

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Wednesday, April 21, 2010 — 1:00 p.m.**

**Speaker:** I will now call the House to order. We will proceed at this time with prayers.

*Prayers*

**DAILY ROUTINE**

**Speaker:** We will proceed at this time with the Order Paper.

Are there any tributes?  
 Introduction of visitors.  
 Returns or documents for tabling.  
 Reports of committees.  
 Are there any petitions?  
 Are there any bills to be introduced?  
 Are there any notices of motion?

**NOTICES OF MOTION**

**Mr. Mitchell:** I give notice today of the following motion:

THAT this House urges the Yukon government to examine and project the increased operation and maintenance costs that will be incurred by municipalities before implementing new regulations, such as health, safety and environmental regulations, that require new spending by municipalities in order to:

- (1) provide accurate projections of the additional costs to municipalities of implementing new regulations; and
- (2) provide additional funding support above the comprehensive municipal grant to cover the increased costs of implementing new regulations.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to consult and work with the Association of Yukon Communities and all municipalities to ensure that municipalities are provided the necessary funding support to address the increased operation and maintenance requirements to run the new infrastructure that is being built through federal infrastructure funding programs.

**Mr. Inverarity:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to work with parents and Autism Yukon to implement the 2006 Yukon services for children with autism spectrum disorder workplan.

**Mr. Cardiff:** I give notice of the following motion:

THAT this House urges the Yukon government, in forming the advisory committee tasked with the review of Yukon's police force, to appoint representatives with direct experience of the police force, such as, but not limited to, youth, the working poor and non-governmental organizations that deal with mental illness and fetal alcohol spectrum disorder.

I also give notice of the following motion:

THAT this House urges the Government of Canada to enforce the *Canada Health Act* in light of the scores of possible violations in as many as five provinces, such as the recent decision by the Government of Quebec to implement user fees for medical visits.

**Speaker:** Are there any further notices of motion?  
 Is there a statement by a minister?  
 This then brings us to Question Period.

**QUESTION PERIOD**

**Question re: *Civil Forfeiture Act***

**Mr. Inverarity:** Mr. Speaker, I have repeatedly asked the Minister of Justice to withdraw the *Civil Forfeiture Act* until adequate consultation has been done. The minister has refused this request and Yukoners deserve to know why. In response to my question yesterday, the Minister of Justice put on the record that the government went out for targeted consultation. In response to my second question yesterday, the minister said, and I quote: "We did go out for consultation. We did do targeted consultation. We heard from Yukoners."

Did the Minister of Justice consult with the Human Rights Commission?

**Hon. Ms. Horne:** I will elaborate on what I said yesterday. This legislation is going to be very similar, no matter in which jurisdiction it is enacted. The various differences occur mainly in how the money is collected and how it is allocated. In the case of Alberta there are specific limitations on the awarding of costs; in Yukon we do not have those limitations. The Yukon public has been very supportive of SCAN, which is a civil remedy for a criminal problem — similar to civil forfeiture. We checked with four jurisdictions. In the case of Ontario, there were no public consultations. In New Brunswick, no public consultation. British Columbia, no public consultation. In Alberta, they consulted with the Alberta Association of Chiefs of Police and the Solicitor General and other Justice branches.

**Mr. Inverarity:** So, Mr. Speaker, I take it the answer is no to the question. The Minister of Justice is claiming to have consulted with Yukoners on the *Civil Forfeiture Act*. The Human Rights Commission was not consulted, and we think they could have provided an opportunity to comment on the legislation before it was tabled.

The minister claims that she wants to do the right thing for Yukoners and we know that some of her Cabinet colleagues have their own concerns about this bill. For the record, we support the idea of civil forfeiture legislation. A lot of good can come from this legislation. We just don't support the government's move to pass this legislation without proper consultation.

I'll ask the minister another question: did the minister consult with the Privacy Commissioner before tabling this legislation?

**Hon. Ms. Horne:** I believe the Privacy Commissioner has been consulted on this act. There are no variances from the human rights in Yukon, as per the SCAN. There is no violation

of human rights, and there would be none intended. If there is, it has been overlooked, but I'm sure this has been gone over very thoroughly. As I say, I commend this bill to the House.

The *Civil Forfeiture Act* was developed this winter based on unanimous approval of the House in December to move forward on developing civil forfeiture legislation, and I repeat that — it was a unanimous approval of this House. This government is tough on crime. We do not want criminals to gain money from their criminal activity. Is the opposition opposed to being tough on crime and having safer communities?

**Mr. Inverarity:** I think we're opposed to being tough on innocent people, not necessarily criminals. I think the minister should understand this is an issue. Yes, we support this legislation; however, we think that Yukoners should be consulted so that people would be able to voice their opinions about it.

The minister consulted with a grand total of two organizations before tabling this bill, but claims that Yukoners have been consulted. It looks like she's taking lessons from the Premier on how to answer questions.

The minister has not even consulted with the Human Rights Commission and she's unsure about whether the Privacy Commissioner has even been consulted on this matter. There are many Yukoners who want to have a say in this. What about self-governing First Nations? Were they not consulted either? Are they not Yukoners also? Did the minister ask them about this legislation? Have they had a chance to give input into the legislation?

**Hon. Ms. Horne:** I would remind the member opposite of Bill No. 110, which was the *Yukon Energy Corporation Protection Act*, put forward by Mr. McRobb.

What public consultation was there done there? I'm sorry. I'm terribly sorry. I withdraw the name — the Member for Kluane who insisted the government put this bill forward and put it through without Yukon consultation. Oh — tsk, tsk — my goodness. We have consulted. We have made targeted consultation. There are no violations of human rights. I commend this bill to this House.

#### **Question re: *Civil Forfeiture Act***

**Mr. Elias:** There are legitimate concerns with regard to the Yukon Party government's *Civil Forfeiture Act*. Yesterday the minister told this House that the legislation went out for targeted consultation — just like SCAN. Mr. Speaker, I wish to table a government news release from January 2006 announcing that public consultations will begin as the first step in developing SCAN legislation.

We are concerned about the minister's understanding of this bill and the need for public consultation. The general public was consulted before tabling the SCAN legislation. The general public was not consulted before tabling this civil forfeiture legislation. Will the Minister of Justice accept that this legislation is simply not ready yet for implementation in our territory?

**Hon. Ms. Horne:** I reiterate — SCAN went out on targeted consultation.

We have discussed the act with First Nations. We have to sign a separate agreement with First Nations to enter on to their territory. Perhaps the members opposite are not aware of this,

or maybe forgot. But, again, this is a good act. I have asked for amendments to the bill. Have any come forward? We have lots of complaints, but we haven't had any specific —

**Some Hon. Member:** (Inaudible)

**Hon. Ms. Horne:** — they haven't come forward and voiced their concern with any parts of it. Let's be specific and let's work together here.

#### **Speaker's statement**

**Speaker:** Just before the honourable member asks the next question, members please, when one member is speaking, please respect the rules of the House and don't call across the floor. You have the floor, Member for Vuntut Gwitchin.

**Mr. Elias:** Thank you, Mr. Speaker. I want to remind the Minister of Justice that the issues that we are bringing forward to this House are coming from Yukoners concerned about this legislation.

Mr. Speaker, this proposed law states that Yukoners could be forced to defend their property at their own expense, even though no criminal charges were ever laid. As one lawyer put it in British Columbia, "Civil forfeiture legislation effectively means that your property is guilty until you prove it innocent."

Innocent people could lose their property because they may not have the resources to fight the forfeiture in court, and this has happened in our country, Mr. Speaker. That's where these concerns are arising from — from Yukoners.

I want to be clear here: we want this legislation to work and we know the Minister of Justice wants this legislation to work. Will the minister do the right thing and withdraw this legislation until proper public consultation can be met?

**Hon. Ms. Horne:** As I said previously, we have drawn information from the eight other jurisdictions that have this enacted in legislation. It is not copied from British Columbia. We've gone through the other jurisdictions and seen what problems they have had and we have taken their amendments to the act. As far as I'm concerned, this bill is good, but we are asking the members opposite if they have queries or where they see it tightened up, we will do exactly that. We will have a look at it. We are ready to listen. We are listening.

**Mr. Elias:** I want to make something clear on the floor of the House today. This type of legislation is in the best interest of the public when it is developed and used properly, but it is dangerous unless adequate safeguards are in place. Mr. Speaker, there are plenty of examples of punitive prosecution through property forfeiture in other jurisdictions that have enacted this type of legislation. Many jurisdictions in North America have reported that they ended up becoming dependent on the civil forfeiture funds as revenue stream to run their departments, which was never their intention; it just ended up that way.

We don't want that to happen here in our territory. We don't feel the legislation adequately addresses Yukoners' concerns. That's why on the floor of the House for the last week we've been putting forward Yukoners' concerns about this civil forfeiture law.

There are concerns from our citizens out there; that's what we're trying to address on the floor today. Will the minister do

the right thing and seek comprehensive public input before this legislation comes into effect?

**Hon. Ms. Horne:** We are indeed taking care of our citizens. We are taking care of our Yukoners who want safer communities — safer communities to raise our children, a safer Yukon. We are tough on crime and the members opposite are obviously lenient. We want a safer Yukon. This bill is designed to give law enforcement one more tool to combat crime. The public will welcome another tool that takes the profit out of crime. That's what this bill is intended for. It's certainly not intended to target innocent individuals. This is a bill to be tough on crime.

**Question re: Health care costs**

**Mr. Cardiff:** The Minister of Health and Social Services has been unable to show us studies supporting decisions made by the Yukon Hospital Corporation to spend millions on expanding acute care hospitals in the Yukon. One area of health care that has had many studies and projects across Canada to show that it is cost saving and viable is using nurse practitioners to make the health care system more responsive and sustainable.

Last December we passed legislation regulating nurse practitioners. Will the Minister of Health and Social Services give us an update on the progress of the committee writing regulations for this act and tell us when it can be implemented?

**Hon. Mr. Hart:** Regulations with regard to the *Registered Nurses Profession Act* are underway and consultation is taking place with the Yukon Registered Nurses Association. In fact, I was at their recent AGM and this issue was brought up. Again, we are working closely with them to ensure that the Government of Yukon, as well as Yukoners, can take the best advantage of the services provided by nurse practitioners.

**Mr. Cardiff:** He can tell us in his next answer when it can be implemented. This is an area of health care that has had supportive studies and consultations done in the Yukon, unlike other solutions acted upon by this government. There is broad support for the wider use of nurse practitioners. Yukoners have said they do not want the present silos of responsibility in health care. They want an integrated system that is responsive to community needs such as substance abuse prevention and rehabilitative care. These are areas of responsibility that are not available in the proposed acute care hospitals.

What measures is the minister taking to respond to the recommendations and ideas about the integrated provision of health care brought forward in consultations with Yukoners?

**Hon. Mr. Hart:** I thank the member opposite for the question. We've had a substantial amount of work with regard to assisting all Yukoners with their addictions, regardless of where they are within the Yukon. Part of our process in dealing with health care for those individuals in our communities is that we are looking at centralizing those facilities so that we can take advantage of the infrastructure that is available in those communities so that we can take care of Yukoners all in one spot. We will be doing that to ensure we can provide the services through community nursing and/or if need be, a temporary facility for respite care as well as acute care in the facilities of Dawson City and Watson Lake.

**Mr. Cardiff:** For at least 15 years, concepts of a primary health care centre that has multidisciplinary health care have been brought forward to the Yukon government. In 2001, nine years ago, the Yukon Registered Nurses Association unanimously passed a resolution supporting a multidisciplinary health centre and supporting a pilot project. The idea is based on the World Health Organization's definition of "primary care". A collaborative system encourages the best use of all health providers to maximize the potential of all health resources. It gives the patient direct access to the right provider for the right care at the right time and in the right place. It is complete care; it's not acute care.

Why has the minister endorsed and committed funding to more acute care facilities and not proceeded with a collaborative practice initiative, at least in a pilot project?

**Hon. Mr. Hart:** We have been working on collaborative care. We have been working with the professionals with regard to providing the alternative services that will be required for all Yukoners throughout the Yukon. We have a substantial primary care program throughout the Yukon. We're not just concentrated with regard to acute care, like the member opposite is indicating.

We have a substantial amount of money in the Health and Social Services budget to cover all aspects of health care, from mental health to all kinds of disabilities, and all services that are required, from autism to multiple sclerosis. You name it — we are providing services with regard to all Yukoners and we're looking at maximizing the use of RNPs in our rural areas. We're looking at maximizing our facilities in Watson Lake and Dawson to provide greater, enhanced services for all Yukoners.

**Question re: Takhini elk herd**

**Mr. Cathers:** A 1990 report by government biologists recommended that the Takhini elk herd be allowed to increase to 100 animals and be kept at that size. That did not happen and the herd size ballooned. Yesterday the Minister of Environment responded to my questions by seeming to blame people for living in rural areas. He appears to have forgotten that the herd was imported by government and allowed to grow well beyond the size biologists said it should be kept at to prevent the herd causing damage to property and to the habitat of other animals.

If a carnivore attacks, you can defend yourself, but sections 86 and 87 of the *Wildlife Act* prevent you from defending your property or even your life if an elk is threatening it.

My question for the Minister of Environment is this: what does he recommend Yukon citizens do if a wild elk is causing imminent threat to life and limb?

**Hon. Mr. Edzerza:** Well, Mr. Speaker, this issue has been gone over probably 20 times if it has been gone over once. The member opposite knows very well that the elk harvest management plan was developed collaboratively by Environment Yukon, Yukon Fish and Wildlife Management Board, affected renewable resources councils, First Nation governments and stakeholders.

So far, the plan is helping us achieve our goals, as there have been considerably fewer elk/agricultural conflicts and we continue to see fewer and fewer winter ticks on the elk.

**Mr. Cathers:** I would remind the minister that a non-answer is a non-answer, and certainly the minister is correct that his predecessor, the Member for Whitehorse West, and department staff did some good work in improving the situation. However, there is still a problem. Two of my constituents have reported incidents with wild elk that imperiled physical safety. Many more have had damage to their property.

