

Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, March 29, 2012 — 1:00 p.m.

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of Constitution Day

Hon. Mr. Pasloski: I rise today on behalf of the House to pay tribute to Constitution Day taking place today, March 29. Today marks the first Canadian Constitution Day.

This occasion will now be celebrated on this date every year in an attempt to raise Canadians' awareness and understanding of our Constitution. March 29 was selected to represent both the *British North America Act* of 1867 and the *Canada Act* of 1982 because both of these acts received royal assent on March 29 in their respective years.

The *British North America Act* outlines our system of government, the division of powers between the federal and provincial governments and the representation of provinces and territories in the Senate and the House of Commons. As you know, the Canadian Constitution contains the *Charter of Rights and Freedoms* for all Canadian citizens to enjoy. The Constitution protects us against laws that would violate our rights and freedoms. It includes the freedom to peacefully assemble, the right to vote and the right to life, liberty and security.

The Canadian Constitution is not just one document, but many. The foundational document of Yukon's Constitution is the *Yukon Territory Act* of 1898, which establishes Yukon as separate and distinct from the Northwest Territories. Since 1898, there have been a series of devolutions, transferring powers and responsibilities from Canada to the Government of Yukon. The *Yukon Act* of 2003 reflects our system of responsible government and the political and constitutional evolution of our government since the first *Yukon Territory Act* in 1898.

Canada's Constitution is the supreme law of this country. It establishes rules and principles by which we are all governed and protects our human rights. The Constitution is the cornerstone of our prosperous society and sets a standard and an ideal which we strive to emulate.

It is my hope that Yukoners and all Canadians will celebrate this day and take advantage of the opportunity to develop a deeper understanding of our Constitution and all that it means for them.

Thank you, Mr. Speaker.

In recognition of Polio Awareness Month

Hon. Mr. Graham: I rise on behalf of all members of the Legislature to recognize March as Polio Awareness Month. Polio is an infectious viral disease that, in extreme cases, can

cause permanent paralysis. In the 35 years between 1927 and 1962, more than 50,000 Canadians were infected with the polio virus. In the late 1940s, in an effort to reduce the spread of the disease, schools, churches, movie theatres and other public venues were shut down.

Until 1955, it was one of the most frightening public health threats of the time. However, thanks to immunization, polio has been eradicated in most parts of the world, including the Americas, Europe and the western Pacific.

So if polio has been eradicated, why should we take the time to recognize it this month? It's important for us to bring awareness of polio for a number of reasons, one of which is to highlight the importance of immunization. It was the discovery of a vaccine by Jonas Salk that led to the steep decline and near elimination of polio in most parts of the world. This is a reminder to all of us to check with our local health centres to ensure that our immunization is up to date.

I'd also like to take the opportunity, Mr. Speaker, to say thank you to fellow Yukoner Ramesh Ferris for his continued effort to focus on the eradication of polio. His Cycle to Walk campaign has raised thousands of dollars and increased the awareness of polio dramatically. It is dedicated individuals like Ramesh who will help eradicate polio from the rest of the world.

In recognition of the Yukon Native Hockey Tournament

Ms. Stick: I stand in the House today on behalf of the Legislature to pay tribute to the 35th annual Yukon Native Hockey Tournament.

The Yukon Indian Hockey Association was created in 1973 to promote aboriginal hockey for all ages and provide the opportunity for Yukon's First Nation athletes to compete with other provinces and territories in this sport. Starting tomorrow, March 30, there will be 42 teams, over 630 players of all ages, male and female. There are three adult divisions, two youth divisions, and teams from every Yukon community, northern British Columbia and the Northwest Territories will be competing. This event is the largest event hosted in Whitehorse on an annual basis and the most anticipated social event of the year. One only has to be at the Takhini Arena or the Canada Games Centre to witness the stands packed with people of all ages and from every community.

This event does not happen without the dedication and hard work of a small board of directors. My congratulations to them and a heartfelt thanks for their work. Without them and a huge team of volunteers — from 50:50 ticket sellers, program sellers, ticket booth attendants and security — this event could not go ahead. I encourage everyone here to take some time out of their busy schedules this weekend to attend a game or two and witness some fast and furious hockey. I look forward to attending, watching some great hockey, and visiting with family and friends who will be in attendance.

On a more personal note, I would like to say, "Go Champagne-Aishihik Storms, Junior Storms, little Storms and the Champagne-Aishihik Bruins."

Mr. Elias: I now have no choice but to also pay tribute to the 35th annual Yukon Native Hockey Tournament. I've been participating in this tournament for a long, long time and this weekend I'm going to be coaching three teams within the youth division — two in the jamboree and one in the youth. It's just a pleasure to watch these kids, when you give them a chance.

This 35th annual Yukon Native Hockey Tournament is upon us tomorrow. To watch when community pride is on the line — this is the biggest tournament ever, with 42 teams. It's going to be phenomenal to watch the calibre of hockey that's going to be played this weekend. I think when family and friends come together to compete and to celebrate, it bodes well not only for the tournament, but for the entire capital city. If we speak about economics alone, it brings millions of dollars to our capital city and to all the shopping venues around town.

It is important to recognize, as the Member for Riverdale South has mentioned, the countless hours of volunteerism and tireless dedication of the board of directors, because without them this tournament simply wouldn't happen. You know, what makes this tournament so special and so popular is the opportunity, especially for the youngsters, to be home-town heroes. Win or lose, when they go home, either with a medal or having participated, it's that sentiment that the great Bobby Orr said in no uncertain terms: "Growing up, if I hadn't had sports, I don't know where I'd be. God only knows what street corners I'd have been standing on and God only knows what I'd have been doing, but instead I played hockey and went to school and stayed out of trouble." That's the overall sentiment that this tournament brings, and I think if you ask any one of the players in this tournament, "Why did you come?" "It's because I want to win." Case closed. This is it; this is the Stanley Cup of the Yukon Territory.

I encourage each member in the House who hasn't participated in the Yukon Native Hockey Tournament to please attend and to participate in the cultural events. There is an interesting video on YouTube. It is seven minutes, 22 seconds long. It's an incredible video to promote this year's 35th annual hockey tournament, and I encourage everybody today to watch that. It is pretty exciting to watch.

On the social side, after a long winter, it's exciting to see our friends we have made over the decades, and our rivals. To tell you the truth, some of my greatest friends were initially my rivals in this tournament, so it's good to see them come together over the years, participating and coaching as well.

Back to the youth, having that feeling that their team mates are counting on them to do their best — I know, because I have seen it. The way they play their game, and the way they dedicate themselves and give their hearts and souls to play in this tournament is phenomenal, because they can go home with a sense of pride that they have represented their community with all that they have. They learn the agony of defeat and the exhilaration of victory, and you can't teach that anywhere else.

One of the goals of the Yukon Native Hockey Tournament is that they're committed to developing the next generation of Yukon's aboriginal hockey players with the intention providing skilled aboriginal players for the future, the Yukon Indian

hockey tournament and also to increase the chances of aboriginal youth achieving their hockey dreams.

