

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, March 28, 2011 — 1:00 p.m.**

**Speaker:** I will now call the House to order. At this time, we will proceed with prayers.

*Prayers*

**DAILY ROUTINE**

**Speaker:** We will proceed at this time with the Order Paper. I think it's self-evident to ask all members of the audience to turn their cellphones off.

Tributes.

**TRIBUTES**

**In remembrance of Susan Van Bibber**

**Hon. Mr. Lang:** Before I commence with my tribute, I'd like to introduce the Van Bibber family, Sue's immediate family. Alex Van Bibber, Denise and, of course, her daughter Kathleen, and the rest of her relatives are with us today. If you could join me in welcoming them to the Chamber.

*Applause*

**Hon. Mr. Lang:** Susan Audrey Van Bibber (Chambers) née Dickson was born at Wolverine Creek, near Donjek River on December 25, 1911. Sue was one of 12 children born to Tom and Louise Dickson. Tom came up from the south as a North-west Mounted Police. Louise hiked the Chilkat Pass from Dyea.

Growing up, Sue's family lived largely off the land, where they hunted and trapped along Wolverine Creek and Kluane Lake. Sue often talked of how she and her siblings were responsible for looking after the mink ranch and silver fox farms that the family depended on for part of their livelihood. Hunting and trapping with horses and dog teams were a way of life that gave them all the independence and skills that would help them thrive and become successful entrepreneurs, known for their knowledge of the land and incredible work ethic.

Sue went to school in Dawson City at St. Paul's Hostel from 1927 to 1928, where she received formal training in reading and writing. Sue was called back home. Her parents, Tom and Louise, and her sister Pete went trapping for the winter, leaving Sue to look after her siblings. Sue never returned back to school and, for the most part, she was self-taught. At the age of 18, after working for the Jacquot brothers as a cook at Kluane Lake, she was hired by her future brother-in-law, Shorty Chambers, to cook at the Champagne Landing roadhouse. There she met and soon married her first husband, George Chambers, and had eight children — five boys and three girls. Sue and George managed the roadhouse and store at Champagne until George suddenly died in 1942, just before the Alaska Highway came through.

With George's passing, she was left to manage a large amount of land in Whitehorse, Stony Creek and Champagne. At the same time, she had eight children to care for. As a result, the city, government and lawyers ended up with most of the

land, claiming taxes and debts. This was always a sore spot for Sue and she often talked about this with her children.

Sue reconnected with her childhood friend, Alex Van Bibber, in 1943. Soon they married and had two more daughters and welcomed Alex's son Richard into the fold. She and Alex lived at Champagne throughout their 67-year marriage. Sue and Alex made a good team, having both been raised in the bush in a large family who, even as children, were expected to work as hard as their parents. These skills made them successful big-game outfitters from 1948 to 1968. During the winter, they both ran trap-lines to supplement the seasonal outfitting income and maintain their healthy lifestyles. The southwest Yukon from Wolverine Creek to Kusawa Lake was home to both of them and they knew the land, the trails and the ways of the animals that lived there.

An excellent cook, Sue's cinnamon buns were gone as soon as they came out of the oven. Her moose stew was incredible. Sue was a very skilled woman who sewed moccasins by hand and mended horse equipment on her leather machine. Alex and the grandchildren always had a nice new pair of canvas-top moccasins to keep them warm.

Despite her limited formal education, Sue was a good businesswoman and also received the Commissioner's award. She continued to raise, train and sell horses for the outfitting industry and her own use, long after she got out of the outfitting business.

Sue's pride and joy was her family. She had 46 grandchildren, 73 great-grandchildren and 26 great-great grandchildren and numerous others who adopted her as their mother, grandmother and helpful friend.

An entertaining storyteller, her family, grandchildren and friends could see the world through her eyes as she shared her endless stories about people and places, spanning almost a century. Her wit was unmatched and brought her stories to life. One of these many stories was about the big dances held in the old store at Champagne when people from Aishihik, Hutchi and Champagne would come in at Christmastime to trade their furs. The dances would last for days, with people playing banjo, fiddle and the saxophone. Each community would play host to the others on different nights and dancing would go past midnight.

Sue will be remembered for her wit, stories, leadership, hard work, horsemanship and her many skills in the bush and in her home. When Sue went hunting, she only needed one bullet for her moose, as she was taught never to waste shells or, for that matter, anything.

Sue was the matriarch of her family and is predeceased by her children Roy, Fred, Harold, Hazel, Dorothy, Frank, Ed, Helen and Patt. She is survived by her brother Richard Dickson, husband Alex Van Bibber, daughter Kathleen Van Bibber and stepson Richard Van Bibber. She will be greatly missed by her family and her many grandchildren, nieces, nephews and, of course, her friends.

**Mr. McRobb:** It's an honour to rise on behalf of both opposition parties in tribute of this great matriarch and widely

respected elder, Sue Van Bibber, formerly of Champagne, Yukon.

I'd like to begin by expressing our appreciation to the family for allowing this tribute to come forward today. The previous speaker accounted much of the amazing life history of this well-respected woman. I'll refrain from repetition.

I attended her funeral service on March 5 too, as did several hundred others who paid their respects. During the course of her service, many relatives and friends spoke very highly of this special person who influenced their lives in a positive way. At more than 99 years old, Sue also earned the distinction of being the most elderly constituent in the Kluane riding. Atop her many remarkable achievements, her biggest pride and joy was her family, and what a family it is. This great matriarch had 46 grandchildren, 73 great-grandchildren, and 26 great-great-grandchildren, in addition to several others who adopted her as their mother, grandmother and helpful friend.

Sue was a tremendous role model whose influence and legacy in our territory will live on through each surviving member of her great family. Mahsi' cho. Günilshish. Thank you, Mr. Speaker.

**Mr. Cathers:** I would like to rise very briefly and express my sincere sympathies to Alex and the rest of Sue Van Bibber's family.

#### In remembrance of Lyal Massie

**Hon. Mr. Fentic:** I rise today to offer my condolences to Grand Chief Ruth Massie on the sudden loss of her husband Lyal Massie.

It is with sadness that we learned that Lyal passed away last night. Lyal and Ruth have three children and eight grandchildren.

On behalf of all Members of the Legislative Assembly, we extend our heartfelt condolences to Grand Chief Massie and family. Thank you.

**Speaker:** Are there further tributes?  
Introduction of visitors.

#### INTRODUCTION OF VISITORS

**Hon. Mr. Rouble:** Mr. Speaker, I would ask all members to join me in welcoming Mr. Mike Toews, and his social studies class from F.H. Collins Secondary School to the Assembly today. Welcome.

*Applause*

**Speaker:** Is there further introduction of visitors?  
Returns or documents for tabling.

#### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Lang:** Mr. Speaker, I have for tabling the *Access to Information and Protection of Privacy Act* report.

**Hon. Ms. Horne:** Mr. Speaker, I have for tabling the *Yukon Advisory Council on Women's Issues Annual Report, 2010-11*.

**Speaker:** Are there further documents for tabling?  
Are there any reports of committees?  
Petitions.

#### PETITIONS

##### Petition No. 15 — response

**Hon. Mr. Kenyon:** Mr. Speaker, I rise today in response to Petition No. 15, which was tabled in this Legislative Assembly on March 14, 2011.

This petition is presented on behalf of the Northern City Supportive Housing Coalition and urges the Yukon government to make supported housing a priority in the City of Whitehorse and to work with the petitioner to build 20 units of supported housing in Whitehorse. I take this opportunity to acknowledge the fine work and effort that went into the development of this petition by the Northern City Supportive Housing Coalition.

I appreciate the concerns of the individuals who took the time to review and sign the petition. As is the case with many municipalities and provincial and territorial jurisdictions across the country, and really worldwide, there is a broad spectrum of housing needs to address. In Yukon, the tremendous growth in economic activity, the creation of opportunities for employment, as well as the significant increase in the population, has presented increased challenges in housing and housing-related issues.

Our government has responded and continues to respond to many of the housing needs, not only in Whitehorse but throughout all of Yukon. Through the efforts of the Yukon Housing Corporation, the Department of Health and Social Services and other government departments and community organizations, many initiatives have been undertaken to address a wide variety and a wide array of housing needs — to mention a few: developing a social inclusion strategy; construction of the new children's receiving home in Whitehorse; completion of the Whitehorse affordable family housing complex in Riverdale for single-parent families; providing land, technical and other assistance to Habitat for Humanity to enable the construction of new, affordable housing for Yukoners; construction of new seniors housing units in Haines Junction, Faro, Teslin, Watson Lake and Whitehorse, as well as the construction and repair of public housing units throughout all of Yukon. Yukon Housing Corporation continues to supply technical support and funding to enable Yukoners to upgrade and repair their homes and to purchase or build affordable housing units.

The demonstration of our commitment to housing in Yukon is borne out by the fact that, during the term of our government, financial support just under \$200 million has been provided to Yukoners, and an increase of almost 40 percent in social housing stock. We recognize there are challenges in housing, but the government has and will continue to actively seek and implement solutions for housing needs in all of Yukon.

Yukon Housing Corporation and the Department of Health and Social Services have been working very closely together with the Northern City Supportive Housing Coalition in relation to the proposal for funding that was presented to Yukon

Housing Corporation. I've been advised that numerous meetings have taken place to discuss this proposal and the business plans for the project.

Both the corporation and the Department of Health and Social Services are tasked with allocating any funding wisely and based on sound and real data and information.

They also have the responsibility for ensuring that this proposal is carefully reviewed and given the utmost consideration. They will continue to work with the proponent on the proposal and once that work has been completed, a submission will then be made to the Yukon Housing Corporation Board of Directors for a decision.

Mr. Speaker, in closing, I again thank the members of the Northern City Supportive Housing Coalition for their work and efforts in presenting this petition and their work on the proposal that is under consideration.

**Speaker:** Thank you. Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motion?

## NOTICES OF MOTION

**Hon. Mr. Lang:** I give notice of the following motion:

THAT this House urges the Government of Yukon to amend legislation to make helmet use mandatory in Yukon for the operation of off-road vehicles such as all-terrain vehicles, ATVs, and of course, snowmobiles.

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

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will implement the recommendations of the Task Force on Acutely Intoxicated Persons at Risk.

I also give notice today of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will fix the *Cooperation in Governance Act*.

I also give notice today of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will improve the devolution deal with Ottawa.

I also give notice today of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will follow the *Financial Administration Act*.

I also give notice today of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will deliver on its election promises.

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

THAT this House urges the Yukon government to urgently call together forestry industry stakeholders to try to resolve the severe problems with the *Forest Resources Act* and/or its regulations, which threaten the livelihood of several Yukon businesses and workers presently employed within our forestry industry.

I give notice of the following motion:

THAT this House urges the Yukon government to recognize the ongoing and long-term nature of the melting permafrost problem that continues to cause serious road safety issues on the north Alaska Highway and to realize it was wrong in telling the public five years ago that the problem would cure itself in 10 years.

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

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will deliver action on the *Climate Change Action Plan*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will

(1) follow the *Education Act* and, as per law, complete the mandatory review and table it in this House;

(2) replace F.H. Collins; and

(3) do what it can to ensure Yukon post-secondary students have access to the best post-secondary education in the country.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will amend the *Municipal Act*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will establish a dedicated industrial development fund from which resource industry participants can apply and receive funding for infrastructure-related expenses.

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

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will bring forward a Yukon ethics and accountability act.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to realize that Yukoners will elect a new government that will bring forward whistle-blower legislation to protect all Yukoners.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to realize Yukoners will elect a new government that will bring forward amendments to the *Human Rights Act*.

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

THAT this House urges the Yukon government to make helmet use mandatory for users of off-road vehicles.

**Ms. Hanson:** I give notice of the following motion:

THAT this House urges the Government of Yukon, based on a positive evaluation of the pilot project of the Jackson Lake healing centre, to work with all funding agencies, including the federal and First Nation governments, to secure funding for the continuation of the project, thus ensuring that all Yukon citizens can participate, if desired, in land-based addictions treatment.

I also give notice of the following motion:

WHEREAS Yukoners voluntarily reduced their energy consumption by about one megawatt during the Earth Hour on March 27, 2011; and

WHEREAS this is the equivalent to the energy consumed by 10,100 light bulbs; and

WHEREAS this is a marked improvement from last year when Yukoners voluntarily reduced their energy consumption by 0.8 of a megawatt during Earth Hour;

THAT this House urges the Yukon government to recognize the willingness of Yukoners to curb their energy consumption and therefore the importance of demand-side management in planning for Yukon's future energy needs.

I further given notice of the following motion:

THAT it is the opinion of this House that the Yukon government, in its quest to reduce the cost of health care, should put greater emphasis on preventive health care programs such as:

- (1) collaborative health clinics;
- (2) mental health services;
- (3) public health education in schools;
- (4) addictions treatment;
- (5) addictions after-care;
- (6) home care for seniors and the disabled;
- (7) personal and family counselling;
- (8) smoking cessation;
- (9) dental hygiene;
- (10) physical exercise;
- (11) nutrition;
- (12) injury prevention;
- (13) transition homes for domestic violence;
- (14) physiotherapy;
- (15) occupational therapy; and
- (16) adult literacy.

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

THAT this House urges the Canadian Broadcasting Corporation, the Yukon government and the City of Whitehorse to work together to ensure that CBC's AM transmission continues following the expiry of its lease for the current tower site.

I also give notice of the following motion:

THAT this House urges the Department of Community Services to make the consultant's report regarding the Deep Creek community well project available on-line once that report is complete.

I also give notice of the following motion:

THAT this House urges the Yukon government to begin development of a community well near the corner of the Hot Springs Road and the north Klondike Highway.

I also give notice of the following motion:

THAT this House urges the Yukon government and the City of Whitehorse to reach an agreement that will allow people living within municipal boundaries to access the Yukon government's successful rural well program.

Finally, I give notice of the following motion:

THAT this House urges the Yukon government to develop agricultural infrastructure that improves food security and facilitates access to markets, including a multi-use facility on the land set aside for it adjacent to the north Klondike Highway.

**Speaker:** Are there any further notices of motion?

Is there a ministerial statement?

