

Motion

Standing Committee on Social Programs – Review of the *Child and Family Services Act* Terms of Reference

WHEREAS, on June 3, 2009 the Legislative Assembly adopted Motion 21-16(3) as amended, directing the Standing Committee on Social Programs to conduct a review of the *Child and Family Services Act* and its implementation and to present the Committee findings to the House at the earliest opportunity;

AND WHEREAS, the Motion also directed the Standing Committee on Social Programs to prepare additional Terms of Reference for the review of the *Act* and its implementation and to present the Terms of Reference to the House at the first opportunity during the October 2009 sitting of the Assembly;

NOW THEREFORE I MOVE, seconded by the honourable Member for Range Lake, that the terms of reference for the Review of the *Child and Family Services Act* be established as follows:

1. The Standing Committee on Social Programs shall examine the following:
 - a. The achievement of the objectives as stated in the preamble of the *Act*;
 - b. The administration and implementation of the *Act*, in particular where child protection apprehension is considered;
 - c. The effectiveness of the provisions in the *Act*, including the assignment of the scope of independent powers to the child protection workers and the general oversight of the NWT child protection services;
 - d. The use of alternative dispute resolution methods such as mediation, conciliation, arbitration and case settlement conferences to avoid child apprehension and adversarial court proceedings wherever possible;
 - e. The supports required to fully implement the Community Child and Family Services Committees as provided for by the *Act*;



Date of Notice:	October 20, 2009	Moved by:	Mr. Beaulieu
Date of Introduction:	October 22, 2009	Seconded by:	Ms. Lee
Disposition:	Carried		
Carried:	October 22, 2009	Ruled Out of Order:	

- f. The community supports available for families and children to prevent apprehensions;
 - g. The gaps in care and services for youth between 16 and 19 years of age;
 - h. Concerns regarding frivolous complaints; and
 - i. The potential role, responsibilities and powers of a Territorial Child Advocate.
2. The Standing Committee on Social Programs shall, during its examination, consider the following:
 - a. Incorporation and respect for aboriginal values, beliefs and approaches to conflict resolution;
 - b. Real or perceived racial undertones in child protection investigations and apprehensions;
 - c. Complexity of family law issues;
 - d. Potential conflicts between federal and territorial legislation; and
 - e. Discrepancies in the supports and resources available to the different parties in court proceedings.
3. The Standing Committee on Social Programs shall have access to such persons, papers and records as necessary for the conduct of this review;
4. The Standing Committee on Social Programs shall be provided through appropriations of the Legislative Assembly of the Northwest Territories with the necessary administrative and professional support to carry out its terms of reference and assigned responsibilities as they relate to this review;
5. The Standing Committee on Social Programs may make recommendations for amendments to the Act that it considers desirable through a final report; and
6. The Standing Committee on Social Programs shall table a final report on the review no later than October 2010.