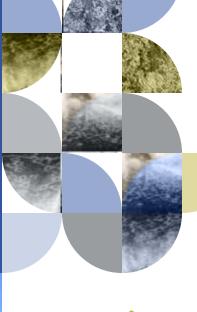
# The Polar Barristers





# Interview with John MacLean President of the Law Society of Nunavut

## **WORKING IN THE NORTH**

In August 2010, John MacLean boarded a plane leaving behind the hot and muggy city of Toronto for adventure in Canada's North. Originally from Nova Scotia and a graduate of the University of New Brunswick's Faculty of Law, John found his way to Nunavut and the career opportunity of a lifetime.

Towards the end of his articles John applied for a position with the Government of Nunavut's (GN) Department of Justice. "They listed all the areas that I thought I would be interested in learning about, so I sent off an application. A couple of months later I was invited to interview for the position and then offered the job. I had never been to Nunavut and was excited to move up."

Eleven years later John continues to call Iqaluit home and still works for the Government of Nunavut's Department of Justice Legal and Constitutional Law Division as legal counsel.



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The department serves as the in-house law firm for the GN providing legal advice and counsel to all ten GN departments.

In his role, John primarily advises on corporate and commercial matters and infrastructure projects, but as with everyone in his office, he's a generalist. One of the great things about being a lawyer with the Department of Justice is that they do a little bit of everything. As individuals, they are curious by nature and have to be good communicators.

"After 11 years, I'm still having fun. I really like the team at the Department of Justice – they are great to work with. The work itself is very interesting. I enjoy coming to work and I truly enjoy doing what I do."

No doubt there are challenges to living and working in the north. For John, much of his focus has been on corporate and commercial work, providing advice on contracts and procurement. "If it involves a big-ticket contract, I've probably been involved," says John. "You actually get to see the fruits of your labour." He references the contract awarded to Tower Arctic Ltd. in 2018 to construct a small-craft harbour at Pond Inlet, and a deep-sea port and small-craft harbour in Iqaluit. "You really get to be part of what is happening in Nunavut".

It is not only about dealing with the contracts that appeals to John but working with the people. "At any given time, you are also dealing with multiple parties," says John. "You get to handle really big things, such as the recent airline contract with the GN." It is no secret that living in Nunavut can be very costly – consider the cost of flights in and out of the territory as well as between communities. John was part of the team tasked to bring down the cost of airfare for the GN as well as for all Nunavummiut. This was no easy feat and took three years to finally land on the contract for medivac and duty travel for the GN and more affordable flights for Nunavummiut. "This contract had a very interesting process. Right in the middle of it, First Air and Canadian North merged causing extra challenges.



Then, towards the tail end of the negotiations, the pandemic hit so naturally that prompted additional negotiations. Regardless, in the end we ran an open, fair, and transparent procurement process that delivered what we'd been asked to do."

"Working as a lawyer for the GN is great exercise for the brain," says John. "Don't say "what is the worse case scenario" to anyone in the GN because they often have to deal with that as their reality." Look to the ongoing pandemic where there are numerous examples that support this. John has provided legal advice related to the public health orders for the Chief Public Health Officer. "I have been exposed to so much as a result of the pandemic." Says John. "Each once of us (the lawyers) has been able to do something that we have never done before - and may never have had the opportunity if we lived and worked somewhere else."

The exposure to the diversity of challenges is evident when he networks at conferences. In talking to the other lawyers, they are amazed at the type of work and the volume of work that comes from working in Nunavut. Other governments might have more lawyers working in their departments, but they focus on a smaller scope of work, and often a lighter workload. John often finds himself walking away from these conversations with an immense sense of pride and accomplishment in his work as a lawyer with the GN and being part of building Nunavut. "I love doing what I do. I love living and working here in Nunavut. This is my home and I am proud to be able to play an active part in my community, both professionally and personally".



# THE NUNAVUT LAW PROGRAM

The Government of Nunavut's Department of Justice was a sponsoring agency of the program and many GN lawyers were also involved in the program providing lectures and support to the students. Never has there been this many law students at the one time in Nunavut looking to article. There are about six recent graduates from the Nunavut Law Program going trough their orientation with the GN. They will spend the next year articling with the Department of Justice. "It will be great to spend the next year working with this next generation of lawyers - I am really looking forward to it. This is a great thing for Nunavut and hopefully they will all continue to work in the territory once they have completed their articling and write their bar exam,' says John.

"Working for the GN will be a great boot camp. These new graduates will find themselves in a room of smart people who genuinely care about them and their success. No doubt there will be an endless supply of work and opportunity for them. They are going to see, and be part of, so many issues," says John. "They will get a board sense of how to service the GN and how to be a good public sector lawyer." John sees the benefit of those who have trained in Nunavut as well as are working in Nunavut.

