

**GOVERNMENT OF THE NORTHWEST TERRITORIES' RESPONSE TO
COMMITTEE REPORT 18-17(5): REPORT ON THE REVIEW OF BILL 47: AN
ACT TO AMEND THE CHILD AND FAMILY SERVICES ACT**

Background

The Standing Committee on Social Programs ('Committee') presented their Report 18-17(5): Report on the Review of Bill 47: *An Act to Amend the Child and Family Services Act* on June 2, 2015. This Report contains 11 recommended courses of action which address the implementation and provision of child and family services.

Along with the recommended courses of action, Committee also requested the Government of Northwest Territories provide a comprehensive response to the Report in 120 days.

Recommendations and Responses

- 1) *The Department of Health and Social Services completely rewrite the Child and Family Services Act in the 18th Assembly, with renewed emphasis on kinship care and strategies oriented toward mediation, prevention, early intervention and family preservation.*

GNWT Response: The Department of Health and Social Services ('Department') will work with the priorities established by the 18th Legislative Assembly, including any direction related to legislative initiatives.

- 2) *The Department of Health and Social Services take stronger measures to keep children within their families and communities of origin, including devoting additional funding for prevention, early intervention and family-preservation strategies.*

GNWT Response: The Department recognizes the importance of family and community for those who receive child and family services.

The Child and Family Services Standards and Procedures Manual has a standard which requires Child Protection Workers to use extended family as the first placement consideration when children require foster care services. Priority is also given to keeping a child in their home community.

- 3) *The Department of Health and Social Services move swiftly and assertively to build capacity in the area of mediation across the Northwest Territories.*

GNWT Response: The Department is examining the options for building mediation capacity within the current budget allocated for child and family services.

- 4) *The Department of Health and Social Services cover the cost of hiring and training mediators in order to facilitate more collaborative and favourable outcomes.*

GNWT Response: As the Department is not in a position to commit the forthcoming 18th Legislative Assembly to additional funding for child and family services, we are examining the options for building mediation capacity within the current budget.

- 5) *The Department of Health and Social Services establish a protocol with Aboriginal organizations for handling sensitive information, striking a balance between the rights of Aboriginal organizations to know what is happening to their children and the privacy rights of children and family members.*

GNWT Response: The Department is currently working to amend the Child and Family Services Regulations to specify who, within the applicable Aboriginal organization, will receive the information related to child protection hearings, apprehension hearings, and youth protection hearings.

The Department is also working to improve the process of providing notice by ensuring the proper and secure delivery of the documents and by including a confidentiality disclaimer warning on the notices, indicating that the information should not be further disclosed and should be protected and kept confidential while in custody.

- 6) *The Department of Health and Social Services act immediately to introduce a bill to remove all provisions pertaining to Child and Family Services Committees in the Act.*

GNWT Response: The Department has initiated actions to allow for the introduction of a Bill during the September/October sitting of the Legislative Assembly that would remove all provisions pertaining to Child and Family Services Committees in the *Child and Family Services Act*

- 7) *The Department of Health and Social Services investigate viable alternatives to Child and Family Services Committees that will promote community involvement in the child protection process.*

GNWT Response: The Department is open to exploring viable alternatives to Child and Family Services Committees, such as through promoting family group conferencing as a way of resolving child protection concerns.

- 8) *The Department of Health and Social Services investigate the approach whereby the problem parent is removed from the home instead of apprehending the child.*

GNWT Response: The Department is open to exploring all options and alternatives when dealing with child protection concerns that work within the existing legislative framework.

- 9) *The Department of Health and Social Services provide community-based workshops and healing camps to parents and families as a cost-effective alternative to sending people out for treatment or counselling.*

GNWT Response: As an alternative to sending people outside of the Northwest Territories for treatment and counselling, the Department provides funding to Aboriginal organizations to supporting on-the-land healing camps.

- 10) *The Department of Health and Social Services work toward building people's capacity to parent effectively and competently.*

GNWT Response: The Department recognizes the value in building people's capacity to parent effectively and competently. The Department, in partnership with other GNWT Departments and non-governmental organizations, is working on the Early Childhood Development Framework, which is intended to build and support effective parenting skills.

- 11) *The Government of the Northwest Territories engage in discussions with UNICEF to examine whether this jurisdiction is doing enough to recognize and promote children's human rights.*

GNWT Response: The Department works in collaboration with the Department of Justice to respond to various reports on the welfare of children, including the United Nations' Convention on the Rights of the Child.