The Yukon Indian Hockey Association has partnered with the Yukon Aboriginal Sports Circle who equally share the same vision of developing Yukon's aboriginal youth hockey players to move forward with the youth tournament and to increase the exposure for young native hockey players. Both the Yukon Indian Hockey Association and the Yukon Aboriginal Sports Circle are committed to helping aboriginal youth achieve their dreams in hockey, and the youth tournament is one way to help the youth achieve their goals, whether it be playing in the tournament itself, in the adult division or playing in the NHL. I wholeheartedly endorse that vision of the Yukon Indian Hockey Association.

In conclusion, I just want to again wish all Yukoners and visitors in the north a wonderful weekend, safe travels to everyone and a very successful week. I encourage everyone here to go out and enjoy the festivities this weekend.

To all the 42 teams that are in the tournament, I wish you all the best, and especially the Gwich'in Braves, the Gwich'in Gladiators and the Gwich'in Spitfires.

Hon. Mr. Graham: From our side of the House, too, we wish to extend our congratulations to the Indian hockey tournament. A couple of us on this side — the Premier and I — will be getting a real close-up look at some games, although some people would accuse us of not having a good enough look at the games. Both of us will begin refereeing at 7:30 tomorrow morning.

In recognition of National Social Work Month

Hon. Mr. Graham: March is National Social Work Month in Canada, and as Minister of Health and Social Services, I'd like to take this opportunity to show my appreciation for the dedication of social workers in the Yukon. The theme this year is "Social Workers: Building Relationships, Strengthening Communities and Partnering for Change". It's a very appropriate theme as social workers play such an important role in all of our communities. We know social workers play a vital role in supporting families, individuals and caring for and protecting our most vulnerable citizens. They're helping professionals who assist during difficult times that people are going through, whether engaging with families to keep them together, working with seniors who need help navigating the various systems or helping people put together plans that will make them more financially stable. These men and women fulfill many roles, from hands-on counsellors, mediators and on-the-ground workers to the behind-the-scenes work of the policy analysts, researchers and advocates. A social worker helps in laying the foundations of a healthy civilization. Social workers are gaining more prominence in our society as people slowly realize the prominent role they play in empowering our society to exist harmoniously and grow collectively.

A social worker has to be dedicated to their area of work, and one simply cannot teach the compassion and empathy that social workers have as they deal with families and individuals. Social workers should be swift in action, smart, dependable and accountable in all public dealings. He or she should be easily

accessible to the public, and, most importantly, they must not shirk from doing or from fighting for what is right.

If we look at the number of social workers that we have in the Yukon, we can see how these individuals work collaboratively with other agencies and organizations to help individuals and their families overcome obstacles and better themselves in their own community. In Yukon, we have social workers in hospitals; in mental health services; treatment facilities; in our child and family programs; youth outreach; continuing care facilities; in adult services and senior services; working with children and adults with disabilities and supporting early childhood development. Our social workers are everywhere. They are on the front lines every day, and no matter where they are, they all have a common goal: to improve the lives of every Yukon citizen.

They don't have an easy job. They see people at their very worst and often at their very best, yet they handle situations that many of us would find difficult, if not impossible. Whether it's a child welfare issue, a senior being financially abused, or helping a family deal with a terminal medical diagnosis, social workers provide compassion and assistance to those in need.

To conclude, I would like to say thank you to all social workers in the Yukon for your hard work and your dedication to your profession. You are there for all of us in the Yukon and we appreciate it.

Applause

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Mr. Barr: We have in the audience with us today in the House, students from Carcross Community School and a young fellow from Marsh Lake. I would like to introduce Ben Wright, Dominic Smith-Johns, Aiyana Gatensby, Jade McLeod, Lawrence Smith and the staff: Mary Ann Whelan, Joe Morrison, and Christopher from Marsh Lake. Welcome.

I would also like to extend greetings to the many folks who worked hard on the oil and gas petition — welcome today.

Applause

Hon. Mr. Cathers: I'd like to ask members to join me in welcoming a constituent, Ingrid Schmitt, to the gallery.

Applause

Speaker: The students who are here are going to stay for the assent of the bill and then they're going to go into the members' lounge. Those members who are available are welcome to go and meet with the students, as we have with other classes that have come in and joined us here.

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

PETITIONS

Petition No. 3

Mr. Barr: I have for presentation a petition signed by 1,585 people regarding the request to halt the oil and gas disposition in the Whitehorse Trough. I hereby state my belief that

the attached petition to halt oil and gas disposition in the Whitehorse Trough contains proper matter for consideration by the Yukon Legislative Assembly.

The petition reads as follows:

THAT, as there is no land use plan for the Whitehorse Trough area, oil and gas exploration and any subsequent conventional or non-conventional oil and gas extraction methods may cause negative effects to the environment, wildlife, wilderness and other socioeconomic interests such as tourism and trapping, including huge potential cleanup costs. These add up to unacceptable risks that we do not want in this area, which is already under heavy pressure.

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the government to not approve any exploration or subsequent extraction of oil and gas in the Whitehorse Trough.

Speaker: Are there any other petitions for presentation?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Government of Yukon to continue its efforts to make Kluane National Park more accessible to Yukoners.

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

THAT this House urges the Yukon government to conduct a comprehensive public review and consultation on the *Oil and Gas Act*, its regulations and policy.

Ms. McLeod: I rise to give notice of the following motion:

THAT this House urges the Yukon government to continue to encourage the growth and diversification of the Yukon economy.

Ms. Moorcroft: I give notice of the following motion:

THAT this House urges the Government of Yukon to direct the Minister of Justice to delay implementation of Bill C-10, the *Safe Streets and Communities Act* in Yukon, in response to the federal minister's statement that he will work with provinces and territories on an implementation schedule for:

(a) mandatory minimum sentences,

(b) elimination of conditional sentences, and

(c) youth justice issues, until such time as the Government of Yukon can:

(1) implement and augment Justice department programming and measures that protect and support affected Yukon offenders such as the Community Wellness Court, land-based treatment programs, and other counselling supports that address individuals' health and social needs; and

(2) complete the calculation of potential financial costs of implementing Bill C-10 on the Yukon's justice and social service systems.

I give notice of the following motion:

THAT this House urges the Government of Canada to delay the implementation of the *Safe Streets and Communities Act*, Bill C-10, or withdraw it, in order to:

(1) protect taxpayers from further extending the debt the Government of Canada has already incurred, as recommended by the Parliamentary Budget Officer, through eliminating the need for more correctional institutions which would be the result of mandatory penalties and minimum sentences;

(2) support aboriginal peoples and persons with mental health and learning disabilities by using restorative justice programs rather than increasing the population of incarcerated persons; and

(3) uphold the rights and obligations of the courts to determine sentencing, a more just and responsive system.

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

THAT it is the opinion of this House that the Yukon Legislative Assembly follow other jurisdictions, like our neighbours in the Northwest Territories, and amend the Standing Orders to allow electronic petitions, or e-petitions, in order to modernize our democratic practices.

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

THAT this House urges the Minister of Education to support the Tr'ondëk Hwëch'in First Nation's innovative virtual education initiatives designed to better engage and retain students within the educational system.

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

THAT this House urges the Minister of Education to provide safe, reliable school bus transportation to the students of Old Crow as soon as possible.

I also rise to give notice of the following motion:

THAT this House urges the Minister of Education to foster the strong family and community ties students need to excel by providing funding for Old Crow students to fly home for the Thanksgiving and Easter school holidays.