When a carnivore attacks you can defend yourself, but sections 86 and 87 of the *Wildlife Act* prevent you from defending your property or even life if a wild elk threatens it. A very high standard must be met under the act before it allows someone to kill a bear or other carnivore without a permit. Threat to life or property must be imminent, and they must have exhausted all other practical means of averting the threat. An imminent threat to life posed by a wild animal is no less serious if the animal happens to be an elk.

Will the minister agree to begin the process to amend sections 86 and 87 of the *Wildlife Act*?

**Hon. Mr. Edzerza:** The simple answer to that question is no. But as part of implementing the approved plan, Environment Yukon introduced an elk hunt in 2009-10. Environment Yukon has issued 50 permits with an additional 30 permits added later in the current hunting season. So far, 26 elk have been harvested.

**Mr. Cathers:** I am pleased to see the minister has at least read his briefing note today. He didn't have any answers yesterday. I would like to remind the minister that two of my constituents have already reported incidents where wild elk threatened their physical safety. It is not a remote possibility that someone may be faced with this choice: protect their life or comply with the *Wildlife Act*. If a Yukon citizen has to shoot an elk that is posing an imminent threat to their life, will they be charged with an offence under the *Wildlife Act*? If the answer is yes, how can the minister possibly justify prosecuting someone for acting to save their life or someone else's? If the answer is no, they won't be charged, why does the minister want to keep wording in the law that says they should be? Will the minister agree to do the sensible thing and begin the process to amend sections 86 and 87 of the *Wildlife Act*?

**Hon. Mr. Edzerza:** Any government would have a very hard time to try to react to some hypothetical scenarios that a member on the floor may bring to the Legislative Assembly. I would recommend the member opposite bring the suggestions to the Yukon Fish and Wildlife Management Board, at its annual regulatory cycle system.

This a complicated hunt, initiated for the first time. Environment Yukon, as well as the hunters, are learning and have the ability to adapt with changes. The management team will review this year's results in April and provide recommendations for increasing the number of elk harvested to meet the planned objectives for next year's hunt. The department is trying to address this issue in the safest and most effective way possible.

#### **Question re: Health care facility costs**

**Mr. Mitchell:** The Health minister authorized the Hospital Corporation to privately borrow \$17 million for the nurse residence that is currently under construction. This is in

addition to the \$50 million that will have to be borrowed for hospitals in Dawson City and Watson Lake.

The minister has also committed \$1.5 million from the Yukon government per year for the next 17 years to make payments on the nurse residence loan. That totals \$25.5 million. Can the minister confirm that Yukoners will be on the hook for \$25.5 million in loan payments for just this one project?

**Hon. Mr. Hart:** Mr. Speaker, we are working, as I mentioned, with the Yukon Hospital Corporation, and once the arrangements with the banking facility are in place, we will finalize our lease for our portion of that facility. We will make arrangements to cover off our expenditures, depending upon what those final arrangements are with the financial institution.

**Mr. Mitchell:** Mr. Speaker, this government's free-spending ways mean that the Hospital Corporation doesn't have the cash to build the nurse residence, but has to borrow \$17 million. The Government of Yukon has committed \$25.5 million in payments on the loan. If the building costs \$17 million, that's \$8.5 million in pure, unnecessary interest that Yukoners will have to pay. Not long ago, when the Premier locked up \$36 million in bad investments, he tried to justify it by saying, "This government, by the way, is not cash poor. We have close to \$200 million of cash available."

Considering the Finance minister's statement that the government is flush, why is the Hospital Corporation being forced to borrow this money?

**Hon. Mr. Fentie:** Mr. Speaker, I thank the Leader of the Official Opposition for actually recognizing on the floor of the House that the Yukon government has a very significant cash position in the positive, unlike past governments that were actually borrowing money to pay for wages.

In this case, the Yukon Hospital Corporation is serving the Yukon public to the extent of its mandate, as it should. There is a cost to doing business and, Mr. Speaker, these are wise investments because we are ensuring that the taxpayer of today is not bearing the full brunt and cost of facilities that will be there for the benefit of Yukoners long into the future. It's being shared.

Now, if the member finds fault with that, then the member should stand up and explain to Yukoners how the Liberals would address the acute care needs of this territory and how the Liberals would address the need for residents to bring in specialists and physicians who do such things as knee surgery. The member can tell Yukoners how they intend to invest in facilities that are required for this collaborative integrated care model that all Yukoners believe is something that we continue to evolve in. What the member is not doing is explaining to Yukoners how they would address the challenges.

**Mr. Mitchell:** Well, Mr. Speaker, what I can tell the Premier is what we wouldn't do. We wouldn't invest \$36 million in junk bonds and we wouldn't mortgage the future so that children today will be paying these taxes tomorrow.

Because this government is going for broke, Yukoners will pay a lot of interest on this loan, about \$8.5 million. That's too much and that's more than the Health minister expected to pay. When he first authorized the borrowing, he was told by the

Hospital Corporation chair that interest would be between 3.03 percent and 3.55 percent. That chair has since told us that the corporation is forced to borrow the \$17 million at 5.23 percent — much more than was expected.

How can the minister justify letting these interest expenses get out of control?

**Hon. Mr. Fentie:** I think here's the crux of the problem: the opposition makes wild statements such as this. It's the first time in memory that a Premier has allowed our territory to go into debt that makes up over 16 percent of a \$1-billion budget. Surely the members must recognize that, as far back as 1992, debt as high as \$88 million in 1992 dollars was being paid for by Yukoners of the future, and we still pay for that today. That made up 26 percent of the total budget.

Furthermore, if you extrapolate that into today's dollars, it's actually a range of money owed of between \$160 million and \$230 million. So the problem here is these statements the members continue to make, void of the facts.

### Question re: Mayo B project

**Mr. McRobb:** Mr. Speaker, it has become evident this is a government locked in hard denial. It denies it is wrong even when proven wrong by hard evidence. It denies it is wrong even when proven wrong by credible testimony. This chronic habit of denying everything speaks volumes about the very character of this tired and evasive government and its members who campaigned on being open, accountable and transparent.

On Monday this Premier took this trademark to a new low by treating issues where his government has been proven wrong and in denial as justification for further denials. Go figure. One of them was the displaced diesel costs for Mayo B. When announced by the Prime Minister, he said it would displace only 40 percent of the diesel forecast, but this Premier insists it is 100 percent. Whom should Yukoners believe — the Prime Minister or this Premier?

**Hon. Mr. Fentie:** Mr. Speaker, I will not even go to that level. I think what we have to understand is that there is a hard denial happening here and that is how hard it is for the Member for Kluane to actually interpret facts so that the member understands them. Now the member has brought up this diesel issue again and the member, in doing so, has mentioned evidence.

Not only has evidence been provided to the member through documentation, but he knows it's all there in the public domain that these values were in fact presented by the Yukon Energy Corporation. The member heard it from witnesses a few short days ago, so the hard denial is the fact that the Member for Kluane has a hard time interpreting facts and continues to deny that the facts actually mean what they say.

**Mr. McRobb:** This government is locked in hard denial despite the evidence and despite the testimony. It's the same old story as revealed by the Premier's former right-hand man who now sits in opposition, who said, "The Premier will again, as always, use his standard approach of repeating the message of how everyone else is wrong."

What's more telling is everyone over there condones this behaviour. They're all in it together. Now, let's walk the Pre-

mier through this. I'll send him over a clipping that quoted the Prime Minister, saying the true number is only 40 percent. But this Premier insists it's 100 percent. He has used the inflated figure on repeated occasions in this House, and he's not alone over there; they're all in it together.

Does he see the quote attributed to the Prime Minister? Does he see the difference? Again, whom should Yukoners believe — him or the Prime Minister?

**Hon. Mr. Fentie:** Well, actually, Mr. Speaker, this is another example of the Member for Kluane's challenge in actually presenting the facts as they are to this House. In fact, the government side presented to the member opposite documents and statements from those documents that actually confirm exactly what the Prime Minister said, the federal government said, the Energy Corporation said when it comes to the project.

You know, the member obviously has an issue with building hydro facilities and infrastructure for the Yukon. We understand that, knowing the history here, Mr. Speaker. I guess diesel or burning diesel to produce electricity is easier, but it's very costly. This government is concerned about that cost to the ratepayer and has partnered with Canada to invest in significant hydro infrastructure to the benefit of the Yukon consumer, but overall, to the benefit of Yukoners long into the future because we are producing the majority of our electrical needs by hydro. I think that's a good thing. If the member finds fault with that, it's the member's business and he can explain that to the Yukon.

**Mr. McRobb:** Mr. Speaker, when it comes to rhetoric, this government can make a silk purse out of a sow's ear. Deny, deny, deny until the day you die. That will be the legacy of this Yukon Party regime. For everybody's information, the Prime Minister said, "Mayo B will reduce the territory's dependence on diesel by 40 percent."

This number is consistent with the testimony from the YEC president, it's consistent with the numbers currently before the Yukon Utilities Board and it's consistent with reason. The only consistency is this government's habit of denying everything and blaming others for its own mistakes.

This matter is about more than numbers; it's about integrity.

So, what should Yukoners believe — the hard evidence and credible testimony or this government's denials?

### Speaker's statement

**Speaker:** Before the Premier answers the question, if the honourable member starts throwing out words like "integrity", there are going to be harsh words coming in, and I just wanted to warn everybody. Hon. Premier, you have the floor.

**Hon. Mr. Fentie:** Far be it for the government side to delve into that kind of debate. We actually think the Member for Kluane is starting to understand the evidence and the facts that were presented to him. That's exactly what the government has done, the Energy Corporation has done, the federal government has done.

But let us look at this analogy of trying to make a silk purse out of a sow's ear. I think that speaks volumes about the member's position on producing electricity. It's the difference

between producing electricity with the cost of millions and millions of dollars for diesel — who is going to pay for that? The Yukon ratepayer — versus what the government has done in partnership with Canada and the lead of its Energy Corporation investing in hydro infrastructure, keeping a reduced cost for the ratepayer. We are producing electricity from a cheaper source, and that also benefits Yukoners of today and Yukoners long into the future. Actually, it is the government's side that is creating silk purses.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

**Clerk:** Motion No. 1033, standing in the name of the Hon. Ms. Horne.

**Speaker:** It is moved by the Minister of Justice

THAT this House urges the Government of Yukon, in conjunction with M Division of the Royal Canadian Mounted Police, to conduct a review of policing in Yukon that:

(1) reflects the RCMP's commitment to become more constructively self-critical, more transparent and accountable to its own employees, to the government and to the Canadian public;

(2) seeks to assist M Division in implementing in Yukon the RCMP's national commitment to transformation;

(3) is co-chaired by the RCMP Commanding Officer of M Division and the deputy minister of Yukon's Department of Justice, who will undertake the review in consultation with an advisory committee comprised of one representative from each of the following:

- (a) Yukon First Nations,
- (b) Yukon municipalities,
- (c) Yukon women's groups,
- (d) the RCMP,
- (e) the Women's Directorate,
- (f) the Department of Community Services,
- (g) the Department of Health and Social Services, and
- (h) the Department of Justice;

(4) will have the following priorities:

(a) considering measures and making recommendations to better ensure that Yukon's police force is responsive and accountable to the needs of Yukon citizens;

(b) reviewing how public complaints relating to the RCMP in Yukon are currently dealt with and making recommendations on any required improvements;

(c) determining the skills that Yukon officers require in order to provide policing services in Yukon communities and making recommendations to enhance training including the potential for Yukon-based training;

(d) reviewing the services provided by the RCMP to citizens who are in vulnerable positions, including victims of domestic violence and sexual assault, as well as individuals who have been arrested and detained in custody;

(e) identifying and building upon successes and best practices in the delivery of policing services to Yukon; and

(f) reviewing and making recommendations on how best to implement in Yukon the existing RCMP policy on external investigations and reviews; and

(5) has the co-chairs, through community and targeted consultations, produce a written report to be submitted to Yukon's Minister of Justice no later than September 15, 2010.

**Hon. Ms. Horne:** I would like to speak for a few minutes to this motion. To summarize the motion, it calls for this House to urge the Government of Yukon, in conjunction with M Division of the Royal Canadian Mounted Police to conduct a review of policing in Yukon.

Let me explain why this motion makes sense now. This is a season for change. As a government we have been systematically changing the way we do business in the Department of Justice. We have undertaken a major consultation on corrections that resulted in a new client-focused, program-oriented philosophy of corrections.

I am very pleased to report that the new women's annex is now operational and a new correctional and treatment facility that is currently under construction is on budget and on schedule to open in late 2011.

A key part of correctional redevelopment is the new *Corrections Act* that reflects our client-focused approach, as well as ensures inmates' rights are protected and corrections officials are held accountable for their actions.

Last summer we launched a new victims of crime strategy that will refocus our services to victims to ensure that victims are provided the services they need to deal with the aftermath of crime. We have committed \$1.3 million over the next three years to improve services to victims and a new *Victims of Crime Act* that is before this Assembly this sitting.

Alongside correctional redevelopment, we have worked hard to ensure that Yukon citizens receive the best possible policing services available. We have a solid working relationship with the RCMP. In addition to providing policing service to Yukon communities, we have been working together on special initiatives, like the street crime reduction team. We have worked cooperatively to develop a business crime prevention strategy for Whitehorse.

The success of the SCAN unit is in large part due to the close working relationship that has developed between officials in the Department of Justice and the RCMP. When the RCMP have approached us with concerns or initiatives, our government has worked together with them to address these items. Significantly, in partnership with our government, we have been able to increase the complement of officers in Yukon. This increase addresses the concern the RCMP shared with us about two-member detachments. I am pleased to report that every detachment now has three members. Likewise, when Burwash Landing brought forward their concerns about not having an RCMP officer actually in the community, the RCMP found a way to provide police presence in Burwash Landing in response to the community concerns that we shared with them.

As I said previously, we have built a good, cooperative, solid working relationship with the RCMP. The current contract with the RCMP will be expiring in 2012 and it makes

sense to reflect now on the partnership between the RCMP and Yukon as we look ahead to the next contract.

