



# **Reports of Standing and Special Committees**

**Standing Committee on  
Oversight of Government Operations and Public Accounts**

***Report on the Review of the  
2008-2009 Annual Report of the Languages Commissioner of Nunavut  
and the  
2009-2010 Annual Report of the Languages Commissioner of Nunavut***

**2<sup>nd</sup> Session of the 3<sup>rd</sup> Legislative Assembly  
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Mr. Speaker, I have the honour today of presenting the report of the Standing Committee on Oversight of Government Operations and Public Accounts on its review of the 2008-2009 and 2009-2010 Annual Reports of the Languages Commissioner of Nunavut.

Mr. Speaker, Ms. Alexina Kublu assumed her duties as Languages Commissioner of Nunavut in January of 2009, in the final quarter of the 2008-2009 fiscal year. Her responsibilities as Languages Commissioner are prescribed by two pieces of Nunavut legislation: the *Official Languages Act* and the *Inuit Language Protection Act*, both of which were passed in 2008 by the Second Legislative Assembly of Nunavut.

As you will recall, Mr. Speaker, the Languages Commissioner's 2008-2009 Annual Report was tabled in this House on March 18, 2010. In September of 2010, her 2009-2010 Annual Report was backdoor tabled with the Clerk of the Assembly, pursuant to Rule 44(2) of the *Rules of the Legislative Assembly*, and was formally tabled in this House on October 22, 2010.

The Standing Committee held its hearings on the Languages Commissioner's reports from September 29-30, 2010. The hearings were open to the public and news media to observe and were broadcast on local cable television. Transcripts from the Standing Committee's hearings have been posted to the Legislative Assembly's website in both Inuktitut and English.

Mr. Speaker, this was Ms. Kublu's first appearance before the Standing Committee. Witnesses from her office were also present. The Standing Committee was pleased to have had the opportunity to discuss various issues relating to the Languages Commissioner's mandate and the activities of her office. I would like to take this opportunity to once again thank the Languages Commissioner for appearing before us.

A number of themes and concerns emerged during the Standing Committee's review of the Languages Commissioner's reports.

Mr. Speaker, the Languages Commissioner of Nunavut has three main areas of responsibility: the investigation and resolution of complaints relating to language rights, providing guidance and support to various bodies and institutions, and the administration of her office.

With respect to the investigation and resolution of complaints relating to language rights, the Languages Commissioner's 2008-2009 report indicated that her office had received one formal complaint during the year. The report did not provide any specific details or information on the nature of the complaint nor the means by which it was investigated and resolved.

The Languages Commissioner's 2009-2010 Annual Report indicated that three formal complaints were received during the year. Again, no specific details or information on the nature of the complaints and their resolution were provided.

Both reports indicate that the Office is very busy answering "daily inquiries" as well as addressing requests for information and concerns brought forward by members of the public or by various institutions located in Nunavut and elsewhere. During her appearance, the Languages Commissioner identified a number of issues that had been brought to her attention through conversation, anecdote or within the context of seminars and workshops. She indicated that these also constituted complaints about language rights. However, neither report provides any statistical or analytical information on the types of complaints, concerns or queries handled by her office over the course of the year.

During her appearance, the Languages Commissioner indicated that by including details on complaints, her reports would "become a burdensome and very thick document." Standing Committee Members have noted that other Independent Officers of this Legislative Assembly, as well as in other jurisdictions, are able to successfully provide informative detail on the type and nature of complaints or requests received and addressed by their offices without the reports becoming overly lengthy or revealing confidential information.

Standing Committee Members are of the view that in order to gain a greater appreciation of the workload and focus of resources within the Office of the Languages Commissioner as well as the effectiveness of her role in this regard, it is important that a significantly greater level of detail regarding this element of the Languages Commissioner's responsibilities be included in her annual reports.

**Standing Committee Recommendation #1:**

The Standing Committee recommends that the Languages Commissioner records, measures and analyzes the nature, type and number of complaints, concerns and queries that are identified and handled by her Office on an annual basis and provides a clear and detailed summary of these and any other relevant information in her annual reports.