# OUTGOING PRESIDENT OF THE LAW SOCIETY OF NUNAVUT

John's tenure as President of the Law Society of Nunavut concludes with this year's Annual General Meeting June 24th. John has also been on the Executive for the last four years and while he will be taking a break from leadership roles for the next year, he will continue to volunteer with the Law Society on projects.

When asked about the Law Society's achievements over the past two years, John points to the comprehensive review of the articling program. One of the recommendations already implemented is moving the application online - a first ever. By moving the applications online, it eliminates a lot of paperwork. Another recommendation that is being implemented is articling must now be paid for time and not done for free. As a Society, they said that no articling plan can include articling for free. "It is important that lawyers coming out of school are paid for their work. It is not cheap to live in Nunavut and they should be treated and paid as professionals." The next step is an overhaul of the bar admission exam. A group of volunteers reviewed the current exam format and made a number of recommendations. The Law Society is working towards implementing these changes for 2022 - just in time for the Nunavut Law Program graduates to complete their articles. John's thoughts on his time as President, "My tenure as President over the last two years has been

focused on governance, and much of this work is complete. We have updated policies and procedures. including our investments policy. We've amended the rules to allow for all-electronic elections and special meetings. Following our comprehensive review of the articling and admissions process, we have amended our policies and procedures to better suit the needs of licensing applicants. The new website is up and running with online applications and renewals. The next step - and it's a big one will be a new Legal Profession Act."

# DIRECTOR OF THE NUNAVUT LAWYER ASSISTANCE PROGRAM

John is also passionate about mental health and well-being of lawyers and other members of the legal community. "There is a mental health crisis in this country," says John. "There was an acute mental health crisis in the legal profession before the pandemic, and the crisis and has only been made worse by it. For many lawyers, it has meant a tonne of extra hours of work. It has meant delayed vacations and delays to circuit court. Like so many, it also

means working from home while also caring for your kids who are expected to be home schooled or having to deal with lack of space to work. It hasn't been easy."

There are mental health services in Nunavut, but nothing near what is needed. In an effort to do what he can to help, John also serves as the Director of the Nunavut Lawyer Assistance Program ("NuLAP"). This program provides professional counselling and peer support services to lawyers, articling students, law students, and their immediate families through a partnership with the Alberta Lawyers Assistance Society. Services are completely confidential and are not connected to the Law Society of Nunavut or the Canadian Bar Association.

John is focused on finding ways to provide more support to his fellow lawyers in Nunavut and is currently working on bringing a workshop on resilience and compassion fatigue to Iqaluit. Unfortunately, due to COVID restrictions, this has been put on hold. Watch your emails and the Law Society website for a future date.



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### **ACCESS TO JUSTICE FOR NUNAVUMMIUT**

The Law Society of Nunavut has a mandate to protect the public, and as President, John fully supports the projects and public legal education and information tools that are created for Nunavummiut. He is very attuned to what Nunavummiut need and was happy to support both the Access to Justice for Family Violence Prevention and Prevention of Harassment in the Workplace initiatives. "If not us, then who?" says John. "We need to provide Nunavummiut access to legal knowledge and additional support. I was very pleased to see the Access to Justice for Family Violence Prevents come to fruition – it was a lot of work with a very positive outcome. I also look forward to seeing the Prevention of Harassment project unfold over the next three years."

For John, it is important to be responsive to the people you service and provide them access to tools to help them. In other provinces this is done through provincial Public Legal Education Societies. Unfortunately, there is no such society in Nunavut. Knowing someone needs to provide that service, he joined the Law Society of Nunavut to help provide access to legal education. John is just one of a core group of dedicated volunteers from across the territory helping to bridge that gap.

### LIFE IN THE NORTH

John considers himself lucky to be able to do the kind of work that he likes, with people he likes and feels challenged every day. "I truly like it here. You can't help fall in love with the place. Go over to Sylvia Grinnell Territorial Park and sit on the park bench on the top of the hill, look at the falls and then over the tundra. Where else can you see such beauty in nature?"

"It is not long before you are involved in something in Nunavut,' says John. "It might be outside of the law, but you soon get involved in the community. As a lawyer, it is very important that you interact with those in the community." For John, he wasn't in Nunavut six weeks before he was involved with the Canadian Bar Association Nunavut Branch.

John is proud to be part of the Department of Justice and of his four years as part of the Law Society of Nunavut. He is also happy to be part of Iqaluit. "I am really glad that I came. I can point to things I have worked on – systems in the government that I have put together." It has been a labour of love, one he plans on committing to for many years to come.



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Please note that the Law Society of Nunavut is the governing body of the legal profession in Nunavut and does not provide legal services or advice to the public.





