

# Speaking Up for Fairness

2021/2022 Annual Report of  
the Northwest Territories Ombud



#5-6 Courtoreille Street  
P.O. Box 4297  
Hay River NT X0E 1G5

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# Message from the Ombud

## This report covers the period from April 1, 2021 to March 31, 2022,

which was the second full year of operation for the Office of the Ombud. In this report, you will find information about our office, our processes, and administrative fairness, as well as descriptions of our activities over the past year: inquiries and complaints, public education and outreach, and our finances.

In 2021/2022, we published our first three special reports on investigations, made 25 formal recommendations to authorities, and closed 203 files, including all those

carried over from the previous fiscal year. Although our public education and outreach activities were once again limited by the COVID-19 pandemic, we were able to attend one in-person event in July, which was the Great Northern Arts Festival in Inuvik. (We are sure this contributed to the almost doubling of the number of inquiries from the Beaufort Delta region from the previous year!) The entire office looks forward to stepping up our in-person outreach in 2022/2023.

## Many of the complaints we receive come down to one thing:

a failure to consider the perspective of the person on the other side of the counter or the phone conversation, or on the receiving end of an email or letter. Sometimes this is a matter of an individual employee needing to take the time to explain a decision more clearly, or to make it a priority to return a call about an issue they know is urgent for a client. More often, this is a systemic problem that affects an entire program area or authority because information and processes were designed in a way that made sense to and/or was convenient for public servants at the time (in some cases a generation or more ago) without enough thought to the public's needs.

We can never know for sure what it is to be in another person's shoes. But as human beings we certainly have the capacity to imagine what it is like to be the person receiving a jargon-filled notice, a cryptic decision letter, a less than empathic email, a confusing application form, or to be waiting for an answer to an important request. As I wrote to one senior manager on closing an early resolution file:

*It took 8 months and officials from 3 departments to come to a conclusion on what [the complainant's] options are to change his situation. If it was hard for you, please try to imagine how impenetrable this process is for*

*someone in a small community with no computer, no printer, limited cellphone minutes, who is not used to navigating paperwork and bureaucracy, who cannot afford professional advice, who has never had [your program]*

*clearly explained to him, and whose first language is not English. You can say he should have contacted [your Department] sooner, but I hope you also recognize the barriers to that for him and for many other NWT residents.*

## Here are some ways authorities can start to improve on service fairness:

Offer information that is in plain language, is easy to find, is consistent, and is written with your clients' needs in mind, not buried at the end of a policy document or in a manual designed for employees. Make sure staff understand the information and are prepared to answer questions. Do not make people guess about who they need to call or what steps they need to take. If your organization is not providing accessible information, do not blame clients for not knowing about a document they were supposed to provide, or a person they were supposed to contact.

Simplify forms and streamline procedures wherever possible so they do not become a barrier to people accessing your programs and services. In the rare cases where forms and/or processes are unavoidably complicated, train your staff to help people navigate them, or appoint one or more staff whose job is to do just that.

Consider process mapping your programs and services *from your clients' perspective*.

Tap the knowledge and understanding your organization already has. Ask staff at

all levels to imagine how they would like to be treated or how they would like a loved one to be treated if they were in a client's situation. Ask them what works and what doesn't, what barriers they see, and what might be done about them.

These measures not only improve the overall fairness of programs and services, they can also help build clients' confidence in their ability to deal with authorities and to make themselves heard. Confidence is empowering, and people who feel empowered can trust and work with officials more easily. This is what we mean by "relational fairness". Relational fairness helps authorities and clients create better working relationships, and that benefits everyone.



**Colette Langlois**  
Ombud

# About the Office of the Ombud

# We are an independent office of the Legislative Assembly that speaks up for fairness in territorial government administration and services.

We listen to and investigate complaints from people who feel they have been treated unfairly by territorial authorities. We can also investigate matters on our own initiative without receiving a specific complaint. We work to find fair solutions

and to help improve government services.

Our mandate includes public education on the role of the Ombud and the principles of administrative fairness.

## Jurisdiction of the Office of the Ombud

The Ombud has jurisdiction over “matters of administration”. Administrative matters include most of the day to day dealings people have with employees of territorial government departments and agencies. Administrative matters do not include, for example, political matters like Cabinet and MLA decisions, decisions by the courts,

actions by lawyers who are representing the government, or clinical decisions by health professionals.

The Schedule to the *Ombud Act* lists the government departments and agencies that are within the Ombud’s jurisdiction.

