
National Inquiry into Missing and Murdered Indigenous Women and Girls
Closing Submissions

Government of Nunavut

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INTRODUCTION

[1] Created in 1999, Nunavut (Inuktitut for “*Our Land*”) is Canada’s youngest jurisdiction. It is also Canada’s largest and least populous jurisdiction. The vast majority of Nunavut’s residents (“Nunavummiut”) are Inuit, many of whom lived through a rapid period of colonialization and hardship in the last half-century that dramatically and traumatically changed their way of life. Nunavummiut are located in 25 scattered and isolated communities spanning three time zones across the mainland of Canada and the islands in the Canadian Arctic Archipelago, with no roads connecting any of them. Travel between communities and to the rest of Canada is done at the mercy of the fierce arctic climate – a sudden blizzard or a snap of cold can ground flights and halt ships, resulting in shortages of food and other vital supplies, or delaying travel and crucial medical care. Neither English nor French are the majority-spoken language in Nunavut – it is Inuktitut, the language of the Inuit people (including Inuktitut, Inuinnaqtun, and a wide variety of regional dialects), spoken in our homes, in our schools, and on our streets.

[2] Combined, these factors create unique challenges for providing government services to Nunavummiut faced nowhere else in Canada.

[3] The Government of Nunavut (“GN”) turned nineteen years old this year. As an entity, the GN is younger than many other federal, provincial, or territorial governments’ public servants’ lengths of service. Children who were born in the new territory in 1999 are now adults, continuing the work started by the generations before them to further develop Nunavut’s communities, its economy, and its culture. Many of these young adults will find work with the GN, and leave their own mark on the territory’s laws and policies.

[4] As Nunavut was originally created from the legal structure of the Northwest Territories, Nunavummiut have had to work hard to define their public government over these formative years. Nunavut stands as the only Canadian jurisdiction originating from a land claim – the Nunavut Land Claim Agreement (“Nunavut Agreement”). Consequently, the Nunavut Agreement forms an integral part of Nunavut’s legal landscape – covering issues such as language rights, hunting, gathering and land use rights, environmental protection, government procurement, and Inuit employment.

[5] Outside of the Nunavut Agreement, Nunavut also initially inherited all of its laws from the Northwest Territories. Over the last nineteen years, the GN has worked diligently to replace the inherited legislation with Nunavut-specific versions that not only take into account the principles of the Nunavut Agreement, but *Inuit Qaujimajatuqangit* – the Inuit traditional knowledge at the foundation of Inuit social and cultural values. Nunavut now benefits from legislation made in Nunavut, and for Nunavummiut, including:

- ***Inuit Language Protection Act*¹ (2008) and the *Official Languages Act*² (2008)**; which enshrined Inuktut, alongside English and French, as the official languages of the territory. Nunavummiut now have the right to obtain services in both the public and private sector in any official language.
- ***Education Act*³ (2008)**; which, among many other things, infused *Inuit Qaujimajatuqangit* into our education system, and worked towards the development of Inuktut-language education from kindergarten to grade 12. The Act also created the system of district education authorities across the territory to prioritize education programs that reflect social and cultural practices relevant to their local areas.
- ***Family Abuse Intervention Act*⁴ (2006)**; which established a system of rapid response for dealing with cases of domestic danger, and helping victims of violence obtain help.
- ***Human Rights Act*⁵ (2003)**; which established a Human Rights Tribunal to address discrimination in employment, housing, and the provision of services on the grounds of race, colour, ancestry, ethnic origin, citizenship, place of origin, creed, religion, age, disability, sex, sexual orientation, gender identity, gender expression, marital status, family status, pregnancy, lawful source of income and a conviction for which a pardon has been granted.

[6] The GN and the Legislative Assembly of Nunavut are also continuing work on important legislation to reform inherited legislation from the Northwest Territories, including a new

¹ SNu 2008, c 17.

² SNu 2008, c 10.

³ SNu 2008, c 15.

⁴ SNu 2006, c 18.

⁵ SNu 2003, c 12.

Corrections Act and a new *Mental Health Act*. These new laws, expected soon, will create Nunavut-specific approaches to the complex issues of criminal corrections and the provision of mental health services.

[7] It is important to mention this background as context to the ongoing tragedy of missing and murdered Indigenous women and girls. Nunavut's unique challenges, combined with the growing pains of its young new government, has often made it difficult to fully address the concerns raised by victims of violence and their families.

[8] At the Family Hearing held in Rankin Inlet in February 2018, the GN heard witnesses testify about its failures as a public government. Witnesses spoke tearfully about a lack of mental health services, discrimination against Inuit and Inuktut-only speakers, overbearing child protection agents, and inadequate justice for offenders. The GN heard how the failures of the GN opened old wounds left by colonialization, including forced relocation and residential schools. The GN took these rebukes to heart, and immediately began to explore methods to address the issues raised by the victims and their families.

[9] These closing submissions will not seek to excuse the GN for its failures, nor will they claim that the challenges in providing public services to Nunavummiut permit lapses that have lead to incredibly tragic results. Instead, these closing submissions will examine what the GN is doing to make things right, and its efforts to ensure that future tragedies are avoided.

