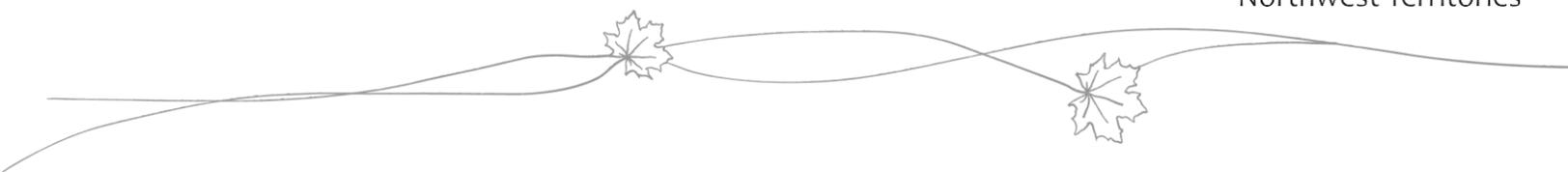


Trespass Legislation

What We Heard Report

Government of
Northwest Territories



K'áhshó got'jne xadā k'é hederi ɔedjhtl'é yeriniwę ni dé dúle.
Dene Kádé

ʒerihth'is Dēne Sųlíné yatı t'a huts'elkēr xa beyáyatı theɔɔ ɔat'e, nuwe ts'ēn yótti.
Dēne Sųlíné

Edı gondı dehgáh got'je zhaté k'éé edat'éh enahddhę nıde naxets'é edahlı.
Dene Zhaté

Jii gwandak izhii ginjik vat'atr'ijahch'uu zhit yinohtan jı', diits'at ginohkhii.
Dinjii Zhu' Ginjik

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqłuta.
Inuvialuktun

Ć'đĸ ħħ'ḅΔ' ΛϻLJΔϻ' Δḅ'Ĥĸ'ḅ'ϻL'ĤĤ'ḅ', Δ'ē'Ĥ'ḅ' Δ'ḅ'ĸ'ḅ'ē'ĤĤ'ḅ'.
Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.
Inuinnaqtun

kīspin ki nitawihtīn ē nīhīyawihk ōma ācimōwin, tipwāsīnān.
nēhīyawēwin

Tłjchq yatı k'èè. Dı wegodı newq dè, gots'ó gonede.
Tłjchq

Indigenous Languages
request_indigenous_languages@gov.nt.ca

Executive Summary

The Government of the Northwest Territories (GNWT) is committed to supporting safe residents and communities, a key priority of the 20th Legislative Assembly. The GNWT committed to introducing legislation regarding trespass to property as the first part of a public safety legislation package, which will also include civil forfeiture and Safer Communities and Neighbourhoods legislation. This legislation will create an offence of trespass, provide appropriate penalties for violations, set out forms of notice and arrest provisions, and detail a simple method for victims to obtain pecuniary damages in certain circumstances.

On September 24, 2025, the GNWT's Department of Justice launched a public engagement to collect feedback to inform the development of trespass legislation for the Northwest Territories (NWT). This engagement consisted of an online survey, with sections for participants to provide written feedback. The survey was anonymous and designed to be completed in 5-10 minutes.

The engagement ended on October 8, 2025, with 698 contributions. The overwhelming majority expressed support for the legislation and its key provisions. Most believed that trespassing was a problem in their community and that property owners needed more tools to deal with trespassers. Large majorities also agreed with both punitive and restorative aspects of the legislation, including that jail should be an option for trespassers and that the legislation should create a simplified process for restitution. Nearly three quarters of respondents, and 82% of those expressing an opinion, believed that property owners and lawful occupiers should have the right to arrest trespassers.

Background

The NWT has the highest rate of property crime violations in Canada. The rate of property crime violations has increased 30% in the decade from 2014 to 2024. Many residents have expressed increasing concerns about crime and public safety and have asked for new ways to address crime rates in their neighbourhoods. Trespassing is a significant concern for many property owners and lawful occupiers in the NWT.

