

# Report on the Implementation of the Recommendations of the Report on Youth Protection Services in Nunavik

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Secretary of the Commission

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## ABBREVIATIONS AND ACRONYMS USED IN THIS REPORT

<b>DYP</b>	Director of Youth Protection
<b>IHC</b>	Inuulitsivik Health Centre (Hudson Bay)
<b>KISB</b>	Kativik Ilisarniliriniq School Board
<b>KRG</b>	Kativik Regional Government
<b>MJQ</b>	Ministère de la Justice du Québec
<b>MSSS</b>	Ministère de la Santé et des Services sociaux
<b>NHB</b>	Nunavik Housing Bureau
<b>NIP</b>	Nunavimmi Ilagiit Papatauvinga
<b>NRBHSS</b>	Nunavik Regional Board of Health and Social Services
<b>TRC</b>	Truth and Reconciliation Commission of Canada
<b>UTHC</b>	Ungava Tulattavik Health Centre (Ungava Bay)
<b>YCJA</b>	<i>Youth Criminal Justice Act</i>
<b>YPA</b>	<i>Youth Protection Act</i>

## OVERVIEW

It has been over 15 years since the Commission des droits de la personne et des droits de la jeunesse conducted a systemic investigation into the services provided to children under Nunavik's youth protection system, sounding the alarm about the urgent need to address the profound distress these children were experiencing. Since that time, the Commission has persistently drawn attention to serious violations of these children's rights, which undermine their security and development. This condemnation has been expressed through numerous investigations.

Today, the Commission observes that many of the issues identified in the 2007 investigation persist, despite the introduction of significant structural measures by various parties. The effectiveness of these measures is greatly impeded by numerous unresolved issues, including the adverse living conditions faced by many children and families, and the chronic shortage of social services personnel. The impact on children is devastating: in Nunavik, nearly one in five children is under the care of youth protection services, a rate more than six times higher than in Québec as a whole.

The Commission concludes that Inuit children and families are still not receiving the services to which they are entitled. Engaging all stakeholders to ensure the protection of Nunavik's children in a manner that honours Inuit perspectives on family and well-being is a crucial step toward resolving this situation. With this in mind, the Commission calls for a unified vision and robust leadership to provide Inuit children and families with the services to which they are entitled and to prevent their involvement with the youth protection system.

Given the gravity of the situation and in keeping with an approach to decolonization grounded in the right to self-determination, the Commission urges the Government of Québec to prioritize three specific actions. First, youth services must be redesigned to meet the genuine needs of Inuit children and their families. This must include support for the revitalization and affirmation of Inuit practices at all levels of these services. Second, it is imperative to address the labour shortages in social services by eliminating current barriers to recruitment and retention of both Inuit and non-Inuit employees. Third, addressing the chronic housing crisis requires a substantial increase in the construction of homes, designed collaboratively with Nunavik communities, to ensure that housing adequately meets the needs of children and their families.

In connection with these priority actions, the Commission hereby presents seven recommendations and sets out the commitments that it pledges to pursue within its youth protection mandate.

## CONTEXT

### The 2007 Investigation Report

In April 2007, the Commission released a report on its systemic investigation, undertaken of its own initiative, into the spectrum of services provided to children under Nunavik's youth protection system.<sup>1</sup> The Commission initially launched this investigation in response to complaints it received in 2002, alleging that thirteen children were not receiving appropriate services from the two Directors of Youth Protection (DYP) and other Nunavik agencies, as required by the *Youth Protection Act*.<sup>2</sup> These complaints described significant challenges in delivering social services to children at every stage of application of the YPA.

The Commission found that the children's rights under the YPA to receive protection and appropriate social services had been violated. It identified several issues, including:

- inadequate understanding of the YPA among those responsible for its application
- poorly structured frontline and youth protection services
- inability to retain staff
- insufficient supervision, training, and work tools
- limited local involvement and organization for youth
- inadequate housing and overcrowding

At that time, the Commission put forward 21 recommendations with the goal of addressing issues in various areas, including the organization of frontline and youth protection services, staff retention and training, housing, and the engagement and collaboration of various stakeholders.

### The 2010 Follow-Up Report

Three years later, the Commission released a follow-up report on these recommendations,<sup>3</sup> acknowledging the magnitude of the efforts and organizational changes that had been made. However, the report also underscored the fragility of the achieved results and the enduring social issues affecting children.

It emphasized the need for organizations to focus their mobilization efforts on children. To this end, it invited the organizations in Nunavik to band together and seek consensus around common objectives related to the well-being of children, to strengthen partnerships, to commit to the objectives, and to follow through on them. It also reminded local elected officials of the importance of maintaining a sense of emergency, so that sustainable solutions could be found.



## The Commission's Interventions Since 2010

Since 2010, the Commission has received a considerable number of requests for investigation and has conducted over one hundred investigations into the situation of young Nunavimmiut. The details of these complaints raise significant concerns for the respect of children's rights, including those set out in the YPA, the *Youth Criminal Justice Act*,<sup>4</sup> and the *Charter of Human Rights and Freedoms*.<sup>5</sup> They showed that many of the issues the Commission had flagged in its 2007 investigation had not been resolved.

The high number of investigations conducted by the Commission underscores the extent of these issues. Between 2010 and 2023, the Commission received 137 requests for investigation related to the youth services provided by the two Nunavik health centres. The violations brought to the Commission's attention through these requests mainly involved children's rights to: termination of situations endangering their security or development, decisions in their best interests, residence in their family environment whenever possible, being heard along with their parents, and appropriate, continuous, and personalized health and social services. The cases brought to light a myriad of issues, including violence (domestic, physical and sexual), alcohol and drug abuse, high suicide rates, school absenteeism, inadequate housing, non-compliant application of the YPA, and deficient provision of health and social services. The Commission made numerous recommendations aimed at ending the reported situations and preventing recurrence.

Seeing the lack of improvement in addressing the systemic problems affecting youth protection in Nunavik, the Commission has consistently criticized the situations these children are exposed to and reminded government officials of their duty to act. See Appendix 1 for more details.

### Purpose

With this report, the Commission seeks to highlight what has been done in response to its 2007 recommendations. It also aims to identify remaining barriers to implementing these recommendations and areas where coordinated efforts from the relevant authorities and organizations are a priority.

## METHODOLOGY

### The information for this report was gathered from the following organizations:

- Nunavik Regional Board of Health and Social Services (NRBHSS)
- Ungava Tulattavik Health Centre (UTHC)
- Inuulitsivik Health Centre (IHC)
- Secrétariat aux relations avec les Premières Nations et les Inuit
- Ministère de la Santé et des Services sociaux (MSSS)
- Ministère de la Justice (MJQ)
- Makivvik Corporation
- Kativik Ilisarniliriniq School Board (KISB)
- Nunavik Housing Bureau (NHB)<sup>6</sup>

The Commission asked these organizations for information specific to the measures and programs they had adopted in response to its 2007 recommendations. Where necessary, additional information was requested. The Commission's analysis was primarily based on the documents that these organizations provided. All responses were received between May 2022 and May 2023.

The report is also based on additional information gathered during meetings held in Nunavik in September 2023, including with Makivvik Corporation, the NRBHSS, Nunavimmi Ilagiiit Papatauvinga, the Kativik Regional Government,<sup>7</sup> and several group home directors. It also considers structural measures that were made public after its initial information request, and observations from the Québec Ombudsman's *First Follow-Up Report on the calls for action of the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec: Listening, Reconciliation and Progress* (the Viens Commission).<sup>8</sup> The results of the 2017 *Qanuilirpitaa?* survey on the physical and mental health status of Nunavik Inuit have also been taken into account.<sup>9</sup>

## A Demographic Portrait of Nunavik, 2021<sup>10</sup>

Total population	14,050
Inuit population	90%
Inuit population growth	6.7%
Average age (Inuit)	26.3 years
Median age (Inuit)	22.4 years
Population aged 0 to 14 (Inuit)	35.8%
Population aged 0 to 19 (Inuit)	45.5%
Households with five or more persons (Indigenous)	28.4%
Average household size (Indigenous)	3.5 persons
Renter households (Indigenous)	97.2%
Inuktitut as mother tongue	87.6%

# 1 STRUCTURAL CHANGES SINCE THE 2007 REPORT

This section looks at the key initiatives that have been implemented since 2007, drawing on the information provided by the organizations mentioned above. These are grouped into six themes.<sup>11</sup> Appendix 2 contains the complete 2007 recommendations.

## 1.1 Enhancing Coordination Within Youth Protection Services and Deepening Stakeholder Collaboration and Engagement

In 2007, the Commission highlighted gaps in coordination of youth protection services, at both the regional and local levels. It also identified a lack of coordination and collaboration among partners, affecting the quality and effectiveness of the services they provide and, consequently, the well-being of children in Nunavik.

### ASSOCIATED RECOMMENDATIONS

→ That the NRBHSS make children and families a key priority and set up mechanisms for regional coordination and partnerships focusing, in particular, on: the protection and stability needed to allow children to develop; the prevention of situations of neglect, physical and sexual abuse, and behavioural difficulties; mental health problems and suicide prevention; the prevention and treatment of drug addiction; the improvement of parenting skills (**Recommendation 1**).

→ That the Makivik Corporation oversee the creation of a coordination committee bringing together representatives of the NRBHSS and of medical, educational, municipal, social, and justice organizations, to ensure concerted interventions in the best interest of the children concerned, and to mobilize the general population around the objective of youth protection (**Recommendation 2**).

→ That the NRBHSS in cooperation with the Directors of Youth Protection for Ungava Bay and Hudson Bay, create local committees of people working in the youth and family sector with the mandate of helping apply the protection measures decided by the DYP (**Recommendation 6**).

Since that time, regional coordination, working, and governance committees for child and family services have been established in Nunavik. In addition, several programs and services (listed in Appendix 3) have become involved in engaging partners on the issues identified in Recommendation 1. However, not all of these can be described as “mechanisms for regional coordination”.

During the Commission’s 2010 follow-up on its recommendations, it was informed that Makivik Corporation had created a regional coordination committee, but according to the responses received during this review, that committee is no longer active. However, in 2014, stakeholders in Nunavik’s child and family services sector set up the Regional Advisory Committee on Youth Services (RACYS), a governance body focused exclusively on the spectrum of social services available to children and families. In addition to health system managers responsible for these services, the RACYS comprises regional community organizations, partners providing services to troubled youth, and occasionally, representatives from other sectors. The committee meets four times a year and its resolutions are submitted to a vote of the boards of directors of NRBHSS and the health centres. According to the NRBHSS, establishment of the RACYS has facilitated the coordination of these groups’ efforts to improve child and family services. Moreover, it ensures the allocation of a dedicated budget for these services, thereby preventing duplication and fund reallocation between the various health and social services sectors. The RACYS was

central to the establishment of the Sukait Working Group and the Nunavimmi Ilagiit Papatauvinga<sup>12</sup> initiative (which means “where Nunavik families feel safe”).

The Sukait Working Group, formed by the NRBHSS and comprising various stakeholders and organizations in Nunavik,<sup>13</sup> was tasked with analyzing the current state of child and family services in Nunavik, studying the governance models being used in other Indigenous communities in Québec in this sector, and formulating recommendations to develop youth protection services culturally adapted to the specific needs of the Nunavimmiut.<sup>14</sup>

To fulfill this mandate, Sukait held consultations in Nunavik communities from 2017 to 2019, enabling it to identify the population’s child and family services needs and to bring specific priorities to the fore. These priorities included recruiting foster families within Nunavik, developing parenting skills training and programs, establishing psycho-social services for addiction and violence, and improving people’s access to information about their rights, the law, and the organization of services. The consultations also led to the formulation of six principles to guide Inuit assumption of service provision in accordance with the wishes of Nunavimmiut.

- Children and families are at the centre. They are supported by extended family, by the community, and by workers within services. [...]
- Inuit are guides and decision makers making sure that all services are grounded in Inuit knowledge and practices.
- Services are integrated into a complete continuum.
- Services are delivered according to Inuit ways, needs, and knowledge.
- Sukait members are the Pillars that are in charge of creating and supervising the implementation of the action plans of youth and family services of Nunavik.
- Respecting the rhythm and realities of Nunavik, all the meanwhile supporting the steps towards transformation and self-determination [...].<sup>15</sup>

To implement these recommendations and principles, the RACYS created the NIP project in 2017. The mandate of this nonprofit organization is to establish a spectrum of family services that are compatible with regional realities and to expand services upstream of the youth protection system. Ultimately, NIP aims to emerge as the primary provider of family social services in Nunavik. Inuit assumption of responsibility for these services aims to address the genuine needs of children and families, both by delivering services in Inuktitut, and by grounding them in traditional knowledge and an Inuit worldview. As the name suggests, the project is designed to foster a sense of safety and trust among Nunavik families.

In 2022-2023, NIP focused on enhancing its operational structure and refining its governance model. It established the Ilagiit Councils (family councils) and actively promoted the recruitment of foster families within Nunavik. Additionally, the team took part in the reorganization of the youth program at the Inuulitsivik Health Centre (Hudson Bay)<sup>16</sup> and introduced the role of Information Officer and Family Council Facilitator.

While awaiting full deployment of NIP services, the NRBHSS identified several potential solutions to enhance the coordinated provision of services for troubled youth,<sup>17</sup> work it still described as nascent as of 2022.

Following an emergency meeting of the KISB, the NRBHSS, and the DYPs in September 2022, Nunavik has seen some improvement in collaboration between youth protection services and schools. Previously, it was reported that a number of school principals in Nunavik had been denying youth protection workers access to young people under DYP care on school premises. These parties now meet monthly to address issues related to DYP workers’ access to schools. The DYP workers have been reminded of the intervention protocols within schools, and the KISB has shown openness to reviewing its procedures.

## 1.2 Improving Frontline Services and Specialized Treatment Programs

In 2007, the Commission identified an alarming shortage of frontline prevention services for the challenges facing children, youth, and families in Nunavik.

### ASSOCIATED RECOMMENDATIONS

- That the NRBHSS ensure that the CLSCs establish detection and prevention programs for the neglect of children aged 0 to 5 and ensure that the CLSCs establish or maintain, as applicable, social services for children aged 0 to 18 and their families as required by their mandate (**Recommendation 7**).
- That the Kativik School Board, in cooperation with the Nunavik Regional Board of Health and Social Services and the Makivik Corporation, ensure that social services are introduced into the school system (**Recommendation 8**).
- That the Nunavik Regional Board of Health and Social Services implement or maintain, as applicable, specialized treatment programs for drug and alcohol addiction, physical and sexual abuse and mental health (**Recommendation 9**).

Since then, several programs aimed at preventing and treating family issues related to neglect, sexual violence, mental health, and suicide have been implemented or are being developed. These efforts complement the community-based and frontline services established specifically for troubled youth in 2014. These services are detailed in Appendix 3. However, at the time of data collection, it appeared that many of the positions designated for providing these services were vacant in both Hudson Bay and Ungava Bay.

As for providing social services within schools, specific agreements and integrated programs have been put in place for this purpose. Examples include, the Healthy School program (2014-2023), focusing on young people's physical and mental health, the *Memorandum of Understanding on Children and Youth Services* (2020), focusing on academic success for youth being monitored by the health centres and coordinated social services, and an agreement related to education services within rehabilitation services (2019), focusing on appropriate educational support in rehabilitation centres and group homes. Schools also provide sex education and school retention programs, and professional student support teams.<sup>18</sup>

### 1.3 Ensuring Appropriate and Adequate Youth Protection Services That Respect the Rights of the Child

In its 2007 report, the Commission identified significant shortcomings in youth protection services in Nunavik, at every stage of application of the YPA.