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Homeless shelter

**Mr. Mitchell:** Mr. Speaker, I have a question for the Minister of Health and Social Services. It's the last day of the sitting and it may be the last opportunity to address the minister on a long-standing and very important issue in Yukon. The Liberal caucus has consistently advocated for a homeless shelter that would provide a safe, warm and reliable place to sleep for those in need.

The government caucus has consistently replied, "We're working on it." In the meantime, there has been no real progress toward building a shelter.

Can the minister tell us: is his government done just "working on it," and when will the shelter finally be built?

**Hon. Mr. Hart:** Mr. Speaker, as I stated, we are working with the stakeholders on a facility to take care of youth. That is currently underway. We are very hopeful of having something in the very near future with regard to providing that service here in the Yukon.

**Mr. Mitchell:** Mr. Speaker, we need to rely on more than hope. This government's commitment to solving homelessness is shown by the number of people in our community who don't know where they will sleep tonight. According to the Whitehorse housing adequacy study, that's more than 100 people. Its commitment to solving homelessness is shown by the number of people who will shelter at the Salvation Army, but without a bed because of nowhere better to go. Its commitment to solving homelessness is shown by its refusal to get behind community housing solutions brought forward by the NGOs and volunteers who best understand the problem.

After nine years of Yukon Party government, why do Yukoners still not have an adequate homeless shelter?

**Hon. Mr. Hart:** Of course the government has been working with many of the stakeholders in relation to dealing with housing in the Yukon. In fact, we worked with many of these stakeholders in developing the information that has been presented by them to Yukoners with regard to homelessness in the Yukon.

In addition, we are working with the stakeholders in our social inclusion strategy to improve the access to housing and also to improve the access of all individuals, whether it's for education, housing, training — all aspects that will help them to be included in the Yukon's economy and social economy.

**Mr. Mitchell:** This work is proceeding so slowly that there's not one dollar in the long-term capital plan attributed to it. The minister's time is up. In nine years of Yukon Party rule, we've had nine years of talk, nine years of studies, nine years of inaction and no homeless shelter. Economic issues have overshadowed social ones for this Conservative government. Dollars have been more important than meeting citizens' basic needs. That's why the people who most need this government's help don't have a safe place to sleep at night.

It's time for a progress report from the minister, something beyond "We're working on it". It's time for the minister to give Yukoners a date when a shelter will finally be built. A Liberal government would build a homeless shelter; why hasn't this been a priority for the Yukon Party? There's your question.

**Hon. Mr. Hart:** The member opposite indicates we haven't done anything socially for the Yukon in our nine years of tenure. I beg to differ with the member opposite. I also beg to correct the record.

This government is the first government in almost 20 years to adjust the issues with social assistance — almost 20 years. We've made an adjustment to that. In addition, within a very short period of doing that, we adjusted the food allowance to ensure that we have additional food allowance for those on social assistance so they could survive on that process. Again, very shortly after, we increased that. In addition, we provided that based on the cost of living increase on an annual basis, so they don't have to wait another 20 years to get an increase in their social assistance.

In addition, we have, for the first time in almost 18 years, provided additional money to the foster parents program — 18 years. That was provided for an increase to assistance those who have no way of assisting themselves. It's this government that has provided that particular source. We provided additional money in the budget of this year of \$2 million plus to ensure that our social assistance clients are well taken care of.

#### **Question re: Peel River watershed**

**Mr. Fairclough:** This government has a lot of explaining to do when it comes to its position on the Peel watershed. Yukoners from every corner of the territory see the Peel as the most pressing environmental issue in our territory but, like most environmental issues that this government is faced with, it continues to drop the ball.

Not long ago, the Minister of Environment was a passionate advocate of the environment, but since he crossed the floor

he seems to have lost his voice on the issue. Will the Environment minister finally rise in this House today and tell Yukoners exactly what this Yukon Party's plan is when it comes to the Peel watershed?

**Hon. Mr. Rouble:** The Yukon Party government recognizes that the Peel watershed is a unique area that includes many areas of environmental and cultural significance, as well as identified non-renewable resources. We are working with Yukoners, with affected First Nations and with the planning commission. We are seeking a final recommended plan that recognizes and accommodates and balances society's interests in these different features of the region.

**Mr. Fairclough:** The fact that the minister responsible for mining continues to answer on behalf of the Environment minister on this territory's most important environmental issue tells Yukoners that their environment is clearly not a priority to the Yukon Party government. The Peel watershed is one of the last untouched natural treasures of our planet, home to countless species of wildlife and of great cultural importance to local First Nations. The Liberal Party has taken a clear position on the Peel: we support protection.

As a former Environment critic for the Third Party, does the Minister of Environment buy into the Yukon Party's vision on the Peel, which is none at all?

**Hon. Mr. Rouble:** Mr. Speaker, as the minister responsible for land use planning, it is indeed my responsibility to answer this question.

The Liberal Party has a history of misrepresenting issues of this nature, of creating confusion where none should exist and creating additional controversy in an area where we are actively working through to address a balanced set of issues, a balanced approach to recognizing the importance of the area and balancing the priorities of Yukoners.

We are continuing to work with affected Yukon First Nations through the planning process. We have tabled the letter of understanding; we have tabled our responses to the Peel Watershed Planning Commission and we're continuing to follow the obligations under chapter 11 of the final agreements.

Mr. Speaker, this government, which I have been a part of for almost nine years now, has a history of taking a balanced approach. We've increased the amount of land in our protection, we've enforced strict and stringent environmental concerns, and we've also worked collaboratively with industry to once again build an industry here in the territory.

We're taking a balanced approach to this and taking a balanced approach to managing issues throughout the territory.

**Mr. Fairclough:** Where is the Environment minister's voice? Yukoners care about this issue and they haven't gotten a single straight answer from this government. In 2009, it was proven that the Premier and the former Minister of Energy, Mines and Resources, who now sits on this side of the House, interfered with the arm's-length *Peel Watershed Regional Land Use Plan*. A 22-page Department of Environment review that supported ecological protection was watered down to a vague four-pager after the Premier instructed the Deputy Minister of Environment to do so.

It's this kind of interference that led the current minister to say, "Things are just the same as when I left, and I sure as heck wouldn't volunteer to go back to that hornet's nest..."

As a former advocate for the environment, will the Environment minister once again stand up for the environment by agreeing to protect the Peel, or is he scared that the other hornets will sting him?

**Hon. Mr. Rouble:** Those are interesting accusations from the member opposite. It will also be interesting to hear a straightforward answer and a straightforward position from the Liberal Party on this issue. Yukoners are very curious — do they support the plan that was brought forward, which they've already stated on the floor of the Assembly that they support? Will they support a more balanced approach, which is what the Leader of the Liberal Party has told local media?

Will it be a different story? Will it be the story we heard repeated when members were outside the Assembly at industry conferences? Which position is it going to be?

I know the Yukon Liberal Party often takes the most convenient one, or the position of the day. I even got the endorsement of the Member for Kluane, who's chipping off-microphone and banging on his desk and saying something about agreeing with me. I know it's a matter of convenience. It's a matter of convenience when they even join what political stripe they are going to wear that day.

#### **Question re: Government accountability**

**Ms. Hanson:** Mr. Speaker, I want to take a break from looking at the failures and inaction of over nine years of Yukon Party rule and look forward. The Yukon public is looking for positive political leadership that charts a path for the future of this territory. They look at nine years of Yukon Party government and wonder how poised we are to build a brighter, better future. They look at the mounting crises, in terms of the lack of affordable housing, the lack of energy planning and infrastructure and a fiscal position that is diminishing, in part due to the lack of planning around health care spending.

We also see a demographic shift as the population ages and as a persistent segment of the population that is socially excluded increases. They wonder how prepared we are to meet these challenges. How does the Yukon Party intend to come to grips with these critical issues and the major public policy challenges Yukon is presented with?

**Hon. Mr. Fentie:** I think the Leader of the NDP has gotten some things incorrect in terms of the last nine years. The NDP leader has just stated that the Yukon Party government in nine years has failed to do anything about energy infrastructure. Well, I would like the Leader of the NDP to explain the millions and millions of dollars invested in energy infrastructure. We know that the biggest project ever undertaken in the Yukon happens to be infrastructure for our energy future and that's the Mayo B project. As far as the issues of housing, I think we've been very clear in demonstrating to the Yukon public the priority we placed on housing, with a 40-percent increase in affordable and social housing and the tremendous amount invested in meeting priorities for Yukoners when it comes to their housing needs. When it comes to an economic future and the future of this territory, when it comes to quality of life, it is the Yukon

Party government over the last nine years that has constructed and maintained the pathway to prosperity.

Now, I'm sure Yukoners are listening intently to what the NDP intends to do, but our experiences from the past with the NDP have not been good ones, and the Yukon Party stands proud and firm on its record when we go before the public.

**Ms. Hanson:** Despite the Premier's assertions that they can plan and spend money — they can spend lots of money, but it is without planning. The public is asking who is best prepared to lead the territory forward. Who can take the opportunities we are presented with and mold them into a bright and prosperous future? The public is seeing a mining exploration boom well-underway. Some see this right in their backyards. They want government with ideas of how to get more public benefits from increased economic activities, including more opportunities for jobs and innovative training. They want assurance that the "Larger than Life" Yukon we see in television ads will not become a denuded landscape criss-crossed by access roads and development. They want to see land use planning so that development is measured and managed.

How does the Yukon Party intend to manage the mining boom so that all Yukoners share in prosperity while preserving the land, water and wildlife we love?

**Hon. Mr. Rouble:** When we took office in 2002, we were faced with an exodus of population, and exodus of jobs, a lack of faith in the territory and a lack of direction. We took action. We made changes in policy, changes in budgetary practice, and changes in the way we do business. We've seen the benefits of that. We've seen the territory's population grow to over 35,000 people.

We have seen the number of people employed grow day after day. We've seen the number of Yukoners returning home, taking advantage of opportunities here in their own backyard, growing day after day. We've seen the investment from industry back in the territory. We've seen their faith in the direction of the territory and we've seen optimism for the future. We've seen Yukon have the lowest unemployment rate in all of Canada. We've seen an increase in educational opportunities, whether it's from the Yukon Mine Training Association, Yukon College or throughout our school system. Through the planning, the vision and the implementation of the Yukon Party platform, we can see the success that it is delivering in Yukon every day.

**Ms. Hanson:** The Yukon New Democratic Party believes there are some big issues facing any future government. These include managing the boom, addressing the crises of housing, energy and health care, and more important of all, in closing the democratic deficit. After a long, long time of being treated as silent partners by this government, the public will soon have the opportunity to give the Yukon Party government a job evaluation. The public will ask: Did they govern with honesty and respect for the public? Did they advance the public good? Did they treat Yukoners with respect? Did they plan for the future and leave a legacy for future generations?

How will the Yukon Party demonstrate it will engage and listen to Yukoners as we collectively navigate the future?

**Hon. Mr. Fentie:** I think we know how the NDP will manage a boom — by turning it into a bust. Mr. Speaker, that is a fact that we have all experienced in this territory.

As far as the democratic deficit, I want to challenge the NDP leader to respond to Yukoners when it comes to the tremendous amount of unanimous work that has been accomplished by the Yukon Party government — in many cases, with the members opposite — safer communities and neighbourhoods legislation; the most recent presumptive legislation; the ban on smoking legislation; the *Substance Abuse Action Plan*; the committees we've struck on ATVs, and the *Landlord and Tenant Act*, and the list goes on.

The NDP leader is making statements in this House that are not reflective of what the NDP have worked on with this government. There is no democratic deficit; in fact, we filled the void — the Yukon Party filled the void of democracy in this territory by picking up the handles of effort and work and going to work on behalf of the Yukon public, building an economy, strengthening our social safety net, improving our health care system, reforming education, reforming correction, and indeed protecting our environment.

**Question re: Legislative renewal**

**Mr. Cardiff:** Over the years, the New Democratic Party caucus has raised the problem of the public's disengagement with politics, as evidenced in the low voter turnouts in Yukon, Canada and around the world. Over the years, we've put forward positive, constructive suggestions to address the democratic deficit. In 2009, we tabled Bill No. 108, the *Legislative Renewal Act*. It is the NDP's proposal to reinvigorate our democracy by improving the functioning of the Legislative Assembly.

Two weeks ago, the Premier announced that he would be the government's representative on the committee that would go out and talk to the public about legislative renewal. Now that the Premier is on-board with legislative renewal, can we get a commitment from the government side that this committee will get out and talk to the public as soon as possible, to begin its work?

**Hon. Mr. Fentie:** I thought the Member for Mount Lorne's leader just said we didn't work with the members opposite. Here's another example of our commitment to working collectively in this Assembly, as we should. The issue of legislative renewal is not a new one to the Yukon Party. It actually launched that a number of years ago. We're more than willing to work with the members opposite on legislative renewal, but it begins with each individual in this House. I don't think we've seen a lot of effort or commitment to legislative renewal in this sitting. We've seen the same old pattern of character assassination.

It's not a criticism of policy at all; it's a criticism of individuals. So members opposite have a lot of work to do toward legislative renewal. I can't wait, Mr. Speaker, until the committee's first meeting.

**Mr. Cardiff:** And we look forward to it as well. You know, we're going to work across party lines. We can get positive results for Yukoners, and over the years we've had some success. I think of the six select committees we've created over

the years, and the good that has come out of them. The Premier recited a list of them, and the majority of them came from this side of the House and the NDP, so he can't take credit for them all.

I think of the motion debates that have led to some action — for example, young worker protection, which is another initiative we on this side of the House started. Last week, the Premier mentioned the changes to the *Workers' Compensation Act* that would provide some care and comfort to our firefighters. That was something that was brought up in this House by the former Member for Whitehorse Centre.

Now, we have a similar opportunity to come together across party lines. Is the Premier sincere in his commitment to get working as soon as possible, and will he meet with members of the committee this afternoon?

**Hon. Mr. Fentie:** Mr. Speaker, this is not really a good venue in which to schedule a meeting — during Question Period. I think the Member for Mount Lorne should turn to his leader, who just stated in this House that the Yukon Party government — this side of the House — does not work with the members opposite.

