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NUTAQQANUT INULRAMIRNULLU
UQAQTIKHAANIK

REPRÉSENTANT DE
L'ENFANCE ET DE LA JEUNESSE

REPRESENTATIVE FOR
CHILDREN AND YOUTH

3C-630 Queen Elizabeth Way, Iqaluit, Nunavut, X0A 3H0 | 867-975-5090 (1-855-449-8118) | contact@rcynu.ca | www.rcynu.ca

15 October 2026

Mr. Fred Pedersen

Chairman

Standing Committee on Oversight of Government Operations and Public Accounts

Legislative Assembly of Nunavut

Mr. Chairman,

Thank you for the opportunity to appear before the Standing Committee on September 24 and 25, 2026, to discuss the Representative for Children and Youth's 2024–2025 and 2025–2026 Annual Reports. I am writing to provide the information requested during the hearings and to provide additional information for the Committee's consideration.

Information requested by the Committee

During my appearance, I stated that the Representative for Children and Youth's Office (RCYO) had more than 100 individual advocacy files open and committed to providing the Committee with accurate information. I wish to correct that statement. As of September 25, 2026, RCYO had 96 open individual advocacy files involving 102 children and youth. The number of files differs from the number of young people because some files involve sibling groups; a separate file is not always opened for each sibling.

The need for sustained independent oversight

The state of child welfare remains one of the most critical issues facing children, youth and families in Nunavut. In my view, it requires the Legislative Assembly's immediate attention and sustained oversight. The Department of Family Services exercises significant authority over children and families. That authority must be accompanied by safeguards that allow its exercise to be examined independently and publicly.

The Office of the Auditor General of Canada (OAG) identified serious concerns in 2011 and reported unsatisfactory progress in 2014. In 2023, it described a child welfare system in crisis and called for immediate action to protect vulnerable children and youth. These successive reports demonstrate that agreement with recommendations and commitments to improvement have not been sufficient to ensure the necessary changes in services for children, youth and families.^[1]

The OAG's 2025 follow-up acknowledged initial action by the Department while finding that substantial work remained. It was also found that the Department's strategic action plan lacked the targets, baselines, specific timelines and clear accountabilities needed to measure progress.^[2]

The greater the power exercised over others, the stronger the safeguards, accountability and independent oversight must be. Where serious deficiencies recur despite repeated recommendations, oversight cannot depend primarily on the Department's own assessment of its performance. Without stronger external scrutiny and follow-up, there is a continuing risk that identified failures will persist and children, youth and families will not receive the services they are entitled to consistently, equitably or ethically.

Information for consideration concerning accountability and oversight

One of the essential functions of the Legislative Assembly is to hold the Government of Nunavut to account. The Committee has significant powers to obtain the information it needs to hold the Department accountable. These include the power to conduct its own inquiries, to compel the attendance and evidence of witnesses, to administer oaths, and to order the production of documents. These powers are rooted in the Legislative Assembly's parliamentary privilege and are supported by sections 16 to 18 of the Legislative Assembly and Executive Council Act and Rule 92(1) of the Rules of the Legislative Assembly. Paragraph 18(1)(f) contains an exception for evidence or documents that a court could not compel. The Committee can exercise rigorous oversight of the Department by requiring documents and sworn testimony, with the scope of its powers and any confidentiality or privilege questions addressed with the Assembly's Law Clerk.^[3]

The following information is provided for the Committee's consideration. It concerns regular reporting, public scrutiny and possible legislative amendments to strengthen accountability and independent oversight of child welfare.

Regular independent reporting on child welfare

Subsection 35(2) of the *Representative for Children and Youth Act* (RCYA) permits the Representative to prepare additional reports on children and youth in Nunavut and the activities of the office, and to submit them to the Speaker.^[4] For the Committee's consideration, this provision could offer a mechanism for regular RCYO reporting on child welfare services, with those reports reviewed in public hearings. The reporting schedule and areas of focus could be determined with the Committee, while respecting the Representative's independent statutory mandate.

Such reports could address recurring systemic issues, the Department's response to recommendations and evidence of changes in practice. They could provide the Committee with an independent basis for assessing progress between annual report hearings. The scope and frequency would need to reflect the information available and the RCYO's capacity to undertake the work.

Public accountability for child welfare services

The Director of Child and Family Services is required to provide the Minister with an annual report. Under Part IV, section 53.1 of the *Child and Family Services Act*, the Minister must table a copy of that report before the Legislative Assembly as soon as reasonably practicable.^[5]

Independent officers of the Legislative Assembly appear before the Standing Committee on Oversight of Government Operations and Public Accounts in public hearings to account for the operations of our offices.

Given the ongoing child welfare crisis and the lack of sufficient progress in addressing concerns identified through independent oversight, the Committee could require the Department of Family Services to appear in public hearings to account for its child welfare operations and the information it reports to the Legislative Assembly. The Committee could also require the Department to provide information relevant to its oversight mandate, with confidential information being dealt with in camera to protect the identities of affected families.^[3]

The Committee could also consider inviting subject matter experts to participate in these hearings to assist members in examining and evaluating the information presented by the Department.