## We can investigate:

- GNWT Departments
- Education councils and authorities
- Health and social services authorities
- Aurora College
- Inuvialuit Water Board
- Legal Aid Commission
- Liquor Commission and Liquor Licensing Board
- NWT Business Development and Investment Corporation
- NWT Housing Corporation and housing authorities
- NWT Hydro Corporation
- NWT Power Corporation
- Status of Women Council of the NWT
- Surface Rights Board
- Tłıchǵ Community Services Agency
- Workers' Safety and Compensation Commission

## We cannot investigate:

- Federal government departments or agencies
- Indigenous governments
- Municipal governments
- MLAs
- Legislative Assembly and Executive Council
- Courts
- Police
- Private businesses and individuals

# Who We Are

The Office of the Ombud is located in Hay River, and is made up of Colette Langlois, the Ombud (left), Michelle Staszuk, Early Resolution and Investigations Officer (right) and Chad Kruger, Research and Communications Intern (centre).

Photo credit: Shine Moment Studio



# How We Do Our Work

## We listen.

When people first contact us, we want to know which organization their concern is about and what happened. We ask about what they have already tried to fix the situation, and what they would like to have happen.

The answers to our questions help us to know whether the matter is something that we can look into, and whether there are other options that might fix the problem faster. For example, if people have not

contacted anyone within the government authority about the problem, or if there is an appeal process they have not tried, we usually ask them to do that first. If that does not work out, we let them know to contact us again.

Our intake process is confidential. We do not share your name or information, or take action on your complaint, without your consent.

# We help navigate.

Sometimes bureaucracy can be confusing or intimidating. It is not always easy to know where to start. We can help point you in the right direction. We often refer people to contacts or processes within government authorities that they might not have been

aware of and that can fix some problems. We also refer people to other services and complaint processes for matters that are outside of our mandate.

# We work with people to solve problems.

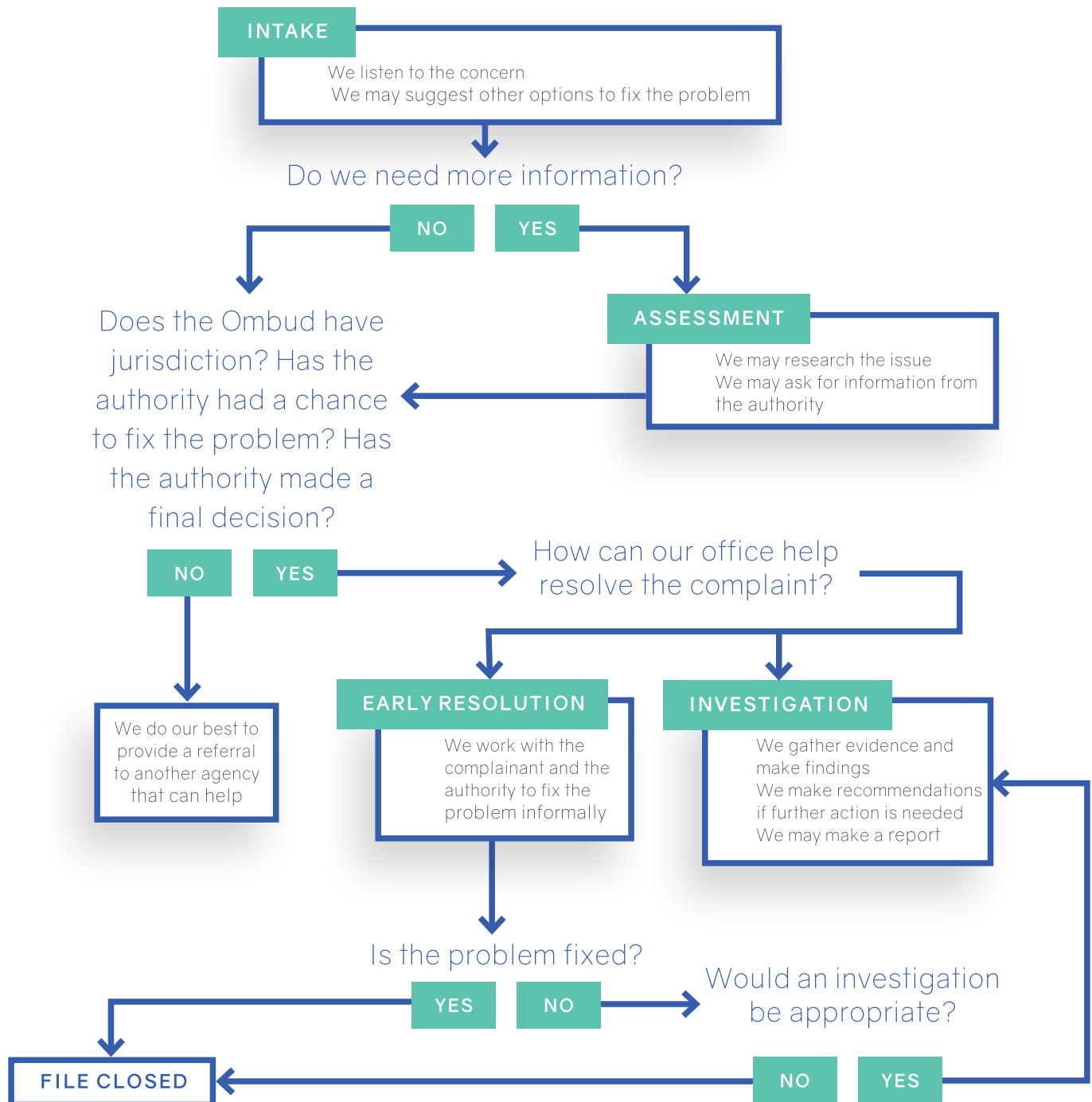
People and government authorities are not always able to work out problems themselves. If the matter is within our mandate, we see what we can do to help solve the problem. Our Office does not take sides with either the complainant or the public authority. Our role is to speak up for fairness.