Here we have the Member for Mount Lorne reciting a list of examples of how the government side has worked with the members opposite. So in the context of the committee for legislative renewal, of course we have a job to do. It's this institution, speaking of democracy, that has directed this Assembly to proceed with legislative renewal, and we have intention of doing that. As far as scheduling a meeting this afternoon, that is something that I can't commit to on the floor of the House but, as soon as possible, as I said, I can't wait to have the meeting.

**Mr. Cardiff:** It's great when we can work together, but what is discouraging and what turns people off and what turns the people in the gallery off, is when they minimize our contribution and when they turn down good suggestions.

Now, the Premier has a real opportunity to leave a real democratic legacy for the territory. The committee has a mandate to bring its findings and recommendations no later than the fall 2011 sitting of the Legislative Assembly, and I look forward to that. The problem is there might not be a sitting, and if the committee fails to report before an election, there is a real concern that we are back to square one on legislative reform, despite all-party support.

Is the Premier committed to getting feedback on legislative renewal from the public before a general election so that the public's comments can become part of the record and the work can be advanced, regardless of the outcome of the election?

**Hon. Mr. Fentie:** First off, to the Member for Mount Lorne, the government side has not minimized anything. In fact, the government side has just acknowledged the efforts from both sides of this House in a long list of examples of where we unanimously have worked on behalf of the public and the public interest.

As far as elections — in this case, we have laws that we must follow. There is going to be a general election no later — or, at least one called for, no later than October 14 of this year. Between now and then, can we effectively conclude work and make progress on that? That remains to be seen. Frankly, a lot

of that will come down to how the members of the committee cooperate and collaborate on their efforts for legislative renewal. It does speak volumes of what we can accomplish when you look at the examples as listed.

As far as a legacy — there is one. The Yukon Party government has created an economy. That's a legacy. The Yukon Party government has turned around the exodus of the population, and even young Yukoners are now returning to Yukon to apply their skills, getting gainful employment.

The Yukon Party government is a lead in the country, second only to B.C., when it comes to environmental protection and the list goes on — yeah, there's a legacy, nine years of it.

**Question re: Whistle-blower protection, select committee**

**Mr. Inverarity:** In a few short months, maybe weeks, a new government will be chosen for the Yukon. Over the past five years, the Liberals have brought forward a number of legislative solutions that would have protected and empowered Yukoners in many ways. When the Liberals called whistle-blower protection legislation for debate, we asked the Yukon Party to work with us to make it a better place. We asked the government to do its job and to vet the legislation with the Department of Justice and then take it out for public consultation. The Yukon Party said no. The Yukon Party refused to work other members of the Assembly and failed to protect the best interests of Yukoners. The result is that the Select Committee on Whistle-blower Protection will disband when the election is called and the next government will have to start all over again. Why is the Minister of Justice letting all this good work go to waste?

**Hon. Ms. Taylor:** I'll just remind the member opposite that the government is committed to developing whistle-blower protection and has been participating on a select committee whose mandate is to look at whistle-blower protection, as such. It has terms of reference; it has a mandate. It has been working to that end.

Unfortunately, that work remains undone; it remains incomplete and, until that select committee does its homework and completes that work, we won't be able to proceed with whistle-blower protection.

With respect to the member opposite's bill he has just alluded to, we know that the member opposite's bill does not have proper consultation. It did not conclude in terms of completeness and, in fact, the Member for Porter Creek South has referred to the bill itself as being incomplete.

Mr. Speaker, there is much more work to be done on whistle-blower protection and we look forward to the completion of the work of the select committee.

**Mr. Inverarity:** Mr. Speaker, the whistle-blower protection legislation will affect Yukon's statutes. It's the Department of Justice within the government that is the right resource to determine how whistle-blower protection interacts with other legislation. The real issue here is the Yukon Party's refusal to work with the opposition for the betterment of Yukoners. The Yukon Party expects opposition to cooperate with its priorities, but not once has the Yukon Party cooperated with us. It's al-

ways the same; the Yukon Party attacks, criticizes and rejects everything brought forward by the Official Opposition.

Whistle-blower protection was a Yukon Party campaign promise, as mentioned earlier, and the same Yukon Party voted down whistle-blower protection for the Yukon. Will the Minister of Justice justify this contradiction?

**Hon. Ms. Taylor:** Unfortunately I have to refer to the member opposite's remarks back on February 28 of this year, when the member opposite made light of his own bill he tabled and, in fact, wondered whether or not it was actually worth doing something with. That's the actual quote from the member opposite. That member opposite went on to say the select committee clearly needed to do its work, it needed to get the job done, it needed to get its proverbial act together and get the work complete.

We are committed to whistle-blower protection and we look forward to the conclusion of that work. Until then, I would urge the member opposite, if the Liberal Party wishes to do its own whistle-blower protection, that it go out and consult with all 14 Yukon First Nations, that it go out and consult with all local advisory committees, and that it go out and consult with all Yukon municipalities, that it also go out and consult with every Yukoner, prior to bringing a bill forward for discussion and completion, as the member opposite has just done.

**Question re: Yukon Party leader**

**Mr. Mitchell:** We can see by the clock on the wall that time is running out on this Question Period, on this government and on this Premier.

We know Yukoners no longer trust this government, and one of the main reasons is its complete lack of accountability to the public. When the Premier was a member of the opposition, he was a great fan of yes-or-no questions, so I'll ask him one on what may be his final day in this Chamber.

Is the Premier running in the next territorial election? Yes or no.

**Hon. Mr. Fentie:** I was in opposition long enough to know that that is not the best place to be when you want to do something on behalf of this territory, so I made the appropriate changes and the rest is history. As far as my future in politics, I think that is a question that will become very clear in the very near future, but it is my decision to make, not the members opposite. You know, this is an example of a Liberal government's plan for the Yukon and its future. The Liberal leader is asking me about my future. Obviously the Liberal leader is very concerned about what I am going to do and what the Yukon Party government intends to do, because they can't criticize this government on the economy. They can't criticize this government on health care. They can't criticize this government on how we've built the finances for this territory. They can't criticize the government on our multi-year capital plan. They can't criticize the government on the amount of infrastructure that we are building in this territory. They just can't criticize the government on anything constructive that we've done. So what do they do? They criticize us personally.

**Mr. Mitchell:** And the Premier can't answer a yes-or-no question. Let's not forget that. But this is, of course, predictable. This government rarely provides an answer to ques-



tions raised in this House. In fact, we hear that from the public all the time — even Conservative supporters tell us that. Whether the Premier runs or not is certainly on the minds of Yukoners, on the minds of members of the Yukon Party and on the minds of some of his colleagues on that side of the House who are interested in replacing him. It is also weighing heavily on the mind of the independent Yukon Party member who quit on this Premier over plans to privatize Yukon's energy future. He wants to know what colour to paint his campaign signs. It's a straightforward question and Yukoners deserve an answer. Will the Premier's name be on the ballot in the coming territorial election?

**Hon. Mr. Fentie:** The short answer is, it's none of the Liberal leader's business. That said, when you look at the questions that the member is asking — always, the government side will answer questions that are factual, but we're certainly not going to provide an answer to something that is not based on substance. It's impossible. Again, it goes back to this issue of the Official Opposition, the Liberals, being able to criticize the government on policy, on its accomplishments, on the nine years of being in office and what has transpired over that course of time.

Mr. Speaker, there is nothing that the Official Opposition wants to criticize us on because they can't; therefore, it becomes issues of personal criticism, and in that case, the Liberals are really lacking when it comes to the Yukon public. That is why there is such an exodus of like-minded people from the Liberal Party heading our way.

**Mr. Mitchell:** Mr. Speaker, we've asked this Premier and this government dozens of questions over the last sitting and hundreds over the last five years. We've gotten few answers to anything that we've asked on policy.

From the out-of-control borrowing, to the \$36 million in bad investments, to the deficit budgets, to being cited by the Auditor General of Canada for not being in compliance with the *Financial Administration Act*, Yukoners have seen enough of this tired government. The Premier has had lots of warnings for us about the next campaign, but he won't tell Yukoners whether or not he will even be a part of it. Of course, the decision is not entirely in his hands. His party isn't very happy with him right now and they may drop him before the next election even gets underway.

The Premier has promised a leadership race. Will he be a candidate in that race?

**Hon. Mr. Fentie:** You know, Mr. Speaker, this is actually laughable. Do you know who dictates the presence of any one of the individuals in this House? It's their constituents, Mr. Speaker.

That's who decides that, and the Liberal leader should know that, given the fact that the Official Opposition is desperately trying to present themselves as a reasonable alternative and they failed miserably at that over the last nine years. They had to actually recruit NDPers to come and join them so they could become Official Opposition. They certainly didn't make it on their own.

I think it's clear. It's clear: history will demonstrate that the Yukon Party government came to office in 2002 with a plan

and a vision. That plan and vision is unfolding in this territory as we speak, and it's a good one. There's a positive attitude and feeling out there and that's because of what we've accomplished. The Liberals have a long way to go to even demonstrate that they have one iota of a plan for this territory's future.

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

## ORDERS OF THE DAY

**Hon. Ms. Taylor:** 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):** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 24, *First Appropriation Act, 2011-12*. We will now proceed with general debate 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. 24: *First Appropriation Act, 2011-12* — continued**

**Chair:** The matter before the Committee is Bill No. 24, *First Appropriation Act, 2011-12*. We will now proceed with general debate in Vote 8, Department of Justice.

#### **Department of Justice**

**Hon. Ms. Horne:** I rise today to speak to the 2011-12 main budget for the Department of Justice. Our government is very pleased to present this budget because it represents very large stepping stones in our reinvigoration and revitalizing of our justice system in Yukon. I am going to talk about some of the highlights of the budget today and I will speak in detail to the lines when we go into the line-by-line review.

I am especially proud of our track record in carrying out our correctional strategic plan that we put in place to return confidence in our correctional system. In particular, I would like to thank all of the hard-working Justice officials who have brought us so very far down this road and I am pleased that their efforts are bearing fruit.

This year, the Department of Justice has been allocated \$7,414,000 for the completion of the new Whitehorse Correctional Centre.

I am pleased to be able to report to this House that we are on time and on budget for this project, and that we expect to have the building completed by the end of this calendar year, as expected, and that we will occupy this building shortly after that. Building design has progressed to 100-percent construction drawings, with ongoing minor changes related to the fast-track design process. The December 2010 progress claim for construction indicates that construction work is approximately 75 percent complete. The project scope recently expanded to include the secure assessment facility based on recommendations from the review on Yukon's police force and the Task Force on Acutely Intoxicated Persons at Risk. I will speak about the secure assessment centre in a few moments, but I think it's very important to provide an update for this House on our centrepiece capital project that is part of our redevelopment of the correctional system in Yukon.

The new correctional centre's LEED certification process is ongoing, with the current design being assessed as capable of obtaining points to reach silver certification. I am informed by my colleague at Highways and Public Works that the construction management has fast-tracked the design.

Methods will allow compression of the schedule to comply with the imposed occupancy date of late in 2011. It is estimated that the construction budget will provide approximately 300 full-time jobs or person-years over the course of the project. Overall, the project schedule maintains substantial completion and receipt of occupancy permit from the authorities having jurisdiction by the end of December 2011. The actual move-in of inmates and full operation of the new facility will take one to two months to allow for staff training, furniture installation and final tenant fit-up requirements.

Some members of the House may not be aware that a contract to provide construction management at-risk services was awarded to the Dominion-Kwanlin Dun Joint Venture to work through the designed detail and construction phases of the project. This procurement strategy allowed various portions of the construction process to proceed before the final design was complete. In this type of contracting, the construction manager provides expertise in construction during the design process and acts as the owner's agent for a fee up to design completion. A higher share of risk is taken on by the owner for this period.

Once the design is complete, a guaranteed maximum price is fixed for the balance of construction to completion of the project, transferring the higher risk share to the construction manager.

A value management process was carried out to analyze the project from the perspective of obtaining best value for money. This provided opportunities to reduce costs in some areas, revise building component specifications, and determine the optimum building operation and maintenance conditions for long-term cost benefits.

This project is being managed by our officials and delivered by the Kwanlin Dun joint venture, as planned, and I am very pleased with the progress. We expected and will receive

good value for taxpayers' dollars on this project, which will give us a much better facility for rehabilitation programming and humane treatment of inmates, as well as providing high-quality jobs and contracts during construction for Yukoners and Yukon firms.

This is an excellent result for our government and for the people of Yukon.

As I mentioned earlier, the secure assessment centre which was a recommendation of the review on Yukon's police force and the Task Force on Acutely Intoxicated Persons at Risk will be an addition to the new Whitehorse Correctional Centre. The main estimates this year hold \$3,580,000 for construction of the secure assessment centre. Fifty percent, or \$1,790,000, will be recoverable from the federal government.

I want to ensure that this House understands what we are doing by establishing this centre and what the difference is between what our department is going to do and what Health and Social Services is looking to do. The secure assessment centre is designed to replace the RCMP cell block. The Health and Social Services' acutely intoxicated persons report calls for, among other things, a sobering centre, to be located downtown, possibly attached to a shelter that will offer programming for intoxicated persons and other kinds of programming to improve the quality of lives for these vulnerable citizens.

These two initiatives need not be mutually exclusive. The creation of the secure assessment centre is born out of a need to continue to secure individuals who are arrested by the RCMP and are, as such, under police control. We will now be able to temporarily house them in a secure facility that will be superior in several ways to the cells that are currently operated by the RCMP. Many of the clients for each initiative will be the same, but those going into the secure assessment centre will be there as a result of an arrest by the RCMP, who are at a risk to themselves or others, as opposed to voluntarily, which will be the case for a facility to be determined by Health and Social Services for the downtown core.

I know that there has been some confusion on this point and I hope that this clears up the confusion for the members opposite.

The secure assessment centre will ensure the highest quality and standard of care and protection for persons taken into RCMP custody, including those acutely intoxicated. Persons detained by the RCMP can experience medical complications that require medical assessment and supervision to ensure safe care and control while in custody. The secure assessment centre is an innovative model that will provide on-site medical assessment and care for RCMP prisoners and supervision by corrections officers with specialized training.

