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**Law Library**

**Committee of the Whole—2016-2017 Operating Budget Review**

**Dept. of Justice—June 17, 2016**

**MR. O'REILLY:** Thanks, Mr. Chair. Can the Minister or his staff describe the six positions that are being cut here? Talk a little bit about what those positions are and whether they're vacant or not? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. O'Reilly. Minister.

**HON. LOUIS SEBERT:** Yes, Mr. Chair. The reductions are the court librarian position in Yellowknife, court officer in Inuvik, and--I'm sorry, four court positions in Inuvik, and manager of court registry also in Inuvik. I understand that the manager's position in Inuvik has been vacant as well as two of the court officer positions have been vacant for some period of time.

**MR. O'REILLY:** Thanks, Mr. Chair. I don't have any further questions on this page.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. O'Reilly, and just a reminder to let our audio techs know when you are done speaking so they can switch over the mikes and we can proceed in a timely fashion. No further comments or questions on page 272. We'll turn to page 271 court services, operations expenditure summary. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I believe this is the page where the court library for the Northwest Territories has been cut, including the staff person there. I wanted to start by asking the Minister how the cut of the court library meets the mandate of the 18<sup>th</sup> Assembly, especially in this regard. So mandate reads, or item 4.4.3 reads, "we will seek to improve access to justice in the Northwest Territories by expanding legal outreach programs and expanding public education on programs and services." I'm wondering if the Minister or his staff can explain how cutting the court library helps us achieve that part of our mandate. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. O'Reilly. Minister Sebert.

**HON. LOUIS SEBERT:** Mr. Chair, legal aid has expanded its operations in the area of outreach. There is now an individual that goes out to many of the smaller communities dealing with sometimes issues that cannot be dealt with, either by private lawyers or by the legal aid clinic lawyers, so there is an effort from legal aid to have actual individuals go out and help people, particularly in the smaller communities where access to justice is a large problem, there being no resident lawyers in most of those communities.

With respect to the issue of the library, as I have mentioned earlier, the expense of continuing the library in view of the use was simply thought that this was not a good use of our resources. Some history on this is that originally, the library was set up in 1978, and there were libraries in many of the communities. The legal profession was far different in those days. There were no online services to be utilized.

As time went on, that changed in the early 1990s. The satellite libraries were closed down in Inuvik, Hay River, and Fort Smith. Not too much time after that, the library in the courthouse in Yellowknife was reduced in size to about a third of its former size. Most lawyers now use online services, and in fact, if

you go to a lawyer's office now, large firm or small, you tend not to see a library that was once seen to be a great asset in a law firm.

The outreach from legal aid has been increased, and the use of the library, the traditional resource of lawyers has fallen precipitously over the last ten or 15 years. So therefore, to be most effective in having legal outreach, we think we should concentrate our assets in such areas of having more legal aid outreach and reduce costs in other areas, specifically the library. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Minister. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I appreciate the long explanation from the Minister. Probably don't agree with it, but I'd like to ask the Minister, he said in the House yesterday that cutting the court library would save \$467,000. When we were looking at this in the business plan, I understood the only cost savings would be from cutting the staff position that's associated with the library. Can the Minister tell us how this figure of \$467,000 was calculated?

**HON. LOUIS SEBERT:** Yes, Mr. Chair. The figure I gave was the figure, and referred to by Mr. O'Reilly was the cost of the library. Costs are made up not only of the librarian's salary, but publications, particularly ongoing subscription publications are incredibly expensive. Much of this information could be obtained online. So the cost savings will be twofold. The reduction in the position, but also, the cost, the very, very high cost of keeping up subscriptions.

**MR. O'REILLY:** I understood, though, that there was an internal restatement within the department where a number of costs that were associated with a library have now been apportioned to the court registries. Can the Minister or his staff confirm that? I think the figure was about \$220,000. Can the Minister or his staff confirm that, please?

**HON. LOUIS SEBERT:** Mr. Chair, I'm certainly not aware of that. I do know that the costs of the library have been exceeding the budget costs by approximately that same amount, but I'm not aware of anything to do with the registries tying into the library.

**MR. O'REILLY:** I guess what I'm trying to figure out here is the costs that have been quoted by the Minister in the House yesterday, \$467,000. We've got a part of a staff person or staff PY. I understood that that would save us about \$50,000, that the \$417,000, that's really just publications, or does it actually include the costs that we would pay to rent that space within the building?

**HON. LOUIS SEBERT:** Mr. Chair, the \$50,000 was going to be the money we would save immediately or this year, but perhaps Schofield can assist. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Minister. Ms. Schofield.

**MS. SCHOFIELD:** Thank you, Mr. Chair. The departmental budget for the library is \$223,000 annually. The amount that was given on the \$467,000 is the actual expenditures for the library program, for 2015-16, so it's actually overspending its appropriation by \$244,000.