I also give notice of the following motion:

THAT this House urges the Minister of Education to build upon and expand the successes of the land-based experiential learning program in Old Crow, in partnership with educators in the community, by:

(1) developing additional curricula and learning materials;
(2) integrating proven best practices into the education system;

(3) sharing these successes with other jurisdictions; and

(4) working toward the long-term funding of the program in Old Crow.

Speaker: Is there a statement by a minister?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Oil and gas development, Whitehorse Trough

Mr. Barr: Mr. Speaker, on February 8 of this year, the Minister of Energy, Mines and Resources had this to say about oil and gas development in the Yukon and I quote: "Our primary focus, first and foremost, is protecting public health and safety and ensuring we have environmental protection. We're simply not prepared to make the same mistakes other jurisdictions have made."

How is this government prepared to protect public health and safety of life and property should the 3,900 square kilometres of land in the most densely populated part of the territory be open for oil and gas development?

Hon. Mr. Cathers: I'd like to begin by thanking the member for, in fact, reflecting what I have said on this. Some of the other members of the NDP have, in public statements, made suggestions about the government's plans that are not correct, and suggest that a decision has been made on this. Again, as I indicated, this request for oil and gas rights in the Whitehorse Trough area came as a surprise. It's something that has been allowed for a number of years. This request could have occurred; this is the first time it did. As I stated in announcing it, government has not made a decision whether or not to issue oil and gas rights in the area. We initiated public consultation, as established by regulation prior to making that decision, and I want to emphasize that I did when announcing this. Following that consultation, government will need to make a decision whether to allow bids in all of the areas, some of the areas, or none of the areas. For the member to presuppose that indeed these requests are going to be approved is quite premature.

Mr. Barr: Of the hundreds of comments overwhelmingly opposed to oil and gas development in the Whitehorse Trough, some Yukoners worry about our lack of capacity in terms of emergency response. The recent and not uncommon blowout or fire of a gas well in Hudson's Hope, B.C. went unchecked for well over a week.

Suncor's own response team and local responders were not enough, and outside experts were called in. Hydrogen sulfide gas — the rotten egg-smelling gas, which is a gas drilling by-product, can kill people in a matter of seconds. The lack of effective spill response in Yukon could mean a spill in the Yukon River would reach Dawson City before experts got there.

How are the largely volunteer emergency responders in places like Tagish, Marsh Lake, Carcross, Mount Lorne, Hootalinqua, Ibx Valley and Carmacks prepared to deal with these kinds of disasters should the 3,900 square kilometres of land in the most densely populated part of the territory be opened for oil and gas development?

Hon. Mr. Cathers: Again, I would urge the Member for Mount Lorne-Southern Lakes not presuppose that indeed the request would be approved. Again, as I emphasized in an-

nouncing that government had received this request, that process and the regulations have been in place for quite some time to allow companies to make this request twice yearly. The request came as a surprise; it is the first time we have received such a request. Government then initiated the 60-day period of public comment that is set out under the regulations.

Again, as I emphasized at the start of that, following that consultation, government will need to make a decision whether or not to allow bids in any of the areas, and if so, what areas those would be. I would encourage the member not to get ahead of himself. As I identified in announcing this, we wanted to hear from Yukoners — both those who supported this and those who had concerns about the request for postings — to determine what those concerns were. Again, as I've said before in the House, I encourage everyone who has a viewpoint on this issue to provide comments. The deadline for comments is March 30, but there is still time for anyone who has a viewpoint on this important issue to comment via e-mail, via letter, et cetera.

Mr. Barr: Yukoners are concerned that going ahead with this oil and gas process without land use planning, and a more involved consultation on amendments to the *Oil and Gas Act* will pose significant risks to life and property — twelve parcels over 3,900 square kilometres covered with lakes and creeks that are all flowing into the mighty Yukon River. Yukoners with drinking water wells worry about contamination. They are concerned about their homes and properties because gas drilling can happen 100 metres from a person's property or home. What does this government say to the people from Whitehorse, Tagish, Marsh Lake, Golden Horn, Mount Lorne, Pilot Mountain, Braeburn, Secret Valley Lane, Sawmill Road, Grizzly Valley and Carmacks who say their quality of life is under threat?

Hon. Mr. Cathers: First of all, in response to that I will remind the member that the NDP brought in the *Yukon Oil and Gas Act*, and the member's own colleague was a part of that government. The process, which has been in place for a number of years, allows industry to nominate areas. Government, again, as I emphasized —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Leader of the Official Opposition, on a point of order.

Ms. Hanson: Mr. Speaker, I have heard the minister opposite repeatedly state that the Yukon NDP did bring in the *Oil and Gas Act*; that is absolutely correct. But to correct the record, it was Yukon Party government that changed the regulations in 2006 that allowed the oil and gas industry and not the public government to drive the process. Up until then, it had been driven by the public government.

Speaker's ruling

Speaker: There is no point of order. It's a dispute between members.

Hon. Mr. Cathers: Thank you, Mr. Speaker. Again, the member doesn't — well, I won't comment on the point of order; I believe that's out of order.

What I would again emphasize is that the NDP brought in this legislation. The NDP brought in legislation that allows companies to apply to do shallow fracking. As the first step of our review, this government has decided that we are going to slam the door to anyone even applying for a permit to do that.

What I want to emphasize is that we are reviewing our regulations. The request that came in for oil and gas rights in the Whitehorse area was a surprise. It has been allowed by the regulations for quite some time. As I indicated at the start, government, following public consultation, needs to make a decision whether to even allow any postings for bids for oil and gas rights to occur. That decision will be made after public consultation has concluded. I would again encourage all Yukoners who have not commented on this issue to provide their comments, if they have a viewpoint on this, to government by March 30.

Question re: Oil and gas development, Whitehorse Trough

Ms. White: I wish to ask questions about the protection of flora and fauna in the Whitehorse Trough. The Southern Lakes caribou have been the focus of huge efforts and sacrifices by all affected governments for decades now. The Minister of Environment has spoken of the great work done in protecting and increasing the Southern Lakes caribou numbers. Oil and gas postings 001, 002, and 003 all directly impact the winter range of the Southern Lakes caribou.

How can the Minister of Environment support and defend this disposition process when it will undermine the work that his department and other governments have done to protect the Southern Lakes caribou?

Hon. Mr. Cathers: Again, I point out to the members — and encourage them to be a little closer to the facts in framing their questions — again the government has not made a decision to issue oil and gas rights in the Whitehorse area, contrary to what the members are stating or implying.

Again, what I would emphasize is that the process that allows industry to nominate areas has been in place for quite some time. Government then goes out to public consultation and, following public consultation, makes a decision whether to go to a posting for bids for oil and gas rights in all of the areas, some of the areas, or none of the areas. The concerns the members identified — those issues around environment and issues around peoples' concerns of other potential impacts — are exactly what government wants to hear during this consultation process. If there are concerns, if there is opposition, or if people are in favor of it, whatever their viewpoint is, we encourage them to comment on the request for oil and gas rights. Government will review the report by the department, including the report on public consultation, and then we will make a decision, as required, under the *Yukon Oil and Gas Act*.