The secure assessment centre will take advantage of the intended multi-use nature of the new Whitehorse Correctional Centre, such as the admissions and discharge area, medical rooms and office space. By including the secure assessment centre within the envelope of the new correctional centre, efficiencies will be realized in the operation of the secure assessment centre, which will reduce cost over the long term.

The secure assessment centre will include a cellblock facility within the secure envelope of the new Yukon correctional

facility. The design of the secure assessment centre will include designated male and female group and individual cells, separate-use medical interview rooms, police interview rooms, and a harm-reduction cell.

All persons detained in RCMP custody will be kept separate and apart from other prisoners within the new correctional facility. The RCMP had planned an upgrade to the existing cells in Whitehorse detachment but, with the announcement of the secure assessment centre, this upgrade will no longer be necessary. The Whitehorse detachment cell area will be used for other purposes, including short-term, temporary holdings of persons as part of serious or sensitive criminal investigations. The secure assessment centre will be staffed by Yukon corrections officers and registered nurses to provide for 24-hours-a-day, 365-days-a-year operation. There are other important initiatives in this budget, including our court registry information system, or CRIS replacement project. As members may recall, we purchased a software package for \$1 from Nova Scotia called the justice enterprise information network, or JEIN.

While the purchase price was nominal, the cost to rollout the software and adapt it to our justice system is ongoing. This budget contains \$407,000 to continue that roll out. The software will allow us to improve our management of client files by offering stronger data mining for trends to assist us in the design of programs and to create accessible files for approved users while they travel through the justice system.

To date, \$913,000 has been allocated over four years for this project, not including this fiscal year, which is fairly typical for the rollout of this size of a software package. We expect that JEIN will be fully rolled out in the next three years and that the software package, which will be continually updated by the various users of it, will result in many years of use into the future.

The final highlight that I would talk about is the Human Rights Commission. In this budget, we have increased the base budget for the Human Rights Commission by \$59,000.

We have been committed to supporting our commission and the good work it does by continually increasing the resources to them throughout our two mandates.

In addition, the *What We Heard* report on the consultation was issued in November 2010 and recommendations on those issues were provided to me. I am currently reviewing the recommendations and will make my decisions public in the very near future.

Finally, I would like to take a moment to thank my colleagues and the members of this House for allowing me to steer the department during these crucial years of correctional redevelopment and the reinvigoration of our police force.

**Mr. Inverarity:** First of all, I would like to thank the officials for coming here this afternoon. This may be the last time I'll be addressing you prior to an election call. It has been a pleasure over the last five years — pretty close to five years. I found the staff in Justice to be highly professional in their dealings, both with the minister and this side of the Legislative Assembly. I look forward to perhaps being seated next to you next time; we'll see how that goes.

I think also, as it is the final day of the last sitting, it would be appropriate also to thank my constituents for their support over the past five years. They have been constantly a real joy to talk to. Certainly feedback that I've been getting over the years on many of the issues that we brought forward here have been invaluable to me, not within just the Justice department, but certainly within a number of the other departments within the government. It has been my privilege to represent them here in the Legislative Assembly.

Of course, I would be remiss if I didn't thank my family and friends who have also given me all their support over the past five years, particularly my wife and spouse, my partner.

I'm hoping not to be too long this afternoon, just to give you a heads-up. I have a few questions that I'd like to ask and we would probably move through them and move on to the next department without too much ado.

I would just start off with some questioning. The member from the Third Party will probably go into a lot more detail on this, but I found the comments made by the minister over time regarding the new justice system she's rolling out in Yukon, to be not just novel and unique but highly progressive in some respects, in talking about compassion and understanding, not just for the victims of crime but for those who are the doers of crime, and trying to rehabilitate them and assist them to see the error of their ways.

In fact, it's probably a fair statement to make that the minister is spending somewhere in the neighbourhood of \$67 million to ensure that this philosophy is a go-forward philosophy.

Last week when we were debating Bill C-5 from Ottawa, I found some of her comments somewhat conflicting in that that bill actually goes in the opposite direction, in terms of putting more strength into the justice system, being harsher on criminals, to the point where you're taking youth and moving them up into adult court. Perhaps the minister can correct me if I'm wrong on this, but it strikes me as being opposite to the general belief that her new justice system in the Yukon is going to follow from a modelling point of view.

I think it's only fair — just to clear up the misunderstanding that I certainly had, if she would like to comment on the direction that her counterparts in Ottawa feel they need to go with Bill C-4, recognizing, of course, that the election has been called. But certainly, from a political perspective, it still has bearing because of the general election and the position the Conservative Party of Canada is taking with regard to its direction for "tough on crime" and things along those lines.

So I guess my first question to the minister would be to have her explain the differences between what she said last week with regard to, what I assumed was support of Bill C-4, and her current justice model, which seems to be one of more trying to get criminals to be — what's the word I'm looking for? — a little more humane activity on them.

**Hon. Ms. Horne:** The first thing I would like to correct for the member opposite is that youth justice actually falls under the Department of Health and Social Services. The Department of Justice handles adults and the Health and Social Services department handles the youth justice. I think those questions can be best answered if asked of the correct minister.

I did give my response last week because the Minister of Health and Social Services was away at the time.

I do believe that our youth advocate had the right and it was his responsibility to go and have his voice heard, as it is for everyone across Canada to have their voice heard on this issue, in Ottawa, with the parliamentary process. What we do have in Yukon is a Community Wellness Court, and that is the *Yukon Substance Abuse Action Plan*. It called for the creation of a therapeutic court and the Community Wellness Court pilot project that was implemented in June 2007. What the Community Wellness Court gives our clients is an in-depth wellness plan that is tailored to the needs of the individual client, following assessment of that individual.

The wellness journey, as I've said before in this House, takes up to 18 months duration before sentencing and may include individual or group therapeutic counselling; assistance with employment, housing or other basic needs; medical assistance, including psychiatric services; assistance from agencies, such as Fetal Alcohol Syndrome Society of Yukon and Many Rivers Counselling and Support Services. I previously mentioned FASD — that Yukon is the leader in this field in Canada and we are helping those individuals through the court system.

Community Wellness Court participants are given priority placement for risk assessment and offender programming.

**Chair:** Any further general debate?

**Mr. Inverarity:** I'm a little taken aback, actually, by the comments the minister made here this afternoon. I was hoping not to get into this particular issue, but is the minister saying she's abdicating her responsibility for youth justice? That it's now under the Minister of —

**Chair:** Order please.

### Unparliamentary language

**Chair:** Order please. The Chair would like to point out to the member that imputing motives in that kind of context is definitely not in order. I know the member is very much aware that stating that a member is doing that is not in order. I'd like the member to retract that and to continue on with debate.

### Withdrawal of remark

**Mr. Inverarity:** I retract the statement, Mr. Chair; perhaps I'll ask her a direct question then. Is the Minister of Justice abdicating her responsibility for youth justice in the Yukon?

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

### Point of order

**Chair:** Mr. Rouble, on a point of order.

**Hon. Mr. Rouble:** Not only is the member opposite now continuing to insult the Minister of Justice, but he's making a mockery of your ruling.

**Chair:** On the point of order.

**Mr. Inverarity:** I'm asking the minister a direct question. There are no inferences in that statement at all. It's a very direct question.

### Chair's ruling

**Chair:** With regard to the point of order, a member can't do something indirectly that he can't do directly. If you

imply something, it is still imputing the motive, so I'd encourage the member not to go down this path.

**Mr. Inverarity:** I think I'll leave this line of questioning for the member of the Third Party, because I'm sure that he'll be able to address the issue.

Recently the Auditor General was critical of the government's implementation strategy regarding the *Yukon Substance Abuse Action Plan*. The particular issue around that was that there was no direct measure for gauging the program's success. I was wondering what the minister has done about this particular issue?

**Hon. Ms. Horne:** I would like to reiterate here for the member opposite that Bill C-4 — this is what I said. Now, listen carefully. Bill C-4 is a change to the *Youth Criminal Justice Act*. The Minister of Health and Social Services is responsible for this file, both in the territory and in the territorial act and at the FPT table on this issue — in the territory and at the FPT table on this issue on youth justice. As Minister of Justice in Yukon, the government organization structure finds that the Minister of Health is responsible.

You know, I think more and more in this House — I came into this House with the best intentions that I would be able to better the lives of Yukoners, not only in my riding, but all of Yukon, and I have been working toward that. I appreciate constructive criticism, but much of what I face here is complaining for the sake of complaining. I have said in this House before that women are not comfortable in confrontational settings. We as women tend to concentrate on the positive.

We are not used to being attacked and being degraded on a personal level.

Although this government has made many positive changes to Justice and many other portfolios, improving the lives of Yukoners, we only hear the negative and criticism that reaches the news outlets. I am okay with people questioning our decisions — my decisions — if they are with the best choice and positive input. We have done more than any other preceding government for Yukoners and yet our motives, our integrity, is constantly questioned in this House. We as Cabinet ministers work very hard within our portfolio and have made positive change in the lives of Yukoners, yet only the critical aspect resonates in the public. I am proud to represent my riding of Pelly-Nisutlin and I hope to continue to do that. I do appreciate positive criticism, if it can improve what we are doing.

**Mr. Inverarity:** Well, I wasn't going to go back to this issue, but the minister has brought it up. No, I'll leave it.

The question that I asked the minister, and I'll ask the question again, was with regard to the *Yukon Substance Abuse Action Plan*, the Auditor General of Canada was critical of the government's implementation strategy. I wasn't critical; it was the Auditor General who was critical.

No measure for gauging this program was her major complaint, and I asked the minister what has been done about it. To me, that's a positive question. It is certainly not me being critical of this minister and how she acts. Certainly, I feel personally affronted, I guess, would be my term, in terms of her previous comments. I'm asking a simple question; the criticisms

come from the Auditor General of Canada. I'm just looking for a simple answer.

**Hon. Ms. Horne:** The *Yukon Substance Abuse Action Plan* is a collection of programs that were implemented in several departments throughout the government. In the Department of Justice, we have the Community Wellness Court and the street crime reduction team. The Community Wellness Court is one of two projects the department has undertaken under the *Yukon Substance Abuse Action Plan*, or YSAAP. There is an evaluation process in place for that program and it is continuing at this time. The other YSAAP program is the *Safer Communities and Neighbourhoods Act*, and it too has a review built into it. That review is also underway.

**Mr. Inverarity:** I was hoping for a more in-depth answer on that, but as we don't have a lot of time this afternoon, I'll move on. The street crime reduction team the member mentioned seems to be an on-again, off-again program. I understand that it's still in place but that the staff have been reallocated to other job functions and this is now part of that.

I know the government had high hopes for this particular program. Certainly, there were lots of announcements about expected reductions in crime. The original program concept appears to have been changed and, to be honest, I'm not really sure how it's working. I know that there have been some reassignments and some reshuffling of some of the staff in this particular area. I'm wondering how many individuals are actually assigned to the street crime reduction team, what percentage of their time is actually spent doing this, as opposed to other duties that they may have been reassigned to, and what the total person years or man hours on a particular day are given to this?

**Hon. Ms. Horne:** I'd like to first of all respond to the safer communities and neighbourhoods update. We are continually assessing that program. Since 2006, the *Safer Communities and Neighbourhoods Act* has provided a means to respond to concerns of Yukoners about certain illegal activities that are making their communities and neighbourhoods unsafe. There have been over 350 complaints received since the inception of this legislation. As a result of those investigations, 27 warnings were issued to tenants engaged in illegal activity, and 30 evictions have taken place with the consent and support of the landlord. Two other evictions went ahead following joint action with the support of other agencies.

In a recent confidential client satisfaction survey of past complaints, 73 percent of respondents felt their neighbourhood was safer, and 91 percent of respondents thought that the quality of service they received from the SCAN unit was excellent. In the last year, the SCAN unit has conducted a public education campaign with information leaflets.

As to street crime reduction, we do remain strongly committed to fighting street crime and have invested in six new, regular members this year to accomplish this. Building on the success of the street crime reduction team from 2006 to 2009, the RCMP has permanently embedded crime reduction in the work of the RCMP's duty watches. This allows for a broader application of crime reduction across M division and Yukon. In its most active year of operation, 2008-09, the street team's actions led to 261 *Criminal Code* charges, 93 warrants exe-

cuted, 435 curfew checks on priority and prolific offenders, 120 intoxicated persons taken into custody, 38 *Controlled Drugs and Substances Act* charges, and seven search warrants were executed. Whereas the street crime team was staffed by a smaller number of investigators, working within limited hours of the day, the current concept enables crime reduction operations to be conducted 24/7 in Whitehorse and in the communities.

We anticipate that embedding the street crime reduction concept into the duty watches will lead to safer communities and a more consistent presence for our officers. As part of the new approach, the Department of Justice has funded a new crime reduction coordinator, who is a regular RCMP member dedicated to rolling out crime reduction operations across the Yukon. As well, the RCMP have now staffed a divisional crime analyst to provide timely intelligence on crime hot spots and closer monitoring of prolific offenders. The Department of Justice has also staffed its own public safety coordinator to work with the RCMP, Probations, Health and Social Services, the Crown Prosecutor's office, and other agencies to better manage prolific offenders in our community. The RCMP's crime reduction operations are currently being conducted by members of the duty watches, which are now operating at more optimal levels with the addition of four members. Members of the RCMP on the duty watches are regularly patrolling our streets to prevent and reduce crime.

That is contrary to what has been said, that we are cutting back on the street crime team. It is actually integrated throughout the RCMP. We have to remember that the Governor General's report, which included the *Yukon Substance Abuse Action Plan*, is a collection of programs that were implemented throughout government. These, too, fall under the Department of Justice. We are analyzing them constantly.

**Mr. Inverarity:** Just a point of clarification — the minister indicated that there were six new members added to the SCAN team. I was just curious — when we say new members, are we talking about new individuals who have come in and replaced old or is that an increase of six?

**Hon. Ms. Horne:** The six members — I confirm it was in the street crime reduction team.

**Mr. Inverarity:** Yes, you confirmed that; you said that there were six new members in the street crime reduction team. I'm wondering if that is an increase of six over what you had before or is this just a replacement, like a swap out of the six who were there before? So, in other words, do we still only have six or are there 12? I was just trying to get a clarification on the total numbers that represent the street crime reduction team.