We can often fix problems informally through our early resolution process. Early resolution involves listening to both sides, asking questions, gathering information, and discussing options.

Sometimes we decide we need to do a more formal investigation. We make

this decision based on a number of considerations, including the kind of evidence we think we will need to get to the bottom of the matter, and whether we think formal recommendations might be appropriate. At the end of an investigation, we let the person who made the complaint and the government authority know what our findings were. Depending on the outcome of the investigation, we might then make recommendations to fix the problem. If the government authority does not take action, we may make a report to the Legislative Assembly.

# Our Process



# About Administrative Fairness

The Ombud is an advocate for  
administrative fairness.

*What does that mean?*

Every day, government organizations take actions and make decisions that affect many areas of people's lives. Administrative fairness is the standard of conduct that government organizations in a democratic society owe to people.

Government organizations are expected to treat people fairly and reasonably. For example, they need to follow rules, provide clear information about processes

and decisions, and deal with people with honesty and respect.

Although there is no single definition of fairness, there are some basic principles and practices that can help to describe it.

# The Fairness Triangle: Three Aspects of Fairness<sup>1</sup>

## Decision

*What was decided?*

- Did government have the legal authority to make the decision?
- Was the decision based on relevant information?
- Was the decision oppressive or unjust?
- Was the decision wrong in fact or law?

## Process

*How was it decided?*

- Was the person given enough information to know what was required?
- Was the person given an appropriate chance to present their views?
- Did government take the time to listen?
- Did government provide reasons for decisions?
- Was the decision made within a reasonable time?
- Was the decision-maker unbiased?

## Service

*How was the person treated?*

- Was government approachable?
- Was confidentiality respected?
- Was government honest and forthright?
- Did government offer an apology if a mistake was made?



Fairness is not always simple. Context is important in deciding whether something is fair. Fairness does not mean that government has to agree to every request, or treat everyone exactly the same.

<sup>1</sup> This section is based on materials developed by Ombudsman Saskatchewan. The Fairness Triangle was developed by Ombudsman Saskatchewan from the concept of the satisfaction triangle, in: Moore, Christopher (2003). *The Mediation Process: Practical Strategies for Resolving Conflict* (3rd ed.). San Francisco: Jossey-Bass Publishers.

2021/2022

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# Inquiries and Complaints

**Inquiries** include all contacts to the Office about general information requests and case files (potential complaints).

**Complaints** are those matters where our Office intervenes by initiating either an early resolution process or an investigation. Many inquiries are resolved before they reach the complaint stage.

**Administrative suggestions** are suggestions made to authorities in writing to informally resolve a situation and/or to prevent similar situations from recurring. They are less formal than recommendations, which would be provided in a report following an investigation.

**Own-motion investigations** are investigations that are started on the Ombud's initiative and are not limited to a specific complaint.

From April 1, 2021 to March 31, 2022, the Office received 188 inquiries, of which 29 progressed to the complaint stage. As of fiscal year-end, 4 inquiry files, and 3 complaint files remained open. No administrative suggestions were made. We closed 203 files (including 22 files carried over from the previous fiscal year), which is a 29% increase from the 157 files we closed in 2020/2021.

