

**Feb 10, 2024**

The current Legal Aid Act outlines the services covered, in very broad terms. The Northwest Territories has a limited number of family lawyers that are available to practice, and it is recommended that the Legal Aid Act details a plan how to reduce the number of people waiting to be matched to a lawyer.

The current Legal Aid Act does not define the financial criteria that someone must meet in order to receive Legal Aid services. It is recommended that the Legal Aid Act states the financial eligibility table and such is adjusted yearly to account for cost of living increases. This can better support clients that work but still cannot afford to hire a lawyer privately. It is also recommended that the Act allows some flexibility in how many hours a lawyer can use on a file. When lawyers are constricted in the amount of time they can use, clients often feel unheard and feel like their case is being rushed. This can make it difficult to trust the legal systems.

Additionally, the current Legal Aid Act does not explain how it will provide access to those living in small communities, and those are the ones that often fall through the cracks. Clients that live in small communities should still be able to receive Legal Aid services, and yet, they often experience a lack of communication from the legal professionals. It is recommended that the Legal Aid Act outlines a process to ensure that all Northwest Territories residents are able to receive services if needed.

Thank you for the opportunity to provide our feedback.

Regards,

Thank you, Hawa Dumbuya-Sesay

Executive Director

YWCA NWT