[10] The first part of these submissions will examine the efforts of three key Departments of the GN to address matters crucial in addressing violence against women and girls – Justice, Family Services, and Health.

[11] The second part of these submissions will review the informal recommendations made pursuant to the Family Hearing in Rankin Inlet, and the steps the GN has taken so far in response.

[12] Unfortunately, Nunavut is often overlooked when discussing pan-Canadian issues. It is easy to forget about a vast territory inhabited by fewer than 40,000 people. The GN is watching this Inquiry with profound interest, and we sincerely hope that the recommendations made in the

final report reflect the experiences and challenges faced by Canada's most remote victims and their families.

DEPARTMENTAL EFFORTS TO ADDRESS VIOLENCE AGAINST WOMEN AND GIRLS

Department of Justice

[13] The Community Justice Division's Victim Services unit conducts the bulk of the work done by the Department of Justice to address violence against women and girls. The unit is partially funded by a five-year contribution grant from the Government of Canada.

[14] The Victim Services unit consists of three main programs:

1. Victims Assistance Fund

[15] The Victim Assistance Fund is a fund maintained with revenue from victim fine surcharges obtained from criminal court proceedings. The funds are used to support community-based projects and activities, and provide services and assistance to victims of crime through training community resource workers, direct services that assist victims (crisis response, personal support, follow-up assistance, and systems referrals), raising public awareness and information on the rights of victims and the services available to them, and research projects.

[17] In the 2016-2017 fiscal year, the Victim Assistance Fund funded ten projects. Of these, three were specifically targeted towards building support systems for women and girls facing violence: the Women's Counselling and Sewing Program (in Arctic Bay), the Women's Healing Group (in Arviat), and the Women's Group (in Coral Harbour). Similar projects have been founded in the past, including the Rankin Inlet Spousal Abuse Counselling Program (in Rankin Inlet) in 2014, which aimed to reduce spousal abuse through the delivery of innovative and culturally appropriate counselling designed to assist abusers in changing the way they relate to others – particularly their spouses.

2. Nunavut Victim Travel Support Program

[18] The Nunavut Victim Travel Support Program helps those affected by violent crimes to travel and participate in court proceedings that are held outside their home communities. The program provides air travel, accommodations, and meals for the duration of the court process.

Travel between communities in Nunavut can be prohibitively expensive for many Nunavummiut. This program ensures that there is one fewer obstacle in allowing victims and loved ones the opportunity to obtain justice.

3. Nunavut Victim Care Program

[19] The Nunavut Victim Care Program provides support and services for victims of crime in Nunavut by providing strategic partnerships with other government and non-government agencies. The program collaborates with RCMP to reach out to victims and increase self-referrals by having its contact information and purpose included on RCMP materials and business cards. It also operates a 24/7 toll-free hotline and email to respond quickly to service requests and to provide information and referrals.

[20] In the 2016-2017 fiscal year, the Nunavut Victim Care Program was able to directly assist forty-one clients from twelve communities. In collaboration with the Law Society of Nunavut, the program also created an educational video series in the four official languages of Nunavut called *Understanding the Court Process*. The videos demonstrate, through the lens of a victim and witness, the step-by-step process of a court proceeding in order to prepare and comfort victims, witnesses, family members, volunteers, and service providers who are new to the judicial system.

[21] The program also developed a Safety Planning guide – a resource targeted towards victims facing domestic violence. The guide, published in the four official languages of Nunavut, helps vulnerable victims and family members plan to safely escape a violent situation in the home.

[22] Outside of these three main programs, the Community Justice Division of the Department of Justice is also closely intertwined with the application of the *Family Abuse Intervention Act*.

[23] The Act establishes a system of rapid response for dealing with cases of domestic danger, and helping victims of violence obtain help. It creates a framework for defining family abuse, establishing remedies, and providing for emergency protection orders and other judicial responses when necessary, in order to protect vulnerable persons. The Act was also instrumental in expanding the role of the Community Justice Division by creating the position of Community Justice Outreach Workers in the GN, a public service position that acts as a liaison between

victims, RCMP, social workers, hamlet staff, and community Justice Committees. To this day, applications heard under the Act remain a large portion of cases heard before Justices of the Peace in the territory.

Department of Family Services

[24] The Department of Family Services is the GN's youngest department, having been created in 2013 following a division of the former Department of Health and Social Services. The Department has a broad mandate that affects large portions of Nunavummiut. Not only is the Department of Family Services responsible for child and family services across the territory (including child protection, guardianship, foster care, and adoptions), but also poverty reduction, income assistance, career development, and immigration. These submissions will focus primarily on the first area of the Department, as the work done by the Children and Family Services Division closely relates to violence against women and girls, and the subjects discussed during the course of the Inquiry.

[25] The Department of Family Services provides meaningful community engagement with communities, and works collaboratively with families and communities to protect children and vulnerable persons. The Department accomplishes this through a range of projects and programs largely focused on harm prevention and early intervention. Family Resource Workers, Client Liaison Officers, and Community Social Services Workers continue to be the primary front-line workers for the Department, and practice Inuit-specific approaches to child protection, such as *Inunnguiniq* parenting – an approach based in the *Inuit Qaujimajatuqangit* principle of *Inuuqatigiitsiarniq* (respecting others, relationships, and caring for people).