It is indeed a season for change on the national stage as well. On July 16, 2007, the Hon. Stockwell Day, the then Minister of Public Safety, announced the creation of a new five-member task force to provide advice on strengthening the accountability and governance of the Royal Canadian Mounted Police, chaired by David Brown. The mandate of the task force was to examine governance and cultural change in the RCMP. The task force provided recommendations that address issues such as the force's management structure, accountability and oversight, as well as many other issues.

Flowing from that work has been a series of reports and initiatives that have affirmed the RCMP's commitment and implementation of change. On a national level, the RCMP is in the process of fundamentally transforming itself through building management capacity and instilling a new culture of leadership and accountability to provide Canadians with world-class policing services.

I have met with Commissioner Elliott and I shared Yukon's perspective, as a small jurisdiction with unique needs in comparison with our southern counterparts. Again, I appreciate our cooperative relationship.

As I said, now is the time for change, both nationally and locally. This review of which I speak today is welcomed and seeks to both inform and reflect the national agenda by providing a jurisdictional perspective.

The review builds on the RCMP's vision for change, to continue to become an adaptive, accountable, and trusted organization of fully engaged employees demonstrating outstanding leadership and providing world-class police services.

The review reflects the RCMP's commitment to become more constructively self-critical, more transparent and accountable to its own employees, to the government and to the public. Mr. Speaker, I want to thank the RCMP for their willingness to partner with Yukon in conducting this review. It is the time for change.

The RCMP have demonstrated their commitment to constructive criticism, transparency and accountability, both by jointly chairing this review and by jointly signing the letter to the RCMP complaints commission, asking them to discuss with us how their office can support this review. I tabled this letter earlier this week.

Mr. Speaker, one of my privileges as Minister of Justice is that I get to attend the ceremonies honouring the RCMP. These ceremonies celebrate years of service to the community and particularly meritorious actions. These ceremonies celebrate the many fine men and women whom the RCMP is comprised of. There is much that is right and good with the RCMP. The review recognizes that, while overall public opinion remains strongly favourable toward the members of the force and the services they provide, and that while the vast majority of RCMP officers provide a valuable service and carry out their duties to the highest ethical standard, a few high profile incidents in the territory have tested the confidence that some members of the public have in the RCMP.

In an effort to maintain the trust and confidence of Yukon citizens, the government, along with the RCMP M Division, will launch a review of Yukon's police force. The review recognizes that the unique nature of policing in the Yukon calls for a strong relationship between members of the RCMP and all Yukon citizens, including First Nations, municipal leaders, teachers, health care workers and others in our Yukon communities.

The review seeks to assist M Division in implementing in Yukon the force's national commitment to transformation. The review is to be co-chaired by the RCMP's commanding officer of M Division and the Deputy Minister of Yukon's Department of Justice. The review will be done in consultation with an advisory committee comprised of one representative from each of the following groups: First Nations, municipalities, women's groups, RCMP, Women's Directorate, Department of Community Services, Department of Health and Social Services and the Department of Justice.

The review of Yukon's police force will have the following priorities: it must consider measures and make recommendations to better ensure that Yukon's police force is responsible, responsive and accountable to the needs of Yukon citizens. This process will review how public complaints relating to the RCMP in Yukon are currently dealt with and make recommendations on any required improvements. This work will determine the skills that Yukon officers require in order to provide policing services in Yukon communities and make recommendations to enhance training, including the potential for Yukon-based training.

It will review the services provided by the RCMP to citizens who are in vulnerable positions, including victims of domestic violence and sexual assault, as well as individuals who are arrested and detained in custody. It will identify and build upon successes and best practices in the delivery of policing services to Yukon.

This process will review and make recommendations on how best to implement in Yukon the existing RCMP policy on external investigations and reviews. This work will have the co-chairs, through community and targeted consultations, produce a written report submitted to Yukon's Minister of Justice by no later than September 15, 2010.

In conclusion, this is the season for change at both the national and jurisdictional level. Yukon and the RCMP are committed to work in partnership to ensure that Yukoners' expectations of their police service continue to be met. This review this motion calls for will help us achieve that goal.

**Mr. Inverarity:** I'd like to open this debate this afternoon by first of all thanking the minister for bringing forward the motion today. I realize they're using up their private member's day to debate this in the House today and so I recognize the importance of bringing this particular motion forward.

I would have preferred to have a little bit more than two hours' notice to prepare for this today and it would have been nice to have even a courtesy mention in the House yesterday that it would be coming forward so I had a little bit more time to prepare an in-depth reply. So I will keep my comments rela-

tively brief. I know in the spirit of cooperation in the House that if this happens again, the government side will certainly give us a fair notice of bringing forward motions of this nature that are quite serious.

Having said that, Mr. Speaker, I'd just like to make a comment here, or quote what Commissioner Elliott said. "There's truth in the adage that justice delayed is justice denied." I think that it's important that when we look through this motion that we keep that comment paramount in our thoughts. Certainly, as the committee goes forward, we have to recognize that we do need to have justice in a timely manner. Timeliness in terms of justice must always be in the forefront of what we do.

I'd like to say that I have nothing but the greatest respect for the RCMP. I have worked with them over a number of years on a number of instances and have found them to be highly professional in how they conduct business. My first — I wouldn't say "encounter" with them — goes back to when I was actually a civilian guard here in M Division, back in the mid-1970s when I first moved to Yukon, and I was doing a little bit of extra work after my day job. I came to learn a lot from the RCMP and how they conduct business in the community. Whitehorse, in those days, was a rough and tumble town, shall we say? There were really no drinking laws.

You could actually drink and drive in the territory in those days. We've come a long way and I know the police even then had difficulty trying to administer the laws of the day and they had my greatest respect then, as they do now. I also remember an instance in the mid-1990s where they assisted me with some issues around my business where my computers were being hacked, and they came and they had a special squad that was able to look into it and to help analyze the data. It was one of the first times in Canada that the RCMP actually had an opportunity to do this kind of investigation.

I was met with significant professionalism on the part of the RCMP. I say this with all honesty and integrity that I believe they are the finest police force in the world — and I have come in contact with a number from different police forces around the world.

In speaking to the motion itself — it is a lengthy one, I have to agree, and I think for the most part — as we were through the infomercial at the beginning — that the content that the minister explained has been fairly clear and concise. I'm not going to go into a line-by-line overview of the particular motion. I don't think it is that important. I think in general we're in agreement with this particular motion today.

I have a couple of concerns I will bring up. One of them is the list of individuals, or community groups, I guess, that we have. There are eight or nine here that are listed. I'm not sure but, in just looking through it, I could think of at least one other society in town that might be added to the list and, perhaps when they get down to actually constituting it, perhaps the John Howard Society and the sister society to that could be included. I think they have a role to play in how people in prison deal with the police forces, be they the RCMP or even the justice system here.

It would be interesting that they be included in this particular motion. I'm sure there may be others — okay — that I've missed and, had I had an opportunity to research just a little bit more, probably could have come up with a couple of others that may be of some use.

I think the RCMP currently provides police services throughout the country. The RCMP provides services to provinces, territories, municipalities and First Nation communities, and they do this largely on a contract basis. I can't remember the budget number this year, but it's in the neighbourhood of \$15 million or \$16 million, so it's a significant part of the budget.

The Commission for Public Complaints Against the RCMP, which was established in 1988, is an independent civil body that investigates public complaints regarding the conduct of the RCMP members. While the commission has the authority to hold public hearings and undertake its own investigations of complaints, the commission does not have the authority to review the RCMP's duties and functions. Furthermore, the RCMP is not obliged to follow the recommendations made by the commission's chair or the recommendations made by public-interest hearing panels. I'm not sure what role they will have in regard to this particular motion, or the outcomes from that.

Controversies in many Canadian jurisdictions over the past years involved members of the RCMP, such as the death of Robert Dziekanski at the Vancouver International Airport on October 14, 2007. This had a devastating impact on the trust in the RCMP, and the RCMP's handling of this incident only exacerbated the problem. It was clear that the RCMP needed to look and come up with suggestions or ideas on how to improve themselves, and I think that they're moving in that direction.

During the federal budget speech on Thursday, March 4, 2010, the Conservative government provided \$8 million for the creation of a new oversight system for the RCMP. The government has not released details yet, but the implications include replacing or expanding the existing Commission for Public Complaints Against the RCMP. Maher Arar, one of the staunchest RCMP critics, says that the new entity must have power of subpoena over the RCMP members if it is to be effective.

Canada's national police force is under increasing pressure to "clean house" so to speak and restore public confidence. Recent scandals and public embarrassment have tarnished the RCMP's excellent reputation. Public respect for law enforcement in the Yukon has also declined.

More recently, too, Yukon RCMP officers were in court defending themselves and, while both officers were ultimately cleared of charges, Yukoners were exposed to a detailed public drama around a three-way encounter involving two RCMP officers and a married woman.

In the aftermath of that trial, the Yukon representative for the Status of Women's Council questioned the RCMP's commitment to serve and to protect. "The trust that was broken a year ago," and I'm quoting her at this point, Mr. Speaker, "The trust that was broken a year ago when the charges were laid has not been re-established with the RCMP..." The spokesperson



said, after sitting through parts of the trial, “Whatever version you believe in that trial, I don’t believe the police served and protected that woman.”

So it is important that we restore public trust. William Elliot again, the commissioner of the RCMP, said in an interview on April 2, “He regrets that it took him almost three years on the job to enact his belief that law enforcement agencies like his must be more open and accessible.”

I believe, Mr. Speaker, this motion is a first step in that direction to make them more accountable and more accessible and I can see only good things coming out of this particular motion. If I have one regret with regard to the motion, Mr. Chair, it’s that I think the timeline is too short.

We’ve seen this before in the House where the government picks dates and they try to achieve that. It is good, on the one hand, that it looks like it is a fairly short one, but the reality is that with eight or 10 different agencies, the RCMP and the Government of Yukon, that to be able to come back with a fully completed report with recommendations by September 15 of this year might be an unrealistic goal.

Would it not be better, rather than try to rush to a deadline, to have a goal that is more reasonable or more able to be met? Those are the two things that jumped out in my mind as I read through this motion, and I think they could use some improvement. Again, I think we need to make sure that if we are going to include all of these groups that we look also to some of the others that may be involved in the justice system and may want to have some public input.

I noticed that in item (5) here, where they refer to “the co-chairs, through community and targeted consultations...”. We had this debate a little earlier today and over the last week: “community” versus “targeted”. Clearly these individuals are “targeted” groups that they are looking at. I think it’s important that it does go out to the communities so that individuals who need to vent their frustrations or their anxieties over what they fear might be just causes against the RCMP have an opportunity to come forward and make suggestions on this part.

So that brings up the question again of whether there is a timely manner to herd all of these groups together and still get out so that they can all participate in public consultations. I know the committees that I sat on, specifically the Select Committee on Human Rights and, in part, the anti-smoking legislation, were two committees that certainly I felt rushed on. The human rights one — we did a good job, I think. But could we have used more time? We were under a deadline to have something tabled by the 10<sup>th</sup> day of the following sitting, and I think we all experienced some frustration toward the end in order to achieve that particular goal.

In closing, I would like to say again that I think that, overall, I am proud that the RCMP do as good a job as they can. Can they have improvement? I think we all acknowledge that we can all use improvement. They have my support now, and they’ll have my support in the future. I think that this motion should be carried forward.

**Mr. Cardiff:** I view this motion that the minister has brought forward as a positive step at a time when it is most

needed. This is a big issue. The minister was talking earlier during Question Period today about creating a safer Yukon. It’s a difficult job that the police in this territory have, but that being said, it’s difficult for a number of reasons.

I’d like to speak a little bit about the motion and how important are some aspects of it. I believe that it is important that the police force is responsible, that it is responsive, and that it is accountable to the needs of Yukon citizens. It doesn’t always do that, so that’s an important piece of this. That’s an important priority.

Determining the skills that Yukon officers require in order to provide policing services in Yukon communities — policing in communities is different, I believe, than policing in large cities. You’re much closer and interacting closer with the citizens of those communities than you are in a larger centre. I think that it is very important to review the services that are provided by the RCMP to citizens who are in vulnerable positions.

The motion talks about including victims of domestic violence. We have the *Victims of Crime Act* before us in the Legislature. Victims of sexual assault — I said the other day in my opening remarks about the victims of crime bill that they’re not only victims; they’re survivors and it’s something that they have to live with. We’ve learned this through some of the stories we’ve heard about the residential schools and about women who have been sexually assaulted. You’re a survivor. It’s something that stays with you for the rest of your life.

It says one of the priorities is identifying and building upon the successes and best practices in the delivery of policing services to Yukoners. I’d like to suggest that the minister — and I don’t have an amendment prepared — that they also learn from the mistakes that have been made. My colleague from Porter Creek South talked about some of those incidents that have happened across Canada and here in the Yukon that have been mistakes. They are mistakes that we can learn from and that we need to learn from. We need to find a better way of delivering those services.

I would like to thank the minister. As I said earlier, I view this as a positive step. Although I haven’t received a letter or a response to the letter that I wrote her on March 30, I view this as part of a positive step to address some of the issues that I raised. Some of the challenges — I believe there was a policing report done in 2006 of all policing in northern territories and it identified maintaining public safety and security and engaging in the healthy life of the community as key responsibilities. The report also stated that these were often seen by communities and individuals as needing attention. So that is a signal right there — maintaining that public safety and security and engaging in the healthy life of the community. It also said that the RCMP faces a legacy of distrust and misunderstanding and that is for a number of reasons. That’s over years and years.

We’ve seen in the newspaper recently once again what’s happened to individuals in our community who have been in custody, how they’ve been treated, and quite frankly, it’s shocking. We need to do better; we can do better. I know that the Member for McIntyre-Takhini, when he was sitting here just to my left, this was a big issue for him. It’s a big issue for

me, it's a big issue for Yukoners and it's a big issue for First Nation people.

Individual police officers — police officers in our community are respected — they should be respected. But at the same time, just like politicians here in this Legislative Assembly, they need to be held to a higher standard. “Effective policing in small northern communities ...” — I'm quoting from my letter to the minister now: “Effective policing in our small northern communities means ethical behaviour, both on and off duty.”

How we behave here in the Legislature — when we go home, we need to behave ethically and responsibly as well. When we go to the grocery store we need to behave ethically and responsibly as well, and so do police officers. They need to set a good example, just as we as leaders and politicians need to set a good example.