#### ASSOCIATED RECOMMENDATIONS

- That the MSSS ensure that the children of Nunavik receive the protection services to which they are entitled (**Recommendation 3**).
- That the Directors of Youth Protection in Ungava Bay and in Hudson Bay ensure that the family problems and specific difficulties of a child are evaluated before the child is placed, and that they seek a stable living environment and sustainable solutions for children to promote bonding (**Recommendation 10**).
- That the Directors of Youth Protection in Nunavik assess foster families and use the relevant tools to ensure that all the needs of the children concerned are met (**Recommendation 11**).

→ That the Tulattavik Health Centre and the Inuulitsivik Health Centre provide foster families with the tools and support they require to meet the needs of the children placed with them, in particular ongoing training and regular follow-up, and that they recruit foster families for children aged 6 to 12 with serious behavioural difficulties, and that these foster families be offered training and follow-up by staff members (**Recommendation 12**).

→ That the Coordinator of the Puvirnituk Group Home use isolation only in the situations strictly authorized by law, in a manner that ensures respect for the dignity of the young person concerned, and that appropriate support be provided (**Recommendation 14**).

→ That the NRBHSS, in collaboration with the DYPs for Ungava Bay and Hudson Bay, take steps to ensure that young people subject to the YCJA benefit from the extrajudicial sanctions program under the YCJA, which could be harmonized with community values (**Recommendation 16**).

### 1.3.1. Funding to Improve Services

During this review, the MSSS provided the Commission with the agreements negotiated in respect of Nunavik in recent years, which the MSSS believes fulfill Recommendation 3 concerning the provision of youth protection services.

First, the MSSS highlights an agreement signed with the NRBHSS on October 1, 2020, for the allocation of \$75 million over five years for the expansion of health and social services in Nunavik. Neither the MSSS or the NRBHSS provided any information on performance timelines or results achieved since this agreement was signed. However, the MSSS is optimistic that this agreement will enable the NRBHSS to continue implementing various structural measures already in progress, from reorganization of services to recruitment of additional staff.<sup>19</sup>

The MSSS also affirmed its responsibility for carrying out the actions outlined in the *Government Action Plan for the Social and Cultural Development of the First Nations and Inuit, 2017-2022*,<sup>20</sup> which includes initiatives concerning the recruitment and retention of staff in Nunavik. Efforts have also been made to establish special measures for qualifying training and for recognition and upgrading of skills among First Nations and Inuit child and family service workers.

Lastly, at the time of data collection, the MSSS and the NRBHSS were engaged in exploratory efforts to identify potential solutions to the challenges of recruiting Inuit personnel. The MSSS has proposed establishing the role of a psychosocial intervention worker specializing in Nunavik as the most promising solution. To achieve this, a CÉGEP-university program was initiated in fall 2022. Developed in partnership with Collège Marie-Victorin and McGill University, this program enables the development and recognition of culturally relevant social work expertise.<sup>21</sup> The NRBHSS confirms that most courses are held in Nunavik.

### 1.3.2. Assessing Family Issues and Providing Stability for Children

In Nunavik, half of all child welfare reports require immediate intervention or action within 24 hours. The DYPs in both bays state that an assessment is always conducted prior to removing or placing a child, except in cases where a child's safety requires emergency removal or immediate intervention.

The IHC has created a Life Projects Committee, primarily comprising Inuit members. This committee meets regularly with the aim of minimizing outofcommunity foster placement. The IHC has also established specialized foster centres with the goal of keeping children in their own communities to preserve their cultural identity, ensure stability, and maintain frequent contact with their families. This approach aims to maintain attachment bonds, which facilitate children's return to their family environment as soon as possible.

### 1.3.3. Evaluating Foster Homes and Meeting Children's Needs

In 2019, a new foster home accreditation system tailored to Nunavik was introduced. Under this system, the DYPs are responsible for recruiting and selecting personnel, while the NRBHSS accredits them according to updated standards.

Additionally, the IHC has created a temporary position dedicated to evaluating foster homes in the southern part of the province, with travel to the different Nunavik communities. The child's caseworker collaborates with other professionals as needed to assess the child's needs. In Ungava Bay, the UTHC aims to assess how well children's needs are being met in their foster settings at least once a month and to re-evaluate all foster homes annually. However, staffing shortages currently prevent these goals from being met. In the interim, the UTHC foster care department attempts to contact foster homes as frequently as possible.



### 1.3.4. Training, Monitoring and Recruitment of Foster Homes

In terms of foster home training and monitoring, in 2023, foster families in the two bays had no access to continuing education opportunities. However, a cultural toolkit has been created to provide support and resources for non-Indigenous foster centres accommodating Inuit youth.

In the Hudson Bay villages, staff from the IHC offer personalized training to foster families when a child requires special attention or has unique needs. To enhance the support provided to foster families, the IHC has established and advertised three training positions in Kuujjuarapik, Puvirnituq, and Salluit. These positions allocate 50% of their duties to directly assisting and supporting foster families. The Ungava Bay foster family department is based in Kuujjuaq and travels to the communities as needed to evaluate foster homes. Monitoring of foster homes is mainly done by telephone. While the UTHC cannot specify the exact frequency of this monitoring, it emphasizes its commitment to conducting these checks as regularly as possible. Additionally, when a child with behavioural issues is placed in a foster care setting, a supporting educator is assigned to the file. The UTHC acknowledges the importance of training foster families for this purpose but is currently unable to provide this service.

In terms of recruiting family-type foster resources, the NRBHSS informs the Commission that it has taken several steps in this direction. These include distributing information on the recruitment process, the realities of being a foster family, and the health centres' current needs.<sup>22</sup>

### 1.3.5. Youth Residing in Rehabilitation Centres or Subject to the YCJA

The NRBHSS informed the Commission of a framework that standardizes and defines the use of specific measures such as isolation, restraint, and intensive supervision for youth residing in rehabilitation centres.

Additionally, Makivik Corporation is exploring ways to divert cases from the court system and intends to offer an extrajudicial measures program under the YCJA to achieve this goal and support rehabilitation. As part of this, the list of offences eligible for extrajudicial measures has been expanded. Both bays confirm a preference for extrajudicial sanctions and highlight their widespread use. This helps reduce court caseloads and promotes restorative justice.

## 1.4 Ensuring the Training, Supervision, and Well-being of Child and Family Workers in Nunavik

In 2007, the Commission found significant shortcomings in the quality of services provided by youth protection workers in Nunavik. Many of these issues stem from insufficient training, supervision, and psychosocial support for these workers.

### ASSOCIATED RECOMMENDATIONS

→ That the DYPs for Ungava Bay and Hudson Bay specifically designate one or more experienced members of their staff to assist and advise case workers at each stage in the application of the YPA to ensure that it is understood and applied in a uniform way. For this purpose, the Commission recommends, among other strategies: that weekly case discussions be organized for all case workers; and that all case workers use the appropriate tools, in particular the *Manuel de référence sur la protection de la jeunesse* (**Recommendation 4**).

→ That the NRBHSS, in cooperation with the DYPs for Ungava Bay and Hudson Bay, provide ongoing training for their staff members concerning the various stages of the YPA, in particular regarding: the need for stability among children and attachment disorders; assessments of family environments and parenting skills; follow-up for children and families; the drafting of intervention and service plans; and file-keeping (**Recommendation 5**).

→ That the NRBHSS, in cooperation with the DYPs for Ungava Bay and Hudson Bay, provide training on the application of the YCJA for their staff, especially youth workers (**Recommendation 15**).

### ASSOCIATED RECOMMENDATIONS

→ That the Tulattavik and Inuulitsivik Health Centres set up an employee assistance program (**Recommendation 17**).

#### 1.4.1. Onboarding, Mentoring, and Supervision of Child and Family Workers

Formal mentoring programs are currently unavailable along the Hudson Bay. However, experienced staff members with teaching skills actively engage with new employees, offering support at every stage of the youth protection process, including during evening and weekend interventions. Clinical activity specialists, reviewers, and clinical managers also offer ontheground coaching and support. Clinical supervision is also conducted once a week for new staff members and every two to three weeks for more experienced workers.

In Ungava Bay, one designated employee holds an official mentoring role, providing coaching to new hires throughout their onboarding process. New staff go through a two-week training program with support from mentors, clinical activity specialists, and department heads. They participate as observers in client meetings and court hearings before being assigned their own caseloads. New hires conduct interventions with a mentor until they feel confident doing so independently. They also receive assistance from an experienced staff member in writing their first five reports at least. Clinical activity specialists and department heads provide additional support and guidance as required for their cases. During the initial two to three weeks of employment, clinical supervision takes place daily, followed by weekly sessions for six months, and biweekly sessions thereafter. Monthly supervision is conducted by department heads.

### 1.4.2. Continuing Education for Child and Family Workers

In both bays, a variety of training courses are regularly available to youth protection workers. These courses cover topics such as the concept of protection, progress notes, court procedures, courtroom testimony, suicide risk intervention, intervention planning, and the NIP project. Social service workers also receive training in suicide risk intervention, intervention planning, progress notes, and crisis intervention.

In Hudson Bay, the IHC has implemented a plan to improve clinical practices, which includes making certain training mandatory. The DYP of the IHC has designed training videos involving clinical activity specialists, department heads, and reviewers. These videos focus on five modules: the concept of protection, the collaborative approach, children's attachment bonds, the impact of placement on children, and children's life projects. Additionally, the IHC offers a clinical training video on the YCJA, court procedures, extrajudicial sanctions, and criteria for detention authorization, given every 6 to 8 weeks. Mandatory training is also provided on domestic violence and suicide prevention. Tools have been developed to support new hires, and some UTHC staff members in Ungava Bay have the opportunity to attend the training sessions and access the IHC videos. Additionally, UTHC youth delegates receive relevant external training funded internally.

### 1.4.3. Psychosocial Support for Employees

Since April 2019, the IHC has had an employee assistance program in place. This program entitles employees to several confidential consultations with a professional per year, which can be done over the phone, via video call, or in person. They also have access to a psychotherapist from the crisis centre for additional support.

The UTHC also offers an employee assistance program. In addition, it has used MSSS funding to develop initiatives to improve staff retention. These include hiring a nurse counsellor to focus on prevention, employing an organizational psychologist, and establishing various committees to address items like prevention of workplace violence, and the recruitment, retention, and engagement of staff.

## 1.5 Improving Living Conditions in Nunavik in the Best Interests of Children

The 2007 investigation highlighted how overcrowded homes had adverse effects on children's security and development, as well as on the ability to recruit foster families.

It also pointed to the housing shortage as a significant factor impacting the overall provision of services.

### ASSOCIATED RECOMMENDATIONS

→ That the Minister Responsible for Relations with the First Nations and the Inuit and Makivik Corporation, in collaboration with the Federal government, propose immediate and adapted solutions to the housing problem, based on the right of children to receive protection (**Recommendation 19**).

→ That the Kativik Municipal Housing Office [now the NHB], in cooperation with the Directors of Youth Protection, take into consideration the greater interest of the children and their right to protection when assigning housing (**Recommendation 20**).

### 1.5.1. More Housing for the Nunavimmiut

In 2015, a tripartite working group, composed of representatives from the Government of Québec, the Government of Canada, the KRG, the NHB, and Makivik, was formed to address housing issues in Nunavik. This group meets several times a year.

According to the Minister Responsible for Relations with the First Nations and the Inuit, 456 housing units have been built through tripartite agreements since 2010. The Government of Québec has also independently financed the construction of 370 social housing units as part of the Plan Nord.<sup>23</sup>

Additionally, in March 2016, the Government of Canada committed \$50 million over two years to housing development in Nunavik and allocated \$250 million in its 2018-2019 budget to improve living conditions in the territory. These investments have resulted in the construction and delivery of 328 housing units since 2017.

### 1.5.2. Assigning Housing in the Best Interests of the Child

In response to the Commission's requests, the NHB introduced three programs aimed at alleviating the housing shortage.<sup>24</sup> However, only one of these programs partially addresses Recommendation 20. This is the *Directive concerning the allocation of dwelling units in low rental housing in Nunavik*, which prioritizes households willing to become foster families by allocating them larger dwellings.

### 1.5.3. More Housing for Employees

From 2009 to 2016, 234 homes were constructed in Nunavik under the *Agreement on the Provision and Funding of Health and Social Services in Nunavik*, which was extended until 2018. However, despite these efforts, there was still a shortage of 284 homes for the positions created for health workers in the region at the time of data collection. Efforts are ongoing to find a lasting solution to this pressing problem. The MSSS stated that \$902.6 million has been allocated for building employee housing and health and social services infrastructure under the 2018-2025 agreement.

Furthermore, on April 14, 2023, the Government of Québec announced investment of more than \$176 million to construct 150 homes for healthcare workers in Nunavik.<sup>25</sup>

## 1.6 Improving Access to Youth Protection Courts in Nunavik

Examining access to justice, the Commission's 2007 investigation found that the judicialization of youth protection cases often resulted in long journeys for children. Moreover, limited court access impeded compliance with the time limits and conditions stipulated in the YPA.

#### ASSOCIATED RECOMMENDATIONS

→ That the Minister of Justice take steps to limit trips by children, in particular by using videoconference technology, increase the number of days of hearing of the Itinerant Court, and assess the possibility of assigning a resident judge to Nunavik (**Recommendation 21**).

The MJQ states that youth protection hearings are primarily held at the Kuujjuaq and Puvirnituk courthouses. Since 2019, only cases concerning sexual or physical abuse, or placements of people of full age require physical presence in court. Virtual participation is permitted for all other circumstances.

Virtual hearing technology is available in the DYP offices of all Hudson Bay villages. However, in Ungava Bay, only the DYP offices in Kuujjuaq and Aupaluk are equipped with such facilities. Nonetheless, families in Ungava Bay can attend hearings via videoconference or telephone by visiting a CLSC office or borrowing equipment from the dispensary.

Since 2012, there has been a marked increase in the number of hearing days for the youth Itinerant Court.<sup>26</sup> However, both the NRBHSS and the DYPs of the two health centres report that this increase still falls far short of meeting the population's needs.

In its *First Follow-Up Report on the Viens Commission*,<sup>27</sup> the Québec Ombudsman reported on some of the measures taken to implement Call for Action No. 45, which focuses on establishing suitable court facilities in communities served by the Itinerant Court. It also pointed out that, in 2020, the MJQ set up a working group to identify needs in the Nunavik communities visited by the Itinerant Court, and was conducting a survey to identify the development needs of each of these communities.<sup>28</sup>

## 2 PERSISTENT CHALLENGES

Persistent challenges significantly undermine the effectiveness of prevention and protection services, despite the efforts made by the responding organizations since 2007 to improve them. This is particularly concerning given that in 2022-2023, 17.1% of children in Nunavik were under the care of youth protection services, a sharp contrast to the 2.6% rate in Québec as a whole. It is crucial to not only improve services but to also focus on the root causes behind this widespread violation of children's rights and their disproportionate involvement with youth protection services.

### 2.1 Children's and Families' Living Conditions

Numerous reports and studies have underscored that the overrepresentation of Indigenous children in the youth protection system is due to a complex interplay of social, historical, economic, and institutional factors.<sup>29</sup> These include disparities in income, education, employment, and access to quality housing, as well as the lasting impacts of colonial policies and intergenerational trauma. Moreover, laws, standards, and institutional practices that do not align with Indigenous realities and cultures further exacerbate the issue, as does poor access to social services.