1. Children and Family Services Division

[26] The Children and Family Services Division of the Department of Family Services is responsible for providing a range of support services for children and adults who require support and/or protection. The Department's key services are as follows:

- **Child Protection Services:** protecting and supporting children and youth who are at risk or who are in need of protection through investigations in suspected cases of child abuse.

The Department also provides support services within the family home, through extended families, the foster system, or residential care.

- **Family Violence Prevention:** provides emergency travel assistance and support for individuals experiencing family violence through the funding of Family Violence Shelters and Safe Homes, as well as public awareness and advocacy outreach with Community Social Services Workers.
- **Adult Support and Residential Care:** provides placement for adults and Elders whose complex medical needs cannot be met by their family or within their home community. This includes both in-territory and out-of-territory residential care.
- **Adoption Services:** provides support for children, youth, birth parents, and adoptive families in private and Departmental adoptions. The Department also helps facilitate custom adoptions by assisting Custom Adoption Commissioners across Nunavut.
- **Guardianship Services:** the office of the Public Guardian reviews and executes guardianship applications when directed by the Nunavut Court of Justice. The Public Guardian makes personal and health decisions for individuals who are unable to make decisions on their own.
- **Social Advocacy:** provides funding to community organizations across Nunavut to enhance the lives of Nunavummiut.

[27] Throughout the course of the Inquiry, witnesses who raised concerns related to the Department of Family Services primarily focussed on the Department's Child Protection Services and Family Violence Prevention mandates. These submissions will therefore focus primarily on explaining the work done by these two areas of the Children and Family Services Division.

2. Child Protection Services

[28] Community Social Service Workers ("CSSW") deliver Child Protection Services in accordance with the *Child and Family Services Act*⁶. CSSWs work 24 hours a day, 7 days a week, in all 25 communities in Nunavut to ensure the safety of vulnerable children.

⁶ SNWT (Nu) 1997, c 13.

[29] CSSWs are required, under the *Child and Family Services Act* to investigate, where advisable, reports of a child in need of protection. Any person who has information or reasonable grounds to believe that a child is in need of protection can make these reports. The CSSW will investigate the report, and proceed with one of three outcomes:

- The report is found to be without merit and there is no further investigation;
- The investigation is inconclusive and the file is closed; or, if there is no need for protection but the family would benefit from additional support, they are provided resources or Service Agreements to help access services from the Department; or
- The report is validated and the CSSW confirms the child is in need of protection. The family can agree to a plan of care, or as a last resort, the matter is referred to the Nunavut Court of Justice to determine how to best ensure the child's safety and wellbeing.

[30] In cases where a child is not in immediate need of protection, the Department offers a range of Service Agreements for families that could benefit from additional support. Under these agreements, families work collaboratively with the Department to address concerns about a child's safety without engaging the judicial system.

- **“Voluntary Support Agreements”** are used with parents of children under sixteen who are not in immediate need of protection, but nonetheless require additional support. A Voluntary Support Agreement provides support services in a proactive and preventative way to prevent further intervention by CSSWs.
- **“Support Service Agreements”** are used with youth between sixteen and nineteen who cannot safely remain in their parents' homes. These agreements help provide youth with the resources they need to take care of themselves and live independently in a safe environment.
- **“Extended Support Agreements”** are used to support young adults between nineteen and twenty-six by helping them access support services related to finances, education, and housing. These are primarily used to assist young adults who were in Department custody or foster care during their childhoods.

[31] The Department must also respond to cases where a child *is* in immediate need of protection. In these instances, CSSWs escalate the matter to the Nunavut Court of Justice where a judge or Justice of the Peace chooses one of three options:

- **“Supervision Orders”** are used to direct CSSWs to supervise the home of the child in accordance with the terms of the order for a maximum of one year.
- **“Temporary Custody Orders”** are used to direct that the child be apprehended and placed in the custody of the Director of Child and Family Services for a specified period. During this time, the child is often safely placed in the care of a relative, foster care, or a group home if the child’s high and complex needs cannot be met by a relative or within foster care.
- **“Permanent Custody Orders”** are used as a last resort to place a child in the permanent custody of the Director of Child and Family Services until the child is sixteen (or nineteen if the child consents or if ordered by the Court). The Court may order any terms or conditions relating to access to the child by their parents. As with Temporary Custody Orders, the child is most often placed in the care of a relative, but may be placed in foster care or a group home if there are no other safe alternatives.

[32] When a child is apprehended and a Temporary or Permanent Custody Order is ordered by the Nunavut Court of Justice, the Department of Family Services strives to ensure that the child remains not only in Nunavut, but, as much as possible, with another member of their family. To wit, in 2015-2016,⁷ approximately 48% of children were placed in custody of immediate or extended family following a custody order, while 33% were placed in a foster home in Nunavut. Only 15% of children required accommodation outside of Nunavut due to medical, disability, mental health, or serious behaviour issues.