In the letter I wrote to the minister, I suggested to the minister that it's time to communicate with the RCMP and the public where the government stands on the moral and ethical expectations it has for our police force. I hope that is something the minister takes to heart when conducting this police review. I also said in the closing paragraph — and these are the questions that I want this review to answer, and I look forward to the minister forwarding me a response to this letter in the near future. I view this as a positive step, but I'm still looking forward to a response. The closing paragraph of my letter stated, “Women need to feel safe when reporting sexual assault to the RCMP. When will you as Minister of Justice be coming forward with solutions for repairing and restoring the trust that has been broken between Yukon citizens and their police force?”

Like I say, I view the motion and the creation of a review as a positive step in addressing this issue and hopefully in addressing other important issues such as in-custody deaths. I would like the minister to know — and I was told that I was able to convey this information — that since March, there has been an ad hoc coalition of women and women's groups meeting. They have been discussing the behaviour of the two RCMP officers in Watson Lake and they are seeking standing at the disciplinary hearing. I hope that the minister will support that. They need this minister to stand up for them and with them so that their voices are heard. They have not just been discussing that though. They have been discussing police behaviour in general. They have been discussing the appropriate or inappropriate use of tasers, on-duty and off-duty conduct and the use or abuse of their power and authority.

This is important that women's voices are heard on this matter. I hope the minister will be receptive to these groups and their participation in this review and receptive to their requests on how the advisory committee and the commission, or committee, that's doing the review conduct themselves and conduct their business.

I tabled earlier in the Legislature a motion which, unfortunately, I don't have a copy of, but it encouraged the minister to expand the group, the advisory committee. I view the advisory committee — it's comprised of one representative from each of the following: Yukon First Nations, Yukon municipalities, Yukon women's groups, the RCMP, the Women's Directorate,

Community Services, Health and Social Services and the Department of Justice.

So we have the Deputy Minister of Justice plus one representative from the Department of Justice. We have the commanding officer of the RCMP plus one representative from the RCMP. We have three more government departments. I suspect that Yukon municipalities will be — that's a level of government and, to me, this advisory committee is very, very government-heavy. There's over-representation of the government.

The problem with this is that a lot of the people who are going to be sitting around in that room reviewing how policing in our communities is done are going to be lawyers. I've nothing against lawyers, but we're talking about our communities and how policing is delivered in our communities.

*Amendment proposed*

**Mr. Cardiff:** Therefore, I would like to propose the following, what I consider to be a friendly amendment, and I would encourage the minister to expand on this. I struggled with this, because I would have liked to have — I'll read the amendment and then I'll go into that. I know I'm going on when I should just be reading the amendment.

I move

THAT Motion No. 1033 be amended by adding under item number (3) the following:

“(i) Yukon aboriginal women's groups,

(j) Yukon youth groups,

(k) Non-government organizations representing clientele with direct experience of the police force;”

**Speaker:** The proposed amendment by the Member for Mount Lorne is in order, and it reads as follows:

THAT Motion No. 1033 be amended by adding under item number 3 the following:

“(i) Yukon aboriginal women's groups,

(j) Yukon youth groups,

(k) Non-government organizations representing clientele with direct experience of the police force;”

Member for Mount Lorne, you have seven minutes left, please.

**Mr. Cardiff:** I believe that this is important and even my colleagues in the Official Opposition mentioned earlier today some groups that should be included in this advisory committee. I can tell you from my discussions with the women who have been meeting with some of their representatives that they're encouraged by this policing review as well. However, as I stated earlier, it's very government-heavy. The bureaucracy is engaged. The thing about that is that government has the funds and they have the resources to participate in something like this, to get really engaged in it. We can dedicate a person from government — we can second them into a position; they get a salary; they've got the resources; they can go back to the office; they've got the research staff. Women's groups don't necessarily have that.

They are trying to do something with the funding they have already without trying to do this off the side of their desk. In order to do it justice, to do the job justice basically, to do a

good job, not only do they need to be included. What I have understood, from what I've heard, is that they would like to have a representative from groups like the women's shelter or the Yukon Status of Women Council — that they get together and find a person who would sit on that advisory committee. It has also been requested from the Yukon Aboriginal Women's Council and the Whitehorse Aboriginal Women's Circle that they be able to put forward — I think that there is some merit in that. If you look at our society and the members of society who are most engaged with the justice system, if you look at the correctional facility that the minister spoke about, First Nations are over-represented in that facility. Maybe we need to expand on this even more but I didn't want try to bring forward an amendment that was too overwhelming for the government. I wanted to do something that was doable, that was achievable, that the minister could buy into. Maybe, through that, we could move forward to a better place where the minister might even be able to think about expanding this advisory committee more.

Yukon youth groups — I think it's very important that young people have a say. They interact with the RCMP and with the police force, and we need to make sure that that's a positive relationship. I believe that they need to have representation as well.

This is where I struggled. "Non-government organizations representing clientele with direct experience of the police force." That is one representative of non-government organizations. There are many non-government organizations out there that have clientele, and I could have said, "each non-government organization representing clientele ...", but the list would be long. I can think of lots.

I can think of Blood Ties; I can think of FASSY; I can think of the Anti-Poverty Coalition, the John Howard Society, the Elizabeth Fry Society — many non-government organizations — Second Opinion Society. A lot of their clientele have interactions with the police force. They have views on how to improve policing in our community. So that said, I didn't go that route, because I didn't want the minister to feel that the advisory committee was going to become too large, but I would like her to consider discussions with those groups to ensure that the opinions and the views of those groups are heard and they are able to participate with this review.

The final thing that I'd like to say — and I realize that unfortunately my time is coming to an end here — is that the government — and I didn't put this in the amendment either because I know how controversial this can be and I don't want this to be a hurdle that the government can't overcome. But, as I said earlier, the government has the resources; the government has the ability to participate.

Some of these other groups that are very important to this process don't have those funds. What I would do is I would encourage the government to provide adequate funding — and I don't want to see a little bit of an honorarium. These groups need money so that they can talk to lawyers, so that they can hire researchers, so that they can adequately participate over the short time frame of this review.

What I am asking the government to do, when the minister gets on her feet to respond to this, is to commit to funding these

groups — to provide adequate funding — so that they can participate equally and fully as they should in this process. Women have a right to be treated equally. All of these people have a right to be treated equally in this process. The government has the resources and those groups don't. So in order to be treated equally, I would like the minister to respond by saying that she will provide funding for their participation in this process.

Thank you, Mr. Speaker, for the time today.

**Hon. Ms. Horne:** As the original motion conveys, there will be community consultations plus targeted consultation. All Yukoners who want to be heard will be heard. Individuals who want to be heard will be heard in an environment based on confidentiality. This is one of the reasons we want to ensure that that confidentiality is kept by having control of the advisory committee.

The confidentiality — as the member opposite who last spoke has stated, we want to ensure that as well.

The advisory committee is structured to maintain that confidentiality so when they do speak their mind, their input is relevant and will be heard. All the groups mentioned will be contacted. Otherwise the list would get too large; we would have seniors, immigrants, Chamber of Commerce, people with disabilities, victims of crime, the French — all sitting on the committee. They will all be included. All Yukoners will be heard.

This is a matter that is very, very important to Yukoners and I also take it very seriously. I trust this review will help to rebuild the trust of our Yukon citizens.

As the minister responsible for the Women's Directorate and the women in the Yukon, I have a very close working relationship with all these groups. I will ensure that they are heard. We will hear their voices. You've heard me say many times that women have to be held in the highest regard and listened to.

I do believe the concerns raised by both parties are already encompassed in this motion, so I do not support this amendment. We will be listening to every Yukoner.

**Mr. Inverarity:** I'm a little disappointed, I have to say, in the position that the government is taking on this amendment. I brought it up in my opening remarks here this afternoon when I thought that other groups should be considered. We mentioned the John Howard Society — certainly the Elizabeth Fry Society, youth groups. I think that this amendment stands by itself as a friendly amendment. It should be accepted by the government. I think the member, my colleague from Mount Lorne, has indicated that, rather than extending it to a great length by saying each non-government agency, he has limited it to one from the group. So I feel that the motion itself is a good motion.

I do have one other additional comment and perhaps in the closing remark it might be addressed by the minister, and that was the issue of confidentiality. I briefly read through — and again I haven't had an opportunity with the short notice to go into it in depth, but the minister brought forward the issue of

having confidential meetings or hearings and it isn't specifically mentioned. It said that there would be community and targeted consultations.

I can see a need for confidentiality in certain circumstances; it was sort of out of the blue and I'm not sure if I'm going to get another opportunity to speak this afternoon after this amendment, so I'd like to bring it up just now because it is somewhat related to these groups that are in the amendment to the motion.

What is the purpose behind the confidentiality? How does the minister expect that to work? Why wasn't it mentioned in the motion that there would also be confidential hearings or meetings? Certainly, I think that is important to try to identify. I can see the purpose and the need for it; I'm just not sure how it is going to work with community hearings and whether there will be — I'm thinking of confessional-type things where people are going to go into a closed room with at least 10 or 12 people in them to bare their soul to some degree. I think we deserve some clarification here, Mr. Speaker.

On that note, I am just going to say that I feel that we on this side of the House will support this amendment. I will look forward to seeing these additional groups. I think it's important to include them, the ones that have been mentioned.

**Mr. McRobb:** I'll be brief. In looking over the proposed amendment, I had just assumed it would be something the government could live with and approve of. I am rather shocked to discover the government will be voting against this amendment although, given the Yukon Party's past practice in treating amendments from the opposition benches, it is entirely consistent. I should have known better than to assume this government would try to improve a motion on the floor, based on input from members on this side of the House.

In making my incorrect assessment that the amendment would be approved, I went to the level of even preparing an amendment to an amendment, which is no longer appropriate, but what struck me in reviewing the list of identified groups who would be consulted was the omission of community justice committees. I think that is a glaring omission that cannot be tolerated. For any members who are familiar with the critical work of community justice committees, their work is obviously connected in a strong way to this whole matter.

These committees are comprised of community individuals of various backgrounds that include involvement in some of the other groups identified. These CJs — as they're known — include youth; include nurses; include members of the RCMP; include elected councillors from municipal governments; include First Nation representatives; include other members who are deemed worthy of participating and serving these important committees within their communities. Perhaps not every member has sat in on CJC meetings and they're unaware of the important work done by the members on these committees.

So I believe the motion needs improving, and I will be bringing forward another motion — not an amendment to an amendment because it's clear the government side will defeat this particular amendment we're on now. But I'll be standing up a little later and introducing another amendment to include

community justice committees into the groups consulted with in preparing the substance of this motion. Thank you.

**Hon. Ms. Taylor:** I'll be very oh so brief because I believe we want to take this to a vote. I appreciate what the Member for Kluane is saying, but I think there is a big disconnect happening here across the floor and I think — correct me if I'm wrong, but the Member for Kluane has made reference to a lack of consultation by respective groups — that by not mentioning community justice groups, by not mentioning municipal leaders, and the list goes on — that they will not, in fact, be consulted.

I just wanted to put on the record that that is in fact not the case. I think, as the Minister of Justice has already alluded to, that any and all groups in the territory and likewise, any and all Yukon citizens, will also be consulted, and that there will be a high degree of confidentiality associated with the consultation as well, when and if required. Of course, that is pending the wishes and the good will of those involved. I just wanted to put that on the record.

I also respect the wishes of the Member for Mount Lorne and we on this side of the House also appreciate the intent of the amendment to the motion. But I think, as has already been articulated by our Minister of Justice, much thought has been put into the membership of the advisory committee, as outlined within the motion before us. I think that we do have to take note of the number of groups that are going to be represented on the committee itself. But, again, for the record, any and all community organizations, governments, and individual citizens from across the territory will be consulted in a timely manner.

Again, I think it is very important to put that on the public record, because there are other members who, I believe, would like to speak to the main motion. We, too, would like to see that happen, but I think at the end of the day we would also like to see conclusion to the main motion at hand. This is a very timely, very important issue, and we want to see a timely conclusion. Thank you.

**Speaker:** Are you prepared for the question on the amendment?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Order please. Mr. Clerk, please poll the House.

**Hon. Mr. Fentie:** Disagree.

**Hon. Ms. Taylor:** Disagree.

**Hon. Mr. Hart:** Disagree.

**Hon. Mr. Rouble:** Disagree.

**Hon. Mr. Lang:** Disagree.

**Hon. Ms. Horne:** Disagree.

**Hon. Mr. Edzerza:** Disagree.

**Mr. Nordick:** Disagree.

**Mr. Mitchell:** Agree.

**Mr. McRobb:** Agree.

**Mr. Elias:** Agree.

**Mr. Inverarity:** Agree.

**Mr. Cardiff:** Agree.

**Clerk:** Mr. Speaker, the results are five yea, eight nay.

**Speaker:** The nays have it. I declare the amendment defeated.

*Amendment to Motion No. 1033 negatived*

**Speaker:** Is there any debate on the main motion?

**Hon. Mr. Edzerza:** I am going to make my comments brief today; however, I would like to start by thanking the Minister of Justice for bringing this motion forward. I would also like to commend the M Division of the RCMP in the Yukon for stepping up to the plate and being a willing and active partner in conducting a review of police services in the Yukon. Kudos to them.

One can get caught up in a system where services provided to citizens on a daily routine can be taken for granted. Our traditional belief is one only realizes or appreciates what they have when it is gone. Try to imagine what it would be like to live in the Yukon, or Canada for that matter, with no one organization to enforce laws that protect the property and safety of the average citizen. Try to visualize what it would be like to have no protection from those who rule by violence.

I can say quite honestly that I believe the RCMP is probably one of the most valuable organizations that we have in Canada. Without them I think it would be a country that would have basically no law whatsoever. Having said that, I do support this motion.

Again, I thank the M Division sincerely for being a willing partner and being involved in this review. Thank you.

**Mr. McRobb:** Mr. Speaker, you know, it was mentioned earlier today, near the outset of the comments provided by the Member for Porter Creek South, that there was very much a lack of notice provided in informing all members of this House that this motion would be called today. I just want to say a few words about that and then I'm going to do as I've already pointed out — I'm going to introduce an amendment.