7 investigations were completed, resulting in 3 special reports, and 25 recommendations. In all cases, the authorities responded positively to the recommendations and indicated steps they had taken or planned to take.

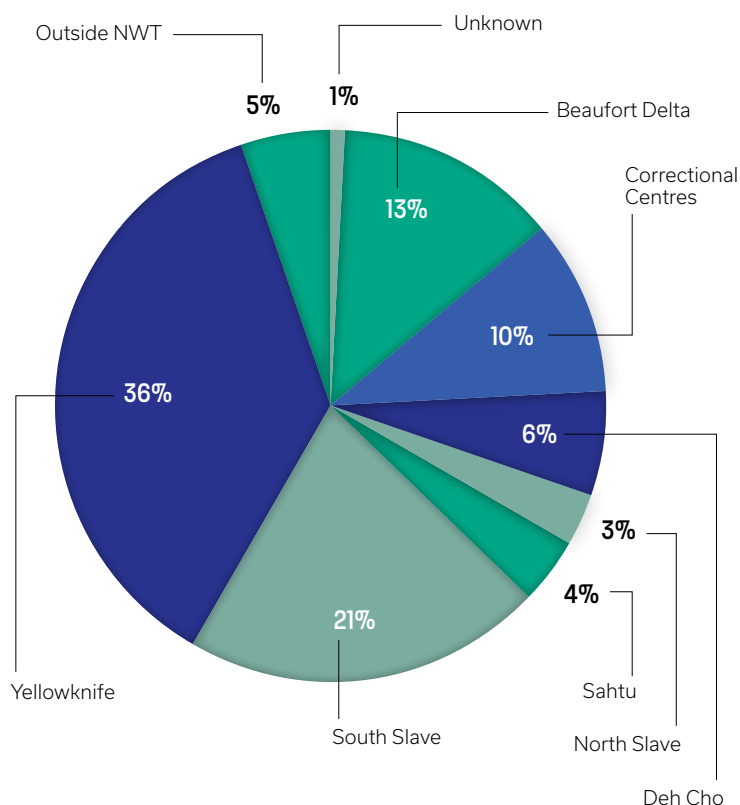
One own-motion investigation was initiated and was still underway at year-end.

## 2021/2022 Inquiries

2021/2022 INQUIRIES	OPEN/ CARRIED OVER	CLOSED	CARRIED OVER TO NEXT FISCAL YEAR	
Carried over from previous fiscal year	22	22	0	
Information Request	6	6	0	
Potential Complaints	182	175	STATUS AT YEAR END	
			At intake	4
			At early resolution	3
			At investigation	0
TOTAL	210	203	7	