[33] Child apprehensions remain a means of last resort to protect vulnerable children. In those circumstances where an apprehension is needed, the Department of Family Services strives to ensure that the child maintains the support and care of their family by prioritizing relocating children into the care of the secure homes of other family members and relatives, or by facilitating

⁷ “Director of Children & Family Services 2015-2016 Annual Report”, Government of Nunavut Department of Family Services, at p. 10; online at: < https://www.gov.nu.ca/sites/default/files/2017-01-19-director_of_child_and_family_services_annual_report_2015_english_1.pdf >.

visitations through in-person visits or through telehealth. In doing so, children maintain their connections to their families, communities, and cultures, while remaining in a safe environment.

3. Family Violence Prevention

[34] The Department of Family Services also works to address family violence in Nunavut by working in collaboration with other GN departments, other federal, territorial, and provincial departments, and non-profit stakeholders. Most importantly, the Department is responsible for providing community-level support to those experiencing violence.

[35] The primary way in which the Department accomplishes these goals is by providing funding and training for Family Violence Shelters throughout the territory. These shelters operate as non-profit societies at arm's length from the GN, but provide services in accordance with the standards outlined in the Saillivik Family Violence Shelter Policy and terms outlined in formal contribution agreements with the GN. Consequently, when shelters fail to provide adequate services, they are accountable to the GN for breaching the terms of their contracts.

[36] Family Violence Shelters provide an integral safety net for women and children in need of twenty-four hour emergency protection, crisis intervention, and support services. In communities that do not have shelters, CSSWs provide family violence intervention services by assisting with referrals to other services and transportation to safe locations, including to Safe Homes and designated places of safety.

[37] There are five family shelters in Nunavut, one each in Rankin Inlet, Kugaaruk, Kugluktuk, Cambridge Bay, and Iqaluit. Together, these shelters provide beds and safe refuge to hundreds of women and children each year. Unfortunately, the need to increase prevention-based services within communities such as Family Violence Shelters and Safe Homes is greater than the available supply of safe spaces. The Department of Family Services continues to explore options to address this issue, and is committed to increasing funding allocations to Family Violence Shelters in the interim until a more permanent solution can be found.

Department of Health

[38] Providing health care to residents in Nunavut's 25 isolated communities is a unique challenge on many fronts, including distance, weather, and air travel. The Department of Health's staff work diligently to deliver health care to all Nunavummiut, and are continuously developing new programs and initiatives to ensure the wellbeing of its clients. Additionally, the Department will soon benefit from a new, made-in-Nunavut *Mental Health Act*, which will replace the thirty-year-old statute inherited from the Northwest Territories that is currently being used today. This new Act is the culmination of many years of collaborative work between the Department of Health, Nunavut Tunngavik Incorporated, and other key stakeholders.

[39] During this Inquiry, witnesses spoke about the lack of access to healthcare in Nunavut – specifically, the lack of mental health services. This section will primarily review the efforts made by the Department of Health to improve mental health services in the territory, but will also briefly touch on the work done in the areas of sexual health and addictions, as these have close ties to issues underlying violence against women and girls.

1. Quality of Life Secretariat

[40] The Quality of Life Secretariat was created in 2015, following the 2013 coroner's inquest into Nunavut's high rates of suicide ("Suicide Inquest"). The Secretariat is the lead unit responsible for developing suicide prevention, intervention, and post-intervention strategies. The Secretariat is also responsible for developing action plans, and interdepartmental cooperation for implementation strategies and reporting.

[41] The Secretariat has since published the *Resiliency Within, An Action Plan for Suicide Prevention in Nunavut 2016/2017* report, which compiles the eight commitments of the Nunavut Suicide Prevention Strategy arising from the Suicide Inquest:

- Focused and active approaches to suicide prevention;
- A continuum of mental health services for patients;
- Equipping youth with coping strategies to deal with adversity;
- Intervention training for medical staff;
- Researching and understanding the root causes of suicide in Nunavut;

- Improving communication with Nunavummiut;
- Improving early childhood development; and
- Supporting community development.

[42] The Mental Health Division of the Department of Health and the Quality of Life Secretariat have developed *Inuusivut Anninaqtuq*, a five-year action plan to address ongoing mental health issues in the territory and to achieve these eight commitments.

[43] The Secretariat was also instrumental in developing the *Uqaqatigiiluk! Talk about it!* project, an Inuktitut counseling program delivered by Inuit wellness organizations based on the Applied Suicide Intervention Skills Training program used elsewhere in Canada – but adapted for use in Nunavut.

[44] The Secretariat has also produced mental health resources for youth, and continues to host workshops for increasing cultural competence by front-line staff. Its *Indigenous Cultural Competence* program has delivered training to over one hundred GN staff, a number of whom then became certified trainers to deliver the courses themselves. These training sessions continue to be delivered across the territory.

2. Isaksimagit Inuusirmi Katujjiqatigiit – Embrace Life Council

[45] The Department of Health funds the Embrace Life Council. The Council is responsible for supporting the mental health and wellness of Nunavummiut through mental health and wellness promotion, training, program delivery, and collaboration on community initiatives. It has undertaken a number of suicide prevention strategies, including social media campaigns and child sexual abuse prevention resource development.

