



## Indigenous Affairs in Ontario

### 2020 Value-for-Money Audit

#### Why We Did This Audit

- Our Office last audited Indigenous affairs in 2000. The Ministry of Indigenous Affairs (Ministry) was created in 2007.
- There continues to be social and economic disparities between Indigenous and non-Indigenous people in Ontario.

#### Why It Matters

- 375,000 Indigenous people live in Ontario, accounting for 3% of the population of Ontario and 22% of all Indigenous people in Canada.
- Effective delivery of programs and services can improve the social and economic conditions of Indigenous Peoples.
- Timely and fair settlement of legal disputes between the provincial government and Indigenous Peoples promotes reconciliation.

#### What We Found

- Indigenous Peoples have, in general, poorer health, education, social and economic outcomes than non-Indigenous people. Many societal and historical issues have contributed to these inequities. However, issues identified in the province's approach to Indigenous affairs may have affected the province's effectiveness in reducing disparities between Indigenous and non-Indigenous people in Ontario. These include:
  - The province does not have a co-ordinated approach to Indigenous affairs. Each provincial ministry independently designs and implements its own Indigenous policy initiatives according to its own priorities.
  - The Ministry was not aware of all provincial programs and services for Indigenous Peoples in Ontario, being able to identify only 30 of the 140 programs our audit found. Without comprehensive information on Indigenous programs and services, the province cannot effectively co-ordinate its efforts to improve social and economic outcomes for Indigenous Peoples.
  - Provincial ministries that provide programs and services do not have effective engagement, accountability and oversight mechanisms in place. Therefore, these ministries cannot ensure that the programs are effective, funding is being spent as intended and the programs are meeting the needs of Indigenous communities.
  - The lack of broadband access for Indigenous communities is limiting health, social and economic progress. Only 17% of households on First Nations reserves have access to Internet. Access would enable them to effectively participate in eCommerce, access virtual health services or participate in online learning.
- The Ministry does not collect adequate information to confirm that the province is meeting its duty to consult. There have been 35 legal actions brought against the province between January 2010 and October 2020 for failing to adequately consult Indigenous communities. In three instances, the courts found that Ontario did not adequately consult. The province covered financial costs or settled out of court in another three cases.
- The Ministry plays conflicting roles in settling land claims against the government. The government acts as the defendant in these claims while also assessing the legitimacy of the claims and determining the financial support Indigenous communities receive to negotiate claims.
- The land claim process is lengthy. The Ministry does not have adequate information to identify barriers that cause delays in order to adjust its processes to expedite land claim settlements. Further, the province does not make information such as settlement amounts paid on land claims publicly available, which reduces transparency and accountability.

## **Conclusions**

- The Ministry of Indigenous Affairs is not leading the province's development of programs and services that improve the social and economic outcomes for Indigenous Peoples. The province is also not ensuring its programs and services are operating as intended to effectively meet the needs of Indigenous people and their communities.
- The Ministry lacks transparency and accountability by not assessing or publicly reporting on the government's progress in meeting the needs of Indigenous Peoples, the effectiveness of Indigenous programs and services, or key information regarding land claims settlements.

Read the report at [www.auditor.on.ca](http://www.auditor.on.ca)