



**Calgary**

Jyoti Gondek, Mayor

November 3, 2022

Honourable Mickey Amery  
Minister of Children's Services  
Office of the Minister of Children's Services  
403 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB T5K 2B6  
cs.minister@gov.ab.ca

**Re: Follow-up on safety measures for unlicensed day homes**

Dear Minister Amery,

Congratulations on your appointment to Cabinet as Minister of Children's Services. We share a commitment to ensuring young and vulnerable Calgarians are protected. I am writing in response to Minister Shandro's correspondence dated October 5, 2022. All previous correspondence has been enclosed for reference.

I appreciate Minister Shandro's prompt response to my request regarding the recommendations that emerged from the Public Fatality Inquiry into the tragic death of 22-month old Mackenzy Woolfsmith at an unlicensed day home. Since the subject matter of the recommendations falls under the purview of the Department of Children's Services, I am acting on Minister Shandro's suggestion to reach out to you directly for further information.

In September 2019, the Ministry of Children's Services provided a response to the Public Fatality Report recommendations by outlining actions planned or underway by the Ministry to prevent similar tragic incidents from occurring. I am aware that a legislative review resulted in a new Early Learning and Child Care Act being introduced in February 2021, however there are still significant regulatory and oversight gaps in the unlicensed child care sector. Now that more than three years have passed since the Ministry of Children's Services responded to the Public Fatality Report, I am requesting a status update on how the recommendations from page 12 and 13 of the report have been or are planned to be implemented, specifically focusing on those that pertain to or may impact unlicensed home-based child care.

As you are aware, Calgary City Council has taken steps to enhance safety in unlicensed day homes by approving a business license to ensure minimum standards (i.e., valid first aid/CPR, police checks and vulnerable sector searches) are in place to protect the health and safety of the youngest and most vulnerable Calgarians. As there are still opportunities to act on the recommendations in the Public Fatality Report to enhance safety in unlicensed child care, receiving an update on any actions planned or underway by the Ministry of Children's Services toward that goal will help ensure The City is not duplicating efforts.

Sincerely,



Jyoti Gondek  
Mayor, City of Calgary

Enclosures:

Letter to Min Shandro Unlicensed Day Homes (2022 September 26)  
Letter from Minister Shandro\_52519 (2022 October 5)

cc.

Minister Shandro, Minister of Justice and Solicitor General  
Katie Black, General Manager, Community Services  
Stuart Dalglish, General Manager, Planning & Development Services  
Chris Arthurs, General Manager, People, Innovation & Collaboration Services



**Calgary**

Jyoti Gondek, Mayor

September 26, 2022

Honourable Tyler Shandro  
Minister of Justice and Solicitor General  
Office of the Minister of Justice and Solicitor General  
204 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB T5K 2B6  
ministryofjustice@gov.ab.ca

Dear Minister Shandro,

Re: Safety measures for unlicensed day homes

Ten years ago, on May 3, 2012, 22-month-old Mackenzy Woolfsmith died tragically as a result of injuries sustained while in the care of an unlicensed home-based child care provider. A Public Fatality Inquiry was launched in February 2018 to investigate Mackenzy's death and Justice Hawkes delivered a report to the Minister of Justice and Solicitor General in December 2018. In that report Justice Hawkes noted that, "The death of a child at the hands of a trusted caregiver is a parent's worst nightmare. That this nightmare is not an isolated incident, but part of a pattern in which children and child care workers are at elevated risk, is a serious public policy issue requiring urgent and sustained attention." I am requesting a status update on enacting the recommendations from Section 63 of Justice Hawkes' Public Fatality Inquiry Report.

I was pleased to see the Government of Alberta sign onto the Canada–Alberta Early Learning and Child Care Agreement last year to increase access to quality licensed child care in our province and I look forward to its timely roll out. However, there is still work to be done to enhance safety in unlicensed day homes. To this end, on September 14, 2022, Council approved measures to enhance the safety of unlicensed day homes in Calgary by introducing a mandatory business licence for unlicensed home-based child care businesses that will require child care providers to be certified in first aid and CPR. The business license will ensure police background checks and vulnerable sector searches are conducted for providers and all individuals 18 years and over who reside in the home. We know these measures are just a start but hope that they will set minimum standards in the absence of provincial regulation.

Justice Hawkes' report made ten recommendations to reduce the likelihood of child care tragedies taking place in the future. As part of The City's work to support this critical issue, a status update on enacting the recommendations from Justice Hawkes' Public Fatality Inquiry Report, specifically focusing on those that pertain to or may impact unlicensed home-based child care, will ensure that The City does not create any regulatory duplication if these recommendations are forthcoming.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jyoti Gondek', with a stylized flourish at the end.

Jyoti Gondek  
Mayor, City of Calgary

cc.

Honourable Matt Jones, Minister of Children's Services  
Katie Black, General Manager, Community Services  
Stuart Dalglish, General Manager, Planning & Development Services  
Chris Arthurs, General Manager, People, Innovation & Collaboration Services



ALBERTA  
JUSTICE AND SOLICITOR GENERAL

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*Office of the Minister  
MLA, Calgary-Acadia*

October 5, 2022

AR52519

Sent via email: [themayor@calgary.ca](mailto:themayor@calgary.ca)

Her Worship Jyoti Gondek  
Mayor  
City of Calgary  
PO Box 2100, Station M, #8069  
Calgary AB T2G 2M3

Dear Mayor Gondek:

Thank you for your correspondence dated September 26, 2022, regarding safety measures for unlicensed day homes. I appreciate the opportunity to provide the following information.

Judge Hawkes' recommendations are set out on pages 12 and 13 of the Public Fatality Report referenced in your letter regarding licensed and unlicensed child care. A copy of Judge Hawke's report was sent to the Department of Children's Services along with a letter from Justice and Solicitor General, requesting a response to the report's recommendations.

Responses to the recommendations as well as copies of the report and the request for response are publicly available online at <https://open.alberta.ca/publications/publications-fatality-inquiry-woolfsmith-2018-11-26>.

Since the subject matter of the recommendations falls under the Department of Children's Services' responsibility, you may wish to reach out directly to Minister Jones or officials from his department if you need further clarifications on the actions (planned or underway) stated in Children's Services responses.

Thank you again for reaching out to the Alberta government and for the City of Calgary's work to support this critical issue.

Sincerely,

Honourable Tyler Shandro, KC  
Minister

cc: Honourable Matt Jones  
Minister of Children's Services