



Standing Committee on Oversight of Government Operations and Public Accounts

*Report on the Review of the 2020-2021, 2021-2022 and 2022-2023 Annual
Reports of Nunavut's Representative for Children and Youth*

**2nd Session of the 6th Legislative Assembly of Nunavut
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Introduction and Background

Nunavut's *Representative for Children and Youth Act* was passed on September 17, 2013, by the 3rd Legislative Assembly of Nunavut. The Office of the Representative for Children and Youth officially opened on September 30, 2015.

Nunavut's second Representative for Children and Youth, Ms. Jane Bates, was appointed by the Legislative Assembly of Nunavut on June 6, 2019, for a five year term.

Section 35 of the *Representative for Children and Youth Act* requires the Representative for Children and Youth to prepare and submit an annual report to the Speaker of the Legislative Assembly on the conduct of the office and the discharge of its duties during the preceding year. The Representative has a number of areas of responsibility related to the rights and interests of children and youth, including advocacy and advice regarding government services for children and youth, as well as the administration of the office.

The Annual Reports of the Office of the Representative for Children and Youth for 2020-2021, 2021-2022 and 2022-2023 were tabled in the Legislative Assembly of Nunavut on November 19, 2021, October 26, 2022, and October 19, 2023, respectively.

Televised hearings on the annual reports of independent officers of the Legislative Assembly provide an opportunity for the issues raised in those reports to be discussed in a public forum.

The Standing Committee on Oversight of Government Operations and Public Accounts held its televised hearing on the 2020-2021, 2021-2022 and 2022-2023 Annual Reports of Nunavut's Representative for Children and Youth from April 22-23, 2024. The hearing was held in the Chamber of the Legislative Assembly and televised live across the territory. The hearing was also open to the public and news media and was livestreamed on the Legislative Assembly's website. Transcripts from the hearing are available on the Legislative Assembly's website.

Witnesses appearing before the standing committee included the Representative for Children and Youth and her officials as well as a number of Government of Nunavut officials representing the Department of Family Services, the Department of Education, the Department of Health and the Department of Justice. The standing committee notes its appreciation to all the witnesses for their participation and contributions.

During the proceedings, a number of commitments were made by government officials to provide additional information to the standing committee. The committee appreciated receiving follow-up correspondence from the Departments of Health and Family Services with further detail on the issues discussed.

A number of themes were addressed in detail during the standing committee's review of the Representative for Children and Youth's 2020-2021, 2021-2022 and 2022-2023 Annual Reports to the Legislative Assembly. Issues discussed included the collection and use of data, standards and practices for service delivery, the need for collaboration and communication, concerns regarding sexual violence and abuse, and the need to better incorporate the voices of Nunavut's children and youth.

The standing committee makes the following recommendations:

- 1. That the Representative for Children and Youth ensure that any statistics published in the Office's annual report be consistent with respect to the year for which the data is reported and ensure that all supporting information is factual and current.**

All of the Representative's Annual Reports for 2020-2021, 2021-2022 and 2022-2023 contain a key section entitled *Status of Young Nunavummiut* which contains data and information sets relating to government services impacting children, youth and families in Nunavut as well as the social context in which those services are delivered.

The introductory page to the *Status of Young Nunavummiut* section of the Annual Reports provides a set of general Nunavut statistics relating to population, housing and food security. During the committee's review, it was noted that the information depicted from year to year in each of the Annual Reports was being reported in an inconsistent manner. The Representative indicated during the hearing that some inconsistency could be clarified by small footnotes in the report indicating that the information being presented was from different years.

While members recognize that the sources for some of the data being presented in the Representative's Annual Reports may have been out-of-date at the time or had not been updated for some time, it should also be acknowledged that a certain level of responsibility for presenting clear and accurate data lies with the entity that is publishing it. The selection of what data to present and how to present it can have a significant impact in demonstrating links between specific indicators and conveying important messages. Inconsistencies or errors in the presentation of information can easily lead to misinterpretation and/or a loss of confidence in the correctness of a published report.

Members of the standing committee noted that the Nunavut Bureau of Statistics appears to have experienced some challenges in producing up-to-date statistics for the territory and look forward to improvements in this area to support the work of such entities as the Office of the Representative for Children and Youth.

2. That the departments of Education, Family Services, Health and Justice continue to collaborate with the Representative for Children and Youth to ensure that requests for information and data reports align more closely with the way data is collected at the departmental level and to include any additional data that may be relevant to the work of the Office of the Representative for Children and Youth.

The contents of the *Status of Young Nunavummiut* sections following the general Nunavut statistics page in the Representative's Annual Reports contain data sets from the Government of Nunavut's departments of Education, Family Services, Health and Justice.

The *Status of Young Nunavummiut* data section was first presented in the Representative's 2019-2020 Annual Report and the standing committee commends the Representative for her efforts in establishing a baseline of information which specifically addresses the impact of services provided to children, youth and their families in Nunavut.