**Hon. Ms. Horne:** I confirm that these are six new members.

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

**Hon. Ms. Horne:** Six new additional members.

#### Chair's statement

**Chair:** Order please. Members have to realize that, before they speak to each other, they need to be recognized by the Chair in order to ensure that their comments are recorded properly in *Hansard* for future people to look at.

**Mr. Inverarity:** I think I got the answer that I was looking for somewhere in there and I appreciate the minister's response. I guess I'd like to just move on a little bit here. It was a subject that I brought up the last time we met with the departmental debate. I get a lot of comments and complaints from constituents about illegal drug use in the Yukon. I've received complaints from different people who believe a drug dealer may be living next door to them and I've referred them to SCAN to deal with that, if they thought they had issues along those lines.

There are times — a lot of times — when I hear comments about a lot of drug use in the Yukon. I'm not sure — I can't say for sure if that's a true statement or not; it's anecdotal to the minister. I just know that people come up to me and they say there are a lot of drugs in the Yukon. Some actually made the comment that they felt that it was a dumping ground. It's a concern.

My concern actually relates to drugs in schools, for example. Are they getting into the schools? I'm concerned about that. Even if one individual has it, then the whole school is at risk. I know there was a program at the Porter Creek Secondary School with a drug dog that has been cancelled, for example. As part of the answer, perhaps the minister could give us some background on that, if she has any information; it may fall under the Minister of Education, but it certainly, I think, was funded by the Department of Justice and so that may fall into that area.

I had asked if the minister knew what the estimated street value was of the drug trade in the Yukon. I am still kind of waiting for something of a concrete answer for that. I know that the minister tried to respond to it, but really didn't answer. I'm sort of rolling up a number of questions here if the minister wants to try to answer them all together — if the minister would give us an up-to-date statistic on — she alluded to a few of these with regard to SCAN, but maybe if she knows how many drug busts were made and what was the value of the drugs that were seized and that kind of good, juicy stuff that we can have on the floor here this afternoon, it would help me in my deliberations.

**Hon. Ms. Horne:** It is difficult to quantify drug use other than through convictions. I have some statistics as to the street value of those statistics.

I have some statistics as to the street value. The statistics are not available. I responded to this in the House before. The member was asking for the total value of the drug industry in Yukon. The RCMP is committed to combating the sale of illegal drugs in the Yukon Territory through active enforcement and education of Yukon's citizens. Enforcement alone is not enough. The RCMP believes in a balanced approach, including education, awareness and enforcement. Raising awareness helps protect individuals from becoming victims. The RCMP has a dedicated drugs and organized-crime awareness coordinator.

In 2009, the M Division drug section successfully infiltrated a major drug operation, Project Macer, culminating in the arrest of five individuals and the seizure of property, money and drugs. Two persons were arrested. They were from the

Lower Mainland of B.C. — all accused subsequently pleaded guilty and have been sentenced.

The use of illegal drugs has a huge impact on Yukon society, not only affecting the personal lives of Yukon citizens, but has far-reaching impacts on health, welfare and socio-economic impacts on all our communities. It is very difficult to capture the true cost of this sale of illegal drugs within a community, let alone the entire Yukon. The street value of drugs is a fluid, ever-changing market subject to many factors, similar to those in the real economic world of supply and demand. The true cost of the illegal drug trade in Yukon cannot be determined without including the cost of treatment, loss of employment, addictions, extended health care and other factors that are direct or indirect consequences of illegal drug use. It is well established that the sale of illegal drugs is directly linked to organized crime. It is believed that the illegal drug trade in Yukon consists mostly of low level street dealers and that any link to organized crime is at best tenuous. The RCMP M Division is working hard with its partners to gather and analyze information to develop intelligence and to identify those street level dealers and any links that may exist to organized crime groups.

We are also executing plans to remove or reduce those threats. We are more interested in stopping the sale of illegal drugs, and not in the street value of those drugs to possibly entice others to take up the trade. I can give you some crime rates in the Yukon and Canada. The Canadian Centre for Justice Statistics, in cooperation with the policing community, collects police-reported crime statistics through the *Uniform Crime Reporting Survey*. The UCR was designed to measure the incidence of crime in Canadian society and its characteristics. The UCR data reflect reported crime that has been substantiated by police. Information collected by this survey includes the number of criminal incidents, the clearance status of those incidents, and persons charged information. The UCR produces a continuous historical record of crime and traffic statistics reported by every police agency in Canada since 1962.

The Yukon's crime severity index, which measures the seriousness of criminal activity, is down one percent from 2008.

The violent crime rate in Yukon jumped by nine percent in 2009, after decreasing by four percent in 2008. This was the first increase after five consecutive years of dropping. In 2009, 1,399 violent crimes were reported to the RCMP. In comparison, Northwest Territories had 3,730 violent crimes reported; Nunavut, 3,011; and Ontario, 131,437. The number of cocaine offences in Yukon dropped in 2009 over 2008 by 23 percent with 52 report incidents. Canada's related charges increased by seven percent to 133 offences and charges for other drugs, including heroin, Ecstasy and crystal meth also decreased by 23 percent over 2008 with 21 offences.

Yukon reported a four-percent increase in impaired driving offences — 397 in 2009 — over 2008. The rate of impaired operation in the territory was similar to what it was 10 years ago. Yukon has the second highest number of impaired driving offences among the territories, behind Northwest Territories' 669. Nunavut has 305.

These SCAN stats — there have been over 350 complaints received since the inception of this legislation. As a result of those investigations, 27 warnings were issued to tenants engaged in illegal activity and 30 evictions have taken place with the consent and support of the landlords. Two other evictions went ahead following joint action and the support of other agencies.

**Mr. Inverarity:** I appreciate those comments regarding organized crime. I'm particularly happy to hear that the minister considers it not a serious issue within the Yukon. That's always comforting to hear. I know that for me it makes me feel better to sleep at night knowing that there's not a lot of organized crime. We don't want them to get a foothold in the Yukon, so they say. I would have to say that I agree with her that when you're looking at the total cost of the illicit drug trade that we need to look at all of the big-picture items, the issues around health and the cost to the system itself and they all have to be added together. Those are sort of on the expense side of the equation. My question was always interested in just how much there is out there relative to a budget item to see whether we're getting good value for our dollars, which is what our job on this side of the House is always about.

To move on, I'd like to address a few questions with regard to the new corrections facilities. My first question is a fairly simple one. I know she had made some mention to how much money was in the current budget on a go-forward basis, but I'm wondering just to date how much the department has actually spent accumulatively since the project started — so the overall cost of the Correctional Centre to date.

**Hon. Ms. Horne:** \$28.8 million is budgeted for the 2010-11 fiscal year. Another \$3 million was allocated to the 2010-11 fiscal year because the construction is ahead of schedule and more funds were required to continue construction and avoid delay.

\$66.2 million has been budgeted for the project. The project is on budget and on schedule for substantial completion in late 2011. The total capital expenditures for fiscal years past is as follows: 2006-07, \$101,000; 2007-08, \$731,000; 2008-09, \$2,554,097; 2009-10, \$24,456,000; 2010-11, \$28 million; 2011-12, \$7,414,000.

In 2011-12, we are now currently nearing the end of the final design with construction document preparation work and issuance of sequential sub-trade tenders. The addition of the new secure assessment facility requires adjustment to the project budget, adding \$500,000 in 2010-11 and an estimated \$3,580,000 in 2011-12. Design of the secure assessment facility is underway, with construction to begin this spring for completion early in 2012. The construction of a new correctional centre on the current Whitehorse Correctional Centre site is supported by the 15-month territory-wide public consultation on corrections and by program-development work since the start of planning for a new facility. With respect to job creation, it is estimated, as I said before, that the budget is providing approximately 300 full-time jobs over the course of this project.

**Mr. Inverarity:** I'm just trying to add up the numbers quickly to see where we are sitting. I wonder if the minister has

that total or not as to the total amount spent, rather than a detailed list. Maybe I'll just leave it at that. Does the minister have a total amount?

Maybe one of the minister's department officials could add up all of those numbers. I am coming up somewhere in the neighbourhood of a \$60-million figure — is what I am looking at — give or take a few million dollars. I understand the total budget is \$66.2 million, so that is sort of where I am coming from. It would be nice to see if those numbers are correct.

The next question with regard to the budget is: is she expecting any additional costs over and above those that have been identified in the past and in the current budget?

I think the number she had said was \$7.4 million, and then there was an additional \$3.5 million, plus \$500,000, so that's \$11.5 million that is currently being spent. I'm just wondering if she's projecting any additional expenses or will there be some also in 2012-13?

**Hon. Ms. Horne:** The figures add up to \$55,900,000, and the major change we see to the budget, as I announced, is the secure assessment centre. Otherwise, we are on time, on budget.

**Mr. Inverarity:** Thank you very much. I appreciate those comments and those numbers. To get them today was great. I do have to make some comments, though. I thought when this facility was started that the government cancelled plans for about \$30 million for this facility, and now we're looking at \$55.9 million, I guess.

There was some comment about a \$70-million figure that was being mentioned in the past few days. I thought maybe that was the secure assessment centre being added to the \$67 million. Is that number now not valid, or are we working toward that \$70 million? Or are we looking at reducing the budget from the \$66.2 million down to something in the \$55-million to \$60-million range?

**Hon. Ms. Horne:** Yes, we did change the plans from the original Liberal conception of a correctional centre that was a warehouse, which would have had a revolving door of recidivism. No, we changed that; we went out to Yukoners; we listened to Yukoners; we went out for extensive consultation; we listened to the elders of the Yukon; we listened to what they thought would make a correctional centre and indeed, we are building a correctional centre in the true sense of the word.

The budget for the Whitehorse Correctional Centre is \$66 million. The secure assessment centre is a separate project for \$3.5 million.

**Mr. Inverarity:** I may come back a little bit later this afternoon, but I had some discussions with the member from the Third Party here this afternoon and agreed to give up some of my time so that he can bring forward some of his issues in the spirit of cooperation. So, on that note, I'm going to thank the officials this afternoon for their comments. I will reserve judgment to return, if the member runs out of questions himself, to finish some of the additional questions that I have. I will state that it has been my pleasure to serve as the critic for the Department of Justice among others. I have learned a lot over the past five years with regard to the justice system. I think I'll leave it on that note, with thanks to the minister for her com-

ments and to the department officials for their kind support over the past years.

**Mr. Cardiff:** I'm very pleased today to be here to discuss with the Minister of Justice the budget for this year. I'd also like to take the opportunity to thank the officials in the Department of Justice for all of the hard work they do on a regular basis and for the thoroughness of the briefing we were provided with at the beginning of this sitting. I think we all recognize that our time in this Legislative Assembly is winding down, not just for this sitting but indeed for this session of the Legislative Assembly. I'd like to also give thanks to all of the staff in all of the caucuses. I know they work hard on a daily basis, and they provide members in this Legislative Assembly with information and guidance around the questions and the answers that are given in the exchange of information in this Legislative Assembly.

I'd also like to thank the staff, the Clerk and the Deputy Clerk, and the staff of the Legislative Assembly for the great service they've provided members of the Legislative Assembly.

I do have a number of questions, as the Member for Porter Creek South indicated, and will wait and see what answers we get and how long it takes to get through this. I'd like to ask the minister — a couple of weeks ago, we attempted to debate a motion about Bill C-4 and the minister went on record in a number of areas. I've asked questions in the Legislative Assembly about this. Her standard answer is that this is a federal government thing and that it doesn't affect the territorial government.

I'm going to say a few words about that. First of all, the territorial courts and the Minister of Justice are responsible for federal statutes and laws and administering them and prosecuting under those federal statutes and laws. I brought up a number of issues about Bill C-4 that I think are important in that motion. During my comments about Bill C-4, I actually gave the minister and the officials a lot of credit for some of the good things that have happened within the justice system — how we are moving and we have moved over the past 10 years to a more culturally inclusive justice system that looks at things like circle sentencing, that looks more to rehabilitation as opposed to retribution.

My concerns and the concerns of others were that the changes brought about by Bill C-4 would actually be a move backward, that they were based on more punishment, basically — they were more punitive in nature. The minister had the opportunity to respond to all of the points in the motion, but she chose to only respond to one, which was that Parliament stay any further consideration of Bill C-4. She said that there needed to be more of a conversation nationally about that. Well, the conversation was happening nationally until there was an election called. There was a committee of the House of Commons that was looking into this and they were hearing from Canadians. They heard, in fact, from the child and youth advocate of the Yukon.

The child and youth advocate in the Yukon and all child and youth advocates across this country had some serious concerns about what this legislation might mean to young people here in the Yukon and their interaction with the justice system.

I think that the minister, in answering the question last week, took two positions. On one hand, she agrees with what it is that the federal government is doing, but then it sounded like she was agreeing with the concerns that I had raised.

My question for the minister is, which one is it? Does she agree with what the federal government is trying to do, or does she agree with the Canadian Bar Association, the child and youth advocates from across Canada, and the other organizations that have raised these concerns?

**Hon. Ms. Horne:** I don't know if the member opposite — obviously he wasn't listening when I responded to the MLA for Porter Creek South. Bill C-4 is a change to the *Youth Criminal Justice Act*. The Minister of Health and Social Services is responsible for this file, both in the territory and at the FPT table on this issue. The government organizational structure establishes the Minister of Health and Social Services as responsible for youth justice.

I do applaud our child advocate for voicing his opinion on this matter, as should be done.

I also feel these are very important issues. We need to let the federal process run its course but, with respect to the administration of youth justice, that is a matter that does fall under the mandate of the Minister of Health and Social Services and not under the mandate of the Minister of Justice. Youth justice falls under the Department of Health and Social Services. Health and Social Services operates youth justice and programming for youth in Yukon.

We do need to let the federal legislative process run its course. People have to have their voices heard. We do support the fact that the child and youth advocate has gotten into this debate in Ottawa. That's why they're having it — to have people heard from across Canada. That is democracy, Mr. Chair.

**Mr. Cardiff:** Well, the minister has been fielding questions on this for over two weeks and she can't just hand it off to the Minister of Health and Social Services. I realize they are responsible for young offenders in the territory but the Minister of Justice fielded questions. She responded. She's the one who got up and responded to the motion. She is responsible for the courts in this territory. She's the Minister of Justice.