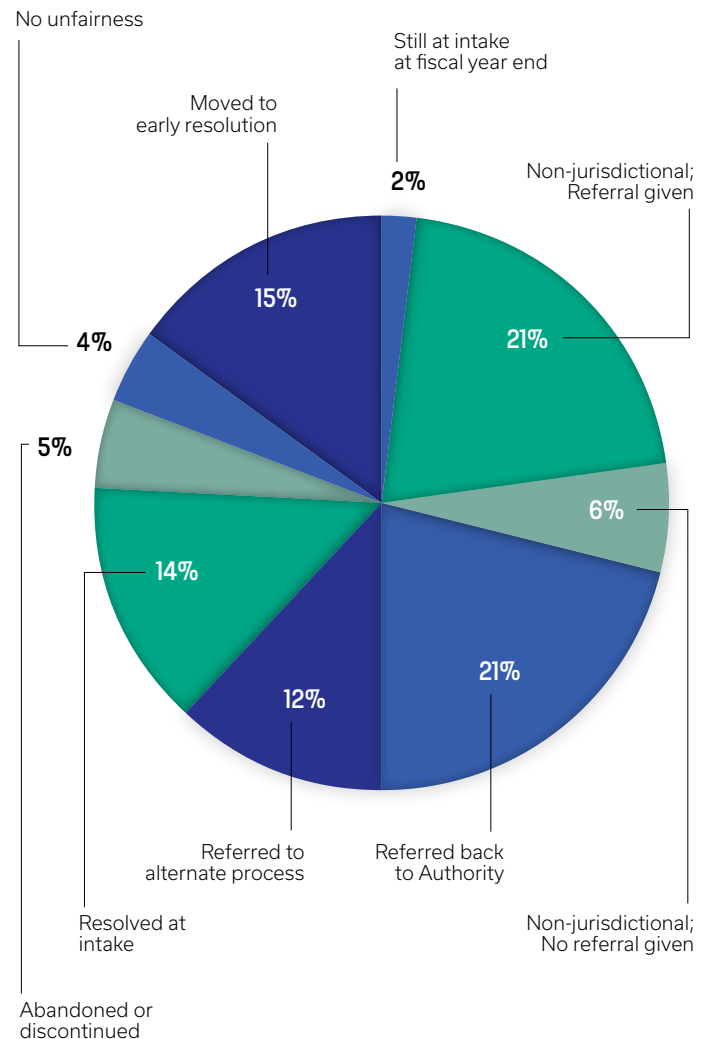
## Inquiries by Location

Beaufort Delta	24
Correctional Centres	19
Deh Cho	12
North Slave	6
Sahtu	7
South Slave	40
Yellowknife	68
Outside NWT	10
Unknown	2
<b>TOTAL</b>	<b>188</b>



## Case Files by Outcome at Intake\*

<b>NON-JURISDICTIONAL</b>	<b>52</b>
• Referral given	<b>40</b>
• No Referral given	<b>12</b>
<b>JURISDICTIONAL</b>	<b>137</b>
• Referred back to authority	<b>41</b>
• Referred to alternate process	<b>24</b>
• Resolved at intake	<b>27</b>
• Abandoned or discontinued	<b>9</b>
• No unfairness	<b>8</b>
• Moved to early resolution	<b>28</b>
• Moved directly to formal investigation	<b>0</b>
<b>STILL AT INTAKE AT FISCAL YEAR END</b>	<b>4</b>
<b>TOTAL</b>	<b>193</b>



\*includes intake files carried over from 2020/2021

# Case Files by Organization

NON-JURISDICTIONAL	
• Business	<b>11</b>
• Federal government	<b>8</b>
• Housing association	<b>2</b>
• Indigenous government	<b>1</b>
• Municipal government	<b>4</b>
• Non-government organization	<b>4</b>
• Not a matter of administration	<b>8</b>
• Other Provincial/Territorial government	<b>1</b>
• Pre-2016	<b>1</b>
• Private Individual	<b>9</b>
• Territorial office	<b>3</b>
<b>TOTAL</b>	<b>52</b>

JURISDICTIONAL	
• Aurora College	<b>4</b>
• District Education Authority	<b>1</b>
• Divisional Education Councils	<b>3</b>
• Education, Culture & Employment	<b>23</b>
• Finance	<b>7</b>
• Hay River Health & Social Services Authority	<b>2</b>
• Health and Social Services	<b>9</b>
• Housing Authority	<b>9</b>
• Infrastructure	<b>2</b>
• Industry, Tourism & Investment	<b>8</b>
• Justice	<b>15</b>
• Lands	<b>5</b>
• Legal Aid Commission	<b>3</b>
• Municipal & Community Affairs	<b>3</b>
• NWT Housing Corporation	<b>9</b>
• NWT Health & Social Services Authority	<b>14</b>
• NWT Power Corporation	<b>3</b>
• Tłıchq Community Services Agency	<b>1</b>
• Workers' Safety & Compensation Commission	<b>9</b>
<b>TOTAL</b>	<b>130</b>

## Complaints by Outcome\*

RESOLVED AT EARLY RESOLUTION	
• Voluntary action by authority	28
• Abandoned or discontinued by complainant	1
• No unfairness	8
INVESTIGATIONS	
• Complaint not substantiated	0
• Complaint substantiated - recommendations	6
• Complaint substantiated - no recommendations	0
• Investigation discontinued - voluntary action by authority	1
STILL OPEN AT FISCAL YEAR END	
• In early resolution process	3
• In investigation process	0
TOTAL	47

\*includes complaint files carried over from 2020/2021

## Investigation Timelines

We consider investigations complete as of either 1. the date we notify the complainant and the authority that we are discontinuing the investigation, or 2. the date we provide the complainant and the authority with a final report. Three of the investigations we completed in 2021/2022 took more than 12 months. While there are explanations for why this happened (the newness of the office, the number of large complaint files

we opened within our first few months, and pandemic-related delays in gathering evidence), we think this is too long.

Going forward our standard will be to complete investigations within one year of issuing a notice of investigation. We will include this measure in our future annual reports.

2021/2022

# Examples of Our Work

***"After talking to you, and you told me some steps I can take that might help, I just feel like I can breathe better after all this stress and worry I have carried for years.***

*Thank you for the consideration you gave to how I was feeling about this situation. That was what was missing in the first place.*

***This is great news, I don't believe they would have done this if I hadn't called you.***

*I'm so happy I called you. I hadn't slept for days being so worried about this, but after talking with you I felt able to deal with it, and everything turned out OK.* "

These were some of comments we heard from people about our work.