Ms. White: I am going to try again. Three of the four principal North American migratory flyways, the Mississippi, the Pacific and the Central, run right through the proposed disposition area. Marsh Lake, Tagish River, the inlet and outlet

areas of Lake Laberge and Shallow Bay are all vital staging grounds and breeding areas for migratory birds. Several species at risk — the horned grebe and rusty blackbird — are dependent on these flyways, staging areas, breeding grounds and wetlands for survival.

Yesterday, the Minister spoke of the Celebration of Swans and the importance of migratory bird staging areas. With the risk of these staging areas under the disposition area, where does the Minister of Environment stand on them?

Hon. Mr. Cathers: What I will assure the member is that the Minister of Environment, the Minister of Energy, Mines and Resources and all ministers of this government will follow the law and the process laid out under it.

Again, what I would emphasize to the member is there has been no decision by government to issue oil and gas rights in the Whitehorse area. The regulations have been in place for quite some time that allow industry, twice a year, to nominate areas where they would like to see oil and gas dispositions. Government then enters a period of public consultation. Following that period of public consultation and the report by the department, government needs to make a decision whether to go to the postings for bids for oil and gas rights in all of the areas, some of the areas or none of the areas.

As I indicated and announced, we would receive this request. We have not made a decision to issue oil and gas rights. We are waiting for what we hear from public consultation and the technical review by the department. Once we have received that report, we will make a decision. All of these factors that the member is bringing forward — any concerns, any issues that someone believes affect this or could be affected by a potential issuance of oil and gas rights — are what we want to hear during public consultation.

Ms. White: Fishing is in our blood. Tourists come from around the world to experience our lakes and our rivers.

These spots — and this is not an exhaustive list — are near and dear to our hearts: Fox Lake, Little Fox Lake, Lake Laberge, Tagish River, Lewes Marsh, Lewes Creek, Mandanna Lake, Kookatsoon, Flat Creek, Braeburn Lake, Ogilvie Creek and countless spots along the Yukon River. Then there are the fish: Arctic grayling, whitefish, northern pike and, of course, lake trout. If the postings do go forward, how will the Minister of Environment protect fish and fish habitat?

Hon. Mr. Cathers: Again, I encourage the member, as I encouraged her colleague, not to assume that indeed these areas are going to be posted for bids. The request was made. Again, as I identified when announcing that government had received this request, it came as a surprise. The regulations had been in place for quite some time that allow industry to, twice yearly, nominate areas where they would like to see oil and gas dispositions. Government then enters a 60-day public review, following which we must decide whether to go to a posting for bids in all of the areas, some of the areas or none of the areas.

Again, I would point out to the member that concerns around environmental impacts, concerns around impact on property, on recreational uses and personal enjoyment — whatever those concerns may be — are things we want to hear from citizens who are concerned about them during the public con-

sultation period. That is exactly what the process is designed to receive from people. The government and I encourage everyone who has a viewpoint on this request for postings to comment during the public consultation period.

We look forward to reading and reviewing all of those comments before government makes a decision, as we are obligated to do under the *Oil and Gas Act* regulations.

Question re: School attendance

Mr. Silver: If the 19 MLAs here today represented students in the Yukon public school system, many of us wouldn't be successful in our work today. Actually, if these 19 MLAs here today represented the students, some MLAs wouldn't be here at all because of our low school attendance rates. More than three years ago, the Auditor General of Canada found absenteeism to be a major issue in Yukon schools. The audit found that despite absenteeism's negative effects on academic performance, "The department has not set a target or developed an action plan for improving attendance rates."

Has the minister been satisfied with the government's progress on absenteeism since that January 2009 finding?

Hon. Mr. Kent: The short answer to that is no, but just to expand on my concerns with attendance in schools, it is certainly a challenge for Yukon students, with rural and First Nation students having the highest rates of absenteeism. The pattern seems to be starting in elementary school, and as I mentioned last week in this House, some students will miss as much as two years of school by the time they enter secondary school. It is unacceptable. It is something that I have spoken to the F.H. Secondary School council about it. I heard about it on my community visits, and I have talked to the department about it.

The department, of course, has a role in providing programming that engages students, but it's about more than the department. We have to engage the parents, ensuring that they can get their children to school. We have to engage the students themselves. To that end, I've spoken to officials about resurrecting the student advisory committee to come up with some ideas and possible solutions to engage them in the schools.

So there are a number of things that I think we need to do throughout our school communities to address this very serious situation.

Mr. Silver: I thank the minister for his honesty in his answer.

Three years ago, the Auditor General was concerned about absenteeism in Yukon schools and the trend toward more and more missed school days. At that time, the Yukon students missed an average of 21 days a year, with rural and aboriginal students missing even more than that.

The audit found absenteeism had increased 31 percent in the past five years at that time. Department officials warned that "increasing absenteeism will have a direct impact on both standardized test results and graduation rates." This has gotten worse since then. How does the minister think that his department would have fared in an audit today?

Hon. Mr. Kent: I think, when it comes to student attendance and the absenteeism problem, we need to engage the entire school community. We need to look at each school indi-

vidually as well. The stats for 2010-11, when it comes to days missed, go from a low of nine days missed to a high of 64 days missed. It's a terrible stat, and again, as I mentioned before, the department has introduced a number of strategies over the past several years to improve attendance. I'm sure that some of them have kept those numbers from being even worse than they are — the hot lunch program, the work of the Individual Learning Centre here in Whitehorse.

Again, I don't think anybody can be satisfied with the amount of absenteeism that we're seeing in our schools. I certainly am not, as minister, and I'm looking forward to discussing this with school councils, with parents, with educators and, of course, with students, as we look for answers to engage students so that that stat of missing as much as two years of school by the time they enter secondary school is significantly reduced.

Mr. Silver: Once again, I thank the minister for his initiatives that he has discussed. This is a stat that has been a bad stat for far too long. Rural students have missed an average of 43 days a year. That's almost one out of four school days and that number does not include, as the minister has pointed out, time spent missed with parents' permission for family and other sports activities. That means that if all of these 19 MLAs here today represented rural Yukon students, then four or five of them would not even have been here today. Another way of thinking of it is that it is as if every member here actually missed one sitting day per week, every single week of this sitting. We would not accept that MLAs missed the Legislature one day out of every four, so hopefully we're not going to have to do the same for our students. I'd like to thank the minister for his candour in his answers and I'd like him to make a final statement, please.

Hon. Mr. Kent: In response, this is obviously a concern. A number of First Nation governments and school councils have made school attendance a priority, as have I made school attendance a priority. I think the statistics are shocking. I won't name the schools as far as who is 9 and who is 64, because I think every parent and teacher and administrator and student has pride in their schools. I just think we need to address this poor attendance in Yukon schools and it's going to take the entire school community to do it, but as I mentioned, I've had discussions with school councils and I look forward to some discussions with the student advisory committee once we get that set up.

I did talk to department officials last week about reconstituting that committee and I look forward to talking to students about what we can offer as far as programming and incentives to ensure that they get the education they need to be successful when they leave our public schools and our post-secondary institutions.

Question re: School attendance

Mr. Elias: We are glad to see all members here today to attend to the important business of the Legislature. We think it is equally important that young people attend school to attend to their important business of preparing for higher education for careers and to take part in our communities and develop into solid young citizens.