If she thinks it's so important and she supports the child advocate and his position, is she willing to make representation to the federal government in front of the standing committee and say that? Because she's speaking on behalf of Yukoners as an elected official. Will she and her colleague, the Minister of Health and Social Services, when the opportunity arises on a bill like this — will they go to Ottawa and represent Yukoners and say they don't agree with this?

I'll just wait until —

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

**Mr. Cardiff:** I'm just waiting until all the advice has been given and received by the Government House Leader. I'd like the minister to tell me whether or not she believes that she represents Yukoners on this file. Will she and her colleague, the Minister of Health and Social Services, make representation to Ottawa that they think that this is a bad piece of legislation for young Yukoners, that retribution and denunciation and deterrence are not the answer, but that in the territory we have



programs for rehabilitation and reintegration of youth into society and we feel that that's a much better way of dealing with these issues? Will she do that?

**Hon. Ms. Horne:** To respond to the member opposite, perhaps he was not aware, or didn't look across the room to notice that I was the stand-in for the Minister of Health and Social Services and Social Services last week when I responded to this question. The Minister of Health is now in the House. This is a very important issue. The *Youth Criminal Justice Act* is administered in several jurisdictions, including ours, by Health and Social Services. This is because children are often the responsibility of Health and Social Service departments.

In our case, this is clearly the responsibility of the Health and Social Services department, as I have said here several times today. What I can say is that we are well —

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

**Hon. Ms. Horne:** Excuse me, do I have the floor? I can't hear with the heckling.

What I can say is that we are well-represented by my colleague, the Minister of Health and Social Services, and that we are very much in favour of a youth criminal justice system that recognizes children as children, who should be treated in general as persons who have not fully formed the ability to make adult decisions, and this prosecution must take their age into account. It is very important that we do so.

This government will take the opportunity to meet with federal ministers to make representations that are in the interest of all Yukon citizens. We have done this over the course of the past seven years, and we will continue to do this over the next few years as well. Our government has been on the forefront of new initiatives, like restorative justice and FASD. Of course we are watching all issues such as this. The protection of our Yukoners — youth up to the elders — is very, very important to us. We want to ensure that their safety and the process through our court system is fair and adequate for all.

**Mr. Cardiff:** Like I said, if the minister wants to shuffle the file off to the Department of Health and Social Services and not take responsibility, that's fine.

I have some other questions for the minister around the recent announcements of the police review recommendations. We've been fairly vocal in some of the calls we've made in the Legislative Assembly for things we would like to see come forward — that we've heard from Yukoners about over the last few years — with regard to policing and the policing review.

The New Democrats have long been calling for some form of a model of community policing, where citizens are actually involved and have some say in the policing services that are delivered in their community and have a role to play in making those improvements.

The minister announced last week that they are moving ahead to establish a Yukon police council to give citizens the opportunity to make recommendations, encourage accountability and provide input into the policing services. I'm going to ask the minister what I hope is a fairly simple question. My recollection is that this police commission was to be established and was going to have something like four to six mem-

bers on it, that it would be chaired by the Deputy Minister of Justice, and that there would be representation from the RCMP on it. Maybe the minister can get up and clarify how many members there are or whether that has changed and where the membership of that police council — where members would be drawn from.

We introduced a motion in the Legislative Assembly asking that there be one permanent representative nominated by Yukon aboriginal women's groups and one permanent representative nominated by Yukon women's groups. I'd like to know whether or not the Minister of Justice is willing to go forward with that, whether or not she will be soliciting names from those two areas, and whether or not there will be permanent representation by those two groups.

**Hon. Mr. Hart:** To assist with the member opposite's previous question with regard to youth justice, I would like to respond to maybe help him out a little bit. We believe the goal of the act and any amendments to the act should be to have the safest possible communities. That being said, the provisions of the proposed bill will reduce the effectiveness of the act and they should be reconsidered. Bill C-4 will likely reduce the effectiveness of the *Youth Criminal Justice Act*, particularly as it respects to pretrial detention and adult sentences for serious offences.

The bill was tabled, I believe — I wasn't here — without any notice or consultation with the provinces or territories that are responsible for the delivery of the services under the YCJA. Our youth branch works toward prevention and reduction of the incidence of youth crime and to promote the health and well-being of youth and families. We look at delivering safe, secure and culturally sensitive programs in response to youth crime and also to promote healthy reintegration of young persons back into the community.

The youth justice branch services include youth probation, custody services and community programs, youth achievement centre and the youth high-risk treatment programs. This government is working very hard to give our youth the very best chance to rehabilitate themselves and reintegrate into Yukon society.

I will also state that the Yukon will continue to work together with the other jurisdictions — and I repeat, with the other jurisdictions — and the federal government through meaningful consultation to support the provinces and territories on the recommendations to improve Bill C-4 to ensure that its objectives and goals are to provide the safest possible communities for all provinces and territories in Canada.

**Mr. Cardiff:** Well, I would like to thank the Minister of Health and Social Services for that reassurance, because it was difficult to get that reassurance from other members on that side of the House — that there were actual concerns and that there would be representations made to the federal government that there was work ongoing with other provincial and territorial jurisdictions — to make these concerns known to the federal government about the negative effects of this piece of legislation.

I am glad that I had the opportunity to bring this forward to the government's attention, and that they have woken up to the

fact that there is a problem with this legislation and that changes need to be made. I'm pleased that the Minister of Health and Social Services responded in such a positive way.

The question for the Minister of Justice, before we were a little sidetracked by going back to the previous question, was around representation on the policing council, what the makeup of that police council is and if there will be guaranteed representation from a person nominated by aboriginal women's groups in the Yukon and by women's groups in the Yukon — two individuals, permanent members of the police council.

**Hon. Ms. Horne:** As I said earlier, I really do appreciate constructive criticism, but what we face in this House is complaining just to complain. We do something the members opposite want us to do, we've already done it, and they want to take the credit for it. I guess that's not going to change.

To answer the questions on the policing review, a little less than a year ago, it was this government that called the policing review. Let's remember that. We want what is best for Yukoners — for Yukoners to feel safe; for women to feel represented, that they feel safe in their communities and their children feel safe.

It was just a year ago that a coroner's inquest brought to light some very disquieting revelations about the death of Raymond Silverfox in RCMP cells. As I said in the press conference just Tuesday, our sympathy goes out to the Silverfox family and his community. We hope that something good would come out of his death. That is one of the reasons why we took over the policing review and asked for this review into Yukon's police force. That resulted in the final report that was made public in January. I am pleased to report to this House further progress in implementing the recommendations from the review. Our government, together with our partners, announced the establishment of Yukon police council that will provide our citizens with the opportunity to have their say on policing in Yukon. In addition, the police council will encourage greater accountability and transparency in policing for the Yukon public. We are also in the process of establishing an agreement with the Alberta Serious Incident Response Team, or ASIRT, and we expect this agreement to be in place by fall of this year. The ASIRT agreement will be for conducting external investigations into serious incidents involving the RCMP.

Our government also announced the establishment of a domestic violence and sexual assault coordinating committee that will develop a comprehensive framework to coordinate the response of service providers to domestic violence and sexual assault. In addition, our government will provide funding for M Division of the RCMP for a domestic violence response team.

Finally, we will be funding the Council of Yukon First Nations in partnership with Yukon College to establish a law-enforcement career orientation program and the Northern Institute of Social Justice. This program will help prepare First Nations and women for a career in law enforcement or the justice system.

Our government is working very quickly to implement the recommendations of the policing review. When we released the policing review to the public, we began with the announcement

of the construction of the secure assessment centre to replace RCMP cells in the City of Whitehorse.

The secure assessment centre will allow for better treatment for persons who require secure custody. It will also provide a better separation for women and youth who are being held in temporary security. The centre will dovetail with the good work of my counterpart at Health and Social Services in implementing the recommendations of the acutely intoxicated persons report on establishing a coordinated response to our vulnerable citizens.

I was pleased to be able to stand with our partners at Council of Yukon First Nations who have identified with us the four priorities that were announced on Tuesday. Council of Yukon First Nations and our First Nation partners have been working hard together to prioritize the recommendations. The RCMP have also been an important component in our working together to improve Yukon police services and to ensure that we work toward a responsive, accountable and trusting relationship. The funding amounts for the implementation of the policing review are still being worked on as we roll out these priorities. I am pleased to be able to tell this House that we are working very quickly to roll out these implementations.

In January, we announced that we would be spending \$500,000 this year on planning and ground preparation work for the new secure assessment centre, of which \$250,000 was recoverable from Canada. In the coming fiscal year, \$3,580,000 will be spent on the construction of the secure assessment centre, of which \$1,790,000 will be recoverable from Canada.

We expect to have further final costs of the priorities we announced this week, once we have come to agreements with the RCMP in the case of ASIRT with the Government of Alberta and will announce those as they come in. It is important for Yukoners that we act in a responsible way to implement the recommendations of the policing review as we heard from the people. One thousand Yukoners came forward; we heard their voices; we are acting on their recommendations. Our government has committed itself to being responsible with the taxpayers' money and that is why we are bringing the new Correctional Centre in on time and on budget.

As to the actual police council, a Yukon police council will be established to provide the means for citizens to have input into the delivery of policing services in the territory. The council will consist of six members; this has not changed. It came forward as six members, with the Deputy Minister of Justice who will serve as chair. Three of the six members will be nominated by Yukon First Nations. A call for nominations for the police council will be issued this spring and the first meeting will be held this summer.

The first task for the police council will be to work with First Nations and stakeholders to develop an implementation framework for the remaining recommendations included in the review of Yukon's police force. The role of the council is to make written recommendations to the minister and the commanding officer of M Division on issues relating to the delivery of policing services in Yukon, including: establishing core policing values that reflect Yukon's history and culture and heritage; ensuring that community needs and values are reflected in

the policing priorities, objectives, programs and strategies of M Division; establishing policing practices and standards for M Division; ensuring that police services are delivered in a manner consistent with community needs, values and expectations; acting as a liaison between the community and M Division; participating in the selection of the M Division commanding officer; and receiving reports on matters that affect the administration of justice, including annual performance plan updates, public complaints, use of conducted energy weapons and updates are high profile matters.

Are we listening to Yukoners? Are we representing the women's needs? You bet we are. The Yukon police council may meet with Yukon First Nations, municipalities, non-government organizations or others in carrying out its duties and will coordinate activities with national organizations, such as the Commission for Public Complaints Against the RCMP and the Canadian Association of Police Boards. The government administrative manual that deals with boards and committees ensures that all minister appointments to boards are representative boards of the Yukon population.

In the case of the police council, we felt that three First Nation members were necessary due to the inordinate amount of First Nation persons in Yukon who find themselves involved with the RCMP and subsequently the courts and corrections. This does not preclude me, as minister, from finding persons who are, for instance, both First Nation and women and who also may belong to women's organizations.

As Minister of Justice and Minister responsible for the Women's Directorate, I have been involved in many, many issues related to women, and I can assure the member opposite that the *Sharing Common Ground* report was very, very inclusive of women's views. We announced that we are working to create a program to get women and First Nation women into career orientation programs, in partnership with the RCMP, to prepare our citizens for RCMP training at Depot Division. I will continue to listen to women's groups in implementing the recommendations, and there will be more announcements in the future regarding this issue.

**Mr. Cardiff:** I thank the minister for the rather circular answer to the question. I'm glad she got around to answering it after awhile, but she didn't specifically say whether or not those organizations would be solicited for nominations. I would hope they would be solicited.

The minister began her remarks by basically saying they have all the good ideas and we can't take credit on this side of the House for any of the good things the government has done. I think she needs to remind herself of some of the words of the Premier during Question Period. This is exactly what I was trying to get through to the Premier, that there are good ideas on all sides of the House in this room and, ultimately, we all take credit for them when it's a good decision.

I think that where we run into problems is where I was trying to make suggestions about things like Bill C-4 or how we show compassion for intoxicated people in the Yukon, and the government side shoots us down and basically says that they're bad ideas. But when they actually react and they do something, it's their idea and they want all the credit for it.

The minister read the backgrounder; I've also read the backgrounder about the police council; I've probably read it through two or three times. It is a move in the right direction and it provides advice to the minister and the commanding officer and, ultimately, the minister and the commanding officer will have to make decisions that are within their mandates about how these services are delivered to Yukon communities.

A year ago we applauded the minister for beginning the police review. We thought it was a good idea. We had been asking for something along these lines for several months, and it was more than just the in-custody deaths. There were other issues at play that the minister might not even remember. When you read through the *Sharing Common Ground* report and when you read through all of the other subsequent reports that were made and attached to the *Sharing Common Ground* report, it becomes evident why this was needed: the fact that women's views were marginalized; that women weren't believable; that when women came forward and said they had been sexually assaulted, they weren't believed by the police; that they were sexually assaulted by police officers, that they weren't believed.

You're darn right there was a need for a policing review and a look at how policing, not just in the territory, but across Canada is delivered. I applaud the work of all those who were on the policing review committee and all the advisors, the steering committee, for the hard work and the dedication they showed to bring to light the views of those who were most at a disadvantage, who don't have a voice. I'm glad those voices have now been heard, loud and clear.

I hope there will be actions that will improve the policing and the administration of justice here in the territory for all Yukoners, regardless of who they are, what race they are, what sex they are, what their income level is, because all should be treated equally.

So the minister never responded, basically, to — she said that she has the ability to ensure, but I want to ensure women are represented. What I want to know is will they be asked to provide nominations, to put names forward to sit on this police commission. I also would like to draw the minister's attention to one of the recommendations in the Yukon Aboriginal Women's Council report and recommendations from last November to the policing review. Recommendation 3 states: "involve the community in the selection of officers and in cross-cultural education and training of Yukon's police force."

The report says, "With respect to improving RCMP-community relations, Aboriginal women spoke of the need for officers to understand the community, the culture and the people they were assigned to serve. This form of knowledge and understanding clearly cannot be obtained in a training depot located in Regina. It is important for RCMP officers also to appreciate the diversity of the culture and the relationships that Yukon First Nations communities have with each other, their history, development and the societal impacts as a result of the construction of the Alaska Highway, Residential Schools, the apprehension of children through child welfare legislation and through the imposition of the *Indian Act* on our communities. These points of contact and legislation, while historical in na-

ture, have had deleterious impacts on the advancement of Aboriginal people in the Yukon as well as their relations with each other and those with authority.”

