

# COMPLIANCE DETERMINATION

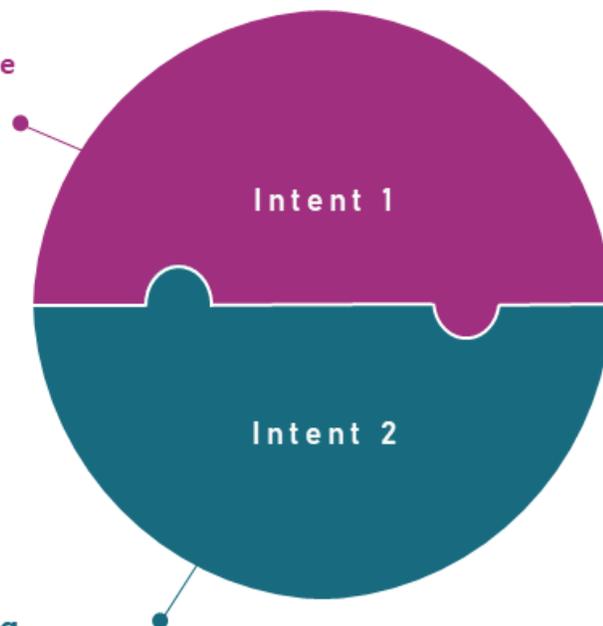
## Maltreatment – Recommendation 1

**Recommendation Summary:** Implement all Phoenix Sinclair Inquiry recommendations.

**Primary Public Body:** Government of Manitoba

**1. Starting May 31, 2021, on a bi-annual schedule, submit progress reports to the Manitoba Advocate on all of the outstanding recommendations from the Phoenix Sinclair Inquiry.**

GOM reported that it will provide updates to the Phoenix Sinclair recommendations on an annual basis, following the MACY-RAP reporting schedule.



**2. Implement the outstanding recommendations from the Phoenix Sinclair Inquiry.**

Progress on the 28 open recommendations ranged from Non-Compliant to Fully Compliant, with an average of Partially Compliant as the overall status per recommendation.

### COMPLIANCE DETERMINATION



## Recommendation Compliance Summary

In accordance with subsection 11(1) clause (d) of *The Advocate for Children and Youth Act (ACYA)*, the Advocate retains the responsibility "to monitor the implementation of recommendations included in reports made under section 27 (investigation) or special reports made under section 31."

This form details the assessment of implementation of compliance made under the referenced subsection of the ACYA. MACY assesses implementation of compliance with recommendations once a year but receives updates from public bodies every six months.

1. Recommendation Information	
<b>Special Report Name:</b>	<b>Still Waiting: Investigating Child Maltreatment after the Phoenix Sinclair Inquiry</b>
<b>Date Released</b>	3/11/2021
<b>Full Recommendation:</b> (including details)	<p><b>Recommendation One:</b> The Manitoba Advocate for Children and Youth recommends that the Government of Manitoba implement the outstanding recommendations from the Phoenix Sinclair Inquiry.</p> <p><b>DETAILS:</b></p> <ul style="list-style-type: none"> <li>• The Government of Manitoba is to submit progress reports to the Manitoba Advocate on a bi-annual schedule, following the existing MACY Handbook for Compliance Assessment.</li> <li>• The Manitoba Advocate will undertake an assessment of these updates, and report publicly on the status of implementation annually, until completed.</li> </ul>
<b>Intent(s) of Recommendation:</b>	<p>The intents of the recommendation are:</p> <ol style="list-style-type: none"> <li><b>1. Starting May 31, 2021, on a bi-annual schedule, submit progress reports to the Manitoba Advocate on all of the outstanding recommendations from the Phoenix Sinclair Inquiry.</b></li> <li><b>2. Implement the outstanding recommendations from the Phoenix Sinclair Inquiry.</b></li> </ol>
<b>Issue:</b>	Child Maltreatment
<b>Primary Department:</b>	Manitoba Families
<b>Dates of Previous Official Updates from Public Body:</b>	June 30, 2022 Spring 2021
2. Compliance Determination	
<b>Partially Compliant 0.50</b>	Actions taken only implement part of the recommendation. Important requirements have been met and the recommendation is acted upon, however, deficiencies remain.
<b>Self-Assessment</b>	Largely Compliant
3. Rationale for Determination	
<i>(How did you reach this compliance determination)</i>	
<p><b>Intent 1: Starting May 31, 2021, on a bi-annual schedule, submit progress reports to the Manitoba Advocate on all of the outstanding recommendations from the Phoenix Sinclair Inquiry. 2022</b></p> <ul style="list-style-type: none"> <li>• The Government of Manitoba submitted a progress report on the 28 outstanding recommendations, in line with the 2022 recommendation reporting schedule. Full progress</li> </ul>	

reports will be received officially once per year, per other MACY recommendation reporting requirements, with informal updates occurring when needed.