The standing committee appreciates the importance of using data and statistical evidence to support the allocation of resources and the prioritization of programming as well as highlighting certain challenges and issues faced by Nunavut's children and youth and the services made available to help address them.

Over the period covered by the 2020-2021, 2021-2022 and 2022-2023 Annual Reports, the contents of the *Status of Young Nunavummiut* section have evolved as the Representative and her staff worked with departments to better determine how their data was being collected and to report on it in a way that was relevant to the method of data collection.

In her testimony before the committee, the Representative noted:

"The goal of this section was to provide departments information that they could use to make decisions about programs or services that may be needed. It also informs potentially workload issues."

Testimony from departmental officials during the hearing described a number of initiatives taken to compile and standardize data sets to better inform this section of the Representative's Annual Reports.

The standing committee appreciates the efforts made at the departmental level to comprehensively address data requests from the Office of the Representative for Children and Youth.

3. That the Representative for Children and Youth ensure that analysis of the various data sets published in the Annual Reports is undertaken to determine trends and to inform service delivery providers of areas of growing concern or specific service delivery areas in need of improvement.

During the hearing, members of the standing committee addressed a number of issues relating to the collection, presentation and use of data and its role in informing the work of the Office of the Representative for Children and Youth. It was noted that taking the next step of conducting analysis of the data could not only better inform readers of what “story” the data tells but could also contribute to the Representative’s role in recommending changes and improvements to service delivery models.

Testimony from several witnesses during the hearing indicated that undertaking analysis of the data is being considered as a “next step”. The standing committee looks forward to reviewing this aspect of data reporting in future annual reports.

4. That the Government of Nunavut improve the timeliness of its responses to communications from the Representative of Children and Youth.

Earlier annual reports published by the Representative for Children and Youth indicated that the lack or unreliability of data being reported was often due to it not being recorded, tracked or reported at the departmental level. Additionally, it was further noted that government departments were often very slow in responding to information requests from the Office of the Representative, in some cases not responding at all. While the Representative’s most recent Annual Report appears to include more current departmental information indicating an improvement in the timeliness of responses, testimony during the hearing described a number of scenarios where the Representative did not receive communication from the Government in a timely manner.

For one specific case discussed during the hearing, respecting the placement of a number of Nunavut children in an unlicensed group home outside of the territory, the Representative noted that her initial correspondence to the government on this issue was sent on March 31, 2023. After learning from the media in February 2024 that a report had been completed in December of 2023, the Representative made a number of attempts to follow-up with the government and finally received a copy of the report on March 7, 2024. She stated:

“To answer your question, I did not think it was acceptable the length of time it took to, A, receive the report, or even to complete the report, quite frankly.”

5. That the Department of Family Services finalize its Strategic Action Plan without any further delay, implement its new Matrix case management system as soon as possible and ensure that its standards, policies and practices are up-to-date and effective in providing protection and support to Nunavut children and youth.

On May 30, 2023, the Office of the Auditor General of Canada's *2023 Report on Child and Family Services in Nunavut Services* was tabled in the Legislative Assembly. The Standing Committee on Oversight of Government Operations and Public Accounts held a televised hearing on the Auditor General's 2023 Report on September 19 and 20, 2023. The opening lines of the Auditor General's report declared:

"This audit report describes a crisis. It is a call for change. We are urging the Government of Nunavut to take immediate action to protect the vulnerable children and youth of the territory."

During the September 2023 hearings, witnesses from the Department of Family Services committed to implementing two critical tools to address the crisis, its *Strategic Plan* and the *Matrix case management software*.

In her opening comments to the standing committee on April 22, 2024, the Representative for Children and Youth stated:

"Although the Department of Family Services has publicly stated that they have made progress on several of the recommendations made by external entities, it is evident, based on our review and the problems that continue to be brought to our attention, that adequate action has not been taken to implement these recommendations."

The standing committee addressed a number of concerns respecting the Department of Family Services' progress in this area. As one member noted:

"What we have seen as well is that the strategic plan specifically for addressing the crisis within Family Services has been a moving goal post. We have heard a number of times it will be ready at a certain time, and then we get a framework instead of a strategic plan. We heard today again this morning about the development of a strategic plan, and to me, on the issue of communication, we have to ensure that our communication doesn't create mistrust, it doesn't create confusion or spread misinformation."

Recognizing that the Department of Family Services' *Family Wellness Strategic Framework 2023-2028* document was tabled in the Legislative Assembly on February 23, 2024, the standing committee strongly urges the department to operationalize this *Framework* and its attendant strategies, frameworks, systems and plans with no further delay.

