



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

## ***Report on the Review of the 2019-2020 Annual Report of Nunavut's Representative for Children and Youth***

**2<sup>nd</sup> Session of the 5<sup>th</sup> Legislative Assembly of Nunavut  
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Mr. Speaker, I have the honour of presenting the report of the Standing Committee on Oversight of Government Operations and Public Accounts on its review of the 2019-2020 Annual Report of the Representative for Children and Youth.

Nunavut's *Representative for Children and Youth Act* was passed in 2013 and provides for the Commissioner of Nunavut to appoint, on the recommendation of the Legislative Assembly, a Representative for Children and Youth for a five-year term of office. Nunavut's second Representative for Children and Youth, Ms. Jane Bates, was appointed on June 6, 2019.

Mr. Speaker, 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 2019-2020 annual report of the Office of the Representative for Children and Youth was tabled in the Legislative Assembly on September 21, 2020.

The standing committee's televised hearings on the annual reports of independent officers of the Legislative Assembly provide an opportunity for the issues raised in the annual reports to be discussed in a public forum.

The appearance of the Representative for Children and Youth and her staff before the standing committee took place in the Chamber of the Legislative Assembly on June 21 and 22, 2021. Witnesses from the Government of Nunavut's departments of Education, Family Services, Health, and Justice also participated in the hearing and the standing committee greatly appreciated the frank and detailed nature of the input provided.

Following the hearing, the standing committee was pleased to receive additional information from the Department of Family Services. It is anticipated that information will also be provided by the Departments of Health and Education as committed to during the proceedings.

The standing committee's hearings were televised live across the territory and transcripts are made available on the Legislative Assembly's website.

Mr. Speaker, a number of themes emerged during the standing committee's review of the Representative for Children and Youth's 2019-2020 Annual Report to the Legislative Assembly. Issues ranging from the format and content of the Representative's annual report, the role and capacity of government departments in providing services to Nunavut's children and youth and concerns relating to violence and abuse were all addressed in some detail during the Representative's appearance before the standing committee.

Accordingly, the standing committee makes the following recommendations:

- 1. That the Representative for Children and Youth include in her annual report information on performance measures to track the success of her office in providing its core services.**

Mr. Speaker, the standing committee notes that the format and content of the Representative for Children and Youth's annual report has evolved from annual reports of previous years. Members welcome the latest changes and encourage the Representative to continue working to enhance the quality of information included in her annual reports. Members greatly appreciated the level of detail provided with respect to the status of cases and issues addressed by the office. However, a description of the measures used to evaluate and monitor the office's ongoing performance in conducting its various activities was not included.

In its October 2016 report on the review of the Representative's 2014-2015 Annual Report, the Standing Committee on Public Accounts, Independent Officers and Other Entities of the 4<sup>th</sup> Legislative Assembly of Nunavut recommended that:

"The Representative for Children and Youth establish measures to track the success of her Office in addressing requests or inquiries relating to each of its core services"

The committee noted that "it is ... important to put measures in place from the outset that will enable the Representative to evaluate which procedures are effective in reaching their desired objectives and which ones need to be changed or modified to achieve greater success." The 2019-2020 annual report does not indicate what, if any, performance measures are being applied to the operations and outcomes of the office's work. Such measures can be useful to determine the allocation of resources as well as evaluating the effectiveness of specific activities.

In the "Looking Forward" conclusion to the Representative's 2019-2020 annual report it states, "we will implement new policies and service standard changes internally." Members anticipate that an overview of these changes and their expected outcomes will be included in the Representative's future annual reports.

In its "Monitoring of Recommendations" section, the 2019-2020 Annual Report lists a number of recommendations related to legislative initiatives. It was unclear to the standing committee how the Representative intended to follow up on the implementation of these recommendations, especially in those cases where the legislative process is already completed. Members caution that recommendations submitted with respect to legislative initiatives may be addressed differently than recommendations regarding changes or improvements to policies, practices and procedures affecting the delivery of services for children and youth.

During the committee's hearing, departmental officials noted that the Representative's annual report did not include narratives, which had been included in previous reports under the heading "Advocate's Applause", describing departmental activities that were particularly successful in promoting and protecting the rights of children and youth.

By previously encouraging the Representative to focus her annual reports more directly on specific activities and outcomes, the Standing Committee on Public Accounts, Independent Officers and Other Entities may have inadvertently failed to support the inclusion of information that highlights proactive and successful initiatives undertaken by departments in providing services to children and youth across Nunavut.

The Standing Committee on Oversight of Government Operations and Public Accounts therefore encourages the Representative to re-consider the inclusion of "best practices" examples in her future annual reports to provide additional perspectives of how Government of Nunavut departments could improve services and support to Nunavut's children and youth.