Trespassing is regulated by a mix of federal and provincial legislation and through the common law through the tort of trespass to land. However, while all Canadian provinces have provincial legislation governing trespass to private property generally, none of the three territories do. There is no legislation in the NWT that governs trespass to private property, leaving a critical gap between the limited *Criminal Code* provision and the common law.



Trespass Legislation Across Canada

Trespass legislation governing private property is in place in every province in Canada. While some limited enactments exist in the territories, none have legislation governing trespass on private property. While there are many commonalities on trespass legislation throughout Canada, specifics can vary between jurisdictions.

Public and Stakeholder Engagement

The development of trespass legislation for the NWT has been based on findings from a comparative analysis of legislation related to trespass across Canada, feedback from NWT residents, careful consideration of Indigenous and Treaty rights, and the unique needs and context of the North.

The [engagement paper and survey](#) provided an opportunity for all residents of the NWT to share feedback to assist the GNWT Department of Justice with developing trespass legislation. The online survey was anonymous and took approximately 5-10 minutes to complete and remained open from September 24 to October 8, 2025.

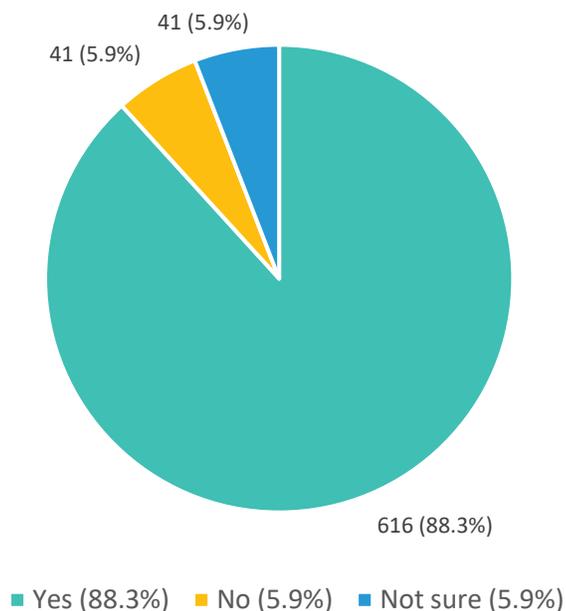
What We Heard

The online survey received 698 responses, 694 of which were in English and 4 of which were in French. Residents could not skip questions, but providing comments was optional. For additional context regarding the questions asked below, please see the [GNWT's public engagement page on the Trespass to Property Act](#).

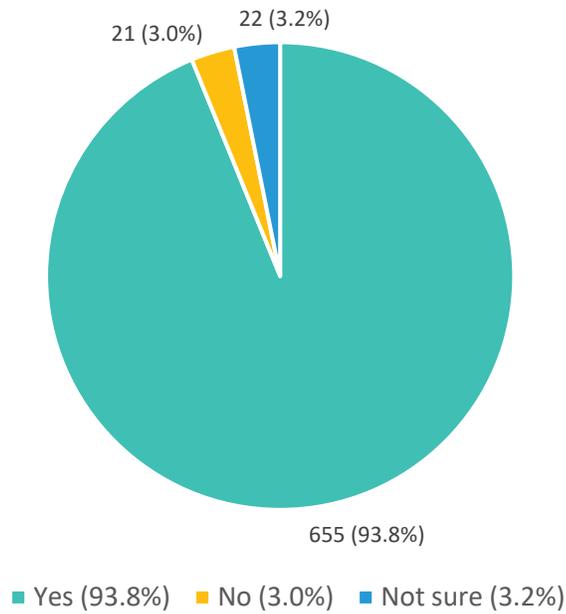
Question: Are you an NWT resident?

