



16th Legislative Assembly of the Northwest Territories

Standing Committee on Government Operations

Interim Report on the Review of the
Official Languages Act 2008-2009

Chair: Mr. Kevin Menicoche

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SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker:

Your Standing Committee on Government Operations is pleased to provide its Interim Report on the Review of the *Official Languages Act* 2008-2009 and commends it to the House.

Kevin Menicoche, MLA
Chairperson

**STANDING COMMITTEE ON
GOVERNMENT OPERATIONS**

**INTERIM REPORT ON THE REVIEW OF THE
*OFFICIAL LANGUAGES ACT 2008-2009***

TABLE OF CONTENTS

Introduction	1
Background.....	1
Steps for the 2008-2009 Review.....	2
Literature and Document Review	2
Input from Aboriginal Languages Specialists and Frontline Workers	2
Community Visits and Public Hearings.....	3
Public Committee Meetings.....	4
Additional Input from the Public.....	4
Final Report.....	4
Reductions	5
Emerging Themes of the 2008-2009 Review	4
Conclusion	7

STANDING COMMITTEE ON GOVERNMENT OPERATIONS

INTERIM REPORT ON THE REVIEW OF THE *OFFICIAL LANGUAGES ACT* 2008-2009

INTRODUCTION

Section 35 of the *Official Languages Act* requires the Legislative Assembly or a Special Committee of the Assembly to conduct a review of the *Act* “at the next session following December 31, 2007 and subsequently at the next session following each successive fifth anniversary of that date”. In accordance with this statutory requirement, the 16th Legislative Assembly adopted a motion on February 11, 2008 referring the review of the provisions and operation of the *Official Languages Act* to the Standing Committee on Government Operations.

BACKGROUND

The 14th Legislative Assembly initiated the Special Committee on the Review of the *Official Languages Act* (SCROLA) in 2001. SCROLA tabled its comprehensive final report in 2003. The report identified 65 recommendations and suggested implementation and investment schedules for these recommendations. The GNWT tabled a response to this report in 2003.

Amendments to the *Official Languages Act* were made during the last session of the 14th Legislative Assembly. These changes introduced an Aboriginal Languages Revitalization Board, an Official Languages Board, and new roles for the Languages Commissioner and the Minister. The *Act* requires a review after five years.

The SCROLA review was comprehensive and provided much background research into the socio-linguistic field of language preservation and revitalization. The findings of the Special Committee on the Review of the *Official Languages Act* in this regard are still valid and usable, allowing the scope of the this five-year review to focus specifically on the requirements as set out in the *Act* itself.

The 2008-2009 Review will examine:

- whether progress has been made since the changes to the *Official Language Act* in 2003;
- whether the Government implements and administers the *Act* effectively and efficiently;

- whether the objectives and goals of the preamble are being met;
- whether the changed roles and responsibilities of the Minister Responsible for Official Languages improved the administration and implementation of the *Act*;
- whether the changed role of the Languages Commissioner as an ombudsperson improved the implementation of the *Act*;
- whether the new Official Languages Board has met its mandate to review the rights, status and use of Official Languages; and
- whether the Aboriginal Languages Revitalization Board has fulfilled its mandate to promote, maintain and revitalize Aboriginal languages.

STEPS FOR THE 2008-2009 REVIEW

The Standing Committee on Government Operations plans the following steps for the review of the *Official Languages Act*:

Literature and Document Review

The literature and document review covers an extensive selection of documents from the Government of the Northwest Territories, the Languages Commissioner of the Northwest Territories, other stakeholders and non-government organizations of the NWT. The review also considers literature from other Canadian jurisdictions, international organizations, and examples of language policy and activities.

Input from Aboriginal Languages Specialists and Frontline Workers

Aboriginal language specialists and frontline workers participated in surveys, interviews and regional focus groups during June, July and August 2008.

169 Aboriginal language specialists and frontline workers were surveyed. 69 participants responded, which translates into a response rate of 41%. All nine Aboriginal Official Languages were represented in the response. The Aboriginal language specialists and frontline workers were asked questions relating to:

- the *Official Languages Act*;
- the SCROLA recommendations;
- their awareness of the implementation of these recommendations;
- Government services and communication with the public;

- training for language specialists and frontline workers;
- their awareness of language revitalization activities from the Government and the Aboriginal Languages Revitalization Board; and
- community language activities.

Aboriginal Language Instructors, Interpreter/Translators, and other community based Aboriginal Language Specialists participated in eight regional focus groups. These groups discussed issues around language revitalization and obligations arising from the *Official Languages Act*.

Some of the highlights are captured in the 'Emerging Themes' section of this Interim Report. The Standing Committee's final report will include a detailed chapter on the findings of both the survey results and focus groups discussions.

The Standing Committee appreciates the Ministers' support for this undertaking, in particular for sharing information and for contacting the education and health authorities to ensure they are aware of this consultation by the Committee.

Community Visits and Public Hearings

The Committee conducted community visits and public hearings in September 2008. The Committee held public hearings in Déliné, Fort McPherson, Fort Resolution, Fort Simpson, Fort Smith, Inuvik and Yellowknife. The Committee also had meetings with community Aboriginal language groups in Behchoko, Dettah, Déliné, Fort McPherson, Fort Resolution, Fort Simpson, Fort Smith, K'atloodeeche (Hay River Reserve) and Inuvik. To ensure all Aboriginal language community groups had a chance to participate, they were invited to attend the meetings for their language group. Representatives from Fort Providence, Ulukhaktok, Fort Liard, Trout Lake, Kakisa, Fort Good Hope, and Tulita took part in meetings in on the Hay River Reserve and in Inuvik, Fort Simpson and Déliné.