Parents recently learned that F.H. Collins Secondary School students have racked up 5,500 unexcused absences and 1,000 excused absences since September. That is almost 70 kids missing school every single day. As bad as that sounds, the average last year for urban students was actually slightly worse. Does the minister think these absences are at an acceptable level?

Hon. Mr. Kent: Again, as I mentioned to the member's colleague, the Member for Klondike, no, I don't think that these absentee rates are responsible, but it's going to take the engagement of the entire school community to improve these numbers.

As I mentioned, 64 days is the average amount of time missed by the school with the dubious honour of having the worst statistics. But again, I think it's going to take a number of different ways to go about addressing school attendance. I've had the opportunity to go for breakfast with the retired teachers and I discussed this with them. Actually, one of them mentioned something that the Member for Mayo-Tatchun used to do when he was principal of the Pelly Crossing school and that was he held a fun bingo in the morning just to make sure that the kids would come and have something fun to do in the morning. It's that type of creativity and those types of ideas that I hope to solicit from school councils and parents and students when we're coming up with ideas to solve what is an incredibly big problem here for us in the Yukon.

Mr. Elias: Mr. Speaker, I've heard the intent and goodwill on the floor of this Assembly before from the previous Education ministers. But the basic fact of the matter is that absenteeism is going the wrong way and it has been going the wrong way since 2004 when Yukon students missed 16 days a year on average. In 2009, they missed 21 days a year. In 2011, urban students missed an average of 24 days a year and rural students missed an incredible 43 days a year.

I appreciate the articulation and the attempt by the new Education minister to address these issues, but with all due respect, I've heard these words before. Three years ago, the Auditor General was alarmed by how much school kids were missing. The Department of Education committed to fixing the problem, so why has attendance been worse and worse and worse for that last eight years under this Yukon Party government's administration?

I think that's a fair question. The facts speak for themselves. I've heard these words before and I'd appreciate some further articulation from the new Minister of Education.

Hon. Mr. Kent: As I mentioned before, improving school attendance is going to be a concerted effort and it's going to take efforts not only of the department, but of parents and of the students themselves with the support of the various organizations and school councils that are involved in our education system.

From a departmental point of view, some of the strategies we've introduced over the past several years include more experiential programming to engage students; more First Nation cultural and language content in the curriculum to make school more meaningful for this target group; hot lunch programs; a new program called Learning Together, which encourages par-

ents and caregivers of young children to participate in a variety of school activities.

A number of First Nation education support workers liaise with families to encourage them to work with the school to reduce absences, so a number of initiatives have been undertaken by the department. But, again, I think that we need to do more. There are more things we need to do to improve attendance. It is something that I mentioned is a priority for some school councils and a priority for some First Nation governments, and it is going to be a priority for me.

Mr. Elias: I appreciate the words from the Education minister. I want to bring something to light here. There have been plenty of reports and studies and plenty of recommendations over the years. The 2008, *Helping Students Succeed: Vision, goals and priorities for Yukon First Nations education report* identified student attendance as key to engaging students so they complete their education. The *Yukon Youth Secondary School Transitions Survey Final Report 2009-2010* tracked attendance with respect to ultimate education success. The *Department of Education Strategic Plan 2011-2016* identifies attendance rates as a key performance indicator for successfully completing school. When will we be done with reports and be getting results for our students? Time for talk is over.

Hon. Mr. Kent: In my previous answer, I did outline a number of initiatives that the department has undertaken but, again, this is going to take the involvement of not just the department in engaging students and providing programming that is meaningful and helps engage them. It's also going to take the efforts of parents and students.

We need to work hard to eliminate that pattern that does begin in elementary school. Some students, as I mentioned, will miss as much as two years of school by the time they enter secondary school. There is strong evidence, of course, that regular attendance equals positive student outcomes. As I mentioned before, it is a priority of First Nation governments, it is a priority of school councils and it is a priority of mine.

I talked just last week to officials about resurrecting the student advisory committee. I think we need to do that. I have had regular meetings with school councils not only in Whitehorse, but throughout the territory. It's an incredible concern. I think we need to address this, but it can't just be a departmental initiative. It's going to take the will and hard work of parents; it's going to take the will and hard work of students. That is what I think we need to do to address how to go about this.

Question re: Oil and gas development, Whitehorse Trough

Ms. Hanson: Mr. Speaker, the public have until tomorrow, Friday, March 30, to provide their comments on the 12 parcels and 3,900 square kilometres of land, forest and water that make up the oil and gas disposition process.

Citizens from all walks of life have made hundreds of comments with concerns about the process used by the Yukon government, about public safety, wildlife, and water quality. Many of those comments have focused on the need for land use planning and a review of our oil and gas rules. They have identified key local areas that could be forever ruined by development — Mount Lorne, Lewes Marsh, Jubilee Mountain, Fox

Lake, Lake Laberge and Kookatsoon Lake. Over 1,500 people have signed a petition in a little over a month. The public has until tomorrow to comment, but they have already spoken.

Mr. Speaker, the question is simple: Is this government listening?

Hon. Mr. Cathers: That's exactly why the public consultation occurs. We want to hear what the public thinks about this request for oil and gas postings. I would actually ask the member whether she was listening because the number she just cited of how many people had signed the petition is different from what her colleague, the Member for Mount Lorne-Southern Lakes, said was on the petition.

What we are waiting for — we will allow everyone who may wish to comment who has not done so the opportunity to provide comments before the deadline of March 30. As set out under the act and the regulations, we are going to conclude the public consultation period. Following that, again, as I noted when announcing government had received this request — we were surprised to receive the request.

What we have to do once we conclude public consultation is determine how to handle that and whether or not —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Mayo-Tatchun, on a point of order.

Mr. Tredger: I would point out that the Member for Whitehorse Centre was indeed correct. She said over 1,500 on the signature and the exact amount was 1,580.

Speaker's ruling

Speaker: On the point of order, it's a dispute between members. The exact number is not pertinent to the conversation.

Hon. Mr. Cathers: On the point of order — sorry, you have already ruled on the point of order. If I may resume and note to the members opposite that points of order in Question Period are not about debating somebody's responses or their questions. Again, what I would note to the members opposite, to all of them, is that in fact in this case, contrary to what some of the NDP have been saying to citizens on the street, government has not made a decision to issue oil and gas rights in the Whitehorse area, as I indicated when announcing we received the request. Once public consultation is done, we need to make a decision whether to allow any postings for oil and gas bids in the Whitehorse area. We will make that decision after public consultation is concluded.

Ms. Hanson: We have been down this path before. When the previous Yukon Party government tabled civil forfeiture legislation, the Yukon public rose up in overwhelming opposition.

That Yukon Party government had the good sense to listen and withdraw. This Yukon Party government is now at the very same crossroad. When the consultation period closes tomorrow, is the government prepared to withdraw the 12 parcels from the disposition process?

Hon. Mr. Cathers: Again, the member is either not understanding the facts or is choosing to say something else. Again, what I would point out to the member is that the process, as set out under the *Oil and Gas Act* and the regulations, has been in place for quite some time. It allows industry to nominate areas. Government then goes into a process of public review. Following that public review, we make a decision whether to go to the posting of bids in all of the areas, some of the areas or none of the areas.

