



17th Legislative Assembly of the Northwest Territories

Standing Committee on Government Operations

Report on the Review of the
Office of the Northwest Territories
Languages Commissioner
Annual Report 2010-2011

Chair: Mr. Michael M. Nadli

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GOVERNMENT OPERATIONS**

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OFFICE OF THE NORTHWEST TERRITORIES
LANGUAGES COMMISSIONER
ANNUAL REPORT 2010-2011**

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INTRODUCTION

The Standing Committee on Government Operations met on May 24, 2012 to review the Northwest Territories Languages Commissioner's Annual Report for 2010-2011. The Committee thanks the Language Commissioner, Ms. Sarah Jerome, and the former Languages Commissioner, Ms. Shannon Gullberg, for their attendance at the public hearing.

2010-2011 ANNUAL REPORT

Complaints and Inquiries

In 2010-2011, the Languages Commissioner received approximately 100 inquiries and dealt with three complaints under the Northwest Territories *Official Languages Act*. The Standing Committee was concerned that the continuing low number of formal complaints may be due to residents' lack of awareness of their official languages rights and of the complaints process.

However, the Committee notes the report lists several additional concerns brought to the Commissioner which she either referred, as outside her mandate, or resolved through mediation. The Committee encourages the Commissioner to provide more detailed information on complaints, concerns dealt with that did not go through the complaint process, and inquiries in her next report, including information for past years, so that trends can be tracked over time.

In view of her experience with complaints and concerns, the Languages Commissioner recommended that the Government should ensure that members of the public service understand, honour, and respect the provisions of the *Official Languages Act*. The Committee concurs.

Recommendation One

The Standing Committee on Government Operations recommends:

That the Government of the Northwest Territories report to this House on measures taken in 2011/12 and planned actions for 2012/13 to ensure that the public service understands, respects, and honours the provisions of the *Official Languages Act*.

The Committee, further, encourages the Government to use the services of the Languages Commissioner to make presentations and promote her office within the public service.

At the public hearing, Members asked the Commissioner to expand on a statement in her previous report that “many of our Dene people are not comfortable in dealing with complaints.” The Commissioner suggested that this attitude might be the result of the silencing of Aboriginal people during the residential school era, especially where Dene and Inuvialuit children were forbidden to speak their languages.

The Committee recognizes that a legislated complaints process may be intimidating, and encourages the Commissioner to make the process as user-friendly and culturally sensitive as possible. Members agree with a further recommendation from the Commissioner regarding sensitivity to terminology, such as the word “regime,” that may have negative connotations for residential school survivors.

Recommendation Two

The Standing Committee on Government Operations recommends:

- **That the Government of the Northwest Territories refrain from the use of the word “regime” in documents concerning official languages;**
- **That the Government of the Northwest Territories consult with residential school survivors and Aboriginal language communities on other terminology that may act as a barrier for Aboriginal people in asserting their rights under the *Official Languages Act*; and,**
- **That the Government of the Northwest Territories ensure that public servants are aware of sensitive terminology in speaking and writing in the area of official languages.**

Budget

The 2010-2011 budget for the Office of the Languages Commissioner was \$220,000, up by \$77,000 over the previous year. Approximately \$35,000 remained unspent because an Administrative Assistant position was not filled until close to the end of the fiscal year.

At the public hearing, the Commissioner noted that additional funds were received to create and publish a directory of interpreters and translators for all Official Languages. While some funds again remained unspent, Ms. Jerome said that all of the outstanding surplus would be taken up in the first quarter of 2012-2013 with the costs of publishing and distribution of this directory.

Promotion of the Office

Since 2004, the promotion of Official Languages has been the responsibility of the Minister for Official Languages. However, it is Ms. Jerome's role to promote the office of the Languages Commissioner; the rights, status, and privileges of Official Languages speakers pursuant to the *Official Languages Act*; and her availability to answer questions or investigate complaints.

The Office of the Languages Commissioner is accessible through its website, a toll-free phone line, and an office in Inuvik. The Office is also promoted through radio advertisements in all official languages, the distribution of promotional items, media interviews, and by Ms. Jerome's attendance at public functions and summer assemblies.

The Committee considers the website a critical communications tool, and urges the Commissioner to make every effort to keep it lively, current, and informative in all official languages. Members also noted that the toll-free phone line is presently answered in English, and suggested that the Commissioner investigate technology that would allow a caller to access the office in all official languages.

A major theme of the Languages Commissioner's report, stemming from her travels to communities, is concern with the decreasing availability of trained and certified interpreter-translators for Aboriginal official languages in the Northwest Territories. The older generation of well-trained and experienced interpreter-translators is beginning to retire, and they are not being replaced.

It is effectively impossible for the Official Languages Commissioner to promote her office without these services. This concern is what motivated the Commissioner to undertake the interpreter-translator directory project.

The Future

Under the *Official Languages Act*, the Languages Commissioner is empowered to make recommendations for necessary or desirable changes to the Act as part of her annual report. In her latest report, the Languages Commissioner commented extensively on the recommendations of the 2008-2009 review of the *Official Languages Act* by the 16th Assembly's Standing Committee on Government Operations. That review recommended the creation of designated areas for service provision in Aboriginal official languages, where the languages are indigenous.

The Commissioner recommended that the Government move forward with the Committee's recommendations, but consider that not all speakers of Aboriginal official languages reside in their traditional territories. She also noted that residents must often travel outside their home areas to receive services.

At the public hearing, the Commissioner suggested using non-traditional means, such as audio or videoconferencing, to provide services in official languages for residents who reside in or travel to Northwest Territories locations outside their indigenous language area. The Languages Commissioner also believes the Government and the Legislative Assembly should have a positive obligation, in legislation, to protect as well as promote official languages. A number of these recommendations were made in the Commissioner's previous report.

The Standing Committee on Government Operations very much appreciates the Commissioner's input. As required under the *Official Languages Act*, the Committee will begin its five-year review of the Act in February of 2013. Members intend to review and update the previous recommendations for legislative change. Pending this review, the Committee wishes to obtain the Government's response to the legislative recommendations of the Commissioner.

Recommendation Three

The Standing Committee on Government Operations recommends:

That the Government of the Northwest Territories review and respond to the Languages Commissioner's recommendations for legislative change, namely Recommendations 3 and 4 on page 20 of the 2010-2011 Annual Report.

CONCLUSION

The Standing Committee on Government Operations is grateful for Ms. Jerome's deep commitment to official languages in the Northwest Territories. Members look forward to working together with the Languages Commissioner in the coming year to ensure that Northwest Territories residents' official language rights are respected and honoured.

Recommendation Four

The Standing Committee on Government Operations recommends:

That the Government of the Northwest Territories provide a comprehensive response to this report within 120 days.

