

Motion

Establishment of a Special Committee to Review the *Child and Family Services Act*

WHEREAS the 16th Legislative Assembly has agreed on a vision of “strong individuals, families and communities sharing the benefits and responsibilities of a unified, environmentally sustainable and prosperous Northwest Territories”;

AND WHEREAS the 16th Legislative Assembly has identified a number of priority actions including the promotion of healthy choices and lifestyles, the role of personal and family responsibility and the need to work with families, communities and schools to improve the physical and mental well-being of our youth;

AND WHEREAS the family is the basic unit of society and its well-being should be supported and promoted;

AND WHEREAS children are entitled to protection from abuse, harm and neglect;

AND WHEREAS the vision of Phase II of the Family Violence Action Plan is “a society where all individuals are safe, respected and valued; where any form of

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Date of Notice:	June 1, 2009	Moved by:	Mr. Abernethy
Date of Introduction:	June 3, 2009	Seconded by:	Mr. Krutko
Disposition:	Carried as Amended R.V.		
Carried:	June 3, 2009	Ruled Out of Order:	

family violence is unacceptable; and where children, women and men have opportunities to reach their full potential”;

AND WHEREAS over the past few years Members of the 16th Legislative Assembly and their constituents have voiced concerns regarding child protection apprehension, the discretionary powers of Child Protection Workers and the overall oversight of the NWT child protection regime;

AND WHEREAS 622 Northwest Territories children and youth were receiving services from the Department of Health and Social Services – Children and Family Services Division as of December 3, 2008;

AND WHEREAS parents retained custodial rights for only 43% of these children and youth through the use of Plan of Care, Voluntary and Support Service Agreements;

AND WHEREAS only 52% of these children received services delivered in the home of a parent, a relative or someone the child or youth knew;

AND WHEREAS during fiscal year 2007-2008 there were a total of 56 children and youth supported in residential treatment services out of the territory;

AND WHEREAS 111 children were apprehended for more than 72 hours in 2008;

AND WHEREAS the Government of the Northwest Territories annually expends significant amounts of money on child care programs, including nearly \$8 million for foster care alone;

AND WHEREAS the Standing Committee on Social Programs of the 15th Legislative Assembly presented a report on child and family services matters

that focused on strengthening existing child protection practices and ensuring that all provisions contained in the *Child and Family Services Act* be implemented and utilized in all communities in the Northwest Territories;

AND WHEREAS the Standing Committee recommended that the Government of the day provide a comprehensive response to the Committee's report;

AND WHEREAS the requested response was never tabled and nor was any meaningful analysis of the highlighted issues ever provided;

AND WHEREAS other jurisdictions in Canada, including Ontario and British Columbia, have recently conducted comprehensive reviews of their own child protection regimes;

AND WHEREAS it has become patently obvious that the *Child and Family Services Act* is in need of a comprehensive review;

AND WHEREAS a review should include an examination of the administration and implementation of the *Act*, the effectiveness of its provisions including the assignment of discretionary powers to Child Protection Workers and the achievement of the objectives stated in the preamble, and may include recommendations for changes to the *Act* and its Regulations;

AND WHEREAS a review should also incorporate and respect traditional cultural values and approaches to conflict resolution;

AND WHEREAS the Legislative Assembly wishes to begin a comprehensive review of the *Child and Family Services Act*;

NOW THEREFORE I MOVE, seconded by the honourable Member for Mackenzie Delta, that this Legislative Assembly hereby establish a special committee to conduct a review of the *Child and Family Services Act*;

AND FURTHER, that the following Members be named to the Special Committee:

- the Member for Great Slave, Mr. Abernethy;
- the Member for Tu Nedhe, Mr. Beaulieu; and
- the Member for Mackenzie Delta, Mr. Krutko

AND FURTHERMORE, that notwithstanding Rule 88(2), the following Members be named as alternate Members to the Special Committee:

- the Member for Frame Lake, Ms. Bisaro; and
- the Member for Weledeh, Mr. Bromley.

AND FURTHERMORE, that the Special Committee prepares its terms of reference and present them at the first opportunity during the sitting of the Legislative Assembly in October 2009.