Notification of placements to support independent monitoring

Section 22 of the *Representative for Children and Youth Act* requires the person in charge of a child or youth facility, including a foster home or group home, to provide information about the RCYO, the right to communicate privately with the Representative and how to contact the office. Subsections 22(2) and (3) address the child's age and capacity to understand and require information to be provided to a parent or guardian in the circumstances specified. Through its work, the RCYO has identified that this information is not consistently provided. The RCYO is not aware of a formal monitoring process to verify compliance with this requirement. The Department has also historically been unable to provide complete and accurate information about children and youth in care.^[7] These gaps raise concerns about how the Department ensures that its legal obligations are met and accounts for the children and youth in its care.^[4]

An additional reporting clause in section 22 could read:

The Director of Child and Family Services appointed under the *Child and Family Services Act* shall report to the Representative each time a child or youth is apprehended, placed in care under an agreement, or admitted to, enrolled in or placed in a child or youth facility, and each time the child's or youth's placement changes. The report shall be made at the time of each apprehension, entry into care under an agreement, admission, enrolment, placement or change of placement.

This would allow independent tracking and monitoring of children and youth in care and provide an additional mechanism for holding the Department accountable to maintain up-to-date information on children in out-of-home care. It would be in addition to the Director's existing reporting duty under section 19 of the RCYA to report deaths and critical injuries to the Representative in the circumstances specified in that section.^[4]

Clear deadlines for the Director's annual report

Section 43 of the Child and Family Services Regulations already requires the Director to submit the annual report to the Minister by October 1 for the fiscal year ending the preceding March 31. Section 53.1 of the CFSA requires the Minister to table that report as soon as reasonably practicable. The Committee could consider placing the existing submission deadline in the CFSA and adding a fixed tabling deadline, with provision for tabling at the next sitting if the Assembly is not sitting.^{[5][6]}

Subsection 35(1) of the RCYA provides a useful comparison: the Representative must prepare and submit an annual report to the Speaker within six months of the fiscal year end.^[4]

A defined deadline would make the reporting obligation measurable and provide the Assembly with more timely information for its oversight work.

More specific statutory reporting requirements

Section 42 of the Child and Family Services Regulations already sets out mandatory annual reporting requirements, including specified statistics, analysis and information about initiatives. It also leaves discretion over some aspects of reporting. These requirements could be reviewed, made more specific and placed in the CFSA to strengthen consistent reporting and accountability.^[6]

Clearly defined requirements would provide the Legislative Assembly with consistent information to assess the Department's compliance with legislation and standards, the services provided to children, youth and families, and its response to concerns identified through independent oversight.

I provide this information to assist the Committee in its consideration of child welfare accountability and oversight. A regular reporting and hearing schedule, supported by timely and more specific statutory reporting obligations, would provide a stronger basis for assessing the Department's performance and following up on unresolved issues. While such enhanced reporting could be established through legislative amendments, the Committee already has the power to exercise much greater oversight of the Department through the Legislative Assembly's parliamentary privilege. Such oversight and accountability is necessary to address the longstanding child welfare crisis in Nunavut.^[3]

I submit this information in recognition of Inuuqatigiitsiarniq, respecting others, relationships and caring for people; Piliriqatigiinniq or Ikajuqtiigiinniq, working together for a common cause; and Piijutingani qiniriaquqtugu, the importance of assessing and addressing the root cause of undesirable behaviour or circumstances. This information also reflects RCYO's statutory role in assisting the Legislative Assembly and the Government of Nunavut to ensure that the needs of children and youth are met, and Nunavut's commitment to implementing the United Nations Convention on the Rights of the Child.^[4]

Thank you again for the opportunity to account for the operations of RCYO and to provide this supplemental information for the Committee's consideration.

Sincerely,

A handwritten signature in blue ink that reads "Jane Bates". The signature is written in a cursive style with a large initial "J" and "B".

Jane Bates
Representative for Children and Youth

References

1. Office of the Auditor General of Canada. Children, Youth and Family Programs and Services in Nunavut (2011); Follow-up Report on Child and Family Services in Nunavut—Department of Family Services (2014); Child and Family Services in Nunavut (2023)
2. Office of the Auditor General of Canada. 2025 Follow-up on Child and Family Services in Nunavut. See paragraphs 5–6, 26 and 28.
3. Parliamentary powers and procedure. Legislative Assembly and Executive Council Act, C.S.Nu., c. L-70; Rules of the Legislative Assembly of Nunavut; Eric Janse and Jeffrey LeBlanc, House of Commons Procedure and Practice, 4th ed. (2025), Chapter 3, Rights of the House as a Collectivity. Nunavut provisions: sections 16–18; Rule 92(1). The federal procedural text explains parliamentary privilege; Nunavut’s statutory provisions govern the local powers.
4. Representative for Children and Youth Act, S.Nu. 2013, c.27. See preamble and sections 3, 19, 22 and 35.
5. Child and Family Services Act, S.N.W.T. 1997, c.13, as duplicated for Nunavut and amended. See paragraph 51(2)(g) and section 53.1.
6. Child and Family Services Regulations, R-142-98, as duplicated for Nunavut and amended. See sections 42–43 (report contents and October 1 submission deadline).
7. CBC News. Nunavut’s Family Services admits reporting incorrect data on children in care, to the minister’s surprise. October 13, 2026.