The member talked about what the NDP had originally put in place. Their structure — I would remind the member that the change in the regulations was made because the NDP's process caused a lot of waste of time and money on areas where there was absolutely no interest by anyone in doing any development. This process allows industry to indicate if it wants oil and gas rights. Government then goes through public review to decide whether or not we actually want to issue those areas. So the member is saying something that is not reflective of the facts.

Ms. Hanson: Actually, we do agree on one thing. Oil and gas development might be desirable if it's done right. We knew that when we passed the Yukon *Oil and Gas Act*. But this government has not done the work to ensure it's done right. This government must be prepared to follow the people's lead and say no and withdraw the parcels. We are calling on them to do this first and then do two things that will go a long way to restoring the public's trust: (1) expedite land use planning throughout the territory, and (2) conduct public consultation on amendments that have been proposed in the past — not put through to this Legislature — on the *Oil and Gas Act* to address Yukoners concerned with negative impacts.

My question to the minister: Is this government prepared to withdraw the 12 parcels and agree to expedite land use planning and conduct public consultation on the Yukon *Oil and Gas Act* and proposed regulations?

Hon. Mr. Cathers: As I indicated, the government received the request. We have to complete public consultation before we make a decision on that request. As I indicated, when we received the request for oil and gas rights, the request came as a surprise. The government needs to decide, following public consultation, how to respond to the request and whether or not to go to the next stage of posting for bids. We will wait for public consultation to conclude before we make the decision, but we are very interested to hear what the public has to say. That's why the process occurs and that's why I have stood in this House a number of times and urged people to comment before the deadline if they have a view on this issue. We are indeed committed to reviewing parts of the oil and gas regulations put in place by the NDP that opened the door to shallow fracking.

We will slam that door, because that should not have been allowed in the first place. We are further reviewing oil and gas regulations to determine where they may need to be updated to reflect the most modern best practices and apply standards that put public health, safety and protection of the environment first and foremost.

Speaker: The time for Question Period has now elapsed.

We will proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 4: *Interim Supply Appropriation Act, 2012-13* — Third Reading

Clerk: Third reading, Bill No. 4, standing in the name of the Hon. Mr. Pasloski.

Hon. Mr. Pasloski: I move that Bill No. 4, entitled *Interim Supply Appropriation Act, 2012-13*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Premier that Bill No. 4, entitled *Interim Supply Appropriation Act, 2012-13*, be now read a third time and do pass.

Hon. Mr. Pasloski: Mr. Speaker, the purpose of this bill is to seek authority of this Legislature to approve interim spending for the government in an amount not to exceed \$312,291,000 for the two months ending May 31, 2012.

This will permit government departments to make expenditures in order to provide public services to Yukoners until the main estimates are approved.

I move that Bill No. 4, entitled *Interim Supply Appropriation Act, 2012-13*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Mr. Pasloski that Bill No. 4, entitled *Interim Supply Appropriation Act, 2012-13*, be now read a third time and do pass.

Motion for third reading of Bill No. 4 agreed to

Speaker: I declare that Bill No. 4 has passed this House.

We are now prepared to receive the Commissioner of the Yukon to grant assent to the bill which has passed this House.

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

ASSENT TO BILLS

Commissioner: Please be seated.

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

Clerk: *Interim Supply Appropriation Act, 2012-13.*

Commissioner: I hereby assent to the bill as enumerated by the Clerk.

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

Hon. Mr. Cathers: 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 (Ms. McLeod): Committee of the Whole will now come to order. The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*, Vote No. 8, the Department of Justice.

Would members like to take a recess?

All Hon. Members: Agreed.

Chair: We will take a 15-minute recess.

Recess

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

Bill No. 6: *First Appropriation Act, 2012-13* — continued

Chair: The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*, Vote 8, Department of Justice.

Department of Justice

Hon. Mr. Nixon: It is my honour to be here speaking to the Committee today.

I rise today to introduce the main capital and O&M budget for the Department of Justice for the fiscal year 2012-13. I am very pleased to report to this House that the new Whitehorse Correctional Centre was completed on budget for \$70 million, and occupied by staff and inmates on the morning of March 15.

I would also like to take this time to thank the partnership of Kwanlin Dun and Dominion, who constructed the new Whitehorse Correctional Centre as part of a Yukon asset construction agreement that was entered into as part of the economic development measures in the Kwanlin Dun final land claim agreement.

The construction of the new facility created over 380,000 person hours worked with no major injuries reported — a testament to the high-quality job that the partnership and their many subcontractors undertook. So, thank you, Kwanlin Dun and thank you, Dominion.

I would also like to take time to thank our hard-working correctional staff, as I spoke to in the House yesterday. Not only did they successfully move 103 inmates on the morning of the 15th, but they have also worked very hard in preparation for occupying the new centre. I am sure that this House will join me in congratulating them on their successful move, and for all of the hard work that they have done to prepare for life in the new Whitehorse Correctional Centre.

We envisioned this new Correctional Centre in the *Correctional Redevelopment Strategic Plan* in 2006. The new Whitehorse Correctional Centre is one of the cornerstones of a completely new approach to corrections in the territory. This new approach puts victims' needs much more prominently and to focus in the way that we conduct correctional and victim services. We have introduced a new *Victims of Crime Act* that gives victims a bill of rights and is one of the most progressive

victims of crime acts in this country. Our government is making strong progress on all aspects of the *Victims of Crime Strategy* that we announced in 2009. We are offering a greater range of services to victims within Victim Services, and we will continue to work on successfully implementing all aspects of the *Victims of Crime Act*.

We have also changed our focus on corrections by calling for inmate accountability and addressing the underlying issues that cause them to offend.

Our programming capabilities have been steadily improving such that in the new facility where program space is in the dorms, but also throughout the centre, we will be able to deliver high-quality programming more frequently to the inmates who want it and who need it.

Madam Chair, the new *Corrections Act, 2009* is known for its guiding principles, recognition of First Nation roles within corrections, fair treatment of inmates and a strong regulatory environment for dealing with inmate discipline and inmate complaints. What is very interesting for members of this House is that inmates sentenced under the new act are now required to work and take part in programming as part of their rehabilitation. This was strongly supported by the public, but in particular by the First Nation elders.

Our remand population is not required to take part in programming, but some do, and we will continue our practice of making suitable programming available to all inmates, sentenced or remanded, where security and time within the centre allow.

The new staffing model required for increased programming and for the direct supervision model around which the new Whitehorse Correctional Centre was designed will see ongoing increased funding requirements of \$1.147 million of O&M.

These dollars are required as part of reclassifying staff and increased staffing requirements for the new facility. What is interesting from our standpoint today is that for the first time in many years, we are seeing no new dollars for construction of the new facility, only a small \$80,000 capital dollars amount in this year's capital budget to deal with any unforeseeable emergency repairs in that new centre that may be required.

We're also setting aside \$850,000 capital dollars to demolish the old Correctional Centre in this budget.

Members of this House both past and present have asked what was going to happen to the old Correctional Centre after inmates and staff have moved out. Our partners at Property Management within Highways and Public Works conducted a request for proposals and looked at the feasibility of retaining the structure and repurposing it to some other use. After looking at this building and running the numbers to change from a correctional centre to something else, it was concluded that it would cost more to renovate than to construct new-purpose buildings because of the age of the building and the nature of the construction that was used 45 years ago when it was built.