There is a lot more in the report. It speaks to not just the need, but I think it also speaks to the communities’ willingness to help provide some of that — number one, to participate in some sort of a process to select, educate and train people in that cultural context in their community. That’s an important piece, I believe.

It could become part of the policing agreement possibly — I’m not sure. But, at the very least, the minister meets with the commanding officer, and she has the signing authority on the agreement, and she’s the one who has the legal, legislative relationship, so to speak. I’m just wondering whether or not the minister, first of all, read that recommendation and what it’s about, because I think the Yukon Aboriginal Women’s Council views this as a way to improve police services to aboriginal women and the communities, and it would be helpful to the officers, as well, to give them the context.

Is the minister looking at having that discussion and trying to work with communities and aboriginal women to ensure that this type of cultural training and awareness for RCMP officers serving in communities can be made available?

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

#### *Recess*

**Chair:** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 24, *First Appropriation Act, 2011-12*. We will now continue with general debate in Vote 8, Department of Justice.

**Hon. Ms. Horne:** I do find it humorous that the man opposite thinks he knows what’s best for Yukon aboriginal women. I find his suggestion — that I may not recollect past issues of aboriginal women — offensive. I was raised in rural Yukon. The member opposite has heard about these issues; I have lived them.

We as a government do support the notion of community policing and that is why we created the council, so that citizens have direct input into establishing policing priorities in the territory. On the council we have six members, plus the Deputy Minister of Justice as the chair. Three members will be nominated by First Nations. We will consult directly with First Nations, as well as women’s organizations, when determining the board composition.

Yes, women’s organizations will be asked to bring forward their recommendations for the police council. Indeed, I understand that several names have already come forward on behalf of women’s organizations. We will be putting out a formal call for names in the very near future.

*Sharing Common Ground* was pretty clear with respect to the need for RCMP members to have greater understanding of Yukon history, including First Nation history, as well as the unique First Nation context in the individuals’ communities in which these officers will serve.

I did raise this issue with the RCMP commissioner two years ago when I met with him in Whitehorse. So, yes, I am committed to this recommendation.

With respect to community members being involved in staffing processes, this was a recommendation that was brought forward by the co-chairs of the review. Recommendation 1.7 was that M Division ensure that First Nations and municipal leaders are offered the opportunity to participate in the selection of detachment commanders. I understand that this is now taking place. The commanding officer has invited the mayor, leaders from KDFN and Ta’an Kwäch’än to participate in the process to select a new commander for the Whitehorse detachment.

It often takes years to recover from something like this, unless there is a very deliberate, focused approach, which we are absolutely doing — one the community can actually see being done quickly and point to the changes in behaviour and policies. We have to share a common approach.

We cannot do this in isolation. It must be inclusive. It has to be an inclusive approach, where the community has a voice in holding their police service answerable for their actions. You cannot police attitude. It comes from changing hearts and minds on all fronts — not only the RCMP, but on all fronts. Change can be accomplished through what members see in their leaders. Peter Clark, I must say, is an outstanding mentor of attitude.

We do need more intense cross-cultural training that focuses on changing perspectives and attitudes with our First Nation communities and all Yukon in general. This policing review, as I’ve said before, is a real opportunity for us to build a stronger relationship with the public and more specifically, the First Nation community. This review not only revealed problems or gaps in services, it also provided distinct recommendations that can be seen as effective by the public, yet realistic and acceptable to the RCMP and government.

Mr. Chair, our time is limited, and I would suggest that we discuss the budget of the Justice department as presented.

**Mr. Cardiff:** I thank the minister for the little shot, but this is about the budget. This is about how we spend the money in Justice. The policing contract is more than \$12 million and there is money in this budget. So this is what we are talking about — the budget and how the administration of justice throughout this territory is conducted by the minister’s department, in partnership with the RCMP, which delivers the policing services. To that end, for the minister’s information, I may not have lived the same experience as she has, and just because I am a man doesn’t mean that I can’t listen to people and understand, empathize and represent their interests.

The minister is not the only person in this Legislature who can represent the interest of aboriginal women. I recognize and respect her experience, the life she has lived and the experience that she has, but I’m here representing individuals who have talked to me and individuals who took the time to write a report that I hope that I read and I hope that the minister read. I’m not talking about *Sharing Common Ground*; I’m talking about the report that the Aboriginal Women’s Council did, and there were several other reports by a number of groups that are all

posted on the policing review website. I don't know that I really heard an answer to whether or not the minister would support that cultural training that was being offered by communities and recommended by communities or whether she supported community involvement in the selection of officers.

I understand it has to be acceptable to both the public and the RCMP. It's recommendation 3 in the report by the Yukon Aboriginal Women's Council, report and recommendations, November 21, 2010.

Something else that came up during the review and is being asked for by women and women's groups is committing resources to a legal — and I'll repeat that word, "legal" — advocate position to assist women victims of violence. I know there is the Victim Services unit; I know there are women's advocates at the Victoria Faulkner Women's Centre and within the Women's Directorate, but it's about providing legal advice to women and ensuring that those resources are available throughout the territory, not just here in Whitehorse.

Non-government organizations are limited, to some extent, because of their non-profit status and they have limited resources to actually be able to provide services to rural Yukon. They don't necessarily have the legal expertise to provide advice to women under circumstances where they may need advice about how to go about pressing charges, what are the charges and how to communicate it adequately. So that legal advice, especially in the cases of dual charging, when that happens, they need some guidance on how to proceed with what it is they feel they need to pursue in order to get justice.

Would the minister be willing to commit some resources to look at a legal advocate position to assist women who are victims of violence? Just so I'm clear with the minister — those services need to be provided in communities like Watson Lake, Mayo, Ross River and Dawson City. They need to be available in those communities because they have less ability to access those services.

**Hon. Ms. Horne:** The Department of Justice currently offers many services to victims of crime through the Victim Services unit, including: the Domestic Violence Treatment Option Court in Whitehorse and Watson Lake; assistance in the court process by supporting applications for peace bonds and emergency intervention orders; information about court proceedings; support for preparing victim impact statements; preparing victims to testify as witnesses and working with federal Crown witness coordinators.

We have 24-hour access to VictimLINK, the crisis line; a counselling service — individual and group — offered in Whitehorse and in the communities through the Victim Services unit and supporting community requests for programming and training. Every Yukon community has a victim services worker assigned to work directly with victims of crime.

In 2010-11, the Government of Yukon began supporting an 18-month training plan to ensure compassion fatigue and vicarious trauma training is available to people responding to needs of victims across Yukon. In April, we will expand this program to train the trainers so that the participants from last year can deliver the program throughout Yukon. In addition, the Department of Justice also funds the support variation as-

sistance program that provides assistance to persons who need to have their support orders varied. The maintenance enforcement program, which helps to collect child and spousal support, legal aid to provide lawyers for parents involved in child protection matters and permanent custody applications; the Law Line, which takes over 2,000 calls per year, of which more than one-third are family law questions; and For the Sake of the Children parenting programs.

The recommendation the member opposite is asking about is 4.1, which I'll read: "that the Department of Justice and M Division establish an interagency working group including representatives from First nations, women's organizations and the public prosecutions office, to develop a comprehensive framework for responding to domestic violence and sexualized assault."

We just made the announcement last Tuesday that the domestic violence coordinating committee will specifically address the issues brought forward in 4.1, and that covers the legal advocate position as well.

We have to bear in mind here that our recommendations from the police review — we're just at the beginning of this process. The member opposite is asking questions that go beyond what we just announced last week. We have acted very quickly on this police review. We have already put a lot of these — five — actions now in place. We are working extremely quickly on this policing review. Give us time. We are also forming the council of six, with the deputy minister as chair, who will be acting on the rest of the recommendations.

As minister, I met with the leaders of the First Nations in Yukon; we agreed on the path we would be taking and we are following that path. We all agree on that path. I feel we were very inclusive; we are very sincere about putting the recommendations into place and, before we criticize, let's follow due process here.

**Mr. Cardiff:** It's unfortunate the minister considers all questions criticism. Can the minister tell us what the time frame is to have these advocate positions in place?

She just announced it last Tuesday, and it is in the background that there is consideration of an advocate for victims to support them through the court process. But what's the time frame? The minister is talking about a framework; I'm looking for a timeline.

**Hon. Ms. Horne:** The framework will include consideration of a specialized prosecution service, clarification of charging protocols in domestic violence situations, an update of the role of the sexual assault response committee, specialized training for RCMP and front-line responders and consideration of an advocate for victims to support them through the court process. We have to let the committee do their work. We have to get the committee together so they can commence their work. Hopefully we will have this up and running by year-end. I'll just correct that: calendar year-end.

**Mr. Cardiff:** The minister did get up and clarify that it's the calendar year and not the fiscal year-end. I raised this issue earlier. I believe it might have been during the supplementary budget as well. I know it has been raised either in budget debate or through motions, about the percentage of suc-

cessful prosecutions of sexual assault or violent offences involving women victims and how the statistics show that there isn't a very great success rate in prosecutions.

One of the ways to monitor that, and I think that women's groups would support this — it was recommended by some who participated in the policing review — is that there be an actual court-watch program to monitor cases where there are prosecutions in abuse cases, domestic violence cases, to monitor the outcomes to see whether or not the measures that the minister is putting in place are actually effective and that they increase the prosecution rate and the success of those prosecutions.

Would the minister support that?

**Hon. Ms. Horne:** To respond to the member's comments on the Aboriginal Women's Council report, I did indeed read that report very thoroughly. I found that most of the points covered in the Aboriginal Women's Council report were covered in the report from the co-chairs on *What We Heard*. I believe we are acting on all those recommendations that were put forward by the Aboriginal Women's Council.

The collapse rates are an issue in the territory. Indeed, as minister responsible for the Women's Directorate, I met with the leaders of the women's community just last week and we discussed this issue.

It was very important to me to get the women's organizations together, which has not been done before — get everybody's ideas in one room to get their recommendations and move forward. I spoke to them at this meeting and said we are taking the police review and the recommendations very, very seriously, and we are working with them. I left that meeting saying that I was open to their suggestions, that I have an open door policy, that they can come forward to me with any issues they think are important that I look into.

We have to follow due process here. The framework, as I just announced, will include consideration of a specialized prosecution service, clarification of charging protocols in domestic violence situations, and an update of the role of the sexual assault response committee, or SARC; specialized training for RCMP and the front-line responders and consideration of an advocate for victims to support them through the court process. This is why we need the domestic violence framework that will be developed by the coordinating committee. It has to be created before we continue with our work. And I reiterate that we have looked at every recommendation.

We received 33 recommendations from the police review, and we are considering each and every one of them, and we have covered many of them already as a priority.

**Mr. Cardiff:** To go back to the minister's announcement last week with regard to the investigative agency — the use of the Alberta Serious Incident Response Team. While I understand that there are civilian members on that, a lot of the investigations are done either by municipal police or by RCMP. I guess what I'm looking for is — I understand the need to have those investigative resources — that's probably not the right word — those skills needed to do those investigations — that need to be present on the committee.

I just want some assurance because one of the things that I heard loud and clear during the police review, and long before the police review, was the need for an independent civilian oversight for monitoring complaints. The commanding officer locally here has indicated that even nationally the RCMP is moving toward that. I guess what I would like to know from the minister is, if we're using this Outside service from the Province of Alberta, where do Yukon people interact to ensure that their concerns are being adequately represented and served?

I understand they are the ones who would be making the complaints, but is there a value to trying to find a way to involve Yukoners in this civilian oversight process of doing investigations? Has the minister looked at that? I applaud the commanding officer here locally for his position on this. He sees the value in it, and it sounds like the national level is coming along as well and sees the need for this independent oversight, but what I want to know from the minister is, how do we put a local perspective on it as opposed to having only an Alberta perspective?

**Hon. Ms. Horne:** We get no credit in this House for what we do. It was this government that called for the police review. We've been working toward this police review, asking for change for the last few years, and yet credit is always given to others and not to us for what this government is doing and that we are responding to from Yukoners and doing what they asked us to do.

A common concern in going out to Yukoners was heard by the co-chairs of the police review, and that was the issue of RCMP investigating its own members or employees when they are involved in a serious incident.

This concern is common across Canada and citizens have said they want an agency that is independent of the RCMP to conduct sensitive investigations involving RCMP members and employees. In early 2010, the RCMP implemented the external investigation and review policy to ensure that investigations of RCMP employees are fair, effective, thorough, impartial, culturally sensitive and conducted in a manner that promotes public confidence. The policy directs the RCMP to look for an appropriate provincial or federally established body to conduct the investigation. If no such body exists, a provincial or municipal police force will be asked to conduct the investigation.

The policy has been triggered in a number of cases in the Yukon in the last year.

In response to these concerns from citizens, the co-chairs of the police review recommended that in implementing the interim RCMP external investigation and review policy, M Division first contact a civilian police force — a civilian investigation agency. Moreover, the co-chairs recommended that the Department of Justice enter into an agreement with an existing civilian police investigation agency to provide external investigations as required by M Division and that is exactly what we are doing.

The Alberta Serious Incident Response Team, or ASIRT, performs this function in Alberta. ASIRT is an agency of the Government of Alberta. It is led by a civilian director who is a lawyer and a Crown prosecutor. Its investigations are con-

ducted by four civilian investigators and 10 sworn police officers drawn from the Calgary Police Service, the Edmonton Police Service and the RCMP.

ASIRT may be called upon when a police officer is the subject of a criminal investigation, is charged with a serious crime, is involved in a shooting, or when a person dies in custody, or from the actions of a police officer. Currently, there is no Yukon-based civilian independent investigation agency. In response to the police review recommendation, the Department of Justice will indeed be entering into an agreement with the Government of Alberta, and Yukon will provide ongoing funding.

Alberta will agree to make an ASIRT investigator or investigators available on an as-needed basis to investigate incidents in Yukon. Those investigators will not, as I reported earlier in the week, be members of the RCMP and will follow direction from the Yukon Department of Justice. The executive director was very clear last week when he said that the lead investigator responding to a call from Yukon would not be an RCMP member. As the executive director stated, there is a need to balance the independence of the investigation and ensuring the quality of investigations.