When the Minister is indicating that the government would save, it would save the entire amount of what is actually being spent. The \$50,000 that's in the budget this year is just what would be saved this year. In June, there's publications that are currently being purchased up until now. There is costs related to the GNWT staff retention policy, so the \$50,000 is what would be saved in the appropriation for 2016-17. The entire savings on the budget side would be \$223,000. However, the total savings would be \$467,000, as we would no longer be overexpending the appropriation. Thank you, Mr. Chair

**CHAIRPERSON (Mr. Simpson):** Thank you, Ms. Schofield. Mr. O'Reilly.

**MR. O'REILLY:** Thanks Mr. Chair. That's helpful information to have. Anything above \$50,000 that we're going to save with the staff person is being spent on publications? I'm trying to find out, I want to get a specific breakdown of this \$467,000, and I don't seem to be getting it from the department.

**HON. LOUIS SEBERT:** Yes, Mr. Chair. Perhaps Ms. Schofield can assist.

**MS. SCHOFIELD:** Thank you, Mr. Chair. Of the appropriation for the library, the \$223,000, it's roughly, I don't have the exact amount with me, about \$100,000 for the salary and benefits of the librarian.

With the savings for 2016-17 in the total library would only be \$50,000 because there are expenditures that are happening in this fiscal year, and the total savings would not be achieved until the 2017-18 fiscal year. The remaining amount of that \$223,000 is budgeted for materials and supplies which goes to the purchase of subscriptions, the purchase of additional volumes of books that go into the library, those type of items. Thank you, Mr. Chair.

**MR. O'REILLY:** That's helpful in understanding this. Is any portion of the \$467,000 that the Minister has stated in this House, is any of that related to cost of this space rental?

**MS. SCHOFIELD:** No. No portion of that is related to the lease for the space...

... **MR. O'REILLY:** Thanks, Mr. Chair. I guess I just want to start with I'm glad we're talking about the cost of justice here and increasing access to justice. What role does the Minister see the court library playing in public education? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. O'Reilly. Minister.

**HON. LOUIS SEBERT:** Mr. Chair, in view of the very little usage by the general public, it seems that the public isn't that interested in using this resource either. To be fair also, that unlike other libraries that resource is only open for a fairly limited time, but even during the hours of operation, I think only about one per cent of the people using it were members of the general public. So as I say, these types of resources, legal research can be done online cheaply and often at no cost. So that's how envision legal education in the future. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Minister. Mr. O'Reilly.

**MR. TESTART:** Thanks, Mr. Chair. I think I'm going to disagree with the Minister on that, but I wanted to move towards talking about how the department consulted with some of those user groups of the library. In fact, some of those user groups actually contributed towards the cost of the library over a number of years. As I understand the law society contributed \$28,000 in 2014-15, 2015-16 it was about \$20,000. The Law Foundation contributed \$50,000 in 2014-15, 2015-16 the same amount. Can the Minister tell me what consultation was done with the Law Society of the NWT before this decision was taken as they're putting money on the table or they were putting money on the table as part of this? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. O'Reilly. Minister.

**HON. LOUIS SEBERT:** Mr. Chair, the Law Society of the Northwest Territories and the NWT Law Foundation over the years have contributed towards the financial contribution of the operation of the library. The total amount contributed, however, has fallen. In 2007-08 it was around \$120,000 and it's fallen currently to about \$50,000. So it would appear that the contributions have fallen even while our costs have risen. So as a percentage of the costs, and I don't have the figures in front of me, obviously the contributions have fallen to be about 11 per cent from probably a much higher percentage in 2007-08. Although there has been a contribution by the Law Society and NWT Law Foundation, those

contributions have fallen. This issue came up approximately 10 years ago when the library was reduced. There was some opposition to that reduction. Somewhat informally, I did speak to many of my fellow practitioners and most of them, particularly the younger ones, hardly knew where the library was. When the budget came out, a letter was sent to the law society. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Minister. Mr. O'Reilly.

**MR. O'REILLY:** Mr. Chair, I'm glad to hear that a letter was sent to the Law Society when the Main Estimates were tabled. Was there any advance consultation with the Law Society as one of the funding partners for the library? Thanks, Mr. Chair. Oh, and if so, what was that? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. O'Reilly. Minister.

**HON. LOUIS SEBERT:** Mr. Chair, due to the nature of the budgetary process, I didn't feel as if I could go to them in advance, because that would be an indication of what we were doing in our budget. As I say, somewhat informally over the years I have spoken to other lawyers. I was the treasurer of the Law Society for a couple of years, and in that period of time I could see that we started reducing our contribution to the library. So I couldn't really, in detail, speak to the Law Society about this proposed change in advance of the budget coming out. Thank you, Mr. Chair.