**2. That the Representative for Children and Youth and Government of Nunavut departmental representatives work together to better align information collection and reporting processes.**

Mr. Speaker, a key section of the Representative's 2019-2020 annual report focuses on data and statistics from government departments with the intent of establishing baseline information on the "Status of young Nunavummiut". For every department surveyed, a number of the indicators identified by the Office of the Representative were identified as either unreported or untracked. Having accurate data is important for the government to be able to plan for and address critical issues that face children and youth across the territory. The Representative has very clearly articulated that is not clear how departments can ensure that services are being adequately provided if they do not have the relevant information readily available.

The standing committee fully supports the collection of enhanced statistical information which can help to provide additional insight to the challenges and issues faced by Nunavut's children and youth and the provision of services to help address them. The committee recommends that the Representative's annual reports note the number of requests for information that are submitted to departments with a record of whether the requests were answered or not.

During the course of the standing committee hearings, it became apparent that the lack of data for some indicators was due to the fact that the departments did not always collect information within the same parameters as those identified by the Office of the Representative. In some cases, the lack of congruence between the way the information was requested and the way it was actually recorded and provided may have also led to some inaccuracies in the reporting of the data.

Of greater concern, however, is those areas where information is missing because it was not recorded. Throughout the hearings, there was discussion with respect to the lack of capacity and resourcing on the part of all departments, but most particularly the Department of Family Services, to fulfill their responsibilities in this area.

In addition, the Representative remarked on a lack of consistency in the practices and processes of delivering services for children and youth including a lack of consistency in ensuring that children's or youth's wishes are taken into consideration during this process.

**3. That the Government of Nunavut ensure that the Department of Family Services receive adequate resources and support, especially in areas relating to data collection and addressing staffing needs.**

Mr. Speaker, the Department of Family Services began its role as a Government of Nunavut department on April 1, 2013. It has been noted on several occasions that the department has faced a number of challenges in establishing its mandate and delivering services consistently while addressing ongoing infrastructure and staffing issues. In March of 2014, the report of the Office of the Auditor General of Canada *"Follow-up Report on Child and Family Services in Nunavut"* made a number of recommendations specific to the Department of Family Services with respect to staffing, workload standards, training, the collection of information and community engagement efforts.

In its report on the Auditor General's findings, the Fourth Assembly's Standing Committee on Public Accounts, Independent Officers and Other Entities recommended that:

"The Department of Family Services continue to work towards developing and establishing an electronic case management system by which to collect, consolidate and analyze information on children and youth requiring and receiving protection and care services."

The Standing Committee further recommended that:

"The Department of Family Services work closely with other Government of Nunavut entities to address staffing needs at the community and regional levels."

The Standing Committee on Oversight of Government Operations and Public Accounts notes with some concern that progress in these areas has been slow. While Members appreciate that the ongoing development of the Department of Family Services case management system has faced a number of delays, it was noted that alternative methods of record keeping, including paper records, must be kept up to date. Other such challenges as hiring staff are hindered by the lack of staff housing. Ensuring workload standards are met is made more difficult due to the lack of appropriate office space. Accessing resources to address shortfalls depends on having the corporate knowledge and expertise to submit robust business cases. Members recognize that the Department of Family Services continues to face challenges in these and other areas. The Standing Committee strongly encourages other Government of Nunavut departments and agencies to work more collaboratively with the Department of Family Services to address these issues.

**4. That the Representative for Children and Youth collaborate with the Government of Nunavut departments of Education, Family Services, Health and Justice to identify and implement specific ways to support parents and families in addressing issues related to the care and provision of services to Nunavut's children and youth;**

Mr. Speaker, the "Message from the Representative" section of the 2019-2020 Annual Report focuses significantly on concerns related to the violence, physical and sexual abuse and neglect that far too many young Nunavummiut have been exposed to. The issue of abuse was addressed on a number of occasions throughout the committee hearings and it is recognized that much more must be done to address the serious and critical situations facing Nunavut youth and their families.

During the course of the hearing, the standing committee was given to understand that the Office of the Representative for Children and Youth is currently working on a systemic review of child protection services. It is anticipated that such issues as the oversight of foster homes and group homes as well as options for interventions and prevention of abuse will be examined during the course of the review. Members look forward to further discussions in this area, recognizing that open dialogue is an important step towards addressing the issue.

Members of the standing committee expressed a number of views with respect to the roles of parents and family members, as well as government decision makers and service providers, in ensuring that children and youth are safe and protected. The Standing Committee suggests that the Representative explore alternative outreach activities at the community level, including engaging directly with parents and families.

As part of its response to the recommendations from the Office of the Auditor General's 2014 report and the report of the Fourth Assembly's Standing Committee on Public Accounts, Independent Officers and Other Entities, the Department of Family Services developed its comprehensive *Quality Protects Action Plan*, which was most recently updated in 2017.