On the procedural matter, there is nothing in the Standing Orders preventing the Government House Leader from identifying a government motion to be called on private members' day. It is required in this House for the Government House Leader to identify one full day in advance a private member's motion to be called forward on the next day, a Wednesday. So today we have a unique situation where the government yesterday announced it would not be calling a private member's motion forward for debate.

There was nothing else said — period. What I'm getting at is there is nothing in the rules prohibiting the Government House Leader from, at that point, changing the period into a comma and saying something to the effect "and instead, we will be calling government Motion No. 1033, standing in the name of the Minister of Justice." That's what proper notice is all about, Mr. Speaker. This should not be about one-upmanship — trying to catch the others by surprise. If the gov-

ernment truly wanted an informed debate this afternoon, it would have identified this motion yesterday, but instead, we were caught by surprise. In our busy schedules, I'm sure our Justice critic probably had less than an hour to read this motion, do research and formulate some comments. Is that sufficient? Is that how the government side treats the importance of this whole matter — allowing the opposition only one hour to prepare for debate? Mr. Speaker, that is shameful.

I will be participating in the committee on legislative reform and I think this would be a no-brainer for a rule change to improve decorum in this House and make us be more productive in terms of the public interest.

Now on to the second matter — the amendment — and I will introduce this now and read it into the record first.

*Amendment proposed*

**Mr. McRobb:** I move

THAT Motion No. 1033 be amended by adding the following paragraph to section 3:

"(i) Community Justice Committees".

**Speaker:** The amendment to Motion No. 1033 is in order, and it reads as follows:

THAT Motion No. 1033 be amended by adding the following paragraph to section 3:

"(i) Community Justice Committees".

Member for Kluane, you have 16:25 minutes left.

**Mr. McRobb:** Thank you, Mr. Speaker. Well, I've already alluded to the good work done by these justice committees, basically who the members of these committees are and the important work done by these committees that really is considered into our justice system. Mr. Speaker, as mentioned before, I have sat in previous meetings and have been very impressed by the level of commitment from members who sit on these CJsCs. If anyone in here underestimates the level of commitment from these members on the community justice committees, then I strongly suggest it's high time those members attend some of these meetings so they can see for themselves what occurs there.

These committees, Mr. Speaker, should be near the top of the list when it comes to considering changes to anything related to justice, including policing in the territory. People sitting on these committees have the experience, knowledge and are quite often at the front line in terms of justice and policing in the territory.

There was some off-mic commentary during the last waiting period for the bells, and I heard members across the way say that the identified groups are only part of the oversight committee. So I then reviewed the language of the motion, the preamble, and the text of the first three parts and have determined there is no reference whatsoever to this oversight committee. All there is, Mr. Speaker, is reference to an advisory committee. That is a completely different vehicle.

So there is no oversight committee. If that's what the government thinks it is, then it didn't get translated from thought to paper in the wording of this motion. So that is news to us over

here — if there is an oversight committee even involved in the subject of this whole motion.

Now, in terms of how the motion is worded, it spells out that there will be a representative from each of those groups, and that is fine. I strongly believe that a representative from community justice committees should be part of that advisory committee. In fact, Mr. Speaker, to get down to a fine point of detail, there is even a member I have in mind, as I speak, who is very dedicated and experienced and knowledgeable about justice circles and communities and the integration of the public with the policing authority and government, who would be an excellent selection to serve on this advisory committee. I am certainly prepared to forward that name, should the government be interested, after this motion debate.

Just to wrap things up, it's very disappointing the government side voted down the previous amendment. I certainly hope members across the way have seen the light and will vote according to their consciences and support this amendment to the motion.

**Hon. Ms. Horne:** It is truly unfortunate that the member opposite is publicizing this significant motion that we put forward on the floor. We seem to have lost the relevance of this motion. We have the cooperation of the commanding officer of M Division, RCMP Yukon, the top officials of the RCMP in Ottawa, Canada. This is setting a precedent for the rest of Canada.

This has not been done before — to have the cooperation of the local RCMP, plus Ottawa, to work together, to go out for public consultation, for the RCMP to listen and to make their officials more receptive to Yukoners.

I would like to thank them for their comments but, as I said earlier, this is already included in the motion. All these groups are in the motion. We are trying to politicize this motion. The motion calls for the review to be set up. More details will be developed in the coming days as the review takes shape.

The review will help us to achieve our goal of improving the police services Yukoners now receive. Yukon and the RCMP are committed, working in partnership, to ensure that Yukoners' expectations of their police service continue to be met. Let's not play politics here. Let's get this passed. I move that we vote on this.

**Mr. Cardiff:** On the amendment to the motion, as with the previous amendment, I can see merit here as well and, as to the minister's comments about publicizing it — if that's what I heard her say — she shouldn't have put out a press release on it.

I think that the public needs to be aware of this. I think it's very important. This, as I said earlier, is a very serious issue.

Now, the inclusion of community justice committees in the guidance of the advisory committee — I don't believe the minister understands the purpose of this amendment or the purpose of the previous amendment. It is to guide. She should read her own motion. It says that the review "is co-chaired by the RCMP's Commanding Officer of 'M' Division and the Deputy Minister of the Department of Justice, who will undertake the

review in consultation with an advisory committee." So the purpose of the advisory committee, Mr. Speaker, is to guide the review and talk about how to conduct the review.

What we see here is a predetermined list that is very focused. It has two representatives from the Department of Justice; it has two representatives from the RCMP. It has one representative from the Women's Directorate, a government department. It has one representative from the Department of Community Services, another government department. It has one representative from the Department of Health and Social Services, another government department. In my mind, it is very over-representative of government.

What we are saying is that the government and the RCMP are going to guide the review of policing in the community of Yukon. The only thing that's trying to be achieved here is community participation in the guidance of how the review is undertaken. I think that, for a government that is open and accountable, they should be more receptive to requests from the public on how this review conducts its business.

The minister seems to think this is humorous or something. I don't find it humorous at all. I think it's very serious. It's what I said right at the beginning — at the outset — of my comments. We need to hear from these groups, and we need these groups to help guide the process — not to just come and give their opinion in the review. I think that that's very important, too, but it's how you design the review.

I'm going to support this amendment, because I believe there's some merit to it, just as I believed there was merit to the previous amendment. It's about including; it's about being inclusive — it's about including people who have a stake in the issue.

I will make one more plea one more time that groups not be forced to participate, to give their input, without having the adequate resources provided to them. These are very serious issues.

I sat in on some of the meetings, on a couple of the meetings, that were done in 2006 in the policing review that was basically undertaken in northern Canada, and people bared their souls about their experiences of dealing with police forces.

So I respect what the minister said about the need for confidentiality, and that if there are people who want to come forward in confidence and speak about their experiences — because it's about — it's not just about the best practices — as it says, "building on successes and best practices" — it's about learning from our mistakes. It's about learning from the mistakes that have been made with regard to in-custody deaths; it's about mistakes that have been made with regard to the conduct of police officers, both in the commission of their duty and when they're off duty as well, as we found out recently.

We've had in-custody deaths in the facility just a few blocks from here. We've had in-custody deaths in police vehicles and this is why the public loses trust, because of the process by which we deal with that and that we don't get to the bottom of these things and that, in a lot of cases, it appears that the public's concerns are brushed off and that justice is not only delayed, but it's denied in some instances. That's why we need

a more public face to guide the review — not a government face.

Nothing against the hard-working civil servants of the Yukon territorial government — they do a great job — but this is about policing in community. It is not just community policing. It is about policing that takes place in our communities. It doesn't matter whether it is in Carcross in the Southern Lakes, Ross River in Pelly-Nisutlin, Teslin, Watson Lake, Dawson, Haines Junction or Burwash. It is about the police and how they interact with the community. That is what I find is important. That is what I'm hearing from people who are talking to me. That is the purpose of this amendment that has been proposed by the Member for Kluane. I think that it is a valid amendment. It is community justice committees that interact at that level with the community on these types of issues. It may not be quite as good an amendment as the previous amendment, but it's still a good amendment. They both have merit.

I will support this amendment and I would encourage the minister — because it doesn't say that it's a steering committee, but it's an advisory committee. It's to advise — that's my understanding — how to undertake the review, and I think that the public deserves an opportunity to guide how the review is undertaken. Thank you.

**Mr. Inverarity:** I'm going to be brief here this afternoon on this amendment. I spoke to the previous one, which is largely the same thing. I have to say that I'm extremely disappointed in the minister saying that we're attempting to politicize this process. I have not heard one person on this side of the House say that they were opposed to this amendment. All we have brought forward here today are good, solid amendments that improve this particular motion, and I think that it's clearly reasonable for the government to look at this and accept it.

Earlier today the Minister of Justice stood up in Question Period and said that she would entertain amendments to motions, to acts, and to basically this. So here we are — we bring in some reasonable amendments to this, and what happens? The government goes through their old standard, "No motion put forward by the opposition will ever be approved in this House, because it's a sign of weakness." Well, it's about time the government starts listening to the people out there, because we're going to continue to do our job over here and certainly hold the government accountable and make sure the acts and regulations —

**Some Hon. Member:** (Inaudible)

#### Point of order

**Speaker:** Minister of Justice, on a point of order.

**Hon. Ms. Horne:** Under Standing Order 19(g) — imputes false or unavowed motives to another member.

**Some Hon. Member:** (Inaudible)

#### Speaker's ruling

**Speaker:** Actually, I don't need any further advice. This is simply a dispute among members. There is no point of order. The Member for Porter Creek South has the floor.

**Mr. Inverarity:** Thank you, Mr. Speaker. I think I have pretty much said what I want to say on this particular amendment. I think it's important for the government to look at these amendments and take them seriously. We're serious about this. This is a serious motion, and I believe that everybody on this side of the House would support the motion as amended. We have all said that we will support it, even unamended, but here's an opportunity for the government to stand up and say, "Look, I think it's a good amendment to the motion. Yes, we'll support it." And yet, what do we get? No.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Fentie:** Disagree.

**Hon. Ms. Taylor:** Disagree.

**Hon. Mr. Hart:** Disagree.

**Hon. Mr. Rouble:** Disagree.

**Hon. Mr. Lang:** Disagree.

**Hon. Ms. Horne:** Disagree.

**Hon. Mr. Edzerza:** Disagree.

**Mr. Nordick:** Disagree.

**Mr. Mitchell:** Agree.

**Mr. McRobb:** Agree.

**Mr. Elias:** Agree.

**Mr. Inverarity:** Agree.

**Mr. Cardiff:** Agree.

**Clerk:** Mr. Speaker, the results are five yea, eight nay.

**Speaker:** I think the nays have it. I declare the amendment defeated.

*Amendment to Motion No. 1033 negatived*

**Speaker:** Is there any further debate on the main motion?

**Mr. Elias:** I would like to thank the Minister of Justice for bringing forward this motion on the floor of the House today and I appreciate the opportunity to make some initial comments. I view this as a motion that's a positive step forward. This is a huge issue within our territory and across our country with regard to the RCMP's accountability to the general public. I do have a concern that we weren't given fair notice to be prepared for this motion debate today however. Many of our colleagues on this side of the House have mentioned that.

I guess I would like to begin by saying that, for any man or woman who goes through the training to be an RCMP member and who chooses to don the RCMP uniform, to make a commitment to serve and protect our country's citizens and who are willing to sacrifice and put themselves in harm's way, they have my admiration and I salute them all for making the deci-

sion to wear that yellow stripe on the side of their uniform pants with pride.

I have had the experience of watching my father, a 32-year veteran of the RCMP who is now retired, and two of my uncles who have served as officers of the Royal Canadian Mounted Police for more than 30 years. Many of my friends and community members have chosen to work with the RCMP, including the late Andrew Tizya, who used to guide the RCMP members to Herschel Island and back.

You know, strength, accountability, governance and public oversight are important. I don't know if it's just a weird coincidence, but the motion number is 1033, and during my ride-alongs in my early career as a student RCMP officer, I learned that in the RCMP's 10-Codes of communication, from what I remember, 10-33 means, "Help, I'm in trouble." I don't know whether that is a strange coincidence, but I just found that really strange — "Ironic," says the Member for Kluane.

This motion has very strong language in it. It addresses the public perception of distrust in the force. Some members of the RCMP, and incidents in our territory have tested the confidence that Yukoners have in our primary police service in enforcing the *Criminal Code*. I understand there is a national commitment, and it's good to see that motions like these are moving forward; however, you know that we have brought up issues in amendments to encourage civilian oversight or representation, which is lacking. We did try to put forward amendments to address those concerns. I think that civilians need to be treated equally when it comes to advisory committees such as this — as the Justice minister has put forward on the floor of the House today.

I also want to thank the M Division leadership for helping this process along, and it's good to see the RCMP be open to a periodical review of their role in our society and the services they provide in accomplishing their mission, goals and objectives.

I'd like to speak a bit about my community of Old Crow. The RCMP detachment in Old Crow was established in 1929, the same year the community itself was established. So we have a long history of the RCMP taking a leadership role in my community. If you look at the resources that a community has in terms of justice, First Nation government, the community members, the nursing station, Parks Canada — a whole vast array of people and organizations — the North Yukon Renewable Resource Council — they all contribute to a healthy community. If you break it down into a pie, the RCMP and the justice system always have had a big piece of that pie. In the 1930s, Old Crow became the departure point for all northern patrols. These patrols included dog-team journeys to Fort McPherson, Northwest Territories and Herschel Island, Yukon, as I mentioned earlier. These patrols remained active into the 1960s. Until then, Old Crow was the only Yukon detachment that still used dogs for its winter patrols.

The RCMP was converting to snowmobiles for its patrols and the other detachments were ordered to get rid of their dogs. In March 1969, the last patrol by dog team was made by Constable Warren Townsend and Special Constable Peter Benjamin. The last patrol took them from Old Crow to Fort McPherson

and Arctic Red River, Northwest Territories, and then back to Old Crow. That patrol took 26 days to complete and covered more than 800 kilometres.