3. Mental Wellness Program

[46] The Department's Mental Wellness Program is committed to supporting improved mental health and resilience of Nunavummiut and reducing the incidence of suicide within the territory. The program aims to promote and increase awareness of, and participation in, mental health and wellness services and programs across the territory. The Program works in collaboration with the Quality of Life Secretariat, the Embrace Life Council, and key stakeholders and partners across the territory.

[47] One example of the work supported by the Mental Wellness Program is the *Inuutsiarniq* project, a health-specific literacy initiative that integrates age-appropriate messaging related to emotions, healthy relationships, positive coping skills, bullying, and dealing with difficult situations. It also includes educational resources developed in collaboration with the Department of Education, and is available in all Nunavut schools.

[48] Another example is the *Our Children, Our Responsibility* project, a child sexual abuse prevention training initiative. The project consists of educational video modules and facilitated discussions to engage adults on how communities can work together to protect children from sexual abuse, and how to respond to reports of abuse when children disclose that information.

4. Mental Health Services

[49] Providing mental health services in Nunavut has traditionally been a challenging issue for the Department of Health. The Department currently employs approximately 146 mental health staff across the territory, and continues to dedicate resources for creating more positions.

[50] However, the Department is proud that, despite ongoing staffing and funding challenges, most communities now have a Community Psychiatric Nurse or a Mental Health Consultant working as part of the local health team. In the absence of these staff, a robust telehealth system has been established to provide care on-demand in even the most remote communities of our territory.

[51] Thanks to the hard work of these Community Psychiatric Nurses and Mental Health Consultants, services at the community-level have increased across the territory. Local health teams are now able to do assessments, counselling, case management, crisis intervention, suicide risk assessment, and suicide risk safety planning. Health staff can also make referrals and appointments with visiting psychiatrists, or through telehealth with the Toronto SickKids Hospital's Tele-psychiatry Program.

[52] The Community Psychiatric Nurses and Mental Health Consultants are also partnering with local hamlet staff to offer community-specific programs, such as youth mentorship programs, addictions recovery programs, family counseling, and gender-specific counseling for young boys and girls.

[53] Where there is a lack of services in a community, or where it is determined that a patient needs additional treatment and support, the Department of Health assists patients in accessing services in other communities in Nunavut. The Department currently runs two mental health residential programs, one each in Iqaluit and Cambridge Bay. In rare cases, a patient is referred to out-of-territory care. In these cases, Community Psychiatric Nurses and Mental Health Consultants continue to track their patients' progress and provide them with all necessary supports to assist in their transition back to their home communities following their treatment.

5. Sexual Health Program

[54] While not directly related to mental health, the Department of Health's Sexual Health Program has created initiatives that encourage healthy relationships and promote the health and safety of women and girls. This includes publishing educational resources and posters on sexual consent and healthy relationships, improved sexual health education in school curricula, and working with the Embrace Life Council to develop Nunavut-specific child sexual abuse prevention training. The Department has also been improving training for community health staff to better enable them to teach sexual health to their patients.

6. Addictions Program

[55] The Department of Health continues to develop resources to support alcohol harm reduction. These resources are intended to motivate individuals who are struggling with addictions to seek help, de-stigmatize help-seeking behaviour, de-normalize alcohol consumption among youth and pregnant women, and disrupt harmful drinking patterns among adults.

[56] One initiative was the creation of *Journey of Hope*, a video series in a talk-show format featuring community members who share their stories about overcoming their addictions and their journeys through sobriety.

[57] Another initiative was the creation of a series of seven public service announcement videos that discuss the harms associated with excessive alcohol consumption. The videos explore the dangers of mixing alcohol with other drugs and medication, the impacts of alcohol on pregnant women and the effects of Foetal Alcohol Spectrum Disorder, and the impacts of alcohol addiction on families and communities. These resources have been distributed throughout the territory, and

appear on a variety of media channels, including television and as advertisements before movies at the movie theater in Iqaluit.

STEPS TAKEN FOLLOWING RANKIN INLET FAMILY HEARINGS AND INFORMAL RECOMMENDATIONS

[58] Between February 20, 2018 to February 22, 2018, the Inquiry heard from twenty-two witnesses during its Family Hearing in Rankin Inlet, Nunavut. These witnesses were victims of violence, or family members related to victims of violence. The witnesses spoke about the harms suffered by themselves or by their loved ones, and, in many cases, the circumstances that led to their loved ones' disappearance or death. Their testimonies often reflected common themes such as childhood trauma, sexual assault, spousal or domestic violence, and alcohol or drug use. The witnesses also spoke about systemic failures by the federal and territorial governments, including a lack of safe shelters, poor police practices, and inadequate mental health services.

[59] Following the Rankin Inlet Family Hearing, the GN consolidated the statements made by the witnesses and created a list of informal recommendations for its internal use. The Inquiry itself did not publish these recommendations. Instead, the recommendations were developed internally by the GN from the witnesses' testimonies – particularly their statements about what the GN could have done better.

[60] The informal recommendations fell broadly into GN departmental categories, and the ongoing work by the respective Departments is summarized below. The GN will continue to work towards achieving these goals while waiting for the Inquiry's final report.

Department of Justice

1. Reinstate the Special Constables Program to increase understanding of traditional justice systems.

[61] The Special Constables Program was an RCMP program. The GN cannot require the Government of Canada to re-instate the program, but can evaluate the possibility of funding similar programs during future RCMP contract renewals.