This review's findings underscore the urgent need to address the roots of the social factors underlying violations of Inuit children's rights. Reports from the NRBHSS, the IHC, and the UTHC all indicate a worsening social situation in many communities. These organizations also stress that risk factors for youth protection intervention are ten times higher in Nunavik than in other parts of Québec. The substantial social disadvantages place inordinate pressure on existing organizational structures, significantly hindering their capacity to deliver services and care.

#### 2.1.1. Colonial Trauma and Social Dysfunction

The Commission's 2007 investigation report highlighted that the challenges plaguing Nunavik's youth protection system were embedded in a broader social context characterized by recent disruptions in the political, economic, and cultural fabric of traditional Inuit society. In the mid-20th century, the Inuit experienced a rapid process of sedentarization, coupled with efforts to assimilate them into colonial culture. Notably, compulsory schooling was introduced, with schools and foster homes established far from children's families, mirroring in many respects the structure of the residential school system.<sup>30</sup> As acknowledged by the Truth and Reconciliation Commission,<sup>31</sup> the residential school system significantly diminished Indigenous people's capacity to serve as effective parents.<sup>32</sup> Additionally, enforcement of the YPA has institutionalized child protection within a Western paradigm, overshadowing the informal family and community mechanisms prevalent in Inuit society.<sup>33</sup>

In 2017, 79% of Nunavimmiut aged 16 and older reported that their family had been directly affected by the slaughter of sled dogs, 47% reported that their family had been directly affected by forced relocation from remote communities, and 43% reported that their family had been directly affected by family separation due to hospitalization in the South for tuberculosis treatment.<sup>34</sup> In addition, 37% of the population stated that they had attended a residential school and 31% had at least one parent who had attended a residential school.<sup>35</sup> As acknowledged by the TRC, the enduring trauma of these situations has led numerous multigenerational survivors to resort to self-destructive behaviour as a coping mechanism for their suffering.<sup>36</sup>

### 2.1.2. Symptoms of Intergenerational Trauma

The 2007 report noted that the rapid upheaval of Inuit life had generated a profound identity crisis, evident in widespread issues such as suicidal behaviour, mental health problems, alcohol abuse, and drug addiction. In 2017, 39% of Nunavimmiut aged 16 and older exhibited symptoms of clinical depression. This prevalence was even higher among women, youth, people with lower socioeconomic status, and people dissatisfied with their level of Inuit cultural knowledge and practices.<sup>37</sup> This psychological distress is reflected in a strikingly high suicide rate, nearly fourteen times higher than that of Québec as a whole.<sup>38</sup> Additionally, reports of suicidal thoughts and behaviour are increasing.<sup>39</sup> Studies link suicide to factors such as dysfunctional family dynamics, neglect, physical and sexual abuse, and substance abuse.<sup>40</sup>

Studies indicate that consumption of alcohol overall among Inuit adults is less common than the national average, but rates of heavy episodic drinking are much higher.<sup>41</sup> Over the period from 2004 to 2017, there was a rise in the proportion of Nunavimmiut at risk of binge drinking.<sup>42</sup> Alcohol and drug abuse are recognized as significant risk factors for suicide, domestic violence, and violations of children's rights.<sup>43</sup> Indeed, substance abuse emerges as a key factor underlying many of the instances of physical and sexual violence reported to youth protection services. As reported by the DYPs during this review, it continues to contribute to the rising number of children requiring removal from their family or foster home, whether due to the development of problematic behaviours associated with substance use or the consequences of fetal alcohol syndrome.

Colonization and the intergenerational trauma it causes are closely tied to substance abuse. In Nunavik, factors such as overcrowded housing, unemployment, rapid changes in economic, cultural, and environmental conditions, and repeated exposure to trauma and suicide aggravate this phenomenon.<sup>44</sup> The erosion of Inuit cultural practices, especially those related to landbased activities, is also associated with substance abuse.<sup>45</sup> Many Nunavimmiut believe that addressing addiction in Nunavik requires a holistic healing approach that focuses on historical trauma and that involves the whole family, rather than solely focusing on individual consumption.<sup>46</sup>

Research indicates that historical and ongoing collective and family trauma, compounded by social disadvantages stemming from colonialism, such as poverty, overcrowded housing, alcohol abuse, and inadequate access to services, contribute to violent behaviour. This understanding helps to account for the disproportionately high rates of physical and sexual violence experienced within Indigenous communities, including violence against children.<sup>47</sup> Among the reports retained in 2022-2023, physical abuse (24%) and risk of physical abuse (11%) together constituted the second most prevalent issue, following neglect and risk of neglect. Cases of sexual abuse and risk of sexual abuse accounted for 7% and 5% of reports, respectively.

In 2017, among Nunavimmiut aged 18 and older, 23.4% and 33.1%, respectively, reported experiencing frequent or very frequent physical and emotional abuse during their childhood by a parent or other adult in their household.<sup>48</sup> Additionally, 35.4% of women and 15.4% of men reported experiencing sexual abuse as children.<sup>49</sup> Combined with the prevalence of neglect and family stressors, the adult Inuit population in Nunavik and, to an even greater degree, the younger demographic, displays markedly high levels of childhood trauma and adversity. These factors are further compounded by a collective history of systemic violence.<sup>50</sup>

### 2.1.3. Socioeconomic Conditions Associated with Child Neglect

In 2021, the median after-tax income for Inuit aged 15 and over in Nunavik was \$33,200. This figure was \$64,500 for non-Inuit residents.<sup>51</sup> Despite recent initiatives to reduce the cost of living in Nunavik, the purchasing power of Nunavimmiut continues to lag behind the Québec average.<sup>52</sup>

In 2017, financial insecurity affected 52% of Nunavimmiut aged 16 and older. While 45% held fulltime employment, nearly half (46%) reported earning less than \$20,000 annually.<sup>53</sup> Alarming, two out of three faced moderate or severe food insecurity, a rate seven times higher than that observed among the Québec population as a whole.<sup>54</sup> Food insecurity is strongly correlated with psychological distress, especially among young people.<sup>55</sup>

Family poverty is widely recognized as a contributing factor to children's involvement with youth protection services, primarily for reasons of neglect.<sup>56</sup> In Nunavik, neglect and the significant risk thereof constitute the primary reasons for intervention. In 2018-2021, these accounted for 52% of the reports retained by the DYP.<sup>57</sup>

### 2.1.4. Housing Shortage and Overcrowding

The housing shortage crisis continues to be a pressing concern, echoing the situation observed in 2007, when there was a shortage of about 900 housing units to meet the needs of the population. By December 31, 2021, Nunavik had 3,818 social housing units. However, the NHB estimated that there was still a shortage of 893 units. Every year, this figure hovers around 1,000 units, despite the addition of roughly a hundred units per year. In 2006, 49.2% of the Inuit population lived in overcrowded housing.<sup>58</sup> By 2021, this proportion decreased slightly to 47.9%, a rate that is still nearly seven times higher than the non-Indigenous population in Québec.<sup>59</sup> In many cases, several family units and generations share living spaces meant for a single family of five. Additionally, a considerable number of homes are in substandard condition, with more than a quarter requiring significant repairs as of 2021.<sup>60</sup> These inadequate housing conditions contribute to conflict, abuse, and violence, endangering children's security and development. Overcrowding not only exacerbates domestic violence but also impedes abused women's ability to escape and secure housing for themselves and their children.<sup>61</sup>

Despite financial investment and the construction of many new housing units over the past twenty years, it is clear that these efforts still fall short of meeting the needs of families and health and social services workers. In its latest follow-up report on the Viens Commission's calls for action, the Québec Ombudsman criticized the housing construction initiatives in Nunavik. The report stated that these have been inadequate and fail to address the concerns raised by the Viens Commission. It also highlighted a lack of evidence showing that funding is the result of a match with the needs expressed on the ground.<sup>62</sup> Moreover, only one program initiated by the NHB effectively considers the best interests of children in housing allocation. While this program may encourage foster family recruitment and enhance the well-being of children in their care, it does not address the critical issue of overcrowding and the consequent risks to children's security and development.



Additionally, it is evident that decisions regarding housing in Nunavik are frequently made by individuals without connections to the affected communities, lack meaningful engagement of Nunavimmiut, and insufficiently consider their worldview. Consequently, the constructed units often fail to align with families' realities and needs.<sup>63</sup> Studies indicate that social housing policies in Nunavik are out of tune with the Inuit concept of housing, often resulting in the creation of mere shelters, rather than places where people feel truly at home.<sup>64</sup> The Nunavimmiut want to be consulted and involved in housing design.<sup>65</sup> In this regard, a recent shift toward a collaborative approach to developing housing models more attuned to community expectations shows promise for the future.<sup>66</sup>

Governance challenges also persist, stemming from linguistic and cultural differences and the division of responsibilities among local, regional, provincial, and federal authorities.<sup>67</sup> These challenges lead to management uncertainties and a lack of predictability.

Reports also indicate deficiencies in water delivery and sewage recovery, especially in Hudson Bay housing. Some households face water shortages lasting weeks, resulting in unsanitary conditions and heightened tension in overcrowded homes. Again, this creates situations where children's health, security, and development are at risk.

In conclusion, an examination of these social disadvantage factors underscores the reality that a considerable number of children are growing up in environments that fail to adequately ensure their security and development. Intergenerational trauma, psychological distress, high rates of suicide and physical, psychological, and sexual abuse, alongside overcrowding, poverty, food insecurity, and substance abuse, deprive too many children of their right to the protection, security, and attention of their parents or caregivers. As a result, many face deficits in supervision, sleep, nutrition, or intimacy, all of which can contribute to the development of mental health issues, behavioural problems, and substance abuse. This environment also adversely affects their education. For instance, in 2017-2018, the proportion of students with an academic delay in the first year of the third cycle of elementary school was approximately twice as high in Nunavik as in Québec.<sup>68</sup> Additionally, in 2016-17, the rate of students who left without a diploma or qualifications in Nunavik was 85.7%, markedly higher than Québec's rate of 13.1%.<sup>69</sup>

## 2.2 Staff Shortages in Social Services

### 2.2.1. High Vacancy Rates

Persistent youth protection labour shortages directly impact overall services and specifically affect the quality of prevention and protection services. While recruitment and retention issues for youth protection personnel are prevalent across Québec, the situation in Nunavik stands out as particularly precarious, marked by consistently high vacancy rates that cause continuous service disruptions. According to the data provided, Nunavik operates with less than 50% of its youth protection positions filled. In Hudson Bay, 70% of community services positions were filled in 2020, falling to less than 40% in 2023.

Every youth protection and social services employee from southern Québec working in Nunavik is entitled to four four-week periods of leave per year. This means that all staff members are absent from work for four months every year, and these absences are not covered by other workers. As a result, it takes three full-time positions to cover the equivalent of two positions. Furthermore, in contrast to the MSSS budget for healthcare workers, no funding is specifically allocated to cover these absences in social and youth protection services. Nonetheless, the MSSS contends that the root of the problem lies not in budget constraints but in the challenges of recruitment and retention.

Although numerous positions have been created in recent years, organizations face many obstacles in recruiting and retaining staff, undermining their capacity to alleviate workload and provide services commensurate with the situation. At the time of data collection, there was a deficit of 284 housing units for network staff, preventing the filling of these new positions. The issue is exacerbated by a shortage of workspaces and limited access to mobile phone networks and the internet in some communities, contributing to isolation and affecting staff recruitment and retention. Moreover, the available housing does not meet these workers' needs, as it cannot accommodate their spouses, children, or pets.

### 2.2.2. Employee Turnover

In addition to the exceptionally high rate of vacant positions, Nunavik institutions experience considerable rates of turnover. Roughly half of the filled positions are held by temporary staff or people working from outside Nunavik, and the average stay of child and family services workers is only around 18 months. This situation not only disrupts the continuity of services but also undermines the development of trusting relationships with children, families, and the wider community. Moreover, it leads to a shortage of experienced team members. The majority of frontline service employees are recent graduates. However, due to the workload of the few experienced staff, combined with the staffing shortage, institutions struggle to offer formal mentoring programs for new recruits beyond clinical assistance and supervision. New hires are frequently required to handle complex cases without proper training, impacting both service quality and working conditions, and ultimately affecting staff retention.

These staff shortages and high turnover rates impede the development of culturally safe services. Unlike permanent full-time recruits, temporary or casual workers do not undergo the three-day preparatory training program. The Latraverse Report recently underscored how inadequate training of social workers in Inuit cultural realities and practices also exacerbates the issue of over-judicialization. This lack of cultural sensitivity can lead youth workers to misinterpret family situations through a Southern lens, mistakenly perceiving a risk of negligence that does not make sense in the Inuit context.<sup>70</sup>

In addition to grappling with its own staff shortages, Nunavik is also confronted with the worsening situation in other parts of Québec. The recruitment of temporary staff from the South is becoming notably more challenging, amplifying the existing staff shortages. Institutions in the Québec network have become reluctant to grant leave for work in the North. Yet, Northern leave has been instrumental in allocating youth protection and rehabilitation staff from across the Québec network to offer support in Nunavik. This severely impacts the staffing capabilities of Nunavik institutions, which rely on Northern leave for nearly one-third of community services staff.

This has led to growing dependence on employment agencies. For example, all rehabilitation units in Nunavik now find staff through these agencies, accounting for up to 44% of paid hours. The NRBHSS, IHC, and UTHC all agree that resorting to casual staff undermines the development of meaningful relationships and trust among young people, ultimately impeding the potential for behaviour change. And yet, permanent full-time employees are at a financial disadvantage compared to temporary and casual workers.

### 2.2.3. Underrepresentation of Inuit Personnel

In addition to staff shortages and high turnover, there are not enough Inuit people working in youth social services. According to the NRBHSS, the IHC, and the UTHC, the proportion of Inuit employees in the youth social services continuum hit an all-time low in 2023. This is due to a number of factors.

One key reason is these workers' connection to the families and communities with which they work, which exposes them to hostility. Many community members view them as agents of an imposed system and enforcers of a law that is not suited to Nunavik's reality. Comparatively poorer working conditions than those offered by Inuit organizations is another important factor. Finally, Nunavimmiut youth workers face financial disadvantages compared to their counterparts from the South, who receive employee housing and paid airline tickets, for example. This fuels the impression that the youth protection system discriminates against and undervalues Inuit workers.<sup>71</sup>

Many people have also emphasized the harmful impact of the 2012 *Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations*, also known as "Bill 21". This Act professionalized the field of youth protection by introducing new reserved activities that can only be performed by members of a professional order. This has placed yet another hurdle in the path of Inuit recruitment, given Nunavik's low proportion of graduates qualified under the *Professional Code* to perform the new reserved activities. In fact, only 10.7% of Nunavik's Inuit population aged 25 to 54 had completed postsecondary education in 2021.<sup>72</sup>

Prior to this amendment, youth services often involved many Inuit community workers, which contributed to cultural safety for children and families. The NRBHSS contends that Bill 21 has caused service disruptions that violate the fundamental rights of children and families.<sup>73</sup> It highlights its impact on access to services in Inuktitut and its significant effects on cultural safety. Frontline services are provided by non-Indigenous workers who often lack cultural competency, inadvertently perpetuating trauma.

