



FEB 21 2019

MR. R.J. SIMPSON
MLA, HAY RIVER NORTH

Oral Question 564-18(3): Expanding Legal Aid Outreach

On February 13, 2019, you asked a question in the Legislative Assembly regarding the possibility of expanding the Legal Aid outreach services in the South Slave.

In 2014, the then Legal Services Board examined the feasibility of establishing a Legal Aid Clinic in Hay River, as it was recognized that this could benefit both that community and the South Slave region. However, resident lawyers at that time voiced their concern that the establishment of such a clinic could potentially undermine the bar in Hay River.

Establishing a new Legal Aid Clinic would require the hiring of a staff lawyer and administrative support in Hay River, but would not avoid the necessity of retaining the services of panel lawyers or sending staff lawyers to support “south of the lake” court circuits. It was noted during the Board review that resident lawyers who may have been willing to serve on a criminal or family law legal aid panel would often be faced with conflicts and would therefore not be available to serve as counsel on each circuit matter. As a result, the review determined that the establishment of a Legal Aid Clinic in Hay River would likely still require the attendance of a Yellowknife based lawyer for most circuits, negating the savings that could have resulted from having Hay River based staff legal counsel.

I am aware that the demand for Outreach services has historically exceeded what is available. There has been a large growth in the number of unrepresented clients in the civil and family justice system. This trend puts pressure on the judiciary, court staff, our partners in the justice system, and most profoundly, on self-represented litigants themselves.

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As you will recall, in March 2017, the Legal Aid Commission formally expanded the Outreach program by enhancing operating hours for the “walk-in” clinic, increasing community visits for the Outreach lawyer, and adding family law duty counsel services. Feedback on the expansion of the program, and the introduction of the family law duty counsel service, continues to be very positive. The Outreach Legal Aid Clinic is designed to efficiently meet the high demand with a combination of clinics, office hours, duty counsel services and community visits.

In 2018-19 community visits have been made to, or are planned for, Dettah, Ndilo, Hay River, Fort Providence, Kakisa, Fort Liard, Fort Simpson, Jean Marie River, Inuvik and communities in the Sahtu Region. I would also note that the Outreach Clinic does not close during community visits, but is ably served by the Outreach Court Worker.

As I had mentioned in the House, the demands for Legal Aid Outreach services may be an issue that could be considered in the preparation for the transition to the 19th Legislative Assembly, and in future business planning processes.

In the interim, I can assure you that the Legal Aid Commission recognizes the need for specialized legal assistance to address problems experienced by those of limited means and will continue to explore opportunities for expanding the delivery of its Outreach services in a manner that will maximize responsiveness and efficiency.

If you require further information, please contact my office.



Louis Sebert
Minister of Justice

- c. Mr. Tim Mercer, Clerk of the Legislative Assembly
- Mr. Martin Goldney, Deputy Minister, Justice
- Mr. David Hastings, Legislative Coordinator