

The Polar Barristers



Interview with Sarah Arngna'naaq Chair of the Nunavut Law Foundation

It could be argued that Sarah Arngna'naaq's journey to Chair of the Nunavut Law Foundation may have started 13 years ago in Ghana, West Africa – a long way from the Canadian Arctic.

Originally from Baker Lake, Nunavut, Sarah's formative years were split between there, Yellowknife, NWT and Kingston, ON. "My father was an MLA for the Northwest Territories when I was younger. He spent a lot of time in Yellowknife and my mother said 'well if he's going to spend most of his time there, that's where we're going.' So we moved." says Sarah.

After graduating high school in Kingston, Sarah attended Trent University where she received a joint honours bachelor degree in Business Administration and International Development Studies. While she wasn't exactly sure what career path she wanted to pursue, she knew she wanted to help people and a degree in business and international development seemed





like a good start. More so, Sarah wanted to go abroad and work internationally, and the International Development Studies program offered an exchange program for students. Before she graduated from University, Sarah found herself boarding a plane for an exchange program to Ghana, West Africa.

"It was a great experience, but while there I realized there are many parallels between developing countries and the ex-colonial history with indigenous people in Canada," says Sarah.

"In the end I realized I didn't need to go so far to do what I wanted to do. I wanted to help people and I could do that back home," says Sarah. Acknowledging that her undergrad didn't necessarily give her a specific skill set, Sarah knew she needed to return to university. The questions were then 'what could she do? What skill set did she need to develop?'

After her return to Canada, Sarah turned her focus to law. Specifically, the practice of law in the North. After her experience in Ghana, she knew the right choice for her was to work among Indigenous people. Initially she wanted to do international human rights law, but she quickly realized that it was not the right path for her, and she eliminated that as a viable option.

Following her undergraduate degree, she enrolled in law school at the University of Victoria and graduated in 2012. In 2013, she was called to the bar.

After co-op job placements during law school at the public prosecutor's office in Yellowknife, the Government of Nunavut's Department of Justice and in New Zealand, Sarah discovered she was drawn to criminal law and the role of prosecutor in particular.

"We need good people working on both sides, for both prosecution and defence. I personally find prosecution a better fit for me."

After living in Victoria for three years for law school, Sarah came to miss the snow and realized that she wanted to be back up North.

“In the end I realized I didn't need to go so far to do what I wanted to do. I wanted to help people and I could do that back home.”

"For the time I was there, I was happy living in the south. Living in Ontario and British Columbia, I was able to do and see a lot, and had some great experiences. That said, living in Victoria there is no snow, and I missed it. The North is where I am most comfortable – it is my home."

PROSECUTOR FOR THE KITIKMEOT

Sarah returned to Yellowknife and the North to practice as a criminal lawyer with the Nunavut Court of Justice, working out of the Kitikmeot sub-office. This position primarily called for travel throughout the Kitikmeot region of Nunavut. Her advantage as a criminal lawyer who was born and raised in the North, Sarah is able to empathize with people on a personal level. "I haven't necessarily been in those positions myself," she says, "but it has a personal component for me, so I think that helps. It gives me extra empathy for the individual circumstances."

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Currently, Sarah is on maternity leave enjoying her growing family. When she returns to work, Sarah will be leaving her position as the prosecutor for the Kitikmeot region and transitioning to the NWT prosecution office. "For the last seven years, I have always been traveling. I didn't want to be away from my family that much anymore. I love working in Nunavut, but I also want to be with my family. I am looking forward to the challenge working in the western Arctic with First Nations will bring. Obviously, the court system will be different, and I think it will be an interesting transition for me," says Sarah. "Someday I do hope to work once



again in Nunavut, but for now, I am looking forward to this new challenge and learning."

ROLE MODEL FOR FUTURE INUIT LAWYERS

Sarah is one of a handful of Inuit lawyers. She hopes that by working in Nunavut communities as the prosecutor, younger Inuit will look to her and see the possibility of them having a similar career.

"I have been involved in a number of initiatives over the years to promote the profession with Inuit youth. One time we brought in a high school class to the court room and had everyone explain what they did in the hopes to inspire students. Another community outreach initiative I was part of was in conducting a mock trial. We went and spoke to the students about the process and after we all participated in a community feast," says Sarah. She hopes that Inuit youth can draw inspiration from her and other

Inuit lawyers to motivate them to pursue a career in law.

CHAIR OF THE NUNAVUT LAW FOUNDATION

Sarah was appointed last fall as the Chair of the Nunavut Law Foundation. When asked about holding the position as Chair while living in Yellowknife, she replied there are Board Members from other areas of Canada. Sarah has been on the Board since 2018 and is looking forward to her time as Chair.

When asked what she would like to achieve while Chair of the Foundation, she shared that she would like to make headway in securing additional funding so that they can offer more programs.

"Currently, the Nunavut Law Foundation is quite small. We give out annual awards and offer some financial support to students, like some of the recent Nunavut Law Program graduates. But we are limited in work that we can do because

of our source of income. There are not many lawyers based in Nunavut and most are government workers. There are very few private practitioners. The Foundation's sources of income are the interest from trust accounts from private practitioners and an annual levy collected from practitioners who do not maintain a trust account. There is money sitting in the south where money from Nunavut is collecting interest but that interest isn't making its way back up here. While preliminary discussions have begun, Nunavut hasn't yet engaged in a meaningful conversation with other jurisdictions about interest accrued from trust accounts containing money from Nunavut but maintained in other jurisdictions. That is something I want to pursue," says Sarah. "With more funding, we can fund more programs."

Sarah is picking up this initiative from the previous Chair, but due to the pandemic, the law foundations from across the country haven't been able to meet. This is where Sarah is hoping to make headway in securing additional funding.

NUNAVUT LAW PROGRAM

When asked about the Nunavut Law Program and the recent cohort of graduates, Sarah, like so many, is hopeful that there will be a number of practitioners who are both Inuit and Northerners. "A lot of practitioners come up, get their experience and then go back to the south. While there is nothing wrong with that, often they are out of their element. The culture is different and life is different in the North. The history of Nunavummiut and Inuit in Nunavut is different. They don't teach that in law school in

the south," says Sarah. "Particularly in criminal law it will be helpful to have northern trained lawyers. Many issues in the north are not the same as in the south. I am really looking forward to working with these graduates. They will have the context from living in the North and this will certainly have a positive impact on their northern practices."

"I am actually kind of jealous of their experience, getting a legal education in the North. Their first year of pre law was such a unique experience. They learned about the Nunavut Agreement, how to write formal legal documents, and Inuit culture - they had such a unique experience. If I had known that this program was going to happen, I might have held off on regular law school and applied to this program. They all have amazing potential."

ADVICE TO GRADUATING STUDENTS?

"Stay true to yourself and your culture while developing your practice. You are one of only a few who are well positioned to try and blend the existing legal landscape with Inuit Qaujimagajatuqangit to create something just for Nunavummiut. There is incredible potential for a legal system tailored to Inuit in Nunavut - we just have to realize that potential."

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