In 2016, the Committee on the Application of Bill 21 in Aboriginal Communities reported that the "human resources available, that currently hold recognition from the professional orders [...] are clearly insufficient, particularly in the area of frontline mental health and youth protection services."<sup>74</sup> It emphasized that "[p]roviding quality services in mental health and human relations requires professional knowledge and skills, as well as knowledge and skills relating to culture and language". The Committee issued nine recommendations, endorsed by the Viens Commission in Call for Action No. 106, which are listed in Appendix 5. These recommendations prioritize improving access for First Nations and Inuit people to the practise of reserved activities, including by developing special measures for qualifying training and for recognition and upgrading of skills.

The NRBHSS, the IHC, and the UTHC stress that the scarcity of labour and Inuit representation impede their ability to devote sufficient time and build trust. This directly affects their capacity to effectively nurture the healthy development of children and limits them to emergency responses.

## 2.3 Protection Services that Fail to Meet the Population's Needs

### 2.3.1. Shortcomings in the Youth Protection Process

Despite the funding provided by the MSSS to Nunavik organizations and the efforts to address staff shortages and their impact, investigations by the Commission into violations of rights over the past years have revealed alarming delays in evaluating reports and a near absence of services to ensure implementation of youth protection measures. They have also revealed troubling deficiencies in the regularity of interventions with foster settings, coupled with alarming delays in evaluating foster homes. Currently, the Commission is conducting a systemic investigation of the IHC, specifically focusing on foster care.

According to information from the NRBHSS, the youth protection team is operating at only 50% capacity. This means that those responsible for helping families implement youth protection measures are forced to prioritize emergency responses over regular follow-up, leaving families without the necessary services to support the development of their children. As already explained, labour shortages, short-term employment contracts, and endless turnover also compromise service quality by making it difficult to supervise and mentor caseworkers. Often, after discovering that a child's security or development is in danger, the DYP lacks the resources to adequately support children and parents in putting an end to the situation, preventing escalation, and averting tragic consequences. In the Commission's investigations into the cases of two young individuals who died by suicide, it was revealed that in the months leading up to their death, they did not receive any services to implement protection measures, despite the gravity of the events that led the DYP to deem them at risk.

Turnover rates are so high that the Commission discovered a case file with a delay of one and a half years between receiving a report of physical and educational neglect and evaluating it. Despite the efforts of four caseworkers to evaluate the report, the instability of the workforce prevented its completion. Shortly after closing this report, the DYP dismissed a new report of educational neglect and psychological abuse without conducting a supplementary field assessment. Just a few weeks later, the youth in question took his own life.

Overall, the feedback obtained through this review reveals persistent shortcomings in assessing children's family dynamics and particular challenges prior to consideration of any foster placement. It also highlights shortcomings in implementing lasting solutions that promote stability and bonding. Insufficient housing, workers, foster homes, and childcare spaces also obstruct the implementation of conditions to uphold children's rights.

### 2.3.2. A Relationship of Distrust

Respondents reported a widespread sense of disillusionment among the population regarding youth protection issues, stemming from a fundamental lack of trust in social services as a whole, and particularly in the youth protection system. In 2017, just 59% of Nunavimmiut aged 16 and older expressed trust in social services, with a mere 53% believing these services were attuned to Inuit realities.<sup>75</sup>

Sukait described Nunavimmiut's perception of being sidelined from collaboration with network stakeholders at all stages of the spectrum of services and from advancing their vision of youth protection through participation in decision-making.<sup>76</sup> It also reported that the YPA is not culturally adapted to the northern context, that its application leads to confusion and that decisions are not always based on what would be most beneficial for the child, their family and the community.<sup>77</sup>

With insufficient human resources, the priority shifts toward crisis intervention, detracting from preventive strategies. This further tarnishes the reputation of protective services and dissuades families from seeking help before situations reach a crisis point.<sup>78</sup> The absence of Inuit staff notably fuels this negative perception.

### 2.3.3. Insufficient Frontline Services Undermine Prevention Efforts

The current state of frontline services and access to specialized services in Nunavik is deeply concerning. Persistent housing and labour recruitment challenges act as significant barriers, undermining goodwill and thwarting attempts to expand youth programs beyond Puvirnituq and Kuujuaq. Efforts to establish volunteer programs lose meaning when key positions cannot be filled, impeding effective implementation.

This reality is starkly illustrated by the lack of specialized services for underage victims of sexual abuse, despite Nunavik's elevated rates compared to the rest of Québec. Prevention and treatment programs for drug addiction are also lacking. The DYPs have urged municipal councils to establish safe houses in every village, offering refuge for young people while their parents are using substances.

Investments for prevention in recent years, as noted by the NRBHSS, IHC, and UTHC, have failed to stem the rising tide of youth protection reports. In 2022-2023, out of 2,370 reports filed, 1,174 were accepted—a retention rate of 49%, markedly higher than Québec's overall rate of 31%. These organizations also note that report rates are higher in Hudson Bay than in Ungava Bay. Despite comprising just 58% of Nunavik's youth population, Hudson Bay accounts for 69% of reports. These organizations attribute this disparity to the larger number of communities or the heightened social deprivation in the region.

Currently, approximately one in five children in Nunavik (1,119 out of 5,594) are under the care of youth protection services, a stark contrast to the 3% in Québec overall. Despite these figures, frontline services continue to be neglected, and youth protection interventions continue to serve as the primary gateway into the system in far too many instances.

### 2.3.4. Challenges in Recruiting, Training, and Supporting Foster Homes

The number of available foster homes is clearly insufficient to meet demand. According to data from the NRBHSS, in 2022-2023, 17% of children were under the care of youth protection services and 63% of these children were in foster care, with 36% of these placements located outside Nunavik.<sup>79</sup> 93% of foster placements outside Nunavik are with non-Indigenous families, whereas within Nunavik, 76% of placements are with Inuit families. Hudson Bay youth are also over-represented in foster care placement outside of Nunavik.<sup>80</sup>

The dire shortage of foster homes is intricately linked to the housing crisis. Despite foster homes being allocated more spacious accommodations, the shortage remains acute. Additionally, the insufficient number of daycare spaces for preschoolers compounds the issue, leaving foster families to care for young children around the clock in already overcrowded housing. The labour shortage significantly hampers institutions' capacity to recruit, evaluate, and maintain regular oversight of foster families. While strides are being made to better support foster families, particularly when a child requires specialized care, the available resources simply fall short.

Additionally, the scarcity of foster homes available for emergency placement makes it impossible to uphold the RACYS's stance against placing children with child and family service workers. The acute shortage of Inuit foster families is particularly troubling, considering that half of all accepted reports are deemed to require emergency foster care. This shortage often forces youth workers to take greater risks, opting to leave children in their home environments even when foster care would be necessary. This issue is exemplified in an ongoing investigation, wherein two siblings in the Hudson Bay area were purportedly returned to their family environment due to the lack of foster homes, despite experiencing physical abuse and neglect. The IHC assured the Commission that this situation was an exception caused by a specific community crisis.

Evaluation of foster settings is also plagued with shortcomings. In two recent Commission investigations, Inuit youth were placed with families in southern Québec that had not been evaluated. Additionally, in another investigation concerning the IHC's specialized foster facilities, which allegedly housed eight children in an unsanitary environment, it was revealed that these facilities had not been evaluated for service quality until the summer of 2020. The 2022-2023 data shows that 37% of foster families in Nunavik were not accredited.

The cost of living in Nunavik compounds the challenges of recruiting Inuit foster families. The NRBHSS reports that, after a four-year standstill in discussions with the MSSS, it is now able to increase financial support to foster families. Presently, accredited families receive \$100 per child per day, while unaccredited families receive only \$50. Given the substantial rate of unaccredited foster families and the delays involved to become accredited, this financial gap poses yet another barrier to recruitment efforts.

The absence of Inuit people in charge of specialized foster settings also creates barriers to recruiting Inuit families. Ongoing discussions are exploring possibilities for NIP's involvement in recruiting and supporting Inuit foster families, but the realization of this initiative hinges on the availability of Inuit personnel. Placing children with non-Inuit families, especially outside Nunavik, erodes the preservation of their cultural identity and family bonds. While work is underway to ensure the cultural safety of children placed with non-Inuit families in Nunavik or elsewhere in Québec, the shortage of Inuit staff constrains these efforts. Despite ongoing recruitment efforts and attempts to bolster support for foster homes, these families do not receive any ongoing training. This is particularly troubling in light of the considerable number of children permanently placed outside Nunavik.

### 2.3.5. Lack of Rehabilitation Facilities in Nunavik

The lack and pressing need for rehabilitation facilities in Nunavik has been a focal point of numerous investigations by the Commission. For example, one such investigation found that no facility offering intensive supervision exists in the territory. This means that all children requiring such services are placed in the South.

In 2021, the Commission investigated the conditions of Inuit youth residing in rehabilitation facilities in the Montréal area. This investigation revealed that their rights to preserve their cultural identity, participate in cultural activities, and access education were not being upheld. The investigation highlighted constraints on the use of Inuktitut, resulting in feelings of insecurity, and barriers to accessing English education, leading to chronic school absenteeism. The Commission recommended a comprehensive redesign and readaptation of rehabilitation services for Inuit youth, emphasizing the imperative of cultural safety.

The existing Montréal rehabilitation facilities are already overburdened, and must resort to makeshift arrangements outside the city, averaging thirteen borrowed spaces per day. Recent data reveals a mere 64 rehabilitation spots available in Nunavik. In June 2022, a repatriation plan for rehabilitation services was approved, aiming to secure Nunavik's autonomy in managing such services. With 118 spots distributed across eleven units, the plan is poised to address a spectrum of accommodation needs.

The demand for specialized physical and mental health services has also led to the placement of Nunavik youth in closed, intensive supervision, and 'high-dynamic supervision' units in Montréal.

### 2.3.6. Insufficient Collaboration

The committees and governance endeavours launched in 2014 concerning child and family services lack representation of all parties essential to establishing coordinated services in the interest of the child, namely the medical, educational, municipal, social, and justice sectors, in addition to Makivik Corporation and the NRBHSS.

While the programs and services detailed in Appendix 3 have facilitated coordination on specific issues, the Commission finds that gaps persist in meeting children's needs for stability, preventing behavioural issues, and addressing drug addiction. Action is required to establish mechanisms for regional and local coordination to effectively implement youth protection measures.

The NRBHSS, IHC, and UTHC have voiced struggles in establishing collaborative partnerships with organizations in other sectors, notably the KRG, KISB, and the municipal councils. Despite corrective measures addressing school access issues, the respondents express dissatisfaction with the daycare network managed by KRG, which does not meet the needs of children under DYP care.

The NRBHSS, IHC, and UTHC criticize the lack of collaboration and timely intervention from municipal councils concerning unrestricted access to alcohol and drugs, a matter that directly impacts children. They note that municipal councils only step in when situations reach critical levels and health centres can no longer meet the population's needs.



## 2.4 Problems with the Itinerant Court

### 2.4.1. Access to Videoconferencing

Even with the recent relaxation of mandatory court attendance rules for select youth protection cases, technological constraints persist, hindering participation through videoconference. Furthermore, as the Latraverse Report noted, families may be uncomfortable participating in court hearings from DYP offices out of fear of upsetting the caseworkers.<sup>81</sup> It recommended that the MJQ work with the responsible Inuit organizations to set up virtual hearing rooms in places other than DYP offices.

### 2.4.2. Insufficient Hearing Days

Despite being flagged by the Commission in 2007, the problem of insufficient hearing days for the Itinerant Court persists. The NRBHSS, the IHC, and the UTHC all report that the Court of Québec has denied requests for additional court time and has, instead, recently reduced the number of cases heard per term. This has led to a substantial backlog, with 73 cases pending in Hudson Bay and 22 in Ungava Bay as of March this year.<sup>82</sup> Moreover, the Latraverse Report described the Court's delays as catastrophic, particularly for the hearing of cases on the merits, and noted that because of this, the court mainly proceeds by way of provisional motions.<sup>83</sup> The report recommended that the number of court weeks dedicated to youth protection cases be increased (Recommendation 55), along with various other measures to streamline processing times, align court procedures with Nunavimmiut realities and customs, and explore alternatives to judicialization.

Far upstream of the issue of access to the court is the issue of undue reliance on the courts in youth protection cases in the first place. The Latraverse Report echoes concerns raised in other reports, including the TRC report, that this reliance not only infringes on the rights of Inuit and First Nations children but also draws alarming parallels to the residential school system. Several reports have also documented the crucial need for families to be well-informed about the application of the YPA and the judicial system in this context.<sup>84</sup>

In the follow-up report on the Viens Commission's calls for action, the Québec Ombudsman emphasized the urgency of addressing calls for access to legal services and implementing the recommendations of the Latraverse Report.<sup>85</sup>

# 3 IMMEDIATE MEASURES REQUIRED TO PROTECT CHILDREN AND UPHOLD THEIR RIGHTS AND INTERESTS

Over 15 years have passed since the Commission first raised the alarm about the dire circumstances facing children in Nunavik, urgently calling for action. And yet today, the distressing reality persists: adverse living conditions and an absence of services tailored to families' needs continue to drive the alarming overrepresentation of Nunavik children in the youth protection system. Over the years, the Commission has consistently raised its voice against grave infringements of these children's rights, which jeopardize their security and development. Through individual cases, systemic investigations, and other interventions, it has put forth numerous actionable recommendations aimed at rectifying these issues.

The Commission's 2007 report issued a joint call to action, urging the Makivvik Corporation and all the authorities concerned "to take the lead in bringing about [conditions to protect children], based on the best interests of the children concerned and the realities of life in Nunavik".<sup>86</sup> This call has served as the cornerstone of the Commission's approach to the situation, which is firmly rooted in acknowledgement that community decision-making should be at the forefront of child welfare efforts. The Commission also called on the premier of Québec as the minister responsible for youth, urging him to "take personal control of this issue and to coordinate the required actions by the government". It considered that the "gravity and extent of the problems faced by young people in Nunavik and the urgent need to prevent any further deterioration in those problems" justified the premier's intervention.

Over the past three decades, the Commission has consistently advocated for Indigenous peoples' right to self-determination. In its recent brief on Bill 32, *An Act to establish the cultural safety approach within the health and social services network*, it put forward a series of recommendations<sup>87</sup> emphasizing the pivotal role of cultural safety in dismantling colonial practices and upholding the right to self-determination.

A clear message resonates throughout the present review and the 2007 report: engaging all stakeholders to ensure the protection of Nunavik's children in a manner that honours Inuit perspectives on family and well-being is key. Unfortunately, projects aimed at realizing this goal in Nunavik have been slow to materialize. Yet, the advantages of embracing and facilitating self-determined practices rooted in Inuit conceptions of family, well-being, and healing are undeniable.

Indeed, these principles are now enshrined in the YPA, which recognizes that protecting children is a collective duty that demands the active involvement and collaboration of the entire sector to minimize government interference in family matters. The YPA's assertion that Indigenous people are best suited to meet the needs of their children in the manner that is the most appropriate emphasizes the critical role that must be given to these communities. Let us also highlight the two main objectives of the *Act respecting First Nations, Inuit and Métis children, youth and families*,<sup>88</sup> which took effect in January 2020 and has been upheld as constitutionally valid by the Supreme Court of Canada.<sup>89</sup> These include explicitly recognizing and affirming Indigenous peoples' inherent right to establish, administer, and enforce their own youth protection laws, and setting minimum service standards for delivering prevention and child protection services to Indigenous families in Canada.