The detachment at Old Crow also played a vital role during the infamous Mad Trapper manhunt. This case was the first in which the RCMP used radio technology and airplanes in their search for a fugitive. Orders and reports from numerous locations, including Old Crow, helped coordinate the massive manhunt that led to the capture and death of Albert Johnson, the Mad Trapper of Rat River.

Today there still remains a detachment at Old Crow, and in 2005, the RCMP in Old Crow recreated a patrol to Herschel Island using modern transportation. Our policing services in remote communities are always appreciated; however, it is recognized that mistakes have been made in delivering the services to community citizens. This motion is a positive step; however, there's always room for improvement at the local level.

You know, that is just a bit of history about my community of Old Crow. I guess I'll close by saying that, in my mind, those people who have in the past and who are now donning the RCMP uniform and making the commitment to serve and protect our country's citizens are to be admired. However, there has been a concern expressed by the general public in terms of the trust and confidence the citizens have in the RCMP. That is being called into question. I look forward to this advisory committee's recommendations. I'll leave it at that, Mr. Speaker. Thank you for the opportunity to speak on the motion.

**Mr. Mitchell:** I'm not going to speak for very long, but there are a few things I'd like to get on the record. First of all, I will thank the Minister of Justice for bringing forward this motion.

I do believe it's a constructive step to conduct a review of policing in Yukon and it's a positive step, from the letter that was tabled here on the 19<sup>th</sup>, that this is being done together with the RCMP and is endorsed by the superintendent, who is the commanding officer of M Division.

Having said that, I would also like to note for the record, as my colleagues have noted, that we are disappointed that the government chose to call this motion on such short notice for the very fact that it is such a very serious issue and it deserves serious consideration, which means time to do research, time to do an analysis to look for ways that it might be improved, such as the amendments that came forward from this side of the House today.

Mr. Speaker, I just want to speak a little bit on a personal level to the issue of the RCMP because, in this letter — and it is quite an extraordinary letter — the commanding officer notes that a few high-profile incidents in the territory have tested the confidence that some members of the public have in the RCMP. That is certainly a sad occurrence.

In the 1970s and the 1980s when I was living in the small community of Atlin, the RCMP officers of the day were usually among my closest friends, and that's often the way it is in a small community when you're on a first-name basis with peo-



ple. We worked together on lots of volunteer activities. Several of them participated in the volunteer fire department, along with many other people. They assisted in fundraising. They were much more than simply police officers; they were integral members of the community. I think that the RCMP were widely and universally respected. I think that they still are, as my colleague from Porter Creek South said. They are generally held in high regard but, as the letter, cosigned by the superintendent of M Division noted, a few high-profile cases in Canada and in Yukon have had a negative impact on the force and on how people perceive the force, whereas the vast majority — 99 percent, whatever the percentage is — of the members are still conducting themselves to the high standards that we've always known and respected.

The Robert Dziekanski incident in Vancouver International Airport, where the video of Mr. Dziekanski being tasered and then dying in the struggle, was certainly one that caused consternation across Canada and within Yukon as well. Here in Yukon there have been a few cases. Certainly the incident that involved two RCMP officers in Watson Lake caused a great deal of concern in the public, and the current inquest into the death of a citizen in police custody in Whitehorse has also affected many people as they hear the testimony in that inquest.

These and other incidents have certainly shaken that faith among many people, including Yukoners. That is a sad fact, but it is a reality. I think it is a very positive thing that this motion has the cooperation of the RCMP within this process which will examine where things have gone wrong and get it back on track.

I would just like to note that, in the 1970s and 1980s when I did live in Atlin, I served for the RCMP as a guard for prisoners in cells. The majority of the times, those prisoners were intoxicated. They were either in the cells because they had become publicly intoxicated, or they created some other disturbance or committed an act for which they were arrested, perhaps because of their inebriated state.

I used to work the night shift from 8:00 p.m. to 8:00 a.m. guarding cells, but I never lost sight of the fact that these prisoners were people. When I was on duty, I understood that it was my responsibility to ensure their safety and well-being. They may have been in a prison cell, but they were still my neighbours.

I just want to say that we should never lose sight of that fact. We should never lose sight of the fact of the humanity of people who may have been arrested but they remain people and our neighbours.

I do support the goals of this motion, but I am disappointed with the government side. I'm disappointed by their complete refusal to entertain friendly amendments from the opposition benches and to try to incorporate amendments that are clearly intended to improve this motion. I haven't heard a single member from this side of the House stand up and criticize the Minister of Justice or the government for bringing this forward.

In fact, I've heard every member from both opposition parties say they support this motion and they support its intent.

I'm very concerned by some of the comments that were made by the Justice minister and the way they were made. The

Justice minister seemed to be quite annoyed by the fact that members from this side of the House would actually suggest an amendment to a motion on the floor, and yet that's our duty; that's our job.

I want to point out for the benefit of this House that when we run for office none of us are elected to be members of government or members of the opposition or members of the Third Party. Every one of us who is in this Chamber today stood for office, asked their friends, neighbours and the people within their riding to show support and confidence in them to represent their issues in this Assembly, and we're each elected to do just that.

We each represent people in a community or in a portion of a community who, when they voted, voted for a person. They may have hoped that person would be in government, but, first and foremost, they voted for someone to represent them, their issues and their concerns in this House.

There is no doubt that it may be frustrating to members on the government side when members in the opposition oppose a motion or vote against a bill, yet we're still doing what we believe our constituents have asked of us. Certainly, when members from this side of the House indicate up front their support for a motion that is in front of this House, the motion is called for debate, not for announcement. The motion is called so that we can have an exchange of ideas. At least let's entertain that exchange of ideas with respect, because the ideas have been presented in a respectful manner in the interest of improving the motion. That is the way that the debate should be conducted. Otherwise, what is the point of bringing it forward at all? Why not just simply announce it in a news release and move on?

As I have said, I am disappointed that the two amendments that came forward, both of which, I believe, came forward in the interests of making sure that it was an inclusive motion, were defeated. Nevertheless, I will vote for this motion because I believe that it has been brought forward in the hopes of improving the situation in Yukon, improving how policing is done in Yukon, and improving how Yukoners, who find themselves caught up in the system, are treated.

**Mr. Fairclough:** I will also be brief in my remarks to this motion. I'd like to thank the Minister of Justice for bringing forward this motion. Right now I guess it's a bit difficult to even talk about some of the issues that have taken place with the RCMP. I sat in on Thursday's inquest into one of my constituents who died in police custody, and I also did so today, and listened to exactly what happened with this individual. We're talking about a motion to put together an advisory committee to address things like making recommendations to better ensure Yukon's police force is responsive and accountable to the needs of Yukon citizens. It has been needed for quite some time — for many years — and I could say right now that what is talked about out there in the public, on the street, in front of the courthouse, is human rights.

Why can't the RCMP, in dealing with matters such as the inquest that's taking place, have full knowledge of human rights in this matter? Not just that, but human dignity? I hope

that this advisory committee makes some pretty strong recommendations to improvements to that.

This has come about because of some issues that have taken place over the past little while — some high-profile cases. The one that is taking place right now as we speak in the courthouse just down the road concerns a constituent of mine who died in police custody. The family, the friends, the First Nations and relatives are all calling for improvements.

I think it's fitting that we have a motion like this come forward to form this advisory committee to report back to us. I'm anxious to look at their findings.

I just wanted to say a couple of things on this. While listening to this court case, I was quite shocked to hear how things are conducted in police cells and police stations where intoxicated people are held. I was amazed to see how the memories even the RCMP members have of events as major as this can be different, or they can't recollect things that are written down and are audiotaped and videotaped. Their recollection is not quite the same. This is really frustrating, I guess, for the general public in trying to get answers to things surrounding deaths while in police custody. I bring it forward because the RCMP are trained to take in details. They can walk into a room, drive down a road, and they are trained to remember details.

In the case of a death like this while in their custody, the details just aren't there. They just aren't there. They can remember the expiry date of their first-aid ticket, but they can't remember some of the details. It is frustrating and people want accountability back to the citizens. For those who are interested in this, they should sit in and listen to some of the witnesses who are coming forward in this court case, because that court building is full. There are a lot of First Nation people there from Carmacks and around the territory. We have dealt with issues on the floor of this Legislature before in regard to the use of tasers, Mr. Speaker. I brought forward an incident where a person was tasered some 21 times. That is what I have been told. Is that the proper way in which to deal with an intoxicated person or people who are out of control? Is there another method that is being used? I know people have read some of the stories about this inquest, which are in the newspapers.

It's pretty hard for anybody to take that a jail guard and police officers would laugh at somebody who is lying in their own puke — and more than just puke — and leave that person in that type of situation for 10 hours plus — or 10 hours is the number that has been used the most so far.

We don't treat one another that way. We don't treat our kids that way. We don't treat our friends that way — or even strangers — when we see that happen. I just find it a bit difficult to know that police officers would laugh at this type of situation. This is what we want to make improvements to, Mr. Speaker. We want to make improvements to how the RCMP and the citizens interact with one another. I urge people to go over and listen to this court case.

There is so much that could be said about it. People have talked about how bad it is, and how bad it has been for years. Even for this particular person who was a friend of mine, and I knew all my life, and grew up with him — he was a decent

person. Whatever situation he found himself in — and ended up in police custody that night — he was never to walk out alive. There is so much frustration there among the family, the First Nations and others. Improvement needs to take place.

I talk about — I don't really want to go into details on this, because anybody can read it and be extremely frustrated with what happened. It's not to say that we don't have good people in place right now, because I know there are. I have friends who are members of the RCMP and have been for 25 years plus. I know a lot of police officers too who are good people.

At times, things do not go well, and this is what we remember the most. I'm glad that this motion came forward and we're able to make improvements. Hopefully we'll make some dramatic improvements for First Nation people. They would like involvement in how to make this a lot better than it is, if they can. The First Nations are one of the advisory committee members pointed out here in the motion. From the testimony today, about 70 to 80 percent of those that are brought in for intoxication are First Nation people. No doubt everyone in this House has heard stories about something similar, I guess, to what is taking place with this particular incident that we're having an inquiry into here in the Yukon.

I thank the Justice minister for bringing this motion forward. Of course we will be supporting it, but we just tried to find ways to make it stronger than what it is and perhaps try to have a good variety of others developing these recommendations to this House. If the minister has time, I urge her to go and sit in and at least listen to part of the inquest that's happening in the courthouse, just meet and talk with people, because that says a lot.

I don't want to go on about it. We're obviously going to be supporting this motion and I look forward to seeing the committee's recommendations. I hope it's given all the support that is needed to bring positive improvements in relations between the RCMP, the general public and all of Yukon citizens.

**Speaker:** If the Minister of Justice speaks, she will close debate. Does any other member wish to be heard?

**Hon. Ms. Horne:** Mr. Speaker, as I said earlier, the concerns that were brought forward by the members opposite have already been encompassed in this motion. We must not lose the relevance of this motion and the results we expect from it.

We have had the full cooperation of the RCMP, from the acting commanding officer in Yukon to the commissioner in Ottawa, and we are indeed committed to working together. This is a precedent-setting review of our policing in the Yukon. More details on the review will be coming forward in the very near future.

We encourage all Yukoners to come forward to have their voices heard; that will help us to achieve our goal, which is improving the police service that Yukoners deserve. We take this issue very seriously and again we encourage all members of this House to let their constituents know to come forward and have their voices heard in a confidential setting.

Thank you, Mr. Speaker. I commend this motion.

**Speaker:** Are you prepared for the question?  
**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Fentie:** Agree.  
**Hon. Ms. Taylor:** Agree.  
**Hon. Mr. Hart:** Agree.  
**Hon. Mr. Rouble:** Agree.  
**Hon. Mr. Lang:** Agree.  
**Hon. Ms. Horne:** Agree.  
**Hon. Mr. Edzerza:** Agree.  
**Mr. Nordick:** Agree.  
**Mr. Mitchell:** Agree.  
**Mr. McRobb:** Agree.  
**Mr. Elias:** Agree.  
**Mr. Fairclough:** Agree.  
**Mr. Inverarity:** Agree.  
**Mr. Cardiff:** Agree.  
**Mr. Cathers:** Agree.

**Clerk:** Mr. Speaker, the results are 15 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion No. 1033 agreed to*

**Hon. Ms. Taylor:** Mr. Speaker, I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

**Speaker:** It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

#### COMMITTEE OF THE WHOLE

**Chair (Mr. Nordick):** Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*. We were in Vote 8, Department of Justice. Do members wish a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 15 minutes.

#### Recess

**Chair:** Order please. Committee of the Whole will now come to order.

#### Bill No. 18 — *Third Appropriation Act, 2009-10* — continued

**Chair:** The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 8, Department of Justice.

#### Department of Justice — *continued*

**Hon. Ms. Horne:** I will do a brief outline of my speaking notes. On the last day, I spoke on the supplementary budget, which will help to orientate our discussion here today. As the House will recall, we had been working on human rights legislation to ensure that Yukoners have adequate protection of human rights within the Yukon. There is an amount of \$66,000 to fund project costs associated with research, analysis, consultation and evaluation. A one-time supplementary increase of \$45,000 was requested for the Board of Adjudication because of complex and costly hearings that were scheduled and the development of policies and procedures for hearing preparation.

There is \$58,000 required to cover operating costs for the Yukon Human Rights Commission due to staff turnover, uncompetitive salary rates and an increased caseload. Our courts and their support are a very important function of the Department of Justice. From time to time, we have to adjust budgets to support the pressures within the court structure.

In this supplementary budget, there is a one-time increase of \$57,000 due to the judges' supplementary pension plan to cover the 2009-10 benefit cost adjustment. There is an increase of \$118,000 required to assist in court operations and fund a 30-day court-ordered psychiatric assessment which began early in the 2010 calendar year. There was \$330,000 that was required to fund the operational costs of the Court Services branch. This funding has been allocated to areas that have experienced historical funding pressures.

Under the heading of Legal Services, there are a number of items for this budget. We have the aboriginal courtworker, Mr. Chair, which is a very important program designed to help persons of aboriginal descent to navigate the court process.

The aboriginal courtworker program will be receiving an additional \$20,000 this fiscal year for the cost of a project entitled, "Training for Yukon Aboriginal Courtworkers: Skill Building, Self-Care and Relationship Mentoring". Again, these costs are 100-percent recoverable from Canada.

