

To: LSN Membership
Re: Update on the 2024 LSN TRC Consultation Feedback Report
Date: March 3, 2025

Context

In 2024, the Legal, Ethics and Practice Committee (LEPC) of the Law Society of Nunavut (LSN) invited members of the Nunavut bar to share their thoughts on changes the FLSC (Federation of Law Societies of Canada) proposed to make to their Model Code of Professional Conduct in response to the TRC Calls to reconciliation. The intention was to ensure comprehensive and inclusive consideration of these suggestions in view of the unique existence of Nunavut as a territory with a majority Inuit population.

[Membership Consultation - TRC Call to Action 27](#) (September-November 2024).

Participation in the consultation process

Thank you to those who participated in the consultation. Out of 375 members called to the Nunavut bar (active and inactive), about 15% participated by providing feedback. However, since some participants were also part of the LEPC and the LSN Rules Committee, the effective participation rate was closer to 20%. To gather feedback, we hosted three virtual webinars and three hybrid consultations in Ottawa, Iqaluit, and Yellowknife.

The consultations

During the consultations, members were asked to reflect on:

- Whether the proposed amendments are appropriate.
- Whether the changes are sufficient—especially considering the unique needs of Inuit and Nunavut as a territory, and
- Any additional feedback or suggestions.

Feedback

- A significant question raised by members was what else the plans to do beyond updating the Model Code to address Call to Action 27 from the Truth and Reconciliation Commission (TRC) Report. That Call specifically emphasizes the importance of educating lawyers on Indigenous issues. While updating the Model Code is a step in the right direction, members noted that the FLSC has resources

that smaller jurisdictions like Nunavut simply don't have. Many felt that larger jurisdictions and the FLSC should support continuing legal education (CLE) efforts in smaller regions to advance reconciliation in a meaningful way.

- Several members questioned whether Inuit organizations were consulted by the FLSC when it was drafting these amendments. Specifically, they asked:
 - What was the process for selecting the 20 groups the FLSC consulted?
 - Why weren't Inuit organizations or representatives included?
- Members pointed out that failing to consult Inuit organizations—especially regarding competency amendments—risks repeating colonial patterns. They strongly urged the FLSC to include Inuit voices in the next round of consultations and to explain why certain groups were chosen for consultation.
- Indigenous lawyers who participated in the discussions also raised concerns about the overall tone of the proposed Model Code changes. They felt that the amendments implicitly assume that Indigenous people are a separate or “exotic” group that (presumably non-Indigenous) lawyers interact with. This framing ignores the reality that many Indigenous people are also lawyers. Members suggested revising the Model Code to move away from a settler-centered perspective and make space for Indigenous lawyers within the legal profession.

Recommendations and next steps

As a result of this consultation, in its report the Law Society of Nunavut strongly urged the FLSC to consult with Inuit organizations during the next phase of discussions. Additionally, we recommended that the FLSC clearly outline how they select consultation groups to ensure transparency and inclusivity moving forward.

It is expected that further consultations on these questions will take place once the task falls on Nunavut to update its own Code in response to FLSC Model Code changes.

Questions?

If you have any questions about this, please do reach out to Rebecca Jaremko, LSN Senior Program Manager and Advisor at rmjaremko@lawsociety.nu.ca