2. Improve services for educating victims about the criminal justice process, so that they are not required to navigate the criminal justice system alone while grieving the loss of their loved ones.

[62] The GN can review the relationship between the Department of Justice’s Victim Services Unit and the Public Prosecution Service of Canada’s Crown-Witness Coordinators to address service gaps.

[63] The GN can also work to address concerns that services for victims are responsive to client requests, rather than reactively reaching out to potential clients after a crime has occurred.

[64] The GN can work to address service gaps caused by lengthy periods between circuit court sittings.

[65] The GN can continue to develop resources (handbooks, videos, etc.) for clients to fill certain gaps in services. This can be done in cooperation with the Crown and RCMP.

3. Incorporate components of “community knowledge” into investigation processes through the development of Community Advisory Groups, as this knowledge base is fundamental to northern communities. This type of knowledge is critical to understanding the offender, risks to the community, and the implementation of safety measures for victims.

[66] The development of an Integrated Case Management Team, composed of government agencies working in collaboration with each other, can effectively serve this purpose without incurring the risk of upsetting community dynamics. While it is important for staff in communities to know the dynamics of a community and particular issues to be live to, the GN believes that a cooperative effort between government agencies, rather than a private Community Advisory Group, would be the best way to do this.

4. Ensure judicial mechanisms are in place to address complexities of offender history, behavior patterns, and willingness to change. Establish Domestic Violence Courts.

[67] The GN can achieve this goal by improving the implementation and use of the *Family Abuse Intervention Act* and its specialized tribunals. By appointing more Justices of the Peace, the GN can improve their overall availability and effectiveness.

[68] Establishing Domestic Violence Courts can be a long-term goal, as it requires significant changes to law, policy, and practices. Additionally, only the Senior Judge of the Nunavut Court of Justice can make recommendations about training for other judges on family violence issues.

5. Sensitivity training in notification of “next of kin”, and ensure timely access to autopsy reports.

[69] The GN can develop a guide and framework for sensitive responses by social workers, health staff, victim services staff, and any other front-line staff when responding to clients or family members who have been victims of, or affected by violent crimes.

[70] The GN is alive to the complexities of kinship in Nunavut. Defining “next of kin” is difficult, and a rigid definition can create obstacles to the dissemination of information after a traumatic event. The GN can explore ways to address this complex issue, while staying in compliance with all necessary privacy laws.

[71] As the GN does not employ any pathologists in the territory, autopsy reports are prepared by pathologists outside of Nunavut. These reports are private medical information belonging to the next of kin of the deceased. The GN may not have direct control over the speed or sensitivity of their production, and access to the reports by persons who are not “next of kin” are subject to privacy laws.

6. Change the judicial system’s response to ensure timeliness of proceeding to trial to avoid lengthy delays between the initial charges through to conviction. The judicial system’s response to domestic violence and violence against women needs to change to reflect that safety of women is a priority.

[72] It is unlikely that the GN can make sweeping changes to the Nunavut Court of Justice’s schedule of proceedings and the delays that occur naturally because of our circuit court system. The Nunavut Court of Justice also generally does not hear cases during the summer, as the brief summer season is reserved for Nunavummiut to be with their families and out on the land in accordance with *Inuit Qaujimajatuqangit* principles. These delays have repeatedly been found by the Court to be an unavoidable part of the judicial system in Nunavut, and an “exceptional circumstance” sufficient to waive the *Jordan*⁸ standard used in the rest of Canada.⁹

⁸ *R v Jordan*, 2016 SCC 27.

⁹ See: *R v Anugaa*, 2018 NUCJ 2; *R v IN*, 2018 NUCJ 9.

[73] However, the GN can make investments in the prevention of crime, rather than the adjudication of crime, to lower overall caseloads and improve the efficiency of the court system.

Department of Education

1. Provide more education and awareness on abuse prevention, intervention, and follow-up services and supports for children, youth, adults, and families.

[74] Generally speaking, schools must teach a curriculum developed by the Department of Education that reflects the educational standards used elsewhere in Canada. Efforts to raise awareness of abuse prevention may be better directed towards comprehensive, GN-wide awareness campaigns in collaboration with other Departments.

[75] Locally, District Education Authorities have the authority to direct their local schools to create moral programs that reflect the needs and interests of their communities. It is in this context that the creation of abuse awareness courses may be better suited, but this is subject to the District Education Authorities' individual mandates as democratically elected organizations.

2. Provide classes on Inuit history before Colonization.

[76] The GN can examine the current curriculum to review whether history and social studies courses sufficiently discuss this topic.

3. Mandatory Inuktitut-language education for all grades. This would show respect for Inuit, and promote pride in Inuit culture. Inuit students would have more opportunities to speak for themselves in their own language.

[77] The GN continues to make Inuktitut-language education for all grades a priority. The Department of Education continues to work with the University of Regina and Nunavut Arctic College's Nunavut Teachers Education Program to train Inuktitut-speaking teachers.

4. The education system needs to be a part of the solution so children know from an early age what abuse is, how to report it, and who to report it to.