In addition to the aboriginal courtworker program, they will be receiving \$15,000 this fiscal year as a contribution for the costs of another project entitled, "Yukon Aboriginal Courtworker Handbook," which they will use in their job as a Yukon aboriginal courtworker. These one-time costs, again, are 100-percent recoverable from Canada.

The access to justice agreement, the legal aid and aboriginal courtworker programming will be receiving \$100,000 in additional funding for program delivery. Again, this is 100-percent recoverable from Canada.

Finally, there is a one-time transfer of \$25,000 that is requested to transfer funds from the Legal Services personnel budget to the Human Resources contract services budget to fund moving expenses for the director of Legal Services.

As members of this House know, we're embarking on a historic expansion of our electrical grid. The expansion, coupled with the normal work of our Yukon Utilities Board, has caused that board to experience a higher volume of work than normal. In order to facilitate this extra work, we have allocated an additional \$45,000 as a one-time increase to fund additional costs of the Yukon Utilities Board in this supplementary budget.

In Community Corrections, parole supervision duties, previously provided in-house by Community Corrections, is currently being provided by Corrections Canada. As a result, the recovery from Corrections Canada will be reduced, along with the Community Corrections personnel budget, by \$40,000. This is a one-time reduction for 2009-10.

A one-time increase of \$30,000 is required for the Whitehorse Correctional Centre to fund and administer medical treatment for hepatitis C at the facility.

A total of \$50,000 is allocated to the Correctional Services program director transfer payment allotment to fund the northern strategy project needs and service gap study. This is a one-time increase for 2009-10.

Under the heading of Policing and Investigation Services, there is a reduction of \$165,000 that is requested for the RCMP territorial policing agreement to reduce one-time funding due to the adjustment to projected clerk reclassification payouts. In addition, monies approved for the avionics upgrades of \$263,000 and a death investigation of \$34,000 are no longer required by the RCMP this fiscal year.

Justice is requesting these funds be reallocated to the 2010-11 fiscal year. The total reduction for the current fiscal year is \$297,000. That represents the highlights of the *Supplementary Estimates No. 2* budget for 2009-10. I will be pleased to provide more detailed comments, as required, during Committee.

**Mr. Elias:** I thank the minister for her thorough opening comments. I would also like to once again thank each and every official in the Department of Justice for their hard work in fulfilling the departmental objectives and helping out with this supplementary budget. I would also like to once again thank the officials who are present on the floor of the House today. Mr. Chair, we are almost halfway through the sitting and we haven't begun to deal with the record billion-dollar budget in the main estimates.

Again, I thank the Minister of Justice for her thorough comments and look forward to the breakdown of these line-by-line items. Those are the only comments I have on the supplementary budget right now.

**Chair:** Is there any further general debate?

Seeing none, we will proceed line by line in Vote 8, Department of Justice.

***On Operation and Maintenance Expenditures***

***On Management Services***

***Management Services in the amount of \$91,000 agreed to***

***On Court Services***

**Mr. Elias:** Could I get a breakdown from the minister, please?

**Hon. Ms. Horne:** Court Services: a one-time increase of \$57,000 is required to fund the judges' supplementary pen-

sion plan to cover the 2009-10 benefit cost adjustment — \$57,000; a one-time increase of \$118,000 is required to assist the court operations and funding a 30-day court-ordered psychiatric assessment that began early in the 2010 calendar year — \$118,000; a one-time increase of \$330,000 is required to fund daily operational costs incurred by the Court Services branch. This funding has been allocated to areas that have experienced historical funding pressures. That is a total of \$505,000.

***Court Services in the amount of \$505,000 agreed to***  
***On Legal Services***

**Mr. Elias:** Can I have a breakdown, please?

**Hon. Ms. Horne:** For the breakdown of Legal Services — the aboriginal courtworker program will be receiving an additional \$20,000 this fiscal year as a contribution for the costs of a project entitled, "Training for Yukon Aboriginal Courtworkers: Skill Building, Self-Care and Relationship Mentoring".

These one-time costs are 100-percent recoverable from Canada — \$20,000. The aboriginal courtworker program will be receiving an additional \$15,000 this fiscal year as a contribution for the costs of a project entitled, "Yukon Aboriginal Courtworker Handbook". These are one-time costs, again, that are 100-percent recoverable from Canada — the amount, \$15,000.

As part of the access to justice agreement, the legal aid and aboriginal courtworker programs will be receiving \$100,000 in additional funding for program delivery. This one-time increase is 100-percent recoverable from Canada — the amount, \$100,000. A one-time transfer of \$25,000 is requested to transfer funds from the Legal Services personnel budget to the Human Resources contract services budget to fund moving expenses for the director of Legal Services, minus \$25,000 — total, \$110,000.

***Legal Services in the amount of \$110,000 agreed to***  
***On Regulatory Services***

***Regulatory Services in the amount of \$45,000 agreed to***  
***On Correctional Services***

**Mr. Elias:** Could I get a breakdown, please?

**Hon. Ms. Horne:** Correctional Services — parole supervision duties previously provided in-house by Community Corrections is currently being provided by Corrections Canada. As a result, the recovery from Corrections Canada will be reduced, along with the Community Corrections personnel budget, by \$40,000. This is a one-time reduction for 2009-10, minus \$40,000; a one-time increase of \$30,000 is required for the Whitehorse Correctional Centre to fund and administer medical treatment for hepatitis C at the facility — \$30,000; a total of \$50,000 is allocated to the correctional services program director transfer payment allotment to fund the northern strategy project needs and service gap study. This is a one-time increase for 2009-10 — again, the amount of \$50,000 — and the total for Correctional Services is \$40,000.

***Correctional Services in the amount of \$40,000 agreed to***  
***On Human Rights***

**Mr. Elias:** Can I get a breakdown from the minister, please?

**Hon. Ms. Horne:** The human rights amount — a one-time supplementary increase of \$45,000 is requested for the Human Rights Board of Adjudication for 2009-10 to fund an increased workload or complaints filed, complex and costly hearings scheduled and the development of policies and procedures for hearing preparation — the amount, \$45,000. A one-time increase of \$58,000 for 2009-10, which is required to cover the annual operating costs for the Yukon Human Rights Commission. This increase is required to address funding challenges due to staff turnover, uncompetitive salary rates, and increased caseload — the amount \$58,000, for a total in human rights of \$103,000.

**Mr. Inverarity:** Just a question on that line item — the \$58,000 increase. Could the minister explain why she feels it's just a one-time fee regarding staffing?

I mean, it sounds to me like competitive rates — if you are going to raise the rates, it would be an ongoing issue and should not necessarily be competitive but should be fixed.

**Hon. Ms. Horne:** As it is stated, this is a one-time increase for last year. It will be adjusted in the mains.

***Human Rights in the amount of \$103,000 agreed to  
On Policing and Investigation Services  
Policing and Investigation Services underexpenditure in  
the amount of \$462,000 cleared***

*On Total of Other O&M Programs  
Total of Other O&M Programs in the amount of nil  
cleared*

***On Total O&M Expenditures  
Total O&M Expenditures in the amount of \$432,000  
agreed to***

***On Capital Expenditures***

***On Correctional Services***

***On Corrections Infrastructure***

**Mr. Elias:** I would like a breakdown from the minister, please.

**Hon. Ms. Horne:** The corrections infrastructure project for \$2,850,000 is construction of a new correctional facility that is proceeding ahead of schedule. As a result, funding allocated to future years is being reprofiled to the current fiscal year.

***Corrections Infrastructure in the amount of \$2,850,000  
agreed to***

***On Total of Other Capital Expenditures  
Total of Other Capital Expenditures in the amount of nil  
cleared***

***Total Capital Expenditures in the amount of \$2,850,000  
agreed to***

***On Revenues***

***Revenues cleared***

***Department of Justice agreed to***

**Chair:** Committee of the Whole will now proceed to Vote 23, Office of the Ombudsman. Do members wish a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 5 minutes.

**Recess Chair:** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*. We will now proceed with Vote 23, Office of the Ombudsman.

### **Office of the Ombudsman**

**Hon. Mr. Staffen:** The Members' Services Board is responsible for the budgets of the Office of the Ombudsman. It is therefore appropriate that I, the chair of the Members' Services Board, should provide information to the House on those appropriations.

This 2009-10 year-end supplementary estimate for Vote 23, Office of the Ombudsman, shows an increase of \$19,000 in operations and maintenance. This is a one-time increase pursuant to the Ombudsman's personnel policy, due to severance paid to an employee who resigned pursuant to the Ombudsman's personnel policy. Thank you.

**Mr. Elias:** I just have one question under this department. It has been on the floor of the House recently about whether or not the Ombudsman's office was actually consulted by the Department of Justice on Bill No. 82, *Civil Forfeiture Act*, that's on the floor of this House.

**Hon. Mr. Staffen:** That's not under the purview of the Members' Services Board. That's a political issue, so I have no response to the honourable member's question.

**Mr. Mitchell:** Just for the record, I'll ask the member where we are at with the annual and most recent request for additional support funding for the Office of the Ombudsman and the Office of the Information and Privacy Commissioner. I know something about this from being on the Members' Services Board, but I'll just ask to put it on the record.

**Hon. Mr. Staffen:** As the honourable member knows, the request came before the Members' Services Board. The collective wish, I think, of the Members' Services Board was to reject additional funding. I think that's where we stand as of today.

**Mr. Mitchell:** I'll be very brief. I thought — and my recollection may be incorrect. We may have gotten this information back already. But was there not a request to study some other jurisdictions in terms of seeing the level of support and the level of full time versus part time for this office?

**Hon. Mr. Staffen:** Yes, we did do the study. It was presented to the Members' Services Board. The conclusion was that all of the other jurisdictions surveyed were also part time. So the conclusion was drawn by the members of the Members' Services Board that there would be no increase in time of term for the Ombudsman.

**Chair:** Any further general debate? Seeing none, we'll proceed line by line in the Office of the Ombudsman.

***On Operation and Maintenance Expenditures***

***On Office of the Ombudsman***

***Office of the Ombudsman in the amount of \$19,000  
agreed to***

***Total Operation and Maintenance Expenditures in the  
amount of \$19,000 agreed to***

***Office of the Ombudsman agreed to***

**Chair:** Committee of the Whole will now proceed with Public Service Commission, which is Vote 10. Do members wish a brief recess?

**Some Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for five minutes.

#### *Recess*

**Chair:** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 10, Public Service Commission.

#### **Public Service Commission**

**Hon. Ms. Taylor:** Thank you for this opportunity to provide a brief update on the Public Service Commission budget for the 2009-10 year. The Public Service Commission's objectives are to make appropriate investments in the public service, to sustain the organization as a desirable place to work, to deliver the best possible programs and services to Yukon people, to provide leadership in human resource planning and initiatives, and to work with departments to support organizational excellence by devolving human resource expertise.

These supplementary estimates ask for one transfer between operation and maintenance and capital, and that is \$26,000 for the Staff Development branch to purchase training equipment, teaching software and renovations. Specifically, these funds will make it possible to replace a dishwasher with a commercial-grade product, as well as to purchase software for teaching students and reviewing work and completing renovations to the computer lab. That concludes my remarks and I look forward to debate.

**Mr. Fairclough:** I'll be brief, too, and congratulations on a new dishwasher, Mr. Chair.

I have just a couple of questions for the minister. There is not much here in the supplementary budget. The minister explained it and also read out the departmental objectives that are in the supplementary budget that has been provided to us. I asked this question during the briefing and I would just like the minister to answer for the record. What is the increase in the number of FTEs for this particular year of the supplementary budget for 2009-10, what could we expect for the present year that we're in, regarding an increase in the number of FTEs, and what is the average increase in numbers?

**Hon. Ms. Taylor:** Mr. Chair, when it comes to full-time equivalents — and I believe that that's what the member opposite is referring to — the last actual report that I have on hand, as provided by the Public Service Commission, is dated for the end of September — September 20, 2009. It shows for that period 3,983 FTEs. That was approximately a 4.7-percent increase over the previous year of 2008. That's the most accurate information we have when it comes to FTEs. There should be another report coming out soon. Perhaps by the time we get into the mains, I'll be able to provide a more accurate reflection of the end of the year.

**Mr. Fairclough:** I asked what the average was for an increase. Would that be close to the same percentage of 4.7?

**Hon. Ms. Taylor:** It has been somewhat the same, although it has varied a bit too. For example, 2005, there was just over a 3-percent increase; 2006, there's a 2.3-percent increase; 2007, there was a 2.4-percent increase; 2008, there was a 3.3-percent increase. So it has been somewhat in that ballpark — less than five percent — anywhere from two percent to four percent.

**Mr. Fairclough:** Can the minister tell us what the status of the teacher arbitration is?

**Hon. Ms. Taylor:** The only information that I have available is that an arbitration has been set for — I believe it's May 17 to 19.

**Mr. Fairclough:** I would like the minister to crunch some numbers here and tell me what it would mean to have a one-percent increase in wages for the government employees.

**Hon. Ms. Taylor:** I'm sorry, I forgot to bring in my calculator. But I don't have that information readily available at my fingertips.

If the member opposite is making reference to collective agreements, as we have done in the past, that is part of the process and making adjustments accordingly.

**Mr. Fairclough:** I'm not referring to that. I just would like to know what it means as far as dollars go, and if the minister can send that information over, we would appreciate it.

**Hon. Ms. Taylor:** That's really difficult to report because when you talk about full-time equivalent, I'm not sure if it's making reference to on-call, casual, to auxiliary, to teachers, teaching positions and so forth — permanent positions. That can really vary from category to category, so it's a very difficult calculation to make on the fly, so to speak.

**Mr. Fairclough:** Okay, I just ask that maybe that information be sent to us.

At one percent across the board — I think that number could be crunched and sent over to us — maybe not today, but another time. I don't have any further questions for the minister.

**Chair:** Any further general debate?

Seeing none, we'll proceed line by line in Vote 10.