● Yes (95.4%) ● No (2.3%) ● Not sure (2.3%)

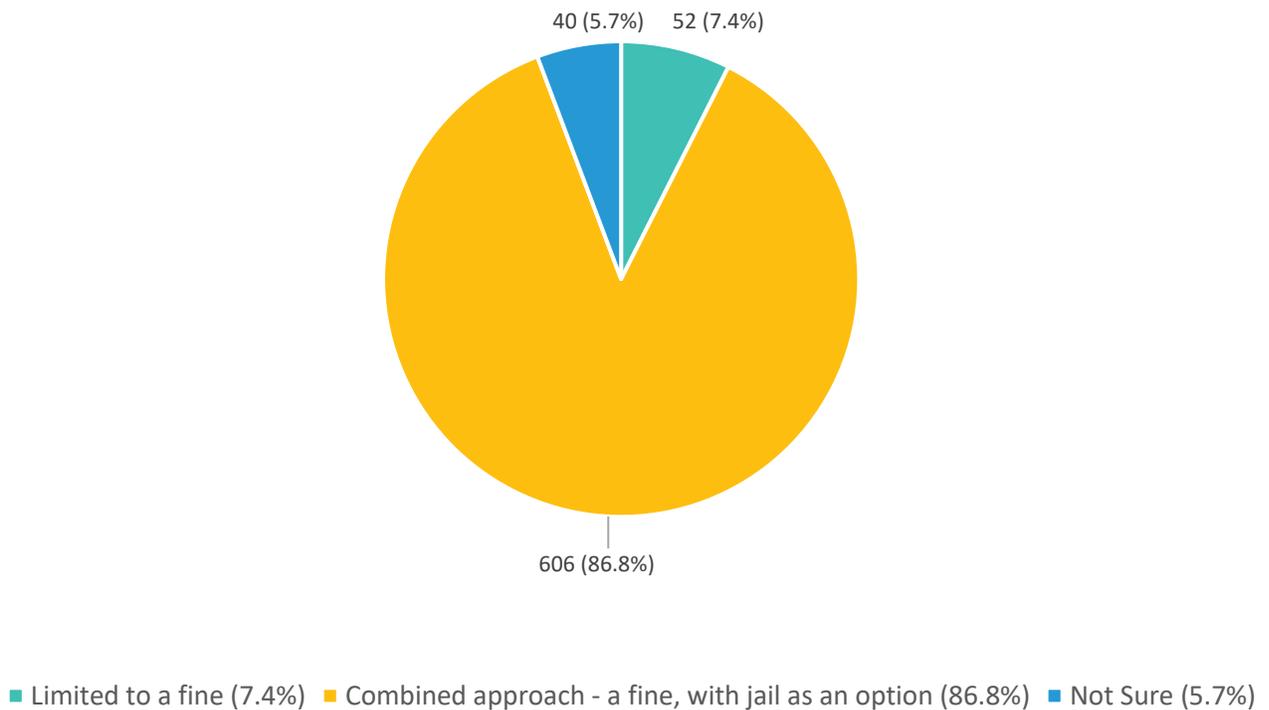
Question: Do you consider trespassing on private property to be a problem in your community?



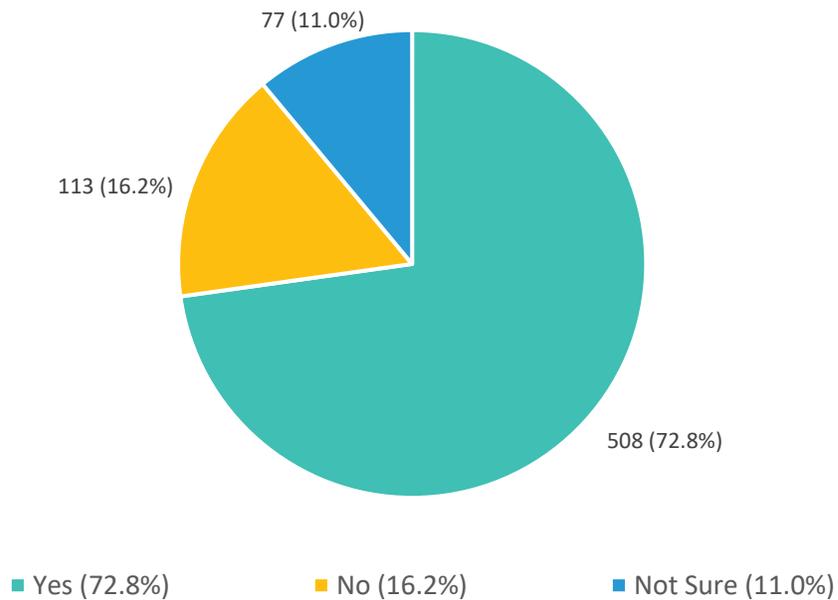
Question: The Northwest Territories currently has no trespassing legislation, meaning property owners have limited tools to remove people who are on their property without their permission. Do you believe property owners and other lawful occupiers (such as someone legally renting a property) need more tools to be able to remove trespassers?