Mr. Speaker, the Standing Committee recognizes that the Office of the Languages Commissioner has put a great deal of effort into establishing and refining a complaints resolution process. The process is depicted in flowcharts contained within her annual reports and described in a document published on the Languages Commissioner's website. Members would have appreciated information on what kinds of challenges were faced and successes achieved while implementing the complaints resolution process. For example, Members would have appreciated an explanation as to how and why the complaints resolution process was modified in 2009-2010.

**Standing Committee Recommendation #2:**

The Standing Committee recommends that the Languages Commissioner includes a detailed summary of the application and results of her Office's complaints resolution procedure in her annual reports.

Mr. Speaker, the Languages Commissioner has indicated her intention to conduct two systemic investigations into language services provided by the Department of Health and Social Services and the Department of Human Resources. In the absence of any detailed information regarding the nature of complaints and queries received by her Office over the past two years, it is difficult to determine how and why these two departments were selected for this investigative process. Further, the Languages Commissioner does not provide any detail in her reports with respect to the focus or process of conducting her proposed investigations. The Standing Committee looks forward to revisiting this issue in the future.

**Standing Committee Recommendation #3:**

The Standing Committee recommends that the Languages Commissioner includes a detailed summary of the reasoning, purpose, progress and results of her systemic investigations in her next annual report.

Mr. Speaker, during the Languages Commissioner's appearance before the Standing Committee, Members raised a number of concerns with respect to the current status of the Inuit language, including statistics on usage, standardization, writing systems and terminology. Members greatly appreciated the Languages Commissioner's insight on these issues.

During the Languages Commissioner's appearance, there was some discussion concerning the spelling of the name of the building into which her Office is planning to move. While the Standing Committee appreciates her Office's commitment to linguistic accuracy, Members would caution the Office to not allow relatively trivial matters to distract from more significant challenges. Members would also be unsupportive of any decision on the part of the Office to delay its planned occupancy until a specific piece of signage were replaced, given the potentially significant costs that could be incurred in relation to lease agreements.

Given that it is a part of the Languages Commissioner's mandate to provide advice to the Minister of Languages, government departments and institutions on language-related issues, the Standing Committee looks forward to further discussion and elaboration of the Languages Commissioner's views on these issues in the future. The Standing Committee recognizes that certain responsibilities concerning language, such as the preservation and revitalization of the Inuit language, fall under the mandate of the Minister of Languages while other responsibilities fall under the mandate of the *Inuit Uqausinginnik Taiguusiliuqtiit*, the Inuit Language Authority.

It is important that the Languages Commissioner clarify her working relationship with these and other entities within the context of her own Office's mandate.

During the Languages Commissioner's appearance, Standing Committee Members also raised a number of issues with respect to the current status, language service needs and demands of Nunavut's francophone population. While the Standing Committee was given to understand that the Languages Commissioner has undertaken to address certain issues relating to the lack of French language services in Nunavut, Members were surprised to note that the Office of the Languages Commissioner has not yet developed a formal position on certain important criteria relating to the delivery of such services, such as the definition of "significant demand."

**Standing Committee Recommendation #4:**

The Standing Committee recommends that the Languages Commissioner and her staff work to establish specific benchmarks and criteria with which to evaluate and report on support for language rights across Nunavut and that the results of applying these criteria and benchmarks be included in her annual reports.

Mr. Speaker, in reviewing of the Languages Commissioner's two annual reports, Members noted that while the 2008-2009 annual report contained four specific recommendations, the 2009-2010 annual report contained no new recommendations. Instead, the Languages Commissioner's 2009-2010 annual report included a ten-page insert which repeated nineteen recommendations that had been put forward by her predecessors over the previous ten years and which discussed the government's progress in addressing those recommendations.

Mr. Speaker, Standing Committee Members are disappointed that the Languages Commissioner chose to repeat recommendations from past reports with the implication that no action has been taken to address them rather than acknowledging the progress that has been made over the past ten years in addressing language issues and needs across Nunavut.

Indeed, the introduction of two new pieces of language legislation and the commitment to the new mandate of the Office of the Languages Commissioner as well as the establishment of the *Inuit Uqausinginnik Taiguusiliuqtiit* are significant examples of progress in this area. Standing Committee Members were further disappointed that the Languages Commissioner did not include any forward-looking recommendations in her 2009-2010 annual report for the consideration of the government and Legislative Assembly as a whole.