Furthermore, both the TRC and the UN Committee on the Rights of the Child have emphasized that the established connection between families' socioeconomic challenges and the overrepresentation of Indigenous children in care underscores the urgent need for culturally safe social services that can support families and actively prevent circumstances that could lead to the removal of their children.<sup>90</sup>

Numerous corrective measures and initiatives are being devised in Nunavik to protect children and support their development. However, systemic hurdles stubbornly impede the efficacy and reach of these endeavours. Inuit families and children are still being denied the services to which they are entitled, especially when it comes to the support systems that should be in place upstream of any involvement with the youth protection system. Nunavimmiut urgently need coordinated, high-quality, Inuit-led services that address their unique needs.

There has been a clear failure of leadership to coordinate essential elements for youth protection. This review, along with several investigations over two decades, has revealed the absence of a unified vision among the Government of Québec and the relevant authorities in Nunavik. This lack of clarity has hindered efforts to address the persistent issues impacting the rights of children and their families. The Commission's work has also highlighted the failure to integrate clinical practices that are in line with Inuit understandings of family and well-being, due to the many systemic issues detailed in Part 2 of this report

Against this background, the Commission calls for a unified vision and robust leadership to provide Inuit children and families with the services to which they are entitled in order to prevent their involvement with the youth protection system. Effective government coordination is vital for achieving this objective.

Currently, in Nunavik, as in other parts of Québec, government responsibilities concerning prevention, intervention, and the defence of children's rights are spread across various ministries. These include the MSSS, the Ministère de la Famille, the Ministère de la Justice, and, depending on the circumstances, the Secrétariat aux relations avec les Premières Nations et les Inuit. The findings of this review reaffirm the critical importance of acting on the Commission's proposal to designate a minister specifically responsible for upholding children's rights.<sup>91</sup> Doing so would uphold the government's international commitments and its obligations under Québec law.

In any event, the Commission strongly advocates for the immediate establishment of a government mechanism to coordinate efforts aimed at supporting the children and families of Nunavik. The resulting consistency would greatly benefit all parties working to protect Nunavimmiut children as they progress from infancy to adulthood.

#### RECOMMENDATION 1

##### THAT the Government of Québec:

→ designate a minister specifically responsible for upholding children's rights, in accordance with the government's international commitments and its obligations under Québec law;

→ establish a government mechanism to coordinate the efforts of all ministries responsible for the well-being of children and families in Nunavik.

The Commission underscores the gravity of the situation and urges the Government of Québec, which is responsible for providing social services, including youth protection, to take immediate action on three critical fronts. Local and regional authorities are also urged to join forces to heed this urgent call to action.

### 3.1 Restructuring Youth Services to Reflect the Realities of Inuit Children and Families

#### 3.1.1. Encouraging and Supporting the Revitalization of Inuit Practices in Child and Family Services

The Commission asserts that the Government of Québec must actively support the revitalization and affirmation of Inuit practices at every level of child and family services.<sup>92</sup> This approach is indispensable for aligning services with the genuine needs of the population. Embracing this strategy will significantly bolster the vitality of children’s cultural heritage, which is fundamental to the best interests of Indigenous children.

This process is already underway in Nunavik. The six guiding principles on assumption of service provision in accordance with the wishes of Nunavimmiut, established during the Sukait consultations, appear to be serving as key drivers to advance a social project rooted in the Inuit conception of child and family welfare. The NIP initiative also offers promise for establishing a spectrum of services that are culturally safe and responsive to the needs of children, families, and communities. However, the NIP is still in its infancy and faces many challenges. These include recruiting and training Inuit personnel, securing funding for organizational development and sustainability and competitive employment conditions, accessing resources for prevention and promotion programs and community engagement tools, and fostering collaboration with other organizations.

The Commission is optimistic that the introduction of Inuktitut-language services aligned with this vision will help alleviate these challenges. Initiatives like these have the capacity to enhance families’ sense of safety and their trust in services. This in turn can lead to better outcomes, where parents willingly engage with the available services. They also signal a shift in the recruitment of Inuit staff and foster families within Nunavik. A social service offering that resonates with families could ultimately pave the way for a more consensual system and decrease the number of cases brought to court.<sup>93</sup>

To support this revitalization, the Government of Québec must support and actively collaborate in the projects underway in Nunavik to advance Inuit practices for family well-being. In light of the unanimous Supreme Court of Canada decision affirming the validity of the *Act respecting First Nations, Inuit, and Métis children, youth and families*, the obligation to act is both clear and urgent. The Court’s characterization of the Act as “one more step toward reconciliation” and toward living up to Canada’s UNDRIP commitments underscores the importance of this.<sup>94</sup> To illustrate this path toward reconciliation, the Court employed the image of interwoven legal orders, advocating for “a continuous transformation of relationships and a braiding together of distinct legal traditions and sources of power that exist.”<sup>95</sup> Engagement from provincial governments is imperative for this transformation, to ensure comprehensive and adequate services are established in the best interests of children.

#### RECOMMENDATION 2

→ THAT the Government of Québec actively engage in and back initiatives to advance Inuit practices in child and family services in keeping with the needs expressed by Nunavimmiut.

### 3.1.2. Giving Full Effect and Meaning to Cultural Safety

Despite the explicit recognition of Indigenous peoples' inherent right to establish, administer, and enforce their own youth protection laws,<sup>96</sup> an Inuit-established system does not yet exist. As such, there is a clear need to restructure child welfare practices to genuinely address the needs of Nunavik children.

Government action in this regard must give full effect and meaning to the principles and obligations of the *Act respecting First Nations, Inuit and Métis children, youth and families* and the approach set out for Indigenous children and families in the YPA reform. The preamble to the YPA expressly states that “cultural safety is essential to the well-being of Indigenous children” and that “interventions in respect of an Indigenous child must be carried out taking into account the circumstances and characteristics of his community or of another environment in which he lives so as to respect his right to equality and foster cultural continuity”.<sup>97</sup> Additionally, Chapter V.1 of the YPA contains provisions aimed at promoting cultural continuity for Indigenous children.<sup>98</sup> These provisions underscore two key principles: the importance of providing culturally safe services for Indigenous children and families, and the imperative to maintain children’s cultural continuity throughout their involvement with child protection services.

The Commission has emphasized that cultural safety relies on communication methods that enable the people receiving care and services to both understand and express themselves.<sup>99</sup> Health and social services providers have a duty to treat Indigenous people in a manner that recognizes and honours their unique differences, realities, and needs. It is incumbent upon all institutions offering such services to ensure that their practices are culturally safe and adapted to meet the specific needs of Indigenous people.

### 3.2 Ensuring Children’s Cultural Continuity

Over the past decade, the Commission has repeatedly called attention to issues preventing fulfillment of the principle of cultural continuity for Indigenous children. The alarming shortage of services and scarcity of foster care resources are all the more serious in this respect, as they result in Inuit children being placed in care outside their communities, despite dedicated efforts to prevent this. Moreover, they are still frequently placed with non-Inuit families, in Nunavik and elsewhere, who may not be equipped to maintain the ties that are so vital to preserving the children’s cultural identity.

The Commission’s investigations have revealed serious violations of the rights of Inuit children to maintain their cultural identity, not only in terms of social services and community ties, but at the institutional level as well.<sup>100</sup> The Commission has responded with numerous recommendations. These include upholding the right of Indigenous youth to use their language while in care, ensuring access to interpreters and translated documents, providing opportunities for culturally relevant activities, and scheduling regular visits to children’s communities.<sup>101</sup>

The Québec Ombudsman emphasized that the adoption of various programs for First Nations and Inuit, and implementation of the cultural safety approach are steps in the right direction, but they do not fully meet the Viens Commission’s calls for action. These calls to action are not merely about adjusting services but about fundamentally restructuring the service offer and organizational structure to align with the needs of First Nations and Inuit communities:

Generating systemic change is not simply a matter of adapting public services to better serve First Nations and Inuit. Rather, it means rethinking these services, and even rebuilding them, based on the needs expressed by Indigenous nations and communities. As it now stands, Québec government actions still do not reflect a tangible desire to overhaul public services so that they meet Indigenous citizens' needs and aspirations.<sup>102</sup>

The Commission concurs with this view and stresses the necessity of aligning the full spectrum of social services for prevention and youth protection with the genuine needs of Nunavimmiut children and families.

### RECOMMENDATION 3

**THAT the Minister Responsible for Social Services and the Minister Responsible for Relations with the First Nations and the Inuit collaborate with the NRBHSS and Inuit authorities to:**

- assess the full spectrum of social services for prevention and youth protection through the lens of Inuit requirements;
- take all required steps to enable the development of services designed specifically for the Inuit and the expansion of self-determined programs and initiatives.

The Commission urges the Minister Responsible for Social Services and the Minister Responsible for Relations with the First Nations and the Inuit to continue supporting, by all possible means, local and regional efforts to provide culturally safe services. This must involve active collaboration with the NRBHSS and the two health centres.

On this issue, the Commission calls attention to two areas that require immediate action. First is the significant portion of the 2022 YPA reforms on social and judicial intervention with Indigenous families<sup>103</sup> that have yet to be implemented. Second, youth protection workers urgently require tools, guidelines, and training to effectively implement the new YPA provisions and uphold the minimum standards set out in the *Act respecting First Nations, Inuit and Métis children, youth and families*.<sup>104</sup>

### RECOMMENDATION 4

**THAT the Minister Responsible for Social Services and the Minister Responsible for Relations with the First Nations and the Inuit:**

- deepen their support, by all possible means, for local and regional efforts to provide culturally safe services;
- partner with the NRBHSS, the IHC, and the UTHC in this regard, including to develop tools, guidelines, and training to support workers in effectively implementing the YPA provisions and adhering to the minimum standards set out in the *Act respecting First Nations, Inuit and Métis children, youth and families*.

**RECOMMENDATION 5**

→ THAT the Government take immediate action to fully implement the provisions regarding social and judicial intervention with First Nations and Inuit people set out in Chapter V.1 of the YPA.

Upholding the rights of children in Nunavik calls for collective effort from all parties involved in the different spheres of children's lives. The Commission is no exception to this, and is dedicated to strengthening its relations with Nunavik stakeholders to uphold children's rights and respect Inuit self-determination. The Commission's current review of its guiding principles on Indigenous matters is an opportunity to forge partnerships with Inuit organizations to ensure that it is carrying out its responsibilities in alignment with the genuine realities and needs in Nunavik.

The Commission will steadfastly fulfill its responsibilities as mandated by the YPA. It remains committed to investigating any situation, whether upon request or on its own initiative, where it has reason to believe that the rights of a child or group of children in Nunavik have been violated by any person, institution, or organization.

Should the Inuit appoint their own child and youth advocate, the Commission pledges to collaborate with the relevant authorities and to exchange expertise in upholding and defending children's rights. This commitment is in line with what the Commission articulated during the Special Commission on the Rights of the Child and Youth Protection.<sup>105</sup>

**THE COMMISSION'S COMMITMENTS**

- Collaborate with Nunavik organizations to raise awareness of the Commission's roles and responsibilities among the Nunavimmiut population.
- Continue providing training for all its personnel, and particularly those in the Youth Protection Investigations Department, on effective collaboration with relevant organizations.
- Work closely with Inuit authorities, should they appoint a child and youth advocate, to exchange knowledge and expertise in upholding and defending children's rights.

### 3.3 Addressing Labour Shortages in Social Services to Uphold Children’s Rights and Interests

As highlighted in this review, the persistent shortage of human resources continues to hinder the delivery of preventive and youth protection services tailored to the needs of children and families, undermining the effectiveness of every initiative to do so in recent years.

In 2016, the Committee on the Application Bill 21 in Aboriginal Communities identified several solutions. By 2019, the Viens Commission had already called for these to be implemented without delay. Yet, progress has been fragmented. In 2023, the legislator proposed amendments to the *Professional Code*<sup>106</sup> with the stated goal of facilitating Indigenous persons’ access to certain services in a culturally safe manner.<sup>107</sup> However, the Bill did not move forward.

Currently, the creation of a dedicated Nunavik-specific psychosocial intervention position, and introduction of the corresponding training program in Nunavik, which is geared toward the development and recognition of culturally relevant social work expertise, hold promise. However, without changes to the existing legal framework, obstacles will continue impede the long-term viability of these initiatives.

To ensure access to much-needed quality services for children and families, the government must act swiftly, in collaboration with First Nations and Inuit authorities and the relevant professional orders, to implement the Committee’s recommendations. These recommendations were formulated in collaboration with Indigenous authorities with a view to developing and recognizing the competencies of Indigenous intervention workers and facilitating their access to certain reserved acts.

The Commission also calls on the government to deepen its collaboration with all stakeholders in Nunavik to improve training for non-Indigenous personnel, particularly in terms of cultural safety. It also calls on the government to increase the hiring and retention of Inuit personnel, bearing in mind the serious inequities in working conditions between Inuit and non-Inuit employees, as outlined by the Viens Commission and addressed in Call for Action No. 107.

#### RECOMMENDATION 6

##### THAT the Government:

- implement without further delay the recommendations of the Committee on the Application in Aboriginal Communities of Bill 21, Act to amend the professional code and other legislative provisions in the field of mental health and human relations, in collaboration with the relevant professional bodies and First Nations and Inuit authorities;
- deepen collaboration with all stakeholders in Nunavik to:
  - promote cultural safety training for non-Indigenous personnel;
  - increase the hiring and retention of Inuit personnel, including by giving them working conditions equal to those available to personnel from the South.



### 3.4 Providing Housing that Adequately Meets the Needs of Children and Their Families

Governments are responsible for making sure that families have adequate resources to ensure the security and development of their children. A child's Charter right to receive the protection, security, and attention that the parents or caregivers are capable of providing<sup>108</sup> is inseparable from a family's right to receive the financial and social assistance that will ensure a decent standard of living. This includes the right to housing.<sup>109</sup>

The chronic issue of inadequate housing in Nunavik has detrimental effects on every aspect of children's lives, in violation of their rights, yet many of the challenges identified in 2007 continue to pose threats to children's security and development.

As evidenced by the consistently high and relatively stable rates of housing shortfall, it is clear that the volume and pace of construction in recent years have been vastly insufficient. Given that social housing constitutes the majority of available housing in Nunavik, families rely extensively on government intervention.

Accelerating the pace of new housing construction is essential to improving the living conditions of Nunavimmiut. That said, construction budgets must also go beyond mere numbers and encompass housing designed to the realities, lifestyles, and needs of Nunavimmiut families, as emphasized in Call for Action No. 9 of the Viens Commission report.

The Commission therefore calls upon local, regional, and provincial entities involved in construction project management, including the Société d'habitation du Québec, the NHB, Makivik Corporation, the municipal councils of Northern villages, and the landholding corporations, to prioritize collaborative housing design with Northern community members. This collaboration is essential for better addressing their needs, particularly the needs of children and families.

Housing allocation should also follow this coordinated approach, in keeping with the Commission's 2007 recommendation to take into consideration the greater interest of children and their right to protection when assigning housing. Any review of housing allocation practices must also extend to housing for child and family services personnel. As reported by the responding organizations in this review, the lack of available housing severely hampers efforts to fill vacant positions.

The Commission reminds the Government of Québec of its duty to prioritize the rights and interests of children and the needs of families when renewing the tripartite housing agreement. Success in this endeavour will hinge on Nunavimmiut involvement in identifying needs and necessary improvements to the Nunavik housing stock.

#### RECOMMENDATION 7

##### THAT the Government assert strong leadership by:

- accelerating the pace of new housing construction in Nunavik to meet the needs of families and their children;
- ensuring that local, regional, and provincial entities involved in construction project management, including the Société d'habitation du Québec, the NHB, Makivik Corporation, the municipal councils of Northern villages, and the landholding corporations, prioritize collaborative housing design with Northern community members, to better address their needs, particularly the needs of children and families.