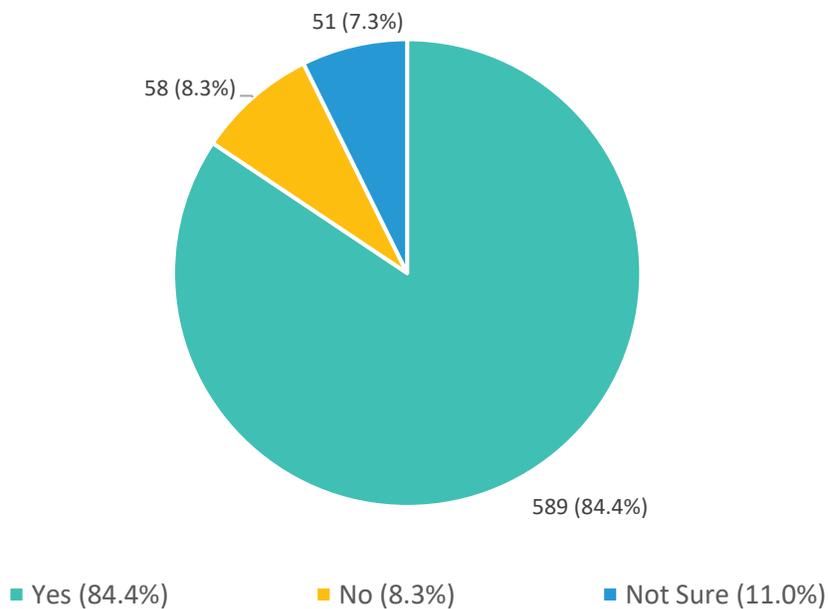
Question: Which penalties do you believe are an appropriate response for trespassing?



Question: Would you support giving property owners and other lawful occupiers the right to arrest a person trespassing on the premises?

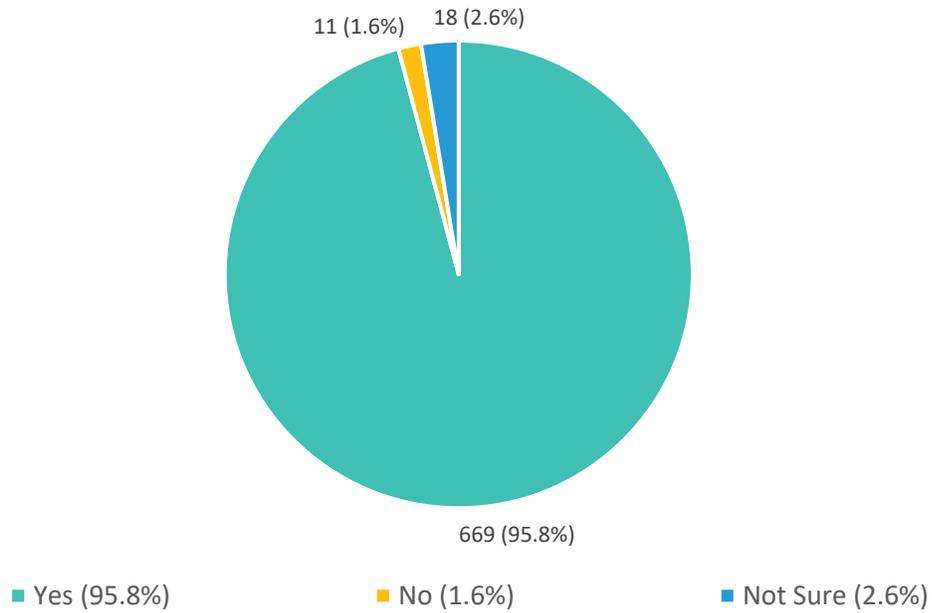


Question: Do you believe it should be an offence for trespassers not to provide their correct name and address upon demand?