In her testimony during the hearing, the Representative stated:

“In response to the Office of the Auditor General of Canada’s most recent report, the Department of Family Services tabled the Family Wellness Strategic Framework in February 2024. This framework does not reflect the current state of child welfare nor does it address the fundamental root problems in the department, which are:

1. the current service delivery model;
2. ensuring that there are clear expectations on documentation for all areas of service;
3. establishing clear and concise standards, procedures, and processes for all areas of service delivery; including children in care, family services, intake and investigations, adoptions, and foster care;
4. determining what information will be tracked and implementing a method of tracking that is not person dependent; and
5. accountability for actively ensuring current, open cases are in compliance with standards and procedures based on recommendations made.”

The standing committee further urges the Department of Family Services to give full consideration to the comments and recommendations made by the Representative for Children and Youth to ensure that the actions and objectives contained within the upcoming *Strategic Plan* address the root problems she has identified.

6. That the Office of the Representative for Children and Youth expand its communication and collaboration activities to involve more youth from across the territory.

Information provided in the Annual Reports showed that between 0% and 6% of new individual advocacy cases were brought to the attention of the Representative by a “young person” over the three years being reported on. The largest majority of cases were raised by service providers or parents and family members during this period. The small number of cases being identified by young people raises a concern regarding the level of awareness that children and young people in Nunavut have with respect to their rights and the level of care and service to which they are entitled.

The standing committee fully supports the Representative’s prioritization of the ‘voice of the child’ in the work of her office, especially when it comes to taking a young person’s opinion into consideration when decisions are being made about them. The committee notes that the Representative has continuously encouraged government departments to adopt a similar approach with respect to seeking the opinions of young people during decision-making processes.

The Representative’s approach was reflected in testimony from one government official who stated:

“I would like to go back to in 2021, Jane Bates asked me, and asked everyone “How you give a child a voice?” I reflected on it, and I was reluctant then to answer because what does that mean, really? When we can speak in multiple languages, when we are in our historical context, what does that mean?”

I do not know yet, but I am happy to say that many of our frontline workers who are teachers, classroom assistants, *ilinniarvimmi inuusilirijit*, they are situated every day to listen to the voices of our children, and for that I thank you.”

During the hearing, the committee noted that the Representative’s *Self-Advocacy Workshop* was delivered in three Nunavut communities. Members encouraged the Representative to increase efforts to consult directly with youth, including students in schools, during all community visits conducted by her office’s staff. It was also noted that visits to the smaller communities would be valuable opportunities to engage with children and youth and hear their views and perspectives on some of the key issues of concern respecting services provided by government departments.

It was further suggested that the Representative for Children and Youth consider establishing a Youth Advisory Council that could function in a role similar to the Representative’s Elder Advisor group.

7. That the Government of Nunavut immediately develop a government-wide action plan to address child sexual abuse and sexual violence in Nunavut.

In her opening comments to the standing committee, the Representative for Children and Youth stated:

“The last time I was here I spoke about the child sexual abuse crisis in Nunavut. Let me make this very, very clear. Child sexual abuse is a crisis in Nunavut. On March 4, 2020, when asked how many children are making disclosures of child sexual abuse, the Minister responsible for Family Services stated in the House, “...pretty much guaranteed, maybe twice a week.” Two referrals per week is 104 referrals per year. Yet, in the Director’s Annual Report on Family Wellness for the ‘21-22 fiscal year, 518 sexual harm referrals were recorded.

In our Status of Young Nunavummiut section for the following year, the ‘22-23 fiscal year, the department combined sexual and physical abuse numbers together, which I’m unsure why, and reported 98 referrals without providing numbers for both the Kivalliq and South Baffin regions. In the year previous, South Baffin alone reported 458 referrals. Three years ago, I strongly believed it could not get worse, but it has. I cannot emphasize enough that child sexual abuse in Nunavut is an urgent situation; one that must be prioritized and given immediate and decisive action.”

The standing committee agrees that sexual abuse involving children and youth is a serious issue facing the territory. The Representative’s Annual Reports indicate that over the past three years a number of the issues raised through her Office’s systemic advocacy activities have still not been adequately addressed. While it is recognized that the Government of Nunavut has established the *Surusinut Ikajuqtigiit Child Abuse and Neglect Response Agreement*, it is unclear how effectively the agreement is being implemented by stakeholders to address concerns in this area.

During the course of the standing committee hearings, discussions relating to the functions of the Department of Family Services’ Family Wellness division with respect to investigating child welfare issues addressed a number of concerns including communication and awareness raising amongst children and youth, training of community social services workers, and standards and practices that focus on families as well as individual children and youth.

In conclusion, the standing committee commends the Representative for Children and Youth and her staff for their ongoing work on addressing the rights and interests of Nunavut's children and youth.

Members are encouraged by the steadily increasing spirit of collaboration and between the Office of the Representative for Children and Youth and Government of Nunavut departments. Throughout the hearings the standing committee appreciated the willingness on the part of all participants to work together to improve programs and services for young Nunavummiut.

The standing committee is requesting that a comprehensive response to this report be provided to the committee pursuant to Rule 91(5) of the *Rules of the Legislative Assembly of Nunavut*.