I think his words were that we needed “excellence in the investigation.” That is why he is using people with the most expertise in that area, which is normally retired officers. With respect to the local involvement, the executive director of ASIRT stated that in Alberta, he already involves a member of the community in which the incident took place. So yes, there is the possibility of having a local Yukon citizen act as a liaison to the investigating team. Again, we have to remember, as I just said, that we are at the beginning of this process. We have to wait for due process to follow. We are working on all the recommendations put forward in the policing review.

**Mr. Cardiff:** I thank the minister for that answer. I thank her for the clarification and the assurance that members of the local community will have the opportunity to participate and that the person who’s heading up the ASIRT team does that in Alberta and is willing to look at that happening here in Yukon. That wasn’t clear before.

With regard to the police review, and actually the report on acutely intoxicated persons, the minister and the government’s response to date has been basically that the secure assessment facility is the response. But it’s not the only thing that is needed. It’s about how we interact with the acutely intoxicated people and how we show compassion and empathy for those individuals. I’m going to end up giving the last word to the minister because I want to hear from the minister her response to this question.

There are a number of things that need to be in place, and not all of them are her responsibility. I don’t have the opportunity to ask the Minister of Health and Social Services about shelters and medical detox facilities in the downtown core. But I do have the opportunity to ask the Minister of Justice about the legal and legislative provisions in things like the Yukon *Liquor Act*. The New Democrats proposed a different way of dealing with — I don’t like using that word, actually — about how we interact with acutely intoxicated people. It’s not that

we deal with them — it’s that we show them compassion, we show them empathy. It’s about providing service to those people. It’s not about dealing with them; it’s about providing that service to those individuals who suffer from alcoholism or drug addiction.

In the report on acutely intoxicated persons, there were some recommendations to make legislative changes to the *Liquor Act* in order to address these issues and to provide those services. Is the Minister of Justice looking at any of those legislative changes? She didn’t like the ones the New Democrats proposed, so I’m curious as to whether or not the government is looking at making any of their own.

**Hon. Ms. Horne:** You know, we’ve announced many times that substance abuse is the biggest driver of crime in Yukon, and that is one of the reasons we put into place the *Yukon Substance Abuse Action Plan*. That is not only in the Justice department; that is throughout the government departments. The secure assessment centre indeed is a new annex off the new Correctional Centre.

The RCMP’s workload related to holding prisoners would be done by correctional officers, and Yukoners were disturbed by the death of Raymond Silverfox, as well as four other deaths in custody in the last decade. The RCMP deals with intoxicated people on a daily basis who require detainment and make the duty of care and safe handling very challenging. It takes an RCMP officer off-duty to book and detain someone taken to the holding cells.

That is a significant period of time. My understanding is that it takes up to four hours of the officer’s time to book them. This centre — the secure assessment facility — will provide a combination of secure, short-term accommodation with medical assessment staff and specially trained security guards and possibilities for short-term case management. Everyone, especially the acutely intoxicated, will receive a higher standard of medical assessment and supervision. Another positive result will be that the RCMP will focus on policing activities. We have negotiated an agreement with the RCMP, as I stated before, on a 50:50 cost-sharing basis. It was made very clear when we announced our plans for the new Correctional Centre that it was to be a multi-purpose facility.

I would just like to clarify something the member opposite said, that we are not building a sobering centre at the Whitehorse Correctional Centre. We are, in fact, building a secure assessment facility, which is very different. It is still the intent of the government to explore the creation of a sobering centre in the downtown core. I think the Minister of Health and Social Services already stated this when he spoke in the House and answered questions from the members opposite.

The secure assessment centre will replace the cells at the RCMP station. The sobering centre will serve individuals who are intoxicated but are not a danger to others or to themselves or who do not have a criminal charge against them.

I know it’s confusing, but we have three different facilities that will provide services to those in our population whom we refer to as “chronic inebriates” or the “acutely intoxicated.”

The Department of Health and Social Services is continuing to develop implementation plans based on the task force

report and is looking to a downtown location that ideally would co-locate the detoxification and the sobering centre to better serve the clientele who use those services. Yes, Mr. Chair, we have heard Yukoners and we are putting into action what we heard. We are exploring the area.

**Chair:** Order please. The time has reached 5:00 p.m. on this the 30<sup>th</sup> day of the 2011 spring sitting.

#### **Termination of sitting as per Standing Order 76(1)**

**Chair:** Order please.

The time has reached 5:00 p.m. on this, the 30<sup>th</sup> day of the 2011 fall sitting. Standing Order 76(1) states: "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

"(a) put the question on any amendment then before the Committee;

"(b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;

"(c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and

"(d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee."

It is the duty of the Chair to now conduct the business of Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the Government House Leader to indicate the government bills now before Committee of the Whole, which should be called.

**Hon. Ms. Taylor:** The government directs that Bill No. 24 and Bill No. 94 be called at this time.

**Chair:** The Committee will now deal with Bill No. 24, *First Appropriation Act, 2011-12*.

#### **Bill No. 24: First Appropriation Act, 2011-12 — continued**

**Chair:** The Chair will now recognize Mr. Fentie as the sponsor of Bill No. 24 for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

**Hon. Mr. Fentie:** I move that all clauses, schedules and the title of Bill No. 24, *First Appropriation Act, 2011-12*, be deemed to be read and carried.

**Chair:** It has been moved by Mr. Fentie that all clauses, schedules and the title of Bill No. 24, *First Appropriation Act, 2011-12*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

*Motion agreed to*

*On Operation and Maintenance Expenditures*

*Total Operation and Maintenance Expenditures in the amount of \$856,863,000 agreed to*

*On Capital Expenditures*

*Total Capital Expenditures in the amount of \$1,094,580 agreed to*

*Clauses 1 and 2 agreed to*

*Schedules A, B and C agreed to*

*Title agreed to*

**Hon. Mr. Fentie:** I move that Bill No. 24, entitled *First Appropriation Act, 2011-12*, be reported without amendment.

**Chair:** It has been moved by Mr. Fentie that Bill No. 24, entitled *First Appropriation Act, 2011-12*, be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

*Motion agreed to*

**Chair:** The Committee will now deal with Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*.

#### **Bill No. 94: Act to Amend the Judicature Act (Trade Orders)**

**Chair:** The Chair will now recognize Ms. Horne as the sponsor of Bill No. 94 for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

**Hon. Ms. Horne:** I move that all clauses and the title of Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*, be deemed to be read and carried.

**Chair:** It has been moved by Ms. Horne that all clauses and the title of Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

*Motion agreed to*

**Hon. Ms. Horne:** I move that Bill No. 94 be reported without amendment.

**Chair:** It has been moved by Ms. Horne that Bill No. 94 be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

*Motion agreed to*

**Chair:** As all government bills identified by the Government House Leader have now been decided upon, it is my duty to rise and report to the House.

*Speaker resumes the Chair*

#### **Termination of sitting as per Standing Order 76(2)**

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

#### **Chair's report**

**Mr. Nordick:** Committee of the Whole has considered Bill No. 24, *First Appropriation Act, 2011-12*, and directed me to report it without amendment.

Committee of the Whole has also considered Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*, and has directed me to report it without amendment.



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

**All Hon. Members:** Agreed.

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

Standing Order 76(2) states: "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall:

"(d) with respect to each government bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,

"(i) receive a motion for a Third Reading and passage of the bill; and

"(ii) put the question, without debate or amendment, on that motion."

I shall, therefore, ask the Government House Leader to identify which of the bills now standing at third reading that the government wishes to be called.

**Hon. Ms. Taylor:** Mr. Speaker, the government directs that Bill No. 23, Bill No. 24 and Bill No. 94 be called for third reading at this time.

## GOVERNMENT BILLS

### Bill No. 23: *Third Appropriation Act, 2010-11* — Third Reading

**Clerk:** Third reading, Bill No. 23, standing in the name of the Hon. Mr. Fentie.

**Hon. Mr. Fentie:** I move that Bill No. 23, entitled *Third Appropriation Act, 2010-11*, be now read a third time and do pass.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 23, entitled *Third Appropriation Act, 2010-11*, be now read a third time and do pass.

As no debate or amendment is permitted, I shall now put the question. Are you agreed?

**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. Kenyon:** Agree.

**Hon. Mr. Rouble:** Agree.

**Hon. Mr. Lang:** Agree.

**Hon. Ms. Horne:** Agree.

**Hon. Mr. Edzerza:** Agree.

**Mr. Nordick:** Agree.

**Mr. Mitchell:** Disagree.

**Mr. McRobb:** Disagree.

**Mr. Elias:** Disagree.

**Mr. Fairclough:** Disagree.

**Mr. Inverarity:** Disagree.

**Ms. Hanson:** Disagree.

**Mr. Cardiff:** Disagree.

**Mr. Cathers:** Agree.

**Clerk:** Mr. Speaker, the results are 10 yea; seven nay.

*Motion for third reading of Bill No. 23 agreed to*

**Speaker:** The yeas have it. I declare the motion carried and that Bill No. 23 has passed this House.

### Bill No. 24: *First Appropriation Act, 2011-12* — Third Reading

**Clerk:** Third reading, Bill No. 24, standing in the name of the Hon. Mr. Fentie.

**Hon. Mr. Fentie:** I move that Bill No. 24, entitled *First Appropriation Act, 2011-12*, be now read a third time and do pass.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 24, entitled *First Appropriation Act, 2011-12*, be now read a third time and do pass.

As no debate or amendment is permitted, I shall now put the question. Are you agreed?

**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. Kenyon:** Agree.

**Hon. Mr. Rouble:** Agree.

**Hon. Mr. Lang:** Agree.

**Hon. Ms. Horne:** Agree.

**Hon. Mr. Edzerza:** Agree.

**Mr. Nordick:** Agree.

**Mr. Mitchell:** Disagree.

**Mr. McRobb:** Disagree.

**Mr. Elias:** Disagree.

**Mr. Fairclough:** Disagree.

**Mr. Inverarity:** Disagree.

**Ms. Hanson:** Disagree.

**Mr. Cardiff:** Disagree.

**Mr. Cathers:** Agree.

**Clerk:** Mr. Speaker, the results are 10 yea, seven nay.

*Motion for third reading of Bill No. 24 agreed to*

**Speaker:** The yeas have it. I declare the motion carried and that Bill No. 24 has passed this House.

### Bill No. 94: *Act to Amend the Judicature Act (Trade Orders)* — Third Reading

**Clerk:** Third reading, Bill No. 94, standing in the name of the Hon. Ms. Horne.

**Hon. Ms. Horne:** Mr. Speaker, I move that Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

**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. Kenyon:** 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.

**Ms. Hanson:** D'accord.

**Mr. Cardiff:** Agree.

**Mr. Cathers:** Agree.

**Chair:** Mr. Speaker, the results are 17 yea, nil nay.

*Motion for third reading of Bill No. 94 agreed to*

**Speaker:** The yeas have it. I declare the motion carried and that Bill No. 94 has passed this House.

We are now prepared to receive the Commissioner, in his capacity as Lieutenant Governor, to grant assent to the bills which have passed this House.

*Commissioner Phillips enters the Chamber, announced by the Sergeant-at-Arms*

### ASSENT TO BILLS

**Commissioner:** Please be seated.

**Speaker:** Mr. Commissioner, the Assembly has, at its present session, passed certain bills to which in the name and on behalf of the Assembly, I respectfully request your assent.

**Clerk:** *Third Appropriation Act, 2010-11; First Appropriation Act, 2011-12; Act to Amend the Judicature Act (Trade Orders); and Act to Amend the Workers' Compensation Act.*

**Commissioner:** I assent to the bills as enumerated by the Clerk.

I would be remiss if I didn't make a brief comment. I have to say that this is the first time — as an official office — that I've come into the Legislative Assembly. It's way different from days when I did come in to this Assembly. It is a time

when I think all members are rather glad to see me. That wasn't always the case when I came in before.

I'd like to wish you all a very pleasant spring. The weather is quite fine out there. I wish you a great summer. I know some of you are going to be rather busy this summer, and I wish you well, and good health, and take care.

Thank you.

*Commissioner leaves the Chamber*

**Speaker:** I now call the House to order. Please be seated.

Prior to the adjournment of the House, I would, with the members' permission, of course, like to make a few remarks.

First, I would like to thank the constituents of Riverdale North for allowing me the honour of representing them over the past nine years, then to thank the current and past members for allowing me to be the Speaker of this Assembly.

We all hear criticism of some who disagree with our conduct in this House. I respectfully disagree with those critics. This House is neither a schoolroom, courtroom, nor a church. It is a venue for passionate people to put forth their positions and their party's positions on important issues facing our territory. I read an interesting headline in the *Hill Times* this morning that I think appropriately describes the members of the 31<sup>st</sup> and 32<sup>nd</sup> Legislatures. The quote says, "It is easier to restrain noble stallions than prod reluctant mules." I think that is very appropriate for the conduct of members in this House. As members know, over the last two sittings of this House, sitting 60 days per year, we have discussed approximately 300 motions. Of those, 176 passed this House unanimously — 75 in the 31<sup>st</sup> Legislative Assembly and 101 in the 32<sup>nd</sup> Legislative Assembly. I would also like to thank the Clerks, the staff and our wonderful *Hansard* people for the exceptional support they have given to us all.

To you members, thank you for your kindness in ignoring my mistakes and for your constructive criticism. I gratefully accepted all suggestions and in fact found some of them to be quite humorous.

To conclude, honorable members, I found you all to be, as the earlier quote said, "noble stallions".

Thank you.

*Applause*

**Speaker:** As the House has reached the maximum number of sitting days permitted for the 2011 spring sitting, as established pursuant to Standing Order 75, and has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned.

*The House adjourned at 5:18 p.m.*

**The following Sessional Papers were tabled March 28, 2011:**

11-1-214

Access to Information and Protection of Privacy Act Report regarding section 27(3): Designation of Public Bodies Regulation (dated March 2011) (Lang)

11-1-215

Yukon Advisory Council on Women's Issues 2010-2011 Annual Report (Horne)