Sometimes people are not sure who to talk to about their concerns and need a referral to point them in the right direction. Sometimes people do not believe government is taking their issues seriously. Even if it is too late for them, many people would like problems to be fixed so that the same thing does not keep happening to

others. Sometimes people find it hard to trust government and may fear the worst: that someone is making things difficult for them on purpose. Sometimes government is not clear or transparent enough about its processes and decisions. Sometimes government does not communicate with people in a way that works for them. And sometimes people fall through cracks in the system.

These are all situations where our Office has been able to help through our independent and free of charge services. We do this through referrals, our early resolution process, and our investigation powers. We get information from and speak directly with the officials who can help us understand what happened and work with us to come up with solutions. This is different from most other processes. As Justice Dickson wrote in the 1984 British Columbia Development

Corporation decision, the powers granted to Ombuds allow them "to address administrative problems that the courts, the legislature and the executive cannot effectively resolve."

The following are a few specific examples of cases that we resolved in 2021/2022. We have changed names to protect people's privacy.

## Example #1

### Help Finding the Right Place to Go for Help

*(Referral)*

Allen's income was down because of the impact of COVID on his work. He was able to keep up with his rent but missed paying some power bills. He did not have enough money to catch up on what he owed the power company, and as a result they cut off his electricity. His landlord then sent him a notice telling him he had to move out (a termination notice) because it was a condition of their rental agreement that Allen make sure the power stayed connected. That's when Allen contacted our office.

We referred Allen to the NWT Housing Corporation's Homelessness Assistance Fund ("HAF"). Housing Corporation staff gave him information about HAF and put him in touch with other possible sources of support. Allen called back to tell us that he had started his HAF application and that he really appreciated hearing about it from us, because he didn't know where else he could have gone for help.

## Example #2

### Trying Other Review and Appeal Processes First

*(Referral back to the authority)*

Belinda contacted us after WSCC denied her claim. She believed her disability was caused by conditions at her work and felt WSCC was wrong to say that it was the result of a pre-existing condition. We noticed that the letter from WSCC provided clear reasons for the decision: it listed all the information they reviewed, the facts they considered, and the principles and the policies they applied. It also listed the steps Belinda could take if she disagreed.

The Ombud Office is an “office of last resort”. That means people need to try other available review and appeal processes before we can look into their concerns. Injured workers who disagree with a WSCC

decision can first request a review from the WSCC Review Committee. After the review, if they are still not satisfied, they can appeal to the Worker’s Appeal Tribunal. We explained to Belinda that she would need to go through these processes first, but that if they did not address her concerns, she could contact our Office again and we would see if there was anything we could do to help. We also suggested that Belinda contact the Worker’s Advisor, which is an independent and confidential office that helps workers review file evidence, understand WSCC processes, and prepare and present a case for review or appeal.

## Example #3

### An Important Addition to Corrections Policy

*(Early Resolution)*

George contacted us from a correctional facility after an incident that ended with guards using pepper spray on him. George didn’t feel that all the proper procedures for using pepper spray were followed. We contacted the corrections facility to ask

for records and information about what happened in his case.

We found that the policy for using pepper spray had been followed, with one exception. The policy said that anyone

## Example #3 Continued

affected by pepper spray must be seen by the medical staff on duty as soon as possible. But at the time of the incident with George, there was an unfilled shift in the medical unit. If George had been in distress or required emergency care, he would have been taken to the hospital. It didn't seem to George or to staff that he needed emergency medical care, so George went through the decontamination procedures and was kept under visual observation by staff in a medical cell. Staff checked on him every 15 minutes for any adverse effects, for the next six hours. By the time medical staff were back in the facility for the next shift, the six-hour monitoring period had ended. George had already gone back to

his normal routine, and the medical check-up never happened.

The Department of Justice took steps to make sure that the medical check-up will not be missed if a similar situation happens again. The Department added another provision to its policy to cover situations when there are no medical staff present in the facility after a pepper spray incident. The policy now says that if a person doesn't need to go to the hospital, the monitoring must continue until medical staff come in and the check-up has taken place. The Department also distributed a memo to all supervisory staff about the policy addition.

## Example #4

### Miscommunications, Missed Opportunities

*(Investigation)*

A small business owner asked our office to look into her dealings with Industry, Tourism and Investment (ITI) and the Business Development and Investment Corporation (BDIC) during the years 2016-2019. The business had a loan from BDIC, but ran into unexpected difficulties and missed a number of repayments. The investigation found a series of communication failures led to the complainant missing

opportunities to make applications for further assistance, to appeal decisions, and to look for other sources of support for her business. Because of those missed opportunities, she will never know whether there was anything more she could have done to save her business from foreclosure by BDIC.