One of the Auditor General's recommendations stated:

"As we recommended in our 2011 audit, the Department of Family Services should actively engage parents and communities in developing strategies for keeping children safe."

The Department of Family Services' *Quality Protects Action Plan* included a number of action items to address this recommendation and the Standing Committee strongly encourages the department to re-visit the commitments that were made and evaluate what progress has been achieved to date, and table an updated action plan at the first opportunity in the next Assembly.

During the course of the standing committee hearings, significant recognition was also given to the important work being performed by the Umingmak Child and Youth Support Centre which addresses the needs of children and youth who experience abuse in a culturally relevant manner. Members expressed strong support for additional child advocacy services to be established in communities outside of Iqaluit, given that the need for these services far outweighs what the Umingmak Centre can currently provide.

**5. That the Government of Nunavut finalize its comprehensive interdepartmental protocol for the coordination of services in respect of Nunavut's children and youth.**

Mr. Speaker, in May of 2019, the Office of the Representative for Children and Youth released *Our Minds Matter: A Youth Informed Review of Mental Health Services for Young Nunavummiut*, a report on the systemic review of mental health services for young Nunavummiut. That report contained a number of recommendations for the Government of Nunavut to address and improve mental health services for young people in the territory. The standing committee was pleased to note that several of the recommendations were agreed to by departmental representatives on behalf of the Government of Nunavut with corresponding commitments to enhance and deliver supports and training to address the mental health needs of youth.

For a number of the Representative's recommendations, however, the status of the government's response is unclear. The standing committee has been given to understand that an interdepartmental working group has been established to review and develop policies which will allow for information sharing, coordination of services and the incorporation of child and youth-specific programs into existing protocols across government. The standing committee strongly encourages the Government of Nunavut to continue its work in this area and to complete and clarify its responses to all of the recommendations included in the Representative's report *Our Minds Matter: A Youth Informed Review of Mental Health Services for Young Nunavummiut*.

As noted in the "Looking Forward" conclusion to the Representative's 2019-2020 annual report, a number of crises exist in the territory of Nunavut, including "overcrowded housing, violence and abuse, mental health and addictions and the high suicide rate." However, as the Representative notes further "From ransomware to Covid-19, we cannot let these be the excuses that limit us from meeting the needs and supporting the rights and best interests of young Nunavummiut." The Standing Committee further encourages such community-based initiatives as interagency groups to increase their efforts to address issues affecting children and youth in their communities.

The Standing Committee on Oversight of Government Operations and Public Accounts welcomes and supports the Representative's efforts to hold the Government of Nunavut accountable through her advocacy on behalf of young Nunavummiut and their families.

Mr. Speaker, as the term of Nunavut's Fifth Legislative Assembly draws to a close, I would like to note a number of transitional issues for the next Assembly to take into consideration with respect to the Office of Nunavut's Representative for Children and Youth.

- Sub section 40(1) of the *Representative for Children and Youth Act* provides that the Legislative Assembly or one of its committees shall review the provisions and operations of the Act. While the review will be conducted in a manner determined by the Sixth Legislative Assembly of Nunavut, it is anticipated that the Office of the Representative for Children and Youth will contribute substantively to the process. Of note, section 4(1)(b) of the Act, which provides that the Representative may review any matter related to the death or critical injury of any child or youth, is not in force.
- Nunavut's Representative for Children and Youth has indicated that a report on her office's systemic review of child protection services will be completed by the end of the current fiscal year. Given the high rates of violence and sexual abuse across Nunavut, the Sixth Legislative Assembly of Nunavut may wish to consider striking a special committee to explore this issue in depth.
- The Office of the Auditor General of Canada has twice conducted audits on programs and services for children, youth and families in Nunavut. The 2011 report *Children, Youth and Family Programs and Services in Nunavut* included 20 recommendations for Government of Nunavut departments. The 2014 report *Follow-up report on Child and Family Services in Nunavut* contained 6 recommendations for Government of Nunavut departments. The Office of the Auditor General of Canada may wish to consider conducting another follow-up audit in this area which could contribute greatly to addressing issues that have been identified.

In closing, Mr. Speaker, the Standing Committee commends the Representative for Children and Youth for her effort and focus on advocating for the rights and interests of Nunavut's children and youth. Members recognize that there will always be some level of healthy tension between the Office of the Representative for Children and Youth and Government of Nunavut departments, especially when addressing sensitive topics. However, throughout the hearings the standing committee sensed a great willingness on the part of all participants to work collaboratively to improve communications and to support the working relationships that will lead to improvements in programs and services for young Nunavummiut.

With that Mr. Speaker, I move that the report of the standing committee be received by the House.

Thank you, Mr. Speaker.