



1. Statement of Policy

The Government of the Northwest Territories will establish a department called the Department of Justice, under the direction of a Minister.

Mandate

The Minister and the Department of Justice have the mandate for the administration of justice in the Northwest Territories, including policing and corrections. This mandate will be carried out in a manner which respects community and aboriginal values and encourages communities to assume increasing responsibilities.

2. Principles

In directing the Department of Justice to carry out its mandate, the Minister will adhere to the following principles:

- (1) The affairs of the Government of the Northwest Territories are to be conducted in accordance with law.
- (2) All litigation matters for or against the Government of the Northwest Territories shall be in the control of the Department of Justice.
- (3) All public bills are to be drafted in accordance with the Constitution of Canada, the *Northwest Territories Act*, and the principles of legal drafting recognized in Canada.
- (4) An effective justice system is one that is sanctioned by the communities it serves.
- (5) Community involvement can lead to the development of a justice system which is accepted by the communities it serves and which meets the needs and aspirations of the communities it serves.

3. Scope

This Policy applies to all employees of the Government of the Northwest Territories.



4. Authority and Accountability

(1) General

This Policy is issued under the authority of the Executive Council. The authority to make exceptions and approve revisions to this Policy rests with the Executive Council. Authority and accountability is further defined as follows:

(a) Minister

The Minister of Justice (the Minister) is accountable to the Executive Council for the implementation of this Policy.

(b) Deputy Minister

The Deputy Minister of Justice (the Deputy Minister) is accountable to the Minister and responsible to the Minister for the administration of this Policy.

(2) Specific

(a) Executive Council

The Executive Council may approve a change to the mandate of the Department of Justice.

(b) Minister

The Minister is:

- (i) responsible for carrying out the mandate of the Department of Justice and shall preside over the operation of the Department; and
- (ii) authorized to carry out the duties described in this Policy in a manner the Minister deems appropriate for the efficient and effective fulfilment of the Department's mandate.



(c) Deputy Minister

The Deputy Minister is:

- (i) responsible for the management of the Department of Justice including the planning, administration and other functions necessary to further the Department's mandate; and
- (ii) accountable to the Minister of Justice for the proper conduct of the business of the Department.

5. Provisions

(1) Mandate Establishment

Pursuant to the Government Organization Policy, the mandate, including the authority, responsibilities and functions, of the Minister and the Department of Justice is established in this Policy.

(2) Duties of the Minister

The Minister shall develop and carry out programs and services in the Department as may be appropriate to fulfil the mandate of the Minister and Department.

The Minister of Justice shall have charge of and be responsible for:

- (a) Maintaining in the Northwest Territories an accessible court system.
- (b) Encouraging communities to increase their involvement in justice administration at the community level.
- (c) Maintaining, in a manner that protects the public, effective control of youth and adult offenders by a variety of means, using the least restrictive measures possible, including a full range of temporary absence measures.



- (d) Promoting community involvement in the rehabilitation of youth and adult offenders.
- (e) Registering in a systematic fashion documents relating to land titles, companies, and securities.
- (f) Promoting access to legal services for all persons in the Northwest Territories.
- (g) Ensuring that the people of the Northwest Territories are protected through adequate police services.
- (h) Administering a coroner's program.
- (i) Providing legal services, including advice, opinions, and preparation of documents, to the Executive Council and to all Government departments, boards and agencies, and conducting litigation by and on behalf of the Government of the Northwest Territories, its departments, boards and agencies.
- (j) Administering the estates of children, dependent adults, and persons who die intestate.
- (k) Preparing all government bills and regulations, and statutory instruments and appointments, and revising and consolidating statutes.
- (l) Representing the Government of the Northwest Territories in national constitutional ministerial meetings and conferences and matters of law relating to any of the issues brought to the Executive Council or its committees.
- (m) Providing a mechanism for the settlement of disputes between landlords and tenants.
- (n) Representing the Executive Council in territorial, provincial, national and international matters related to human rights.
- (o) Providing financial and administrative support to other government agencies or secretariats when required.



(3) Administration

The Department of Justice shall be administered in such a manner as to ensure that government requirements and the requirements as expressed in acts, agreements, regulations, policies and directives are satisfied.

5. Prerogative of the Executive Council

Nothing in this Policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or take action respecting the Department of Justice outside the provisions of this Policy, not inconsistent with the due administration of justice.

Premier and Chairman of the
Executive Council