#### ***On Operation and Maintenance Expenditures***

##### ***On Staff Development***

***Staff Development underexpenditure in the amount of \$26,000 cleared***

*On Total of Other O&M Programs*

*Total of Other O&M Programs in the amount of nil cleared*

***Total Operation and Maintenance Expenditures underexpenditure in the amount of \$26,000 cleared***

##### ***On Capital Expenditures***

##### ***On Staff Development***

*On Training Facilities*

*Training Facilities in the amount of \$26,000 agreed to*

*On Total of Other Capital Expenditures*

*Total of Other Capital Expenditures in the amount of nil cleared*

***Total Capital Expenditures in the amount of \$26,000 agreed to***

***Public Service Commission agreed to***

**Chair:** Committee of the Whole will now proceed with Vote 54, Department of Tourism and Culture. Do members wish a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for five minutes.

*Recess*

**Chair:** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 54, Department of Tourism and Culture. We'll now proceed with general debate.

**Department of Tourism and Culture**

**Hon. Ms. Taylor:** It's my pleasure to introduce the *Supplementary Estimates No. 2* for the Department of Tourism and Culture for the 2009-10 fiscal year. The department is seeking a total of approximately \$500,000, with the bulk of this associated with the O&M area. As well, we're expecting revenues to be enhanced by \$450,000.

In terms of operation and maintenance expenditures, this budget reflects an increase of \$513,000, of which \$440,000 is recoverable. This was primarily for funding Destination: Yukon, the domestic marketing campaign, and is 100-percent recoverable from the federal government's community adjustment fund.

In the cultural sector, \$73,000 is dedicated toward the first-year allocation from northern strategy, heritage training initiatives, as part of a \$500,000 partnership with Yukon College, Vuntut Gwitchin First Nation and the Yukon First Nation heritage group to develop a heritage training program at Yukon College for First Nation heritage workers and others who are interested in this field. The certificate program will be administered through the First Nation initiatives department of Yukon College, with the assistance of the Yukon First Nation heritage group. The credit courses will be transferable to other institutions of higher learning.

In terms of capital, capital expenditure overall is showing a decrease of \$6,000. A delay in the implementation of several small projects resulted in savings of about \$26,000.

For the Guild Hall rehabilitation project, \$20,000 was expended in the last fiscal year.

In terms of recoveries, I believe I've already gone through that in terms of Destination: Yukon funding, as well as the Guild Hall rehabilitation.

I welcome any comments and any questions from members opposite. Thank you.

**Mr. Inverarity:** First of all, I'd like to thank the officials for coming here this afternoon. As always, it's a pleasure to have them take part of their day to come over and sit with

the minister and assist us with going through the supplementary budget.

I guess I probably would like to have had a little more time to deal with the whole budget in terms of discussion, rather than just a supplement. I know a year ago, when the mains were tabled in the House. We had a mere hour to discuss it on the last day of the sitting in May of last year. We didn't really get an opportunity to get down into the meat of it, and then have a little bit again.

I missed the opportunity again in the fall. I think the Environment department then went off to Copenhagen and it cut into some time there for us to get into some serious discussion about it. Now all the money is sort of spent so — overall, though, I believe that Tourism is a very important department. I think I've stated in the past that I think Tourism is the one development branch that we have that has seen us — most Yukoners — through thick and thin, good times and bad. The numbers are always there. It always tries to do the best it can in maintaining some sort of economic stability in the Yukon. I think that the department itself needs to be recognized for the hard work it does in the otherwise cyclical business that we have in the Yukon in some of the other areas.

I think it was interesting to note this morning — if I heard it correctly on the CBC News that Madame Sheila Fraser mentioned that there should be more long-term development funds given to the north to promote sustainability of our economic base.

I would like to look forward to tourism receiving a significant portion of that and I would encourage the department and the minister, in their deliberations, to look at ways to improve the economic well-being of tourism in the Yukon — tourism operators — maybe looking outside the box in some cases. I know I harp a little bit about the rubber-tire traffic. It has always been there and probably always will be, and we should always count on it and ensure that it gets developed. But maybe there are ways to look at new economic development businesses in the future, or economic development ventures for tourism, that might either bring back the old highway lodges or, if not that, perhaps some other type of new initiative we haven't thought of yet — or maybe some of the departments have.

I think it's important that we don't forget tourism. Out there, as I indicated, it's a mainstay and it's important. I know my early life revolved a lot around moving people — tourism — in a travel business.

I know if it wasn't for people travelling in and out of the Yukon, I certainly wouldn't have had a job here in the early days that I spent here in the 1970s. So I look forward to innovative, creative ways to make tourism what I think should be the number one industry in the Yukon. I'm going to — I only have a few questions. There's not much in the budget. I did ask the Minister of Highways and Public Works earlier about the Whitehorse airport. I was a little concerned when he had indicated that the Jetway bridge was not part of the current expansion and was going to be part of the phase 2 expansion for the airport. I was wondering if the minister had any comments about what kind of impact that will have deplaning a 767, or

whatever, on the ramp and having to move through into the new wing at the Whitehorse airport. If she could also — or if she is aware, because the other minister wasn't aware, when the Jetway might actually get installed.

**Hon. Ms. Taylor:** I would like to thank the member opposite for his recognition of tourism and culture as sustainable industries in our territory. This department is comprised of both cultural services — which encompass arts, culture, heritage — and then we have the Tourism branch, which is equally important. Each of these sectors housed within the Department of Tourism and Culture I believe serve as a model for the rest of the country in terms of being able to work with each other and to be able to complement initiatives delivered by their respective branches.

Tourism and Culture is indeed sustainable industry and it has been a real privilege to be able to serve as the minister for the last several years. I think I have repeated this on the floor of the Legislature time and time again, but I have learned an immense amount of information and how we do market ourselves as a territory, as a destination of choice when it comes to the national as well as international bases.

There's one thing that I can say when it comes to tourism — and I believe that's what the member opposite's words or questions were based on. When it comes to delivery of tourism marketing, everything that we do in tourism, when it comes to marketing Yukon, is industry-led, it is research-based, and it is market-driven.

We've been very fortunate to have a number of individuals throughout the Yukon who hold a great degree of expertise when it comes to providing input and providing strategic direction to the department in terms of developing our programs, implementing our programs, and evaluating our programs. I think that it's because of that partnership over the years that we have been able to ride a lot of storms over the last number of years and there have been a lot of storms and the storms continue, but at the end of the day tourism continues to flourish in the Yukon. We have had to be flexible, and we've had to adapt to challenges facing the Yukon on a number of fronts.

I believe that, again — looking at what we've done, looking at the return on investment, evaluating that return on investment and constantly tweaking all of our marketing programs and coming up with innovative ways to address some of these challenges — we have been able to do relatively well compared to other jurisdictions in the country, as well as worldwide. One of those initiatives is Destination: Yukon and continuing on with our domestic marketing, in partnership with a number of partners when it comes to the travel trade — Air North being one of those partners.

When it comes to providing services and programs, that is where we partner with our tourism partners throughout the Yukon. It has worked well for us. We have seen a steady increase in Canadian visitors to the Yukon, and it has made sense for us to continue to deliver those marketing programs in our gateway cities of Vancouver, Calgary and Edmonton — for one thing, being able to access those gateway cities because of the air access, because of the road access, relatively direct — and

to some degree, we're also doing some marketing in the Greater Toronto area, if I'm not mistaken.

So we have been able to carry on with this expenditure. This was, in part, federal government dollars that we were able to access through the community adjustment fund and in the mains, which we'll get into in further debate when we get to the main estimates. There's a further \$500,000 that is built now into our A-base going on into years out, which is something that I believe industry appreciates and they provided that direction that, when it comes to marketing Yukon, we need to continue our efforts to raise awareness of the Yukon as a destination of choice. This is one market that continues to show considerable promise.

In speaking of air partners, it brings us to the next subject, and that is the airport. The Whitehorse International Airport terminal building — the member opposite knows there's to the tune of about \$16 million in expenditures to improve the facility.

The minister — yesterday, I believe it was — spoke to a couple of phases. Phase 1 was primarily to work to address the security requirements as an international carrier to accommodate not only the Canada Border Services Agency, but also to accommodate those security concerns and new requirements coming out of the United States, because as members know full well — for example, Condor flying directly into the Yukon also carries on direct to the United States into Alaska — whether it be Fairbanks or Anchorage. So there has been a set of requirements — new security requirements associated with that as well.

So it has — and I thank the Department of Highways and Public Works in particular, but also Tourism and Culture has been part of that planning process from the very beginning as well as our air partners such as Condor when it comes to international air access.

I think the improvements are going to be very well-received. I haven't been to the airport lately, but I understand that the improvements are very visual and that they're very functional.

We look forward to the grand opening of the new expansion but, more importantly, we look forward to, again, being able to continue to facilitate those international flights, enabling us to continue as a deliverer of international flights. The passenger bridge — the second passenger bridge, as the minister alluded to — that is comprised in phase 2 of the improvement for the airport. But in terms of whether or not there is going to be any impact as a result of not having that second bridge, no, there will not be any immediate impacts. We have been operating with the one-passenger bridge over the last number of years. Again, we look forward to a second passenger bridge, but for the time being, the phase 1 was really to accommodate — to be able to respond to those immediate requests and concerns — requirements, not even requests, but requirements, surrounding security. So, we look forward to, again, receiving the first flight of Condor. We look forward to, again, being able to facilitate those international flights.

In terms of the numbers — compared to other visitors, there may not be as many individuals coming over by Condor



but those visitors on board Condor are considered very high yield. They do yield a lot of spending revenue in the territory. They spend a considerable amount of time in the territory and that means also spending dollars in our stores, in our campgrounds, buying services and travel product from our operators, and we believe that it has been very successful. We are very pleased to be able to come through with these requirements and we look forward to the opening of the airport terminal building.

**Mr. Inverarity:** I am debating on whether to — I'd like to thank the minister for her comments on the Jetway. I am not sure if I caught the actual time frame for the completion of phase 2 but that's okay. I know it will be coming down the road as the money permits.

I know budgets are tight this year and it is difficult to plan a lot of these things when there are a lot of conflicting good causes for the dollars that are being spent. I think at this point I've talked a bit about the tourism side of the department. The minister talked a little bit about the culture side, and frequently I'd have to say that I'm at fault for not giving the culture side its due recognition. It's not because I'm not interested in culture, it's just I'm really not good at culture myself. I can barely sing on a good day and while I do like to listen to things, my skills and talent in that area are not always evident for sure.

I find that some of the other aspects of the Department of Tourism and Culture are certainly interesting, to say the least. I notice there's some money in the supplementary budget for the Guild Hall and I'm going to ask a couple of questions here along these lines to avoid getting up in a lot of repetition that's going on. Specifically, I believe it was something like \$20,000 for the Guild Hall and there's some more money in the current budget for it. Perhaps the minister, if she has a moment, could just outline what all the funds were for, both the previous in the supplementary budget — was there planning or whatever — and the additional amount that's coming up in the mains that we'll be debating shortly. I'm curious to get it on the record, if nothing else.

When you look at certain aspects of culture, there is an overlap into tourism. If you look at all of the music shows that are held virtually it seems like every weekend somewhere in the Yukon or northern British Columbia — although I understand the Atlin one is maybe not going ahead any more, but the Haines Junction show and the Dawson City Music Festival, which has been around a long time. I believe Farrago — I can remember going to Farrago in the 1970s on the old dirt road up there, the time I was driving my '57 Chevy. It was quite an experience. When I came back in the late 1980s, it had sort of dropped off the horizon for a little bit.

Now I see the department is funding it and funding a number of these sort of community events that are going on. I find that encouraging for two aspects, obviously: the one that brings the tourists, or brings the musicians into the Yukon, and the training that goes on — I believe that we're right in the middle of the Rotary Music Festival, which is geared toward new people. But I also think that the other funds that are spent on the arts centres not only provide recreation activity for Yukon residents but literally create tourists within the Yukon of Yukon citizens.

I was recently in Victoria where they had a program, which was "Be a tourist in your own town," and I thought that was really kind of neat. I thought why not be a tourist in the Yukon, in your own Yukon? I think that these cultural events that go on around the Yukon early in the summer — but certainly all through the winter — and the art show have a real benefit for driving Whitehorse residents to a large part to these other activities and getting the dollars flowing out of the Whitehorse area into the communities.

I know that while they border and on sport, art and recreation, some of the other activities that do that, of course, are the Klondike Road Relay and the Haines Junction to Haines, Alaska bike relay. Attached to that is certainly cultural and certainly social events that go on that bring Yukoners together from all of the communities.

So I think that it's important that we recognize them from an external point of view — certainly, the cultural events draw and I certainly assume from the tourist guides that I've read that, when they're mailed out, people plan their trips around some of these cultural events that happen in the communities. I kind of think that that's well worthwhile, and I see these dovetailing together — both the cultural side of the Tourism and Culture department and the tourism side. I would encourage the department to keep the funding and ensure that these groups continue to develop and grow.

They say that you can tell a lot from a community by the type of culture that it stimulates and by the type of culture that is within the communities, so it's important to do that.

A couple of the other departments — I know, and so, I guess my question at that point was related to, specifically, the Guild Hall, but I understand that there are some issues developing with the new Tombstone Visitor Reception Centre.

So my second question when we get into that would be that there may not be sufficient funding and this may be something for the new budget but it may have been a hold-over from the old one too, that there are some issues around the cultural centre up there and that the O&M costs are missing from the budget, but we can get into that when we get into the mains.

Mr. Chair, I think that I know that the minister is anxious to start to answer some of my questions regarding this.

I move that we report progress.

**Chair:** It has been moved by Mr. Inverarity that we report progress.

*Motion agreed to*

**Hon. Ms. Taylor:** I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Ms. Taylor that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

May the House have a report from the Chair of Committee of the Whole?

**Chair's report**

**Mr. Nordick:** Thank you, Mr. Speaker, Committee of the Whole has considered Bill No. 18, *Third Appropriation Act, 2009-10*, and directed me to report progress.

**Speaker:** You have heard the report from the Chair of Committee of the Whole. Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

**Hon. Ms. Taylor:** Mr. Speaker, I move that the House do now adjourn.

**Speaker:** It has been moved by the Government House Leader that the House do now adjourn.

*Motion agreed to*

**Speaker:** This House now stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:30 p.m.*