Most gatherings were well attended and the Standing Committee heard many engaged contributions addressing language issues and concerns. The vast majority of contributions during the public hearings were made by members of Aboriginal language groups. The Committee regretted that there were no contributions from the French speaking public.

Some highlights of what the members of the Standing Committee heard during its community visits are captured in the 'Emerging Themes' section of this interim report. A more detailed summary will be included in the final report on the review of the *Official Languages Act*.

Public Committee Meetings

The Standing Committee expects to hear from witnesses at public Committee meetings in late 2008. Witnesses will include the Minister Responsible for Official Languages, the Languages Commissioner of the Northwest Territories, representatives of the Aboriginal Languages Revitalization Board and the Official Languages Board, the NWT Bureau of Statistics, the Fédération Franco Ténoise and the NWT Literacy Council.

Additional Input from the Public

The Standing Committee is providing further opportunities for public input. The public is encouraged to complete a questionnaire that is posted on the Assembly's website and available from the Legislative Assembly as a paper copy upon request. This questionnaire is available until November 21, 2008. In addition, members of the public are welcome to provide written submissions to the Committee. Submissions are accepted until November 14, 2008.

Final Report

The Standing Committee on Government Operations will analyze and evaluate the findings of all steps undertaken during the review and will report back to the Legislative Assembly. The final report on the *Official Languages Act* review will be completed and tabled in the spring of 2009. This report will include the summaries of all review steps, the Committee's analysis and evaluation. The Committee may make recommendations on how to improve the effectiveness, administration and implementation of the *Official Languages Act*.

EMERGING THEMES OF THE 2008-2009 REVIEW

People are concerned about the dire situation of the Aboriginal Languages in the Northwest Territories. They worry about the survival of their languages and how they can be kept alive as languages of every day use. There is a great awareness of the connection between language and cultural identity and that language loss has non-reversible impacts on the culture and identity of Aboriginal peoples of the Northwest Territories.

The intergenerational gap of language and traditional knowledge is growing to an extent never seen before. Elders describe this gap as a total communication breakdown because their grandchildren no longer speak the same language.

People are also disillusioned and frustrated with the lack of accountability for implementing Government commitments relating to Official Languages.

The lack of Interpreter/Translators in the health and justice systems, the lack of adequate training for these interpreters and the need for on-going terminology development and standardization in an ever-changing modern environment was brought to the Standing Committee's attention in every community.

Participants also identified short-comings within the education and school system, for example:

- Aboriginal languages curriculum development and implementation is slow and under-resourced;
- providing 30 minutes of language instruction per day is insufficient, particularly when all other subjects are taught in English only;
- language instruction often does not extend beyond elementary school grades;
- lack of accountability to ensure language funding for schools is used for language activities; and
- insufficient support, resources and training for Aboriginal Language and Cultural Instructors.

This being said, people also acknowledged that some progress has been made, for example in the development of Aboriginal Language curriculums and with the start of some language nest programs. At the same time, participants repeatedly expressed that if government is serious about its role in Aboriginal language revitalization, then the implementation of such programs needs to be accelerated and resourced adequately in order to counteract the language decline, particularly among children and younger adults.

While some people had heard of the Official Languages Board and the Aboriginal Languages Revitalization Board, most did not understand their roles and mandates or why two language boards exist. Participants also did not know who the board representatives are and are generally critical about the boards' capacity to develop on-going relationships and communication with the community language groups, frontline workers and advocates. In addition, the appointment process for the Boards, their dependent relationship with the Minister's office and the lack of powers and resources were questioned frequently. Participants also found the absence of any reporting mechanism or any publicly available information relating to the activities of the Boards inconsistent with their mandate and intended purpose.

There was a general concern about the role and functions of the Languages Commissioner: People did not know who the incumbent is or what the Commissioner does. There was no awareness of the changed role and responsibilities of the Commissioner. Participants stated repeatedly that they had not seen the Commissioner in their communities nor did they know whether Annual Reports were published.

The messages the Standing Committee received with regards to community language funding were unified, loud and clear:

- The major obstacle of the community language funding is that the small amounts do not match the needs for essential resources and programs that could contribute to the survival of the Aboriginal languages.
- There is no funding consistency.
- There are too many interruptions in the programs due to lack of funding.
- Insufficient funding also prevents program expansions for adult language and literacy learners and pre-school programs. Such programs would be crucial for the revitalization of the Aboriginal languages.
- The allocation by regions and by language groups does not consider needs.
- Existing community language funding is minimal and insufficient, not allowing for year-round programming. The proposal-based year-to-year funding forces staff and community volunteers to spend their time on proposal writing and in search of funding sources instead of on program delivery.
- Information is difficult to find about funding sources, criteria and the application process. Participants stressed that this is of particular concern when considering the expectations put on the communities, with the *Official Languages Act* acknowledging their essential role for language revitalization.

In several locations, the Standing Committee was also reminded of its role to hold Government accountable for its commitments to language activities and its responsibilities under the *Act*. Those participants who were aware of the 2003 SCROLA recommendations remarked on the lack of implementation and lack of transparency of Government commitments and activities. People asked the members of the Standing Committee to play a more active oversight and accountability role, for example, insisting on detailed implementation and progress reports.

CONCLUSION

The Standing Committee wishes to thank all language specialists, frontline workers that participated in the survey and focus groups. Committee members express their grateful thanks to all those who welcomed us into their communities and to all residents who attended the public hearing and made contributions. Members of the Standing Committee are thankful to all community language groups for sharing their insights and expertise.

Members are committed to achieving the objectives of this review as stated in the *Official Languages Act*. The Standing Committee on Government Operations anticipates tabling this final report in the spring of 2009.