In its guiding principles for children and youth in the youth protection system or the youth criminal justice system,<sup>110</sup> the Commission sought to identify, document, and remedy systemic problems, including region-specific ones, that violate or may lead to violation of the rights of children and youth. It also pledged to persist in its endeavours to strengthen the economic and social rights of children, youth, and their families as enshrined in the Charter.<sup>111</sup> Addressing the issue of housing is paramount in this regard and integral to rectifying instances of violations of the rights of Nunavimmiut children.

#### THE COMMISSION'S COMMITMENTS

- Emphasize, in all its endeavours, the importance of strengthening implementation of the economic and social rights enshrined in the *Charter of Human Rights and Freedoms*, including by documenting the housing situation affecting Nunavik households. This is essential for ensuring a decent standard of living for families.
- Stay abreast of developments in the renewal of the five-year *Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik*, ensuring that the rights and interests of children and families are duly considered.

## Conclusion

In closing, the Commission celebrates the milestone achieved for Inuit self-government marked by the signing of the *Nunavik Self-Government Negotiations Accord* between the Government of Québec and Makivvik Corporation on December 20, 2023. This Accord creates an opportune moment for authorities to lay out a unified vision for structuring services for Inuit children and families in a way that upholds their rights and is rooted in their reality.

As part of this, and true to its mission, the Commission urges all involved parties to approach their work with a shared determination to create a governance framework that truly guarantees the safety of every child in Nunavik. To achieve this, these discussions must prioritize children's interests above all else, incorporate the Inuit conception of this principle, and give due weight to children's voices.



## Appendix 1

# THE COMMISSION'S ACTION SINCE THE 2010 FOLLOW-UP REPORT

2014

### **Urgent action is required, several meetings are set up by the Commission**

In response to eight child welfare cases in Ungava Bay, the Commission raised alarms about the dire conditions facing children in Nunavik, urging the Minister of Justice and the Minister of Health and Social Services to take immediate action. It highlighted the persistent risks to children's safety stemming from inadequate living conditions, economic and social adversity, the housing situation, deficiencies in health and social services, and the nearly non-existent safety net for children.

Through sixteen meetings, the Commission brought together 23 stakeholders from the political, administrative, clinical, health and social services, education, justice, and community sectors.

2017-2018

### **Testimony to the Viens Commission concerning Nunavik children**

The Commission appeared twice before the Viens Commission, on June 12, 2017, and March 12, 2018, to testify to the conditions of children in youth protection care in Nunavik. During these sessions, it also outlined its recent activities, particularly within political and media contexts.

2014

2016

2017-2018

2019

2016

### **Visit to Nunavik to open dialogue with communities**

Recognizing that the challenges facing children and youth extend beyond issues of youth protection, the Commission travelled to Kuujuaq to initiate dialogue with the local communities. The dialogue between the Commission and local leaders yielded several important insights, resulting in the development of proposals for a range of initiatives addressing housing, education, drug addiction, youth protection, and the justice system. These proposals were subsequently integrated into an action plan adopted by the Ministry of Health and Social Services and local community authorities.

2019

### **The MSSS is called upon to address persistent problems in youth protection**

In a letter to the Minister of Health and Social Services and the Minister Delegate for Health and Social Services on the Child and youth protection services in Nunavik, the Commission expressed its concern about the child and youth protection services available to children in Nunavik. It criticized the fact that the numerous problems it had identified with respect to the application of the YPA had not been resolved.

Emphasizing the commitment of Nunavik community members to care for their children's well-being and the need to intervene to prevent deterioration of their distressing situation, it urged the ministers to take action to create favourable conditions in these communities for real protection of their children and their children's rights. It called for tangible support measures, including the allocation of adequate resources to tackle pressing issues concerning housing, education, substance abuse, and access to health and social services for youth protection.

2020

**Laurent Commission: the youth protection system should respect the rights of indigenous children**

In a brief to the Special Commission on the Rights of the Child and Youth Protection, the Commission reiterated concerns it had previously raised in its investigations and other initiatives regarding access to services for Indigenous children and parents, underscoring longstanding issues specific to Nunavik that have endured for decades. The Commission urged both the Government of Québec and Indigenous authorities to create a youth protection system that fully respects the rights of Indigenous children. It also stressed the importance of implementing the Viens Commission's calls for action on youth protection.

2022

**Call for mobilization in the face of an increasingly critical situation in Nunavik**

In a press release, the Commission underscored the critical state of affairs in Nunavik, urging all involved parties to engage in tangible and lasting action. It stressed the responsibility of organizations and other stakeholders, both in the North and South, to take action and collaborate with communities to uphold the rights of individuals, families, and children.

It also announced its decision to conduct a follow-up investigation into responses to its 2007 systemic recommendations. Recognizing that the issues were now well-documented and widely known, and that various solutions had been proposed and tried, the Commission deemed it necessary to pinpoint the remaining barriers to full recognition of children's rights and respect for their best interests.

2021

**Investigation concludes that rights of Inuit youth housed in Montreal were violated**

Upon investigating, the Commission found persistent violations of the rights of Inuit youth from Nunavik placed in rehabilitation centres in the Montréal area. These included violations of their right to preserve their culture and participate in cultural activities, and chronic breaches of their right to education.

The Commission made several recommendations to the Minister of Education, emphasizing the necessity of finding lasting solutions to multiple issues. These included extending eligibility for English-language education to Inuit children residing outside their territory, reaffirming the right of Inuit youth to freely speak their mother tongue, and explicitly codifying this right in the codes of conduct of rehabilitation centres. It also recommended consulting with children on culturally suitable activities, formulating a cultural safety action plan in collaboration with Inuit organizations, and implementing rehabilitation programs to facilitate social interaction among Inuit youth and allow them to communicate in their language.

**A call to the Quebec government for a genuine reconciliation process with Indigenous nations**

The Commission published an open letter, acknowledging and condemning the systemic racism and discrimination experienced by Indigenous people in their dealings with institutions, including the healthcare system. It urged the Government of Québec to demonstrate leadership and initiate a genuine reconciliation process with Indigenous nations, including by addressing the Viens Commission's calls for action.

2023

**Vice-President and Senior Director of Operations visit Nunavik**

In September, Commission Vice-President, responsible for the youth mandate, and the Senior Director of Operations travelled to Nunavik for a week-long visit, where they met with representatives of the organizations impacted by its 2007 recommendations.

2020

2021

2022

2023



## Appendix 2

# RECOMMENDATIONS FROM THE COMMISSION'S 2007 REPORT, ORGANIZED BY THEME

### THEME 1 — Enhancing coordination within youth protection services and bolstering stakeholder collaboration and engagement

#### RECOMMENDATION 1

- That the NRBHSS make children and families a key priority and set up mechanisms for regional coordination and partnerships focusing, in particular, on:
- the protection and stability needed to allow children to develop
  - the prevention of situations of neglect, physical and sexual abuse, and behavioural difficulties
  - mental health problems and suicide prevention
  - the prevention and treatment of drug addiction
  - the improvement of parenting skills

#### RECOMMENDATION 2

- That the Makivik Corporation oversee the creation of a coordination committee bringing together representatives of the NRBHSS and of medical, educational, municipal, social, and justice organizations, to ensure concerted interventions in the best interest of the children concerned, and to mobilize the general population around the objective of youth protection.

#### RECOMMENDATION 6

- That the NRBHSS in cooperation with the Directors of Youth Protection for Ungava Bay and Hudson Bay, create local committees of people working in the youth and family sector with the mandate of helping apply the protection measures decided by the DYP.

### THEME 2 — Improving frontline services and specialized treatment programs

#### RECOMMENDATION 7

- That the NRBHSS ensure that the CLSCs establish detection and prevention programs for the neglect of children aged 0 to 5 and ensure that the CLSCs establish or maintain, as applicable, social services for children aged 0 to 18 and their families, as required by their mandate.

#### RECOMMENDATION 8

- That the Kativik School Board, in cooperation with the Nunavik Regional Board of Health and Social Services and the Makivik Corporation, ensure that social services are introduced into the school system.

#### RECOMMENDATION 9

- That the Nunavik Regional Board of Health and Social Services implement or maintain, as applicable, specialized treatment programs for drug and alcohol addiction, physical and sexual abuse and mental health.

### THEME 3 — Ensuring appropriate and adequate youth protection services that uphold children’s rights

#### RECOMMENDATION 3

→ That the MSSS ensure that the children of Nunavik receive the protection services to which they are entitled.

#### RECOMMENDATION 10

→ That the Directors of Youth Protection in Ungava Bay and in Hudson Bay ensure that the family problems and specific difficulties of a child are evaluated before the child is placed, and that they seek a stable living environment and sustainable solutions for children to promote bonding.

#### RECOMMENDATION 11

→ That the Directors of Youth Protection in Nunavik assess foster families and use the relevant tools to ensure that all the needs of the children concerned are met.

#### RECOMMENDATION 12

→ That the Tulattavik Health Centre and the Inuulitsivik Health Centre, provide foster families with the tools and support they require to meet the needs of the children placed with them, in particular ongoing training and regular follow-up, and that they recruit foster families for children aged 6 to 12 with serious behavioural difficulties, and that these foster families be offered training and follow-up by specialized staff members.

#### RECOMMENDATION 14

→ That the Coordinator of the Puvirnituk Group Home use isolation only in the situations strictly authorized by law, in a manner that ensures respect for the dignity of the young person concerned, and that appropriate support be provided.

#### RECOMMENDATION 16

→ That the NRBHSS, in collaboration with the DYPs for Ungava Bay and Hudson Bay, take steps to ensure that young people subject to the YCJA benefit from the extrajudicial sanctions program under the YCJA, which could be harmonized with community values.

**THEME 4 — Ensuring the training, supervision, and well-being of child and family caseworkers in Nunavik****RECOMMENDATION 4**

→ That the DYPs for Ungava Bay and Hudson Bay specifically designate one or more experienced members of their staff to assist and advise case workers at each stage in the application of the YPA to ensure that it is understood and applied in a uniform way. For this purpose, the Commission recommends, among other strategies: that weekly case discussions be organized for all case workers; and that all case workers use the appropriate tools, in particular the *Manuel de référence sur la protection de la jeunesse*.

**RECOMMENDATION 5**

→ That the NRBHSS, in cooperation with the DYPs for Ungava Bay and Hudson Bay, provide ongoing training for their staff members concerning the various stages of the YPA, in particular regarding: the need for stability among children and attachment disorders; assessments of family environments and parenting skills; follow-up for children and families; the drafting of intervention and service plans; and file-keeping.

**RECOMMENDATION 15**

→ That the NRBHSS, in cooperation with the DYPs for Ungava Bay and Hudson Bay, provide training on the application of the YCJA for their staff, especially youth workers.

**RECOMMENDATION 17**

→ That the Tulattavik and Inuulitsivik Health Centres set up an employee assistance program.



**THEME 5 — Improving living conditions in Nunavik in the best interests of children****RECOMMENDATION 19**

→ That the Minister Responsible for Relations with the First Nations and the Inuit and Makivik Corporation, in collaboration with the Federal government, propose immediate and adapted solutions to the housing problem, based on the right of children to receive protection.

**RECOMMENDATION 20**

→ That the Kativik Municipal Housing Bureau [now the NHB], in cooperation with the Directors of Youth Protection, take into consideration the greater interest of the children and their right to protection when assigning housing.

**THEME 6 — Improving access to the courts in Nunavik****RECOMMENDATION 21**

→ That the Minister of Justice take steps to limit trips by children, in particular by using videoconference technology, increase the number of days of hearing of the Itinerant Court, and assess the possibility of assigning a resident judge to Nunavik.

## Appendix 3

# PROGRAMS AND SERVICES: FRONTLINE AND SPECIALIZED SERVICES

THEMES	Actions and Programs for Prevention and Treatment of Specific Issues
<p>Neglect prevention and parenting skills education</p>	<ul style="list-style-type: none"> <li>→ <b>Table de concertation Prévention et Promotion en périnatalité et petite enfance:</b> This roundtable aims to bolster perinatal and early childhood public health programs.</li> <li>→ <b>Ilagiluta program:</b> This program is a regional version of the SIPPE program, which provides integrated perinatal and early childhood services. The program's services aim to foster: <ul style="list-style-type: none"> <li>• Better nutrition and better food security for families</li> <li>• Access to culturally appropriate healthcare services, including activities in Inuktitut on preventing alcohol use, tobacco use during pregnancy, shaken baby syndrome, and sudden infant death syndrome</li> <li>• An environment and services to support a healthy pregnancy, consistent with Inuit values and practices</li> <li>• An environment and services to support early childhood development, particularly in collaboration with the Agir tôt program</li> </ul> </li> <li>→ <b>Agir tôt program:</b> This program helps to quickly identify and support children ages 0 to 5 with developmental delays.</li> </ul>

THEMES	Actions and Programs for Prevention and Treatment of Specific Issues
<p><b>Preventing and treating sexual and physical abuse</b></p>	<ul style="list-style-type: none"> <li>→ <b>Saqijujq program:</b> This community reintegration program involves volunteer mobile intervention teams who meet with sexual assault victims and offenders.</li> <li>→ <b>Ajapirvik, Tungasuvik, and Initsiaq women’s shelters:</b> These transition houses for women fleeing violence, located respectively in Inukjuak, Kuujjuaq, and Salluit, also keep children out of harm’s way.</li> <li>→ <b>Child sexual abuse-prevention program:</b> Delivered by the NRBHSS Public Health Department Prevention and Health Promotion Team, this program includes a partnership with the KISB to have sexual abuse prevention added to the sexual health curriculum across Nunavik in 2023.</li> <li>→ <b>Good Touch/Bad Touch program:</b> Offered in schools, this body-safety program teaches children how to recognize and talk about violence. It also teaches children about safety rules, who can help them, and what to do if they feel threatened.</li> <li>→ <b>Pigialaurnak Isumatsiarit:</b> This NRBHSS sexual education and contraception program is offered at eight KISB schools.</li> <li>→ <b>Services and programs available on each shore</b> <ul style="list-style-type: none"> <li>• <b>Hudson Bay:</b> The IHC has served as a designated sexual assault centre since 2009. It provides specialized sexual abuse services, with a view to prevention and promotion. The sexual assault centre currently has two positions, one of which is held by an Inuk woman. Out of 40 social service workers, 23 received training on the sexual assault evidence kit in 2022. Second-line sexual violence services are offered in the villages of Puvirnituq and Iujivik, for victims who have already used frontline services.</li> <li>• <b>Ungava Bay:</b> The UTHC is tasked with treating victims of sexual assault, and a worker was recently hired to do so. In addition, funding is available for creating a treatment team for sexual assault victims and abusers at the UTHC. However, there is no team at the moment due to a shortage of housing and offices. In 2022, 37 participants from the DYP, social services and nursing received six training sessions on the sexual assault evidence kit.</li> </ul> </li> </ul>