I'm sure my colleague, the Minister of Highways and Public Works, can provide more details, but suffice it to say, a tender will be issued this summer for the demolition of the old Whitehorse Correctional Centre.

Our government has also been very active on implementing the recommendations of *Sharing Common Ground*, the final report of the review on Yukon's policing that was released to the public in January 2011. As members of this House can see within the budget documents before them, \$2.385 million is allocated in this year's capital budget for the arrest processing unit, of which 50 percent is recoverable from the RCMP. The "arrest processing unit" was previously called the "secure assessment centre" by the *Sharing Common Ground* report. The arrest processing unit will replace Whitehorse detachment cells and greatly improve conditions for persons who are temporarily held in custody awaiting charges or being processed for release without charges.

The budget also contains \$1.128 million O&M for staffing and operating requirements of the arrest processing unit — as members of this House are likely aware, because it was reported in the media after the tour we offered them in early January. The members who took that tour were told during the tour that the admitting area of the new Correctional Centre has been used as the temporary arrest processing unit, and this will continue until the new APU is ready and open — hopefully, this fall.

The new APU will be constructed on foundations already poured directly adjacent to the admitting area of the new Whitehorse Correctional Centre and will share a certain infrastructure, such as the sally port, and central plan infrastructure, such as heating. The APU will offer round-the-clock access to nursing once this is fully rolled out, with the new daily nursing being offered now.

In addition to our specially-trained correctional officers — they have been trained to deal with persons in that unit who may be intoxicated or in some sort of other health distress — this new approach is designed to reduce the requirement of calling EMS to the APU. While we would like more data to have this new approach proved out, we can say that in the first one and a half months of the operation, we processed 145 admissions, of which 111 were male, 29 female, as well as five youth, of which three were male and two were female.

During this time period, EMS was called 15 times to take and admit a person to the hospital. This is promising, because in the last year of reporting for the Whitehorse detachment, EMS was called over 450 times, or just under 40 times a month, on average. If the numbers hold out, we will have nearly a four-fold reduction in EMS calls and better care for persons who are arrested and detained at the Whitehorse RCMP detachment. We should have a better sense of the numbers after one full year of operation.

With regard to other aspects of implementing the recommendations of the *Sharing Common Ground* report, members know that we have appointed members to the newly formed Police Council. In addition, we have entered into an agreement with the Alberta Serious Incident Response Team — or ASIRT, as you'll hear me refer to it — to investigate serious incidents involving the RCMP. Our government has committed \$105,000 in O&M for this initiative in 2012-13. We have been working with our partners at the Council of Yukon First Nations and Yukon College to establish a law enforcement career

orientation program at the Northern Institute of Social Justice to prepare First Nations and women for a career in law enforcement or in the justice system.

We have established a domestic violence and sexual assault coordinating committee to develop a comprehensive framework to coordinate the response of service providers. In addition, our government has provided funding of \$678,000 O&M to M Division for a domestic violence response team.

I am pleased to be able to report to this House that we have a new territorial police service agreement that is in the process of being finalized as I stand here today. I signed the agreement just a couple of hours ago. The annual budget for policing, as members can see from the budget documents before them, is over \$20 million annually and over the 20-year lifespan of the agreement, will be over \$400 million in constant dollars. This new agreement gives Yukon more accountability by the RCMP for their operations in Yukon. It also recognizes the unique pressures faced by police services in the north.

I will have more to say about the new TPSA after it is finalized and signed by our government and the Government of Canada respectively, but I thought that the House should know that it is substantively complete. The new TPSA will be incorporated into the budgeting for fiscal 2012-13 in the fall supplementary budget once the agreement is finalized.

Our government continues to be committed to having the best data available to assist us in designing programming at the Department of Justice. This year, we are allocating \$538,000 in capital for our continued work on the replacement of the court registry information system with the justice enterprise information network. The first modules to go live on this project will be in the second half of 2012-13.

Finally, we are also making progress on ensuring that our Human Rights Panel of Adjudicators is adequately funded. We've allocated \$60,000 O&M for the 2012-13 fiscal year as an ongoing increase in recognition of the increasing time and complexity of their work.

The staff at the Department of Justice has worked extremely hard at putting this budget together on behalf of the taxpayer, and I would like to take this time to acknowledge their very hard work and dedication and delivery of justice services in Yukon. I look forward to the members' remarks and questions. Thank you.

Ms. Moorcroft: I would like to thank the minister for his opening remarks and thank the Justice officials for the departmental briefing that they provided last week. The minister and his officials will know from the questions I raised in the briefing and from previous debate in this House the areas of inquiry that I will have. I trust that for the most part they will be prepared with answers. I look forward to general debate and to the rest of the debate on this budget. I would like to start with the new *Corrections Act, 2009* and whether that has been fully implemented. In particular, I would like the minister to speak regarding the function of inspectors, which is found in part 6 of the act in section 22, where the minister and any person authorized by the minister and any person designated to be a correctional institution inspector may at any time enter and have access to the facility for a number of purposes.

How many people have been designated to be correctional institution inspectors and how many inspections have taken place, say, in the last couple of months? Prior to the move, in the old facility, were there any inspections and have there been any correctional institution inspectors in the facility since the move?

Hon. Mr. Nixon: I thank the member opposite for her question about the inspectors. To be brief so we can move on to other questions, there are four inspectors in the territory. There has been one official inspection, if memory serves me correctly, in the old correctional facility.

Some Hon. Member: (Inaudible)

Chair: Mr. Nixon has the floor.

Hon. Mr. Nixon: Indeed, there was an inspector during the move.

Ms. Moorcroft: Can the minister tell us who are the persons designated as inspectors? He mentioned that there were four of them.

Hon. Mr. Nixon: In light of the sensitivity, I guess — that indeed these individuals are inspectors — I would at this time really not feel comfortable naming names on the floor of this House. It would be a personnel matter.

Ms. Moorcroft: So, it is not a matter of public record who the correctional inspectors are? They're appointed though. They are not staff. They are appointed?

Hon. Mr. Nixon: Indeed, the four individuals are staff and they could likely be sought out if you look in the phone-book. They would be available in there.

Ms. Moorcroft: I was just taking notes as the minister was speaking, and he mentioned a new staffing model for the new facility. I wanted to ask him to tell me a bit about that new staffing model.

Is there a human resources plan for the Whitehorse Correctional Centre and is it on target? How much of an increase in staff is there with the transition to the facility, if there is in fact an increase?

Hon. Mr. Nixon: As you know, the inmates were moved into the new correctional facility on March 15. For security reasons, the date of the move was not shared in advance. The commissioning of the building systems was very complex, and the contractor — sorry.

All staff members have been thoroughly prepared for transition to the new facility. Preparation for staff for the transition to the new facility has been underway for the last two or three years, with training in direct supervision, communication skills, motivational-based interviewing, report writing, leadership, use of force, and other areas of required skills.

As I mentioned on the floor during Question Period yesterday, the staff at WCC — both staff and management are first class. They rolled out the move for the inmates and really do need to be commended. I will continue to reiterate that. They have worked very hard, very diligently, to move from the old facility to the new facility. We should continue to commend them on that.