[78] The GN can examine the current curriculum to review whether health and well-being courses sufficiently discuss this topic.

Department of Family Services

1. The child welfare system needs to guide families and work with them as opposed to policing them and removing children. The GN should ensure a standard of practice and continuity of care in the provision of services to children and families.

[79] The GN can provide better education and create awareness about the standards of practice of CSSWs, and the problems and solutions for continuity of care issues. This would help address the misconception and perception that CSSWs work to “police” families.

[80] The GN also supports the Umingmak Child and Youth Protection Centre, the first child advocacy centre in Nunavut.

[81] The GN can also continue to improve its cultural sensitivity training for front-line CSSWs. Training for *Inuit Qaujimagatuqangit* principles related to parenting is also an asset, as it would improve engagement with parents and communities. Further, the GN continues to provide funding to support Inunnguiniq Parenting across the territory, to support parents and families and prevent children from coming into care. Inunnguiniq parenting focuses on parents’ wellbeing through healing, and reconciliation, and provides a space to reflect on the roles of parents in raising children and on colonial policies affecting families in the north.

[82] CSSWs can collaborate with the *Family Abuse Intervention Act* systems to clarify each others’ mandates and areas of practice.

2. In the event of an apprehension (which should generally be a tool of last resort), children should be immediately assessed for any developmental delays or other challenges in order to ensure that all necessary steps are taken to accommodate their needs.

[83] Child apprehensions are a tool of last resort, and are based on the need for the immediate protection of the child. The length of time of an apprehension is determined on a case-by-case basis, and as described in these submissions, many different services and supports can be put in place to ensure the child’s safety before apprehension is considered.

[84] The GN recognizes that the mental health system in Nunavut is strained due to a lack of capacity and resources. While some mental health assessments can be conducted at a community level through local mental health staff and telehealth services, formal psychiatric assessments are

dependent on professional services that are not always available in Nunavut's isolated communities. These services require formal referrals through the Department of Health, and can be subject to wait times.

[85] CSSWs are not qualified to test or assess children for developmental disabilities and mental health issues, and local health staff may not have the capacity to do so either. However, a medical professional immediately checks apprehended children for physical issues, such as illness, injuries, and overall healthy development.

3. Higher level training for Community Social Services Workers to support children exposed to family violence and to support families to ensure safety and reduce violence.

[86] The GN agrees on the importance of providing higher level training in these areas, and commits to working towards this goal in collaboration with all stakeholders involved in protecting children, families, and other vulnerable populations in Nunavut. The GN is revising its Child Abuse Response Protocol to ensure that there are more effective responses to child abuse across the government. The GN is also further developing the Family Resource Worker Program (including developing a training component), as well as a Foster Parent Training curriculum.

[87] The GN continues to work with other provincial and territorial colleagues to explore the appropriateness of formalizing an Interagency Case Assessment Protocol in interventions and case planning for high-risk domestic violence cases.

4. More transitional housing for women and children so that people have options for leaving rather than staying in abusive relationships to avoid homelessness.

[88] The availability of housing is an ongoing problem affecting Nunavut as a whole, but it is particularly difficult for vulnerable people who are in need of transient or transitional housing. The GN agrees that transitional housing is needed, and commits to continue working with communities to identify the housing needs of community members in terms of a continuum of safe and accessible housing for women and children fleeing family violence.

5. Women's shelters need to be accessible to women and accountable for the services they provide to ensure safety and reduce the risk of future harm.

[89] The GN is reviewing the *Saillivik Family Violence Shelter Policy* and its Shelter Program to ensure it meets the needs of women and children in Nunavut (including safe home programs), and that its standards are aligned with keeping women and children safe from immediate harm. In addition to operational funding, the GN provides funding for shelter staff and boards of directors to have access to training opportunities, skills development, and knowledge building to enhance their ability to provide services to women and children fleeing violence.

[90] The GN also includes shelter standards in its grants and contributions agreements, which are applicable and enforced in all shelters funded by the GN.

6. Find alternatives to placing children in foster care or in facilities in southern Canada. We need to ensure families and communities are ready to take care of children requiring care services, and increase the capacity of family kinship placements.

[91] In Nunavut, where appropriate, extended family placements and provisional foster homes are an alternative to standard foster homes, and are a first choice in care services. The GN is working to increase the capacity of services and supports available to children, families, and extended families at a community level – such as with Family Resource Workers and the *Inunnguiniq Parenting Program* in collaboration with the Qaujigiartiit Health Research Centre. Furthermore, the GN is working to strengthen its foster care program to encourage more family and community members to foster children, and ensure children have more opportunities to remain within their home community.

[92] Collaboration is required from community members and stakeholders in keeping with our guiding principles. There is also a need to consult with communities to develop a means of support for families that will not compromise the safety of children.

Department of Health

1. Increase follow-up support services for child sexual abuse victims, as well as other forms of violence. The focus should be on early intervention to reduce the long-term impacts of living with unresolved trauma.

[93] The GN is strengthening its responses to child sexual abuse, including hiring a Coordinator for Preventing Violence Against Children and Youth, and through the provision of training to

frontline staff to ensure they can respond effectively to child sexual abuse. The GN continues to explore opportunities to collaborate with other departments and stakeholders (such as Status of Women Canada) to strengthen responses to family violence in communities.

