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**Nunavut Apighuiyin Maligaliungnikkun**  
**Nunavut Court of Justice**  
**Cour de justice du Nunavut**

Notice to Litigants, Public Prosecution Service of Canada,  
Legal Services Board, Correctional Institutions, Witnesses,  
Jurors, Public, and the Media Regarding Criminal and Civil  
Operations in the Nunavut Court of Justice

**NUNAVUT COURT OF JUSTICE UPDATE**

April 22, 2021

The Nunavut Court of Justice (NCJ) suspended regular operations via an Emergency Closure Order (ECO) on Thursday, April 15, 2021. The suspension resulted from the Chief Public Health Officer's advisement on April 14 that an individual in Iqaluit had tested positive for COVID-19. The ECO lapsed at 9:30 a.m. on Monday, April 19, 2021. The decision to suspend operations was made to immediately protect the health and safety of community members, court users, and staff while the Court awaited further information on the public health crisis.

The week of April 19, 2021 was scheduled in the NCJ as a non-criminal sitting week. The NCJ regularly facilitates remote appearances on the Civil, Public Guardian, and Child Welfare dockets and a determination was made to have the ECO lapse to allow the Court to proceed with these three dockets. All dockets were administered on a remote basis.

Peace bond and Municipal court appearances before Justices of the Peace, respectively scheduled for April 19 and 21, were adjourned for two weeks. Justice of the Peace Docket Court, set for April 22, proceeded remotely via teleconference. Remote bail hearings have continued, daily, uninterrupted.

On Tuesday, April 20, 2021, after significant consultation with Dr. Patterson and counsel for Crown and Defence, the *R v. Hodgson* trial commenced, in-person, in Iqaluit. To adhere to public health safety measures, all public access to the proceedings is being facilitated solely through audio and visual links.

The public health situation remains dire and dynamic in Iqaluit. All Chambers' operational decisions throughout the era of COVID-19 have been made in consultation with the office of the CPHO. This practice will continue.

Recognizing the uncertainty of the moment, a decision has been made to re-evaluate the sitting capacity of the NCJ on a regular basis. As such, please be advised of the following updates relating to NCJ sittings:

**A. Week of April 26, 2021**

The week will proceed as scheduled. All appearances will be facilitated remotely through teleconference (or video conference where previously arranged). Physical access to the Court will be restricted to the judiciary, staff, and persons associated with the *R v. Hodgson* trial matter.

**B. Week of May 3, 2021**

All Iqaluit matters will remain scheduled. All appearances in Iqaluit will be facilitated through telephone or video conference until further notice.

Trial matters unable to proceed remotely will be adjourned to a future date. Counsel are encouraged to adjourn trial matters in advance of any scheduled trial date by filing a request for a desk adjournment. Such adjournments will be endorsed on the file as being due to the outbreak of COVID-19 in Iqaluit in April 2021.

Further to a discussion with Crown and Defence, in-person circuit court appearances scheduled for Pangnirtung and Rankin Inlet are cancelled. Chambers, in consultation with counsel and the Criminal Registry, will finalize a process in the coming week to facilitate the remote administration of the scheduled circuits to the extent possible.

**C. Week of May 10, 2021**

All Iqaluit matters will remain scheduled. Again, all appearances will take place remotely.

In-person circuit court appearances scheduled for Kugluktuk and Sanikiluaq will be cancelled. The circuits will be administered remotely from Iqaluit following the procedure contemplated in para (b) above.

**D. Week of May 17, 2021**

All Iqaluit matters will remain scheduled. All appearances to be remote.

In-person circuit court appearances in Kinngait will be cancelled. Procedure agreed upon with counsel for facilitation of docket will be followed.

The jury trial scheduled to take place in Baker Lake has been cancelled. The matter has been set to the May 31, 2021 assignment court docket to set a new trial date.

See para (b) for procedure to be followed for trials needing to be adjourned.

**E. Week of May 24, 2021**

All Iqaluit matters will remain scheduled. The jury trial scheduled for Kugluktuk has been cancelled and set to the May 31, 2021 assignment court docket.

**F. Week of May 31, 2021**

All Iqaluit matters remain scheduled. In-person circuit court appearances scheduled for Whale Cove/Chesterfield Inlet and Igloolik/Sanirajak have been cancelled. The circuits will be administered remotely from Iqaluit following the procedure contemplated in para (b) above.

**G. THANK YOU AND STAY WELL**

The public health situation continues to evolve in Iqaluit. It is impossible to predict what restrictions will be in place, and for how long, as the community navigates the pandemic's first volley into Iqaluit. To ensure that the NCJ facilitates as much access to justice in as safe a manner as possible, it will be vital that open communication with stakeholders continues. With such open communication and understanding of stakeholder limitations, I am confident the judicial system will continue to be able to offer Nunavummiut the adjudicative services it requires.

Mark Mossey  
ELO, on behalf of  
Neil Sharkey, Chief Justice  
Nunavut Court of Justice