The Ombud made several recommendations for improvements to BDIC's and ITI's

communication practices, and the information they provide to business assistance clients, in order to prevent similar outcomes in the future.

More details about the investigation, findings and recommendations can be

found in Special Report 01-2022 Miscommunication, Missed Opportunities: Fairness in Business Assistance Programs, which is available on our website: [www.nwtombud.ca](http://www.nwtombud.ca)

## Example #5

### Taxation Without Property

*(Investigation)*

A resident of a small community asked our office to look into his property tax bill for a parcel of land that he had once lived on as an unauthorized occupant, but that had been vacant for several years. Even though he had no legal interest in the property, and was no longer occupying it, taxes and penalties were accumulating each year because he was still listed as the assessed owner.

Following the Ombud's intervention, officials in Municipal and Community Affairs (MACA), which is responsible for property assessment, and Finance, which is responsible for property taxation in non tax-based communities, cooperated to find a solution for the complainant which reduced his outstanding property tax debt considerably and removed him from the assessment roll for the parcel in question.

The Ombud made several recommendations aimed at ensuring that other people who are unauthorized occupants of what is now vacant land and are still being charged taxes, can have their assessment status and property taxes reconsidered as well. The recommendations also call for more accessible information about how property assessment and taxation apply to unauthorized occupants, the Territorial Board of Revision process for requesting reviews of property assessments, and the Property Tax Arrears Relief Program.

More details about the investigation, findings and recommendations can be found in Special Report 02-2021 Taxation Without Property: Fairness in Property Assessment and Taxation, which is available on our website: [www.nwtombud.ca](http://www.nwtombud.ca)

2021/2022

# Public Education and Outreach

In 2021/2022 our ability to carry out public education and outreach was again limited by the COVID-19 pandemic. In July 2021, we attended the Great Northern Arts Festival in Inuvik, which was a highlight of the year for us (more about that on the next page), and the only in-person activity we were able to do.

The Ombud gave several media interviews, including an information interview with CKLB which was translated into Gwich'in, North Slavey, South Slavey and Tłıchǫ, and French-language interviews with Radio Taïga. Media coverage of the Office helped a great deal to get the word out, and

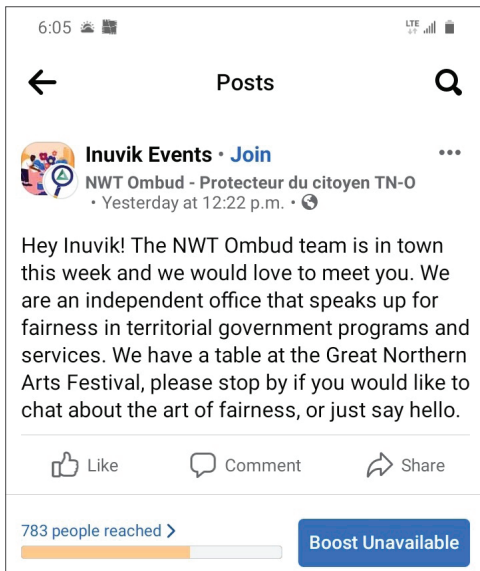
some complainants told us that they contacted us because of a story they had heard or read.

The Ombud provided one online presentation about the Office, to the NWT Housing Corporation senior management team.

Our website had 1269 users and 3891 page views.



## Promoting the "Art of Fairness" in Inuvik



In July 2021, the Ombud and Early Resolution and Investigations Officer participated in Inuvik's Great Northern Arts Festival. About 100 people stopped by our table to pick up pamphlets, have coffee with us, ask questions about our work (and what we were doing at an arts festival!), and to share their thoughts about the "art of fairness". Many took extra pamphlets or our contact information to pass on to friends and family. We followed up on several inquiries that we received during or right after the Festival. Several months later, we were still hearing from callers who told us they thought to contact us when a problem came up because they had stopped by our table and still had a pen with our phone number.