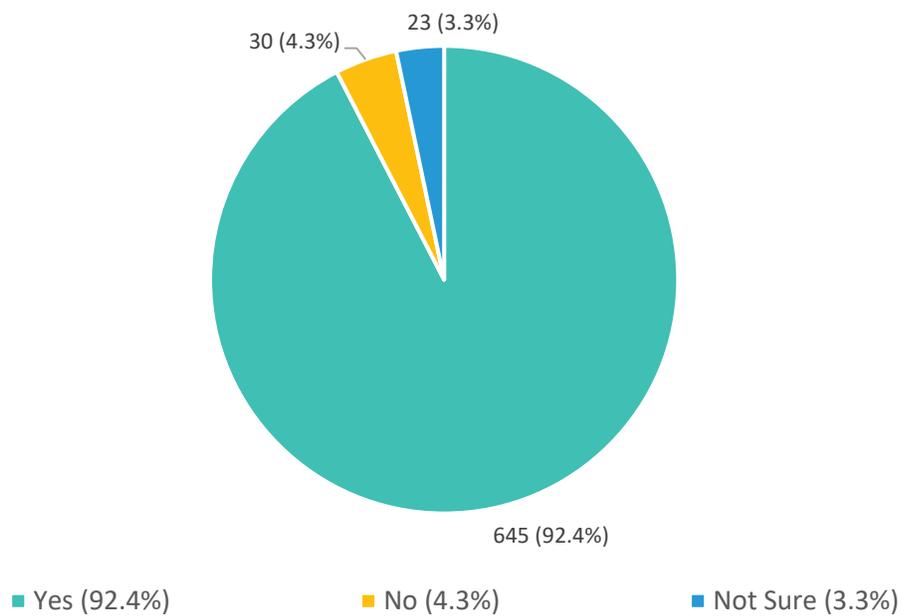


Question: Most provinces allow for compensation to be ordered for loss or damage to property caused by a trespasser. Should the Act provide an owner or lawful occupier with a simplified process for obtaining restitution for

loss or damage to property when there is a contravention of the Act?



Question: Should it be an offence to deface, alter, or remove signs posted by a lawful occupier that indicate entry to a premises is prohibited?



Residents were able to provide additional comments. While this is not all the written feedback received, some

recurring or notable comments covered the following:

- Most were strongly in favour of trespass legislation and spoke to its necessity. Of those who expressed concern over the legislation, most expressed concern that it may not go far enough.
- Many wanted the legislation brought forward quickly.
- Many individuals expressed a general concern regarding crime and criminality in the Northwest Territories.
- Many comments were in favour of stricter sentencing.
- The majority of those expressing an opinion desired the ability to remove trespassers with reasonable force. Many expressing comments in this area also expressed a desire to clarify or expand some form of self-defence rights beyond arrest or removal provisions.
- Some expressed concern over Indigenous land rights and discrimination protections.
- Some were concerned about perceived negative consequences for people experiencing homelessness.
- Many of those expressing potential concerns over individual elements of legislation were still in favour of trespass legislation.
- Many individuals expressed additional general desire for public safety legislation on the federal and territorial levels.
- Some individuals expressed a potential concern over whether the legislation would be fully enforced.

Conclusion

This What We Heard report provides a high-level summary of the input received from NWT residents throughout the public engagement period. It has been compiled to provide an understanding of the areas of interest and concern raised by Northerners regarding trespass legislation.

Moving Forward

The GNWT introduced Bill 34, *Trespass to Property Act*, in the Legislative Assembly in Fall 2025. The results of this public engagement helped to inform the development of trespass legislation in the NWT, where appropriate. At the time this report was finalized, the Bill had received a clause-by-clause review by the Standing Committee on Social Development. The Committee brought forward a number of motions to amend the Bill, which the Minister of Justice concurred with. If the Bill is passed by the Legislative Assembly and receives assent, implementation will require the GNWT to work on necessary regulations before the legislation will come into force in 2026.