THEMES	Actions and Programs for Prevention and Treatment of Specific Issues
<b>Mental health and suicide prevention</b>	<ul style="list-style-type: none"> <li>→ <b>Tasiujarruamiut Uvigartuit Ammalu Ilaagiit (Jeunes et Familles de l’Hudson):</b> In 2022, mental health and addiction programming for youth ages 12 to 25 and their families was created. Two new positions were also posted in August 2022.</li> <li>→ <b>There are two child psychiatrist positions (one per shore).</b></li> <li>→ <b>Regional committee created with the participation of more than twenty Nunavik organizations and associations:</b> The purpose of this committee is to work on a suicide prevention strategy. Five priorities have been identified: healthy development for children and youth, comprehensive mental health support, Inuit self-determination, healing from grief and historical trauma, and Inuit knowledge mobilization.</li> <li>→ <b>Puttautiit annual healing conference:</b> This conference helps increase the number of community members trained in suicide prevention, raises public awareness, and promotes healing and well-being for community members.</li> <li>→ <b>Regional Suicide Prevention Committee (RSPC):</b> This suicide prevention committee consists mostly of Inuit members and meets twice a year to review actions taken.</li> <li>→ <b>Nunavik Youth House Association (NYHA):</b> This youth house (for youth aged 5 to 19) is open weekdays after school hours and on weekends. It helps keep youth away from suicide and substance use.</li> <li>→ <b>Open Space project:</b> This project offers services for young people aged 12 to 25.</li> </ul>

THEMES	Actions and Programs for Prevention and Treatment of Specific Issues
<p><b>Mental health and suicide prevention</b></p>	<p>→ <b>Programs currently being implemented:</b></p> <ul style="list-style-type: none"> <li>• <b>Suicide prevention liaison workers:</b> These positions have been created, and they are expected to be developed in every community.</li> <li>• <b>Suicide-intervention skills training</b></li> <li>• <b>“Finding new momentum in addiction intervention” training</b></li> <li>• <b>Nunami program:</b> This mental wellness and prevention program gives community members in distress an opportunity to connect with the land and participate in cultural activities.</li> </ul> <p><b>SERVICES AND PROGRAMS AVAILABLE ON EACH SHORE</b></p> <p>→ <b>Hudson Bay</b></p> <ul style="list-style-type: none"> <li>• <b>Psychologist</b> since 2021</li> <li>• <b>Children’s art therapist</b> since 2021</li> </ul> <p>→ <b>Ungava Bay</b></p> <ul style="list-style-type: none"> <li>• <b>Youth mental health team:</b> The youth mental health team consists of several professionals to deliver social services.</li> <li>• <b>One neuropsychologist</b> (based in Kuujjuaq, travel possible)</li> <li>• <b>Two psychologists</b> (based in Kuujjuaq, travel possible)</li> <li>• <b>One human relations agent specializing in youth mental health,</b> offering services to youth up to 21 years old with mental health issues. The human relations agent also offers services to youth who have dropped out of school, since they can no longer receive services at school. The human relations agent also supports the implementation of mental health initiatives in both schools and communities.</li> </ul>

THEMES	Actions and Programs for Prevention and Treatment of Specific Issues
<b>Substance abuse prevention and treatment</b>	<ul style="list-style-type: none"> <li>→ <b>Isuarsivik addiction recovery centre:</b> This centre has expanded from 45 spots in 2018 to 125 spots in fall 2022, in anticipation of a new family-based addiction treatment program. The new centre has been open since September 20, 2023.</li> <li>→ <b>Nitsiq project:</b> This program offers substance use treatment services as an alternative to incarceration. It is also available to adolescents.</li> <li>→ <b>Safe houses:</b> DYPs have urged municipal councils to develop safe houses, which are spaces where children can find refuge when parents decide to use substances. Currently, only Qarmaapik House in Kangiqsualujuaq has developed this service.</li> <li>→ <b>Fetal Alcohol Spectrum Disorder prevention program:</b> This program is currently being implemented.</li> </ul>
<b>Crisis response</b>	<ul style="list-style-type: none"> <li>→ <b>Mobile Intervention Team (MIT) program (Hudson Bay):</b> Implemented in Puvirnituk and Akulivik in 2019, this program sends a two-person patrol, consisting of a social worker and a police officer, into the community to intervene in and defuse crises. Nearly 50% of all MIT interventions involve children and their families.</li> <li>→ <b>Mobile crisis response team (Hudson Bay):</b> This pilot project was set up for the seven communities. The crisis team consists of three people trained to support communities experiencing a crisis, particularly for situations of suicide, grieving and social distress. Although the pilot program ended in 2021, the NRBHSS confirmed in December 2022 that funding for the project had been confirmed through March 2023.</li> <li>→ <b>Crise-Ado-Famille-Enfance (CAFE) program:</b> This program is for families and youth under eighteen who are experiencing a crisis. It is currently being implemented by the NRBHSS.</li> </ul>

THEMES	Actions and Programs for Prevention and Treatment of Specific Issues
<p><b>Agreements on social services offered in schools</b></p>	<ul style="list-style-type: none"> <li>→ <b>Healthy School Agreement 2014-2023</b> <ul style="list-style-type: none"> <li>• This agreement was drawn up with the goal of promoting physical and mental health and well-being among Nunavimmiut youth. It allows for programs to be set up in KISB schools in five categories: mental health, nutrition, sexual health, physical fitness, and hygiene.</li> <li>• Under the agreement, the KISB dedicates the services of one full-time program officer to implement the agreement. The agreement ended on March 30, 2023.</li> </ul> </li>   <li>→ <b><i>Memorandum of Understanding on Children and Youth Services, 2020</i></b> <ul style="list-style-type: none"> <li>• This agreement between the KISB, UTHC, IHC, and NRBHSS focuses on the academic success of youth who receive services from the UTHC and IHC, as well as enhancing the consistency and complementary nature of services. It includes the creation of a dedicated team for each young person receiving youth protection services.</li> <li>• The agreement was signed on October 5, 2020. The KISB has informed the Commission that these teams have not yet been created for all youth receiving youth protection services.</li> </ul> </li>   <li>→ <b><i>Entente pour des services éducatifs au sein des services de réadaptation</i></b> <ul style="list-style-type: none"> <li>• This 2019 agreement was drawn up between the KISB, NRBHSS, and UTHC, which is responsible for rehabilitation services. Under the agreement, adapted educational services are offered in rehabilitation centres and group homes.</li> </ul> </li>   <li>→ <b><i>Other Programs</i></b> <ul style="list-style-type: none"> <li>• Pigialaurnak Isumatsiarit is an NRBHSS program on sexual education and contraception, offered in eight KISB schools since 2012.</li> <li>• The Good Touch/Bad Touch program is also offered by the NRBHSS at numerous schools every year.</li> <li>• A new sex education curriculum is currently being developed, in partnership with the NRBHSS sexologist. The content of this program is under development, and the KISB will set up a pilot project in three schools in 2023.</li> <li>• All KISB schools have student support workers, a special education teacher, and behaviour technicians. Behaviour technicians meet with youth to assess their physical and mental well-being and create treatment plans if needed. In addition, an education consultant was hired for an anti-bullying program, in order to support youth experiencing bullying.</li> <li>• The Fusion jeunesse nonprofit aims to decrease school dropout rates by offering school-based activities in partnership with schools and afterschool teams.</li> </ul> </li> </ul>

## Appendix 4

# INITIATIVES TO ADDRESS THE HOUSING SHORTAGE

### Pivallianiq program

For the past two years, the Pivallianiq program has provided targeted support to the most vulnerable households and guided them to appropriate resources. Pivallianiq program officers visit families and direct them to healthcare partners so they can get help on a voluntary basis. The “Atautsikut, piusivallialaurta” mental health awareness campaign is designed to further encourage tenants to ask for help with their mental health if they feel they need it; this is part of a collective regional effort to counter distress and social dysfunction among Nunavimmiut.

### Foster families

Households that agree to become foster families can request a more spacious dwelling if they mention they are a foster home in their application for housing. If they attach a letter of support from a recognized establishment, they get additional points for the housing eligibility list. Foster families can also access discounted rent based on their household income and makeup.

### Housing exchange

The NHB also encourages housing exchanges, so that larger families can have access to a larger unit and smaller families can have access to a less expensive unit.



## Appendix 5

# RECOMMENDATIONS OF THE REPORT OF THE COMMITTEE ON THE APPLICATION OF BILL 21 (AN ACT TO AMEND THE PROFESSIONAL CODE AND OTHER LEGISLATIVE PROVISIONS IN THE FIELD OF MENTAL HEALTH AND HUMAN RELATIONS) IN ABORIGINAL COMMUNITIES

### To increase the number of First Nations and Inuit (FNI) workers authorized to practice activities reserved under Bill 21:

1. Develop special measures for qualifying training and for recognition and upgrading of skills, intended for FNI workers to gain access to the practice of activities reserved under Bill 21.
2. Set up regulatory mechanisms to enable professional orders to recognize skills and progressively authorize the practice of reserved activities.
3. Include incentive measures as part of the working conditions.

### To support the application of Bill 21 in FNI communities:

4. Implement measures for the attraction and retention of professionals who are members of an order.
5. Facilitate the practice of English-speaking professionals in Anglophone Aboriginal communities.
6. Recognize the acquired knowledge and skills of workers already practising or working within FNI communities.
7. Make a list of intervention and evaluation tools suitable to the FNI context.

### To ensure implementation of the recommendations:

8. Setting up of a Steering Committee to oversee the implementation.
9. Create a multi-year fund for the implementation of the recommendations.

## ENDNOTES

1. Commission des droits de la personne et des droits de la jeunesse, *Investigation into Child and Youth Protection Services in Ungava Bay and Hudson Bay. Report, Conclusions of the Investigation and Recommendations*, 2007.
2. *Youth Protection Act*, CQLR c P-34.1 (the “YPA”).
3. Commission des droits de la personne et des droits de la jeunesse, *Follow-Up Report on the Recommendations of the Investigation into Youth Protection Services in Ungava Bay and Hudson Bay*, 2010.
4. *Youth Criminal Justice Act*, SC 2002, c 1 (the “YCJA”).
5. Charter of Human Rights and Freedoms, CQLR c C-12 (the “Charter”).
6. Formerly the Kativik Municipal Housing Office (KMHO), this organization became the Nunavik Housing Bureau in December 2023, online: <https://www.omhkativikmhb.qc.ca/en/all-news/651-press-release-2023-12-05-en>.
7. The “KRG”.
8. Québec Ombudsman, *First Follow-Up Report on the Viens Commission: Assessment of the Implementation of the 142 Calls for Action of the Public Inquiry Commission on Relations Between Indigenous Peoples and Certain Public Services in Québec: Listening, Reconciliation and Progress*, October 2023.
9. The results of the 2023 *Qanuilirpitaa?* survey were not available at the time of publication.
10. Statistics Canada, 2021 Census of Population.
11. Recommendations 13 and 18 from the 2007 Report are not covered in this review, due to the discontinuation of the services mentioned in Recommendation 13 and to legislative changes made after 2007.
12. The “NIP”.
13. The Sukait Working Group was composed of representatives of the NRBHSS, family services centres, Makivvik, Qarjuit, wellness workers, DYPs, elder committees, social services, Qajaq Men Association, Saturviit Women Association, Kativik Regional Government, and the Kativik Ilisarniliriniq School Board.
14. Makivvik Corporation, “Youth Protection in Nunavik,” online: <https://www.makivvik.ca/article/youth-protection-in-nunavik/>.
15. Sukait Committee & Pitutsimajut Research team, *Strengthening Families of Nunavik: An exploration of the current child and family services to consolidate services for youth, families and communities*, 2020, at 21.
16. The “IHC”.
17. For instance, it proposed establishing collaboration agreements between DYPs, social services, and family centres, and improving coordination between DYPs and other public entities like the Kativik Regional Police Force and the Kativik Ilisarniliriniq School Board.
18. These agreements and programs are detailed in Appendix 3.
19. Namely, the creation of outdoor education positions, the reorganization of youth protection services, the creation of additional youth protection positions, the *Intégration jeunesse* project, the *Jeunes en difficulté* program, which includes programming, crisis intervention, and intensive intervention in the fourteen Nunavik communities, the Saqijuuq program, the *Table régionale de concertation des services jeunesse du Nunavik*, the SIPPE program, which provides integrated perinatal and early childhood services, and continuation of work to implement the *Agir tôt* program and to create an Inuit institution responsible for providing child and family services. Over the past decade, the number of youth protection positions has risen from 41 to 64 in Ungava Bay and from 52 to 78.5 in Hudson Bay.
20. Gouvernement du Québec, *Government Action Plan for the Social and Cultural Development of the First Nations and Inuit, 2017-2022*, 2017. Since the time of data collection, a new iteration of this action plan has been adopted. The *2022-2027 Government Action Plan for the Social and Cultural Wellness of the First Nations and Inuit*, contains measures for improving youth protection services in Nunavik.
21. The Diploma of College Studies (DEC) part of this program includes courses on Inuktitut and Inuit history and culture. The bachelor’s degree component includes courses in Inuktitut, Inuit history and culture, Indigenous studies, youth protection, and addiction. In 2022, seven students enrolled in the DEC program. For the fall of 2023, it was anticipated that six students would enroll in the DEC program and two in the bachelor’s degree program.
22. A dedicated telephone line has been set up for people seeking information about becoming a foster family. Additionally, monthly meetings with the NRBHSS communications department are held to identify new recruitment strategies. A committee of Inuit members and youth protection workers has been established to locate foster families along the Hudson Bay shore, with the goal of avoiding foster placement outside the territory. The NIP and the NRBHSS are also participating in a research project led by Professors Lisa Ellington and Christiane Guay. This project aims to document the motivations of foster families in assuming this role, the challenges they encounter, and potential solutions to the shortage of foster homes. See Lisa Ellington and Christiane Guay, “Motivations et défis vécus par les familles d’accueil autochtones : résultat d’une recherche qualitative” (2024), online: [https://www.jefar.ulaval.ca/sites/jefar.ulaval.ca/files/uploads/Varia/Colloque%20annuel%202024\\_PDF/J05\\_Ellington.pdf](https://www.jefar.ulaval.ca/sites/jefar.ulaval.ca/files/uploads/Varia/Colloque%20annuel%202024_PDF/J05_Ellington.pdf), (consulted 20 February 2024).