# Fairness 101

*In 2021/2022, 129 employees accessed the Fairness 101 course through the GNWT training platform.*

COMMUNITY	NUMBER OF PARTICIPANTS
Aklavik	1
Behchokò	3
Fort Simpson	4
Fort Smith	12
Hay River	13
Inuvik	12
Norman Wells	5
Tulita	1
Whati	1
Yellowknife	77
<b>TOTAL</b>	<b>129</b>

AUTHORITY	NUMBER OF PARTICIPANTS
Aurora College	6
Divisional Education Councils	1
Education, Culture & Employment	13
Environment and Natural Resources	9
Executive & Indigenous Affairs	3
Finance	8
Hay River Health & Social Services Authority	2
Health and Social Services	8
Housing Authorities	2
Industry, Tourism and Investment	11
Infrastructure	13
Justice	14
Lands	6
Municipal and Community Affairs	3
NWT Health & Social Services Authority	27
NWT Housing Corporation	1
Tłıchǵ Community Services Agency	2
<b>TOTAL</b>	<b>129</b>

2021/2022

# Other Highlights

## Ombud Act Implementation

With the coming into force of section 16 on January 28, 2022, the implementation of the *Ombud Act* is now complete. Section 16 includes a new option for municipal and Indigenous governments to refer administrative matters to the Office of the Ombud for investigation. For example, if a government is wondering how it could make programs and services more fair, or if it is getting complaints and is wondering what is going wrong, we may be able to provide some advice or look into it further and report back to the government.

This is an entirely voluntary process. Section 16 does not give the Ombud

any new authority to take complaints directly from citizens about Indigenous or municipal governments. We would not get involved unless a government asks us to. Any investigations or reports we make would be confidential, and there is no pressure or requirement for a government to follow our advice.

The Ombud wrote to Indigenous governments and the NWT Association of Communities to make them aware of the new provision and offer further information.

## Professional Development

The Ombud participated in the annual Canadian Council of Parliamentary Ombudsman (CCPO) meeting in June 2021, which took place online, as well as the online Manchester Memorandum seminar sponsored by the International Ombudsman Institute (IOI) and hosted by the UK Parliamentary and Health Service Ombudsman. Seminar topics included developing competency frameworks for ombuds staff, reaching vulnerable and marginalized citizens, and the term "ombudsman".

The Ombud also joined the United States Ombudsman Association (USOA), which includes several other Canadian members. The Association was founded in 1977 to foster the establishment and professional development of public sector

ombudsman offices throughout the United States and the world. The USOA is the oldest ombudsman organization in North America.

The NWT office hosted the CCPO's monthly webinar in December 2021, on the subject of "Making the Most of Special Reports".

One staff member completed the "Essentials for Ombuds" course jointly sponsored by Osgoode Hall Law School and the Forum of Canadian Ombudsman. Staff also completed courses in investigation techniques, negotiations, conflict resolution, administrative law, plain language writing, Microsoft Excel, safety, and workplace equity, as well as the *Living Well Together* program.

2021/2022

# Financials

ACCOUNT	EXPENDITURES (\$S)
COMPENSATION & BENEFITS	<b><u>455,456</u></b>
OTHER EXPENSES	
Travel & Transportation	<b>10,833</b>
Materials & Supplies	<b>23,184</b>
Purchased Services	<b>24,397</b>
Contract Services	<b>64,252</b>
Fees & Payments	<b>2,867</b>
Controllable Assets	<b>1,475</b>
Computer Expenses	<b>19,816</b>
TOTAL OTHER EXPENSES	<b><u>146,874</u></b>
<b>TOTAL</b>	<b><u>602,330</u></b>

2021/2022

# Recommendations for Changes to the *Ombud Act*

The 2019/2020 Annual Report included 14 recommendations for amendments to the *Ombud Act*. The Ombud continues to recommend all of them as previously stated, with the exception of one change to recommendation #5 concerning the Ombud's temporal jurisdiction.

Section 17(3) of the Act currently restricts the Ombud from investigating matters

that occurred before January 1, 2016. The Ombud agrees with Recommendation #2 of the Standing Committee on Government Operation's May 28, 2021 report, to amend subsection 17(3) to allow the Ombud to investigate matters that occurred after April 1, 1999, when the Nunavut Territory was created.

## Recommendation: Temporal jurisdiction – 17(3)

*It is recommended that subsection 17(3) be replaced with a provision that authorizes the Ombud to investigate matters that occurred after April 1, 1999.*

Chipewyan

Cree

English

French

Gwich'in

Innuiaqtun

# Inuktitut

Inuvialuktun

## North Slavey

## South Slavery

Tłicho

Chipewyan

Cree

English

French

Gwich'in

Innuiaqtun

Inuktitut

Inuvialuktun

## North Slavey

## South Slavey

Tłuchó



# Office of the Ombud

**1-844-686-6283**

**info@nwtombud.ca**