2. Access to healthcare services in Inuktitut must be improved at all levels. Autopsy reports should be prepared in Inuktitut.

[94] The GN continues to invest in language training for Department of Health staff to improve Inuktitut language skills, and is working on a Departmental Language Plan. The Department continues to work with territorial wellness stakeholders to better understand how to provide culturally relevant services in Inuktitut.

[95] Autopsy reports are prepared by out-of-territory pathologists on contract with the GN, and are personal medical information produced exclusively for the next-of-kin of the deceased. These pathologists, typically in Yellowknife, Winnipeg, Ottawa, or Montreal, do not have the language training to prepare autopsy reports in Inuktitut. As these are not documents prepared for the public, they are not subject to the *Inuit Language Protection Act* and are not required to be in Inuktitut. The GN acknowledges that this is an unfortunate consequence of requiring out-of-territory pathology services.

3. Professional services and formal assessment tools are required to understand both the short and long-term impacts of trauma and addictions – such as learning disabilities, emotional harm, and developmental delays. Formal assessments require effective case planning and management involving multiple agencies where necessary. The GN must expand mental health and psychiatric services to increase accessibility and timely access to services, and improve continuity of care.

[96] The GN continues to expand its mental health staff, and now has a Community Psychiatric Nurse or Mental Health Consultant in most community health teams across Nunavut communities. Where there is no Community Psychiatric Nurse or Mental Health Consultant, community health teams have access to a robust telehealth network. The Department collaborates with Toronto's SickKids Hospital to provide tele-psychiatry in communities without in-person mental health staff.

4. Create safe opportunities for Inuit men to voluntarily engage services and supports to heal from unresolved trauma and recognize the pattern of their abusive behaviours, if

they choose to do so. This opportunity should be reserved for men who truly wish to improve themselves and who are remorseful for their actions.

[97] The GN has developed a gender-specific counseling program in Baker Lake (*Bro Talk, Girls Talk*) as part of its Mental Health Program. However, this program is community-specific, and is targeted towards young men and women – not adults. The GN can work to expand this program to other communities, and work in collaboration with the Department of Family Services' Family Violence Prevention Unit to expand the program to older men as well. The GN is also providing funding to community-based organizations through the Men and Boys Initiatives Grants, as well as the Women's Initiatives Grants.

5. Develop policies that reflect northern realities as related to the repatriation of remains (ie: airfare, cargo costs, difficulties in deliveries to isolated home communities, financial hardship, etc.).

[98] The GN currently pays the costs of repatriating the remains of Nunavummiut who have died during medical travel (including Nunavummiut who live in out-of-territory long-term care facilities or were receiving out-of-territory health services). The GN will pay for embalming, cremation, or a casket, in addition to transportation fees, to the community of choice by the next-of-kin or the executor of the deceased's estate. The GN will not pay to transport remains to Nunavut of persons who are no longer residents of the territory, or who died in another community while not on medical travel.

CONCLUSION

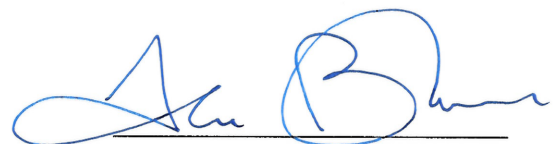
[99] Nunavut faces challenges unlike any other jurisdiction in Canada. Despite these obstacles, the GN continues to work on addressing the concerns raised by victims of violence and their family members.

[100] Nunavummiut are often left with the sentiment that they are forgotten or ignored by the rest of Canada. Most Canadians will never come to Nunavut, nor come to appreciate the beauty of its land and the resiliency of its people. Many Canadians simply do not even know where Nunavut is, let alone the challenges its residents face on a daily basis. As residents of a vast, largely uninhabited territory, Nunavummiut often feel abandoned or forgotten by the rest of their country.

[101] As the National Inquiry on Missing and Murdered Indigenous Women and Girls comes to a close, the GN hopes that Nunavut will not be overlooked. Having only held one Family Hearing in Nunavut, in the coldest month of winter (temperatures during the Rankin Inlet Family Hearing dropped to -71C with wind-chill), and in the hamlet of Rankin Inlet instead of the capital city of Iqaluit, the GN is concerned that the Inquiry did not adequately canvass the testimonies of victims and families throughout the territory. The GN also noted the dearth of Inuit-specific content throughout the Inquiry, which appeared to focus primarily on First Nations issues in southern Canada. Given that the Inquiry is intended to be an in-depth examination into the issues faced by all Indigenous women and girls, including Inuit in Nunavut, these shortcomings have been difficult to overlook.

[102] Therefore, the GN wishes to impress upon the Inquiry the importance of including as much Nunavut-specific as possible in its Final Report. Only if Nunavut Inuit are not forgotten can the Inquiry's work be regarded with respect and authority in Our Land.

DATED at the City of Iqaluit, Nunavut, this 14th day of December 2018 and SUBMITTED by Alexandre Blondin, solicitor for the Government of Nunavut.

A handwritten signature in blue ink, appearing to read 'Alex B', written over a horizontal line.

Solicitor for the Government of Nunavut