**Standing Committee Recommendation #5:**

The Standing Committee recommends that specific studies conducted by the Office of the Languages Commissioner, such as the 10-Year Review which was included as an insert within her 2009-2010 Annual Report, be presented as distinct publications of the Office and not as components of the annual reports.

Mr. Speaker, during the Languages Commissioner's appearance before the Standing Committee, Committee Members were pleased to have had the opportunity to address a number of issues relating to the provision of language services in the private sector. The Standing Committee applauds the Languages Commissioner for her proactive role in assisting and supporting private sector businesses and other organizations, such as Regional Inuit Organizations, in addressing their need to develop and implement Inuit Language Plans. Standing Committee Members encourage the Languages Commissioner to continue to work with non-government entities regarding the requirements of the *Inuit Language Protection Act*.

Members further encourage the Languages Commissioner to place a priority on assisting entities to meet legislated requirements in industries where public safety issues are critical, such as the mining industry and the airline industry.

Mr. Speaker, Committee Members were surprised that the Languages Commissioner does not appear to have given detailed consideration to the issue of language services provided within Nunavut by federal entities or federally-regulated entities, such as banks and airlines. During her appearance, Members were disappointed that responses to questions in this area were somewhat superficial.

As awareness of language rights and responsibilities within Nunavut increases, the Office of the Languages Commissioner will likely be called upon to provide informed and evidence-based advice, direction and mediation in this area.

**Standing Committee Recommendation #6:**

The Standing Committee recommends that the Office of the Languages Commissioner be prepared to substantively address issues relating to the delivery of services in the territory's official languages by federal and federally-regulated entities.

Mr. Speaker, the mandate of the Office of the Languages Commissioner is supported by a budget which is approved by the Legislative Assembly of Nunavut. The Standing Committee on Oversight on Government Operations and Public Accounts has noted that the budget for the Office of the Languages Commissioner more than doubled between 2008-2009 and 2009-2010. Committee Members recognize that much of this increase is accounted for by the restructuring of the office and an increase in staff to meet the demands of the Office's new mandate.

Mr. Speaker, the Languages Commissioner's work plan for 2010-2011, as included in her 2009-2010 annual report, provided minimal detail on the proposed activities of her Office for the current year. The mandate of the Office of the Language Commissioner must be clearly defined and activities of the Office towards meeting that mandate should be clearly described.

**Standing Committee Recommendation #7:**

The Standing Committee recommends that the Languages Commissioner take every opportunity provided with the presentation of her annual reports, during appearances before the Legislative Assembly and in other formal appearances to clearly express her mandate and position on language legislation and its implementation.

Given that the budget of the Office of the Languages Commissioner has increased to well over \$1 million, and noting that the Legislative Assembly will soon be considering the Languages Commissioner's proposed budget for 2011-2012, as a component of the Legislative Assembly's budget, it is important for the purposes of accountability that the Office's request for funding be supported by a detailed business plan which demonstrates how the budget supports the mandate of the Office of the Languages Commissioner. This process will also assist Members of the Legislative Assembly to evaluate the effectiveness of the Office of the Languages Commissioner and provide support as necessary.

**Standing Committee Recommendation #8:**

The Standing Committee further recommends that the Office of the Languages Commissioner prepare a complete business plan for the upcoming fiscal year which clearly outlines the mandate of the Office, details activities which support the mandate of the Office, and describes specific budget allocations for each level of activity to be conducted by the Office of the Languages Commissioner. The Standing Committee notes the role of the Management and Services Board of the Legislative Assembly in this process.

Mr. Speaker, I would like to conclude the Standing Committee's report with an important observation made by the Languages Commissioner during her appearance and which was echoed by several Committee Members throughout the two days of hearings. Support for language and culture starts at home. As parents, educators, representatives and leaders, we all share the responsibility of promoting Nunavut's languages.

Mr. Speaker, pursuant to Rule 91, I move that the report of the Standing Committee be received by the House.

Thank you, Mr. Speaker.