23. The Société du Plan Nord agreed to cover the operating deficit of these 370 social housing units from 2020-2023, amounting to an estimated subsidy of \$13.6 million.
24. Details on the programs introduced by the NHB can be found in Appendix 4, Initiatives to Address the Housing Shortage.
25. Cabinet du ministre de la Santé du Québec, Pour un meilleur accès aux soins - Québec donne le feu vert à la construction de 150 logements pour le personnel de santé œuvrant au Nunavik (2023), en ligne : <https://www.quebec.ca/nouvelles/actualites/details/pour-un-meilleur-acces-aux-soins-quebec-donne-le-feu-vert-a-la-construction-de-150-logements-pour-le-personnel-de-sante-oeuvrant-au-nunavik-47054> (consulté le 20 février). These units are expected to be available by the spring of 2024.
26. The number of hearing days each year has gone from 26 days in 2012 to 123 days in 2021 in Hudson Bay, and from 20 days in 2012 to 50 days in 2021 in Ungava Bay.
27. Québec Ombudsman, *supra* note 8.
28. *Ibid* at 105. According to the Québec Ombudsman, efforts have also been made to upgrade facilities in Kangiqsujuaq and Kangiqsualujuaq, specifically aiming to improve sound quality during remote hearings.
29. Truth and Reconciliation Commission, *Honouring the Truth, Reconciling the Future, Summary of the Final Report of the Truth and Reconciliation Commission*, Montréal and Kingston, McGill-Queen's University Press, 2015, at 139-140; Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec, *Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress*, Final report, 2019; Christiane Guay and Lisa Ellington, "Les causes de la surreprésentation des enfants autochtones en PJ", Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec, 2018; National Inquiry into Missing and Murdered Indigenous Women and Girls, *Supplementary Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, 2019, Volume 2, 2019 at 110; Odile Bergeron, Faisca Richer & Isabelle Duguay, "La violence vécue en milieu autochtone", at 281-283 of le Rapport québécois sur la violence et la santé de l'Institut national de santé publique du Québec; Special Commission on the Rights of the Child and Youth Protection, *Instaurer une société bienveillante pour nos enfants et nos jeunes*, 2021.
30. Truth and Reconciliation Commission of Canada, *Canada's Residential Schools: The Inuit and Northern Experience. The Final Report of the Truth and Reconciliation Commission of Canada*, Montréal and Kingston, McGill-Queen's University Press, 2015, at 74.
31. The "TRC".
32. TRC, *supra* note 29 at 99.
33. Myriam Lévesque, "Une histoire des services de santé, des services sociaux et des services de protection de la jeunesse au Nunavik : portrait de la littérature (Note de recherche)" (2022) 46:1 *Études Inuit Studies* 155, 167.
34. Gina Muckle et al., *Sociocultural determinants of health and wellness, Qanuilirpitaa? 2017—Nunavik Inuit Health Survey How are we now? Québec*, Nunavik Regional Board of Health and Social Services and Institut national de santé publique du Québec, 2020, at 19.
35. *Ibid* at 20.
36. TRC, *Canada's Residential Schools: The Legacy, The Final Report of the Truth and Reconciliation Commission of Canada*, volume 5, Montreal and Kingston, McGill-Queen's University Press, 2015, at p 153.
37. Gina Muckle et al., *supra* note 33, at 17.
38. Pascale Levesque and Paul-André Perron, *Les comportements suicidaires au Québec : portrait 2024*, Institut national de santé publique du Québec, 2024, at 18.
39. In 2017, 41% of the population over age 16 reported having experienced suicidal thoughts and 30% had attempted suicide. In the year before the investigation, these rates were 13% and 5% respectively. G. Muckle et al., *supra* note 33, at 15-16.
40. William Affleck et al., "Suicides in Nunavik: a life course study" (2021) 80:1 *International Journal of Circumpolar Health* 1880143.
41. Canadian Centre on Substance Use and Addiction, *Substance Use, Mental Health and Suicide among Inuit in Canada*, 2021, at 5.
42. Richard E. Bélanger et al., *Substance Use. Qanuilirpitaa? 2017- Nunavik Inuit Health Survey*, Nunavik Regional Board of Health and Social Services & Institut national de santé publique du Québec, 2020, at 24.
43. Julie Laforest, Pierre Maurice & Louise Marie Bouchard, dir., *Rapport québécois sur la violence et la santé, Québec*, Institut national de santé publique Québec, 2018, at 295; Pascale Laneuville, Bring hope and restore peace. *A study report on the life and concerns of Inuit women of Nunavik*, Saturviit Inuit Women's Association of Nunavik, 2015, at 110.
44. R. Bélanger et al., *supra* note 42 at 3; P.Laneuville, *supra* 42, at 78
45. Yohann Courtemanche et al, "Sociocultural determinants of alcohol and cannabis use and misuse among Nunavimmiut" (2024) 115:S1 *Can J Public Health* 114125.
46. P. Laneuville, *supra* note 42 at 78-79.

47. TRC, *supra* note 35 at 42-43; National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*, Vol. 1a, 2019; O. Bergeron et al, *supra* note 28; Anne-Julie Lafrenaye-Dugas et al, "Profiles of childhood adversities in Inuit from Nunavik: description and associations with indicators of socioeconomic characteristics, support, and community involvement", (2023) 115: Suppl 1 Can J Public Health 97-113.
48. Gina Muckle et al., *Interpersonal Violence and Community Safety. — Qanuilirpitaa? 2017 — Nunavik Inuit Health Survey*, Regional Board of Health and Social Services & Institut national de santé publique du Québec, at 12-13.
49. *Ibid* at 10.
50. A.-J. Lafrenaye-Dugas et al, *supra* note 46.
51. Statistics Canada, *Table 98-10-0281-01*, Income statistics by Indigenous identity and residence by Indigenous geography: Canada, provinces and territories.
52. Sébastien Lévesque & Gérard Duhaime, *Grocery Price Trends in Nunavik 2016-2023*, Research Chair on Comparative Indigenous Conditions. Université Laval, 2023. In 2022, the price of food and other everyday consumer goods was 31% higher overall than in the South. Sébastien Lévesque, *Construction of Nunavik Price Indexes. Construction of Nunavik Price Indices — Methodology and Preliminary Results*, Canada Research Chair on Comparative Aboriginal Conditions, Université Laval, 2022.
53. Mylene Riva et al., *Sociodemographic Characteristics. Nunavik Inuit Health Survey—Qanuilirpitaa? 2017 — Nunavik Inuit Health Survey*, Nunavik Regional Board of Health and Social Services & National Institute of Public Health, 2020, at 14.
54. Chris Fugal et al., *Food Security—Qanuilirpitaa? 2017 — Nunavik Inuit Health Survey*, 2022. Nunavik Regional Board of Health and Social Services & Institut national de santé publique, 2022; Statistics Canada, *Food insecurity by selected demographic characteristics, Table 13-10-0835-01*.
55. Maude Bradette-Laplante et al., "Food insecurity and psychological distress in Inuit adolescents of Nunavik" 23:14 Public Health Nutr 2615-2625.
56. Tonino Esposito et al., "Recurrent involvement with the Québec child protection system for reasons of neglect: A longitudinal clinical population study" (2021) 111 Child Abuse & Neglect 104823.
57. Between 2018 and 2021, neglect or the significant risk thereof accounted for 52% of accepted reports. Jean-Claude Latraverse, *Report on the Situation of the Itinerant Court in Nunavik*, 2022, at 47 (the "Latraverse Report").
58. Statistics Canada, *Table 97-558-XCB2006023*.
59. Statistics Canada, *Table 98-10-0284-01*.
60. Statistics Canada, *Table 98-10-0286-01*.
61. Caroline Hervé & Pascale Laneuville, "La quête d'autonomie résidentielle des femmes inuit du Nunavik : Une perspective relationnelle" (2018) 47:1 Recherches amérindiennes au Québec 4958.
62. Québec Ombudsman, *supra* note 8 at 83.
63. Marika Vachon, "Habiter le Nunavik : Considérer le système de production du logement en envisageant la complexité" (2020) 44:12 *etuduinuit* 301321; Myriam Blais, Geneviève Vachon & Éliane Gouin, "Doing things differently" in Leena Cho & Matthew Jull, eds., *Design and the Built Environment of the Arctic*, London, Routledge, 2023 162.
64. C. Hervé and P. Laneuville, *supra* note 60.
65. M. Vachon, *supra* note 63; Andréanne Brière and Frédéric Laugrand, "Maisons en communauté et cabanes dans la toundra : appropriation partielle, adaptation et nomadisme chez les Inuits du Nunavik et du Nunavut", *Recherches amérindiennes au Québec*, 47 (1), 35-48.
66. Myrtille Bayle, "Réflexions pour une architecture significative: Univers symbolique et matériel de la maison chez les Inuit du Nunavik (Note de recherche)" (2020) 44:12 *Études Inuit Studies* 161182; Société d'habitation du Québec, *Report – Northern Housing Prototype in Quaqtuaq*, 2020, 9.
67. M. Vachon, *supra* note 63; Aude Therrien & Gérard Duhaime, "Le logement social au Nunavik : Pouvoirs et responsabilités" (2018) 47:1 *raq* 101110.
68. Gouvernement du Québec, *Statistical Bulletin. Statistical Bulletin Education of the school populations of the Indigenous communities within Québec in 2017, 2023*, 24.
69. *Ibid* at 28.
70. Latraverse Report, *supra* note 56 at 52.

71. Québec Ombudsman, *supra* note 88 at 133; Olivia Ikey, “Speaking Out: Housing Issues of Youth in Nunavik” (2021) 44:12 *Études Inuit Studies* 261267.
72. Statistics Canada, Table 98-10-0420-01, High school completion by Indigenous identity, Indigenous geography and labour force status: Canada, provinces and territories.
73. Nunavik Regional Board of Health and Social Services, *Ikajuqatigiinniq : s’aider les uns les autres*, 2023, at 17.
74. Office des professions du Québec, Solutions adapted to the First Nations and Inuit communities to support the application of Bill 21 — Report of the Committee on the Application of Bill 21 in Aboriginal Communities, 2016.
75. Gina Muckle et al., *supra* note 33 at 23-24.
76. Sukait Committee & Pitutsimajut Research team, “Strengthening Families of Nunavik: An exploration of the current child and family services to consolidate services for youth, families and communities”, 2020, at 23.
77. *Ibid* at 37.
78. *Ibid*.
79. By comparison, in the rest of Québec, these rates are 2.64%, 39%, and 23%, respectively. Added to this is the fact that Nunavik has a higher proportion of children (38% of the population) than elsewhere in Québec (19%).
80. In 2023, reports from the NRBHSS, IHC, and UTHC revealed that out of 233 children in out-of-territory permanent foster care, 152 (65.2%) were from Hudson Bay, despite the fact that this shore accounts for only 58% of Nunavik’s youth population.
81. Latraverse Report, *supra* note 56 at 48.
82. There is also a notable imbalance between the proportion of hearing days allocated for each bay and the respective number of applications, to the detriment of Hudson Bay.
83. Latraverse Report, *supra* note 56 at 48.
84. Sukait Committee & Pitutsimajut Research team, *supra* note 75, at 15; Latraverse Report, *supra* note 56 at 46.
85. Québec Ombudsman, *supra* note 8 at 39. Expressing dissatisfaction with the initiatives proposed to provide premises adequate to the exercise of justice in each of the communities where the Itinerant Court sits, the Ombudsman also criticized the government’s response to the pressing need for increased resources in remote communities where access to lawyers is limited (pp. 105, 140-141).
86. Commission des droits de la personne et des droits de la jeunesse, *supra* note 1 at 75.
87. Commission des droits de la personne et des droits de la jeunesse, *Mémoire à la Commission des institutions de l’Assemblée nationale sur le Projet de loi n° 32, Loi instituant le nouveau Code de procédure civile*, 2023.
88. Act respecting First Nations, Inuit and Métis children, youth and families, SC 2019 c 24.
89. Reference re An Act respecting First Nations, Inuit and Métis children, youth and families, 2024 CSC 5.
90. Truth and Reconciliation Commission of Canada *supra* note 28 at 137-140; Committee on the Rights of the Child, *Concluding observations on the combined 5th and 6th periodic reports of Canada*, CRC\_C\_CAN\_CO\_5-6, 2022, at para 32.
91. This recommendation was reiterated most recently in connection with Bill 37, *An Act respecting the Commissioner for Children’s Well-Being and Rights*. Commission des droits de la personne et des droits de la jeunesse, *Mémoire à la Commission de la santé et des services sociaux de l’Assemblée nationale projet de loi n° 37, Loi sur le commissaire au bien-être et aux droits des enfants*, 2024, 49-51.
92. Revitalization of Indigenous legal traditions is the process by which a community or nation preserves, revives, and reaffirms its knowledge systems, oral histories, laws, protocols, ties to the land, etc. It is a fundamental part of dismantling colonization, which denies the existence and validity of Indigenous legal traditions in Canada. The TRC identified the revitalization of Indigenous law and legal traditions as an essential step toward reconciliation and issued several Calls to Action to support it, including Calls 9, 42, 50, and 57. This revitalization is also recognized as a right under Article 34 the *United Nations Declaration on the Rights of Indigenous Peoples* U.N. A/RES/61/295 (2007), (“UNDRIP”). Canada finally agreed to support this exercise in its *UN Declaration Act Action Plan*. Department of Justice Canada, *United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan*, 2023.

93. NIP's priorities involve establishing regional governance structures to improve recruitment and foster care. This includes launching a promotional campaign and revising the process and forms for accreditation. It also aims to create culturally relevant Ilagiit Councils (family councils), aligned with Inuit values and rooted in meaningful family engagement. Other key initiatives include forming a council of elders, empowering the Inuit workforce, and strengthening collaboration with social services, foster homes, and family and crisis centres.
94. Reference re An Act respecting First Nations, Inuit and Métis children, youth and families, 2024 CSC 5 at paras 21 and 87.
95. *Ibid* at para 90. The image of the braid represents the idea that forging robust relations by integrating the different legal orders present in Canadian society (international, national, and Indigenous law) will advance reconciliation. A braid's strength does not lie in the dominance of any one strand, but in the harmonious interlacing of all strands. "[translation] Envisioning a process of intertwining the strands of international, national, and Indigenous law offers insight into reconciliation from diverse angles and perspectives. It invites us to contemplate what a nation-to-nation relationship that incorporates multiple legal traditions might look like." O. Fitzgerald and R. Schwartz, "Introduction", in *Mise en application de la DNUDPA : Tisser des liens entre le droit autochtone et les lois internationales et nationales* (2017), 1, at 3.
96. Act respecting First Nations, Inuit and Métis children, youth and families, s 18.
97. YPA, preamble.
98. *Ibid.*, ss 131.1, 131.3, 131.8, 131.10, 131.23.
99. Commission des droits de la personne et des droits de la jeunesse, *supra* note 86 at 26-28.
100. Commission des droits de la personne et des droits de la jeunesse, *Mémoire à la Commission de la santé et des services sociaux de l'Assemblée nationale, Projet de loi no 15, Loi modifiant la Loi sur la protection de la jeunesse et d'autres dispositions législatives*, 2022, at 39.
101. *Ibid.*
102. Québec Ombudsman, *supra* note 8, at 68.
103. YPA, Chapter V.1, Division II, "Social and Judicial Intervention".
104. *Act respecting First Nations, Inuit and Métis children, youth and families*, *supra* note 72, ss 9-17. These include principles to guide court interpretation of the Act and provisions that directly govern the provision of services to Indigenous children and families in Canada.
105. Commission des droits de la personne et des droits de la jeunesse, *Mémoire à la Commission spéciale sur les droits des enfants et la protection de la jeunesse*, 2020, 172-178.
106. CQLR, c C-26.
107. The reserved acts in question were: 1) assess a person further to a decision of the director of youth protection or of a tribunal made under the *Youth Protection Act*; 2) assess an adolescent further to a decision of a court made under the *Youth Criminal Justice Act*; 3) determine the intervention plan for a person who suffers from a mental disorder or exhibits suicidal tendencies and who resides in a facility run by an institution operating a rehabilitation centre for young persons with adjustment problems. Commission des droits de la personne et des droits de la jeunesse, Bill 32, *An Act to establish the cultural safety approach within the health and social services network* (presentation - June 9, 2023), First session, 43rd legislature. (Qc), s 3.
108. Charter, s 39.
109. See, for example: Commission des droits de la personne et des droits de la jeunesse, *supra* note 104, 90-91.
110. Commission des droits de la personne et des droits de la jeunesse, *Orientations pour les enfants et les jeunes pris en charge par le système de protection de la jeunesse ou assujettis au système de justice pénale pour adolescents*, 2022, Orientation 3, online [https://www.cdpcj.qc.ca/storage/app/media/publications/Orientations\\_Jeunesse.pdf](https://www.cdpcj.qc.ca/storage/app/media/publications/Orientations_Jeunesse.pdf)
111. *Ibid*, Orientation 5.





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