**Intent 2: Implement the outstanding recommendations from the Phoenix Sinclair Inquiry.**

**2022**

**Completed recommendations from the Phoenix Sinclair Inquiry**

<b>Recommendation #</b>	<b>MACY's Assessed Compliance Level</b>
6 (Information sharing with caregivers)	Fully Compliant- 100%
9 (Information sharing-service providers)	Fully Compliant- 100%
16 (Reports from consultants)	Fully Compliant- 100%
22 (New info management requirements)	Fully Compliant- 100%
27 (Indigenous engagement in social work)	Fully Compliant- 100%
30 (Sharing of reports)	Fully Compliant- 100%
37 (Representative requirements)	Fully Compliant- 100%
57 (Support persons)	Fully Compliant- 100%
61 (Funding for integrated service delivery)	Fully Compliant- 100%

**Outstanding recommendations from the Phoenix Sinclair Inquiry**

<b>Recommendation #</b>	<b>MACY's Assessed Compliance Level</b>
1 (Adherence to principles)	Largely Compliant- 75%
2 (Family Enhancement services)	Largely Compliant- 75%
3 (ANCR-removal of FES)	Largely Compliant- 75%
4 (Continuity of service)	Partially Compliant- 50%
7 (Availability of early intervention services)	Largely Compliant- 75%
12 (20 cases per worker)	Insufficiently Explained- 0%
13 (Reduce administrative burden)	Partially Compliant- 50%
14 (Serving court documents)	Largely Compliant- 75%
19 (Authority Supervision Policy)	Limitedly Compliant- 25%
20 (Reviews of well-being of children)	Partially Compliant- 50%
25 (Funding to support differential response)	Limitedly Compliant- 25%
34 (Extending age to 25)	Insufficiently Explained- 0%
36 (Full proclamation of the ACYA)	Largely Compliant- 75%
48 (Public awareness of representative)	Largely Compliant- 75%
52 (Supports for transition to urban centres)	Limitedly Compliant- 25%
54 (Amend Healthy Child Manitoba Act)	Non-Compliant- 0%
55 (Community Org Funding)	Largely Compliant- 75%
56 (Committee under Healthy Child)	Limitedly Compliant- 25%
58 (Agencies and community orgs)	Partially Compliant- 50%

**Analysis Summary:** Progress is being made towards closing the remaining 28 open recommendations from the Phoenix Sinclair Inquiry. Based on work this fiscal, 9/28 (32%) have been completed and closed. This remains significantly off the pace of full closure within six months of the Maltreatment

report's release, as indicated in media releases from the government at that time. While many of the recommendations were self-assessed as complete, through full compliance or alternate solutions, two main thematic concerns were raised in MACY's analysis that prevents a number of recommendations from being considered fully compliant. The first of these thematic concerns involves Single Envelope Funding and the reliance on it as a means to address a number of issues and concerns within the child and family services system. Most importantly, recommendations 12 and 25 rely solely on Single Envelope Funding to identify their self-assessment of alternate solution. These recommendations are focused on appropriate funding to ensure manageable workloads and a full range of services, but sufficient information was not provided to show how the Single Envelope Funding model has addressed those issues, or is providing the appropriate amount of funding to address those issues. The second thematic concern in the provided responses is the lack of a visible and well-articulated cross government effort to address the recommendations. While many of the PSI recommendations were addressed internally to the CFS system, a significant portion of the recommendations were dedicated to enhancing community supports and support for the overall well-being of children and families in Manitoba. This concern is most heavily seen in recommendations that reference the previous *Healthy Child Manitoba Act*, and related Committee of Cabinet. Due to the rescinding of the Healthy Child legislation, the government has not put forward suitable alternatives to meet the intents of the recommendations that mentioned Healthy Child, instead relying on its rescinding as a means to say the recommendations are no longer relevant or achievable. This creates a perceivable gap in understanding how decisions regarding services for children and youth are coordinated in the province. With the addition of nine completed recommendations, the Government of Manitoba is now at an overall compliance rate of 64% for PSI recommendations, resulting in a partially compliant status determination for this recommendation.