A full training regime specific to the transition to the new facility was completed, including facility orientation policy updates, training in the daily routine, safety drills, building

security and communication systems. Training occurred from November 2011 through February 2012 to ensure staff is fully prepared and was fully prepared for the transition. The transitional training costs were approximately \$332,000.

Staffing levels at the old Correctional Centre included 84 permanent FTEs, plus eight and one-half auxiliary on-call FTEs. The old facility had 13 casual employees. The staffing model for the new Whitehorse Correctional Centre has increased the staffing by 2.5 FTEs.

The additional FTEs cover one full-time cook, one full-time program officer and a 0.5 permanent medical administrative assistant. The human resource strategy is in place as a significant component of the correctional redevelopment. The Correctional Centre now has 24/7 management presence and 18 correctional officer 2 positions. The new staffing model secured salary increases for the correctional officers that went into effect September 1, 2011.

All staff was thoroughly prepared for the transition, as I've mentioned and will mention again. A full-time training regime for the transition to the new facility was complete. The curriculum focused specifically on facility orientation, policy updates and the contingency plans on building security and communications system, safety for staff, and safety for inmates. Training occurred from November 2011 to February 2012, as I've mentioned, and the training covered operational needs, such as direct supervision in living units, new policies and procedures, security and drug interdiction, motivational interviewing, use of force and report writing.

Training also focused on the following: creating a rehabilitative, client-focused culture by focusing on the new code of conduct; the new *Corrections Act*, and its regulations and principles; respectful workplace; First Nation culture; and other initiatives. We have just hired seven new casual staff, and they will undergo training and appear on the floor of the new Whitehorse Correctional Centre between April 10 and May 10.

Some overtime was anticipated and budgeted for purposefully. As I said, the staff of the correctional facility did undergo quite heavy training to prepare for not just the transition and the move, but to begin working within the new facility. In the fiscal year 2011-12, the overtime that was anticipated was \$419,770, and that went through until March 7, 2012. Data is not available to provide a breakdown of overtime attributed to the training, as opposed to backfill needed for high levels of unanticipated sick leave and special leave. This move was stressful on everybody. At the end of the day, staff was extremely professional and it went very smoothly.

Ms. Moorcroft: The minister has just indicated that the permanent full-time equivalency staff has now increased to 26.5 FTE — it has gone from 24 to 26.5, and there are seven new casual staff. What are the total numbers of auxiliary staff and casual staff at Whitehorse Correctional Centre at the current time?

Hon. Mr. Nixon: I will repeat what I just said — that there are 84 permanent staff — permanent FTEs. There are 8.5 auxiliary staff, and there are 13 casual staff at Whitehorse Correctional Centre — plus seven.

Ms. Moorcroft: Can the minister tell me how many staff members have been hired in the last six months; how many training intakes have there been in the last six months; and how many staff have resigned in the last six months?

Hon. Mr. Nixon: Careful analysis of the staffing needs was completed to determine the appropriate staffing requirements for the new Correctional Centre. The analysis included an examination of the static operational safety and security requirements of the new facility, the legislated requirements under the *Corrections Act, 2009*, and the *Correctional Redevelopment Strategic Plan*, including full implementation of the supervision and program model.

Auxiliary employees are needed to backfill regular employees when they are away or on leave or in training assignments, as well as to provide additional support for specific programs, supervision for some off-site escorts and to respond to emergent situations as required.

The new human resource strategic plan is now in place. The plan includes 24/7 management presence at the facility and 18 correctional officer positions. The staffing model included salary increases for the correctional officers that went into effect September 1, 2011. During the process over the last couple of years, a new vision and a new approach to corrections has been underway. We have found that some people just didn't — I don't know if they were stuck in the past, but didn't maybe appreciate and approve of the vision of moving forward to a better way of doing business. So the numbers over the last couple of years would have fluctuated as people moved on to different careers and people came in to take on new careers. So in the last six months, we've hired approximately 13 new staff.

Approximately four staff members have resigned in the last four months. If we go back a number of years, those stats may be a little different and I would have to provide those numbers at another time.

Ms. Moorcroft: Are shifts running short-staffed at the new facility? If so, how often is that happening and what is the result — how does it affect operations within the facility?

Hon. Mr. Nixon: The member is quite aware that in the new facility we have five pods, basically. There are four pods available for male inmates at present and one pod available for female inmates. I can assure the member opposite that each of those pods, with our new approach, have one staff and there are other staff in the building moving around doing different things, who are available in the event of an emergency.

At the end of the day, the building doesn't operate with unsafe staff levels, so staff is always available to come to address an emergency or to back up other staff and, I might add — I do not know if you have had the opportunity to see the control centre operating, but there is always an individual watching throughout the building to identify areas of need and to call staff, if required.

Ms. Moorcroft: When I asked the minister about overtime, he indicated an amount of \$419,770 for the 2011-12 year. Has the department calculated the number of staff who have worked overtime and the number of hours of overtime they have worked? The minister spoke earlier about the good work that staff do, and I would like to put on the record my support

for the public service that the correctional officers and all staff provide, not only in this department, but across the Government of Yukon. My concern is that if staff members are working many hours in their regular shift, and then also working overtime and not getting days off and not getting rest, when it is a very demanding occupation there may, in fact, be a need to hire more staff rather than rely on staff working overtime.

Perhaps when the minister is responding to that, he could let me know whether staff members have been required for mandatory on-call, standby shifts on what would regularly be their time off.

Hon. Mr. Nixon: In addressing the member opposite about the number of overtime dollars that were spent, at this point in time I do not have a breakdown of how many staff worked X number of hours. That information I can provide to the member opposite. What I can tell you is that the staff — I might add, the exceptional staff of Whitehorse Correctional Centre really went above and beyond the call of duty. Overtime was available for them to take on, both in a work capacity and a training capacity. The department is extremely proactive in preparing for this overtime, and they were very strategic in placing staff at the old facility while staff members at the new facility were taking training opportunities. Those training opportunities will continue with the new approach at the new facility.

As I mentioned before, one of the key focuses for Whitehorse Correctional Centre is the safety of the staff and the safety of the management. At the end of the day, the management team is overseeing their staff, and if they feel that somebody has been working too many hours, they'll address that. But they ensure that the staff is getting rest. Recruitment is ongoing for Whitehorse Correctional Centre, and we are recruiting now for anyone who might be interested.

As for standby pay, this is something, again, that the government was very proactive and very strategic about, implementing a situation where people were actually being paid a standby pay in preparation for the move on March 15. Those staff who were on standby pay were expected to — when they received the phone call in the morning that the correctional facility move was happening that day, they were to be at work, as requested.

Ms. Moorcroft: The minister just indicated that recruitment is ongoing and I'd like to come back to the question regarding the training that I had raised earlier. How many recruitment training sessions have been held for potentially new employees, and secondly, how many training sessions — I think the minister gave me that and I'll just need to review the Blues. But to be sure, I think he did give me the number of training sessions that have been done for current staff, but the information I want to get now from the minister is how many training sessions have they offered in order to encourage people to apply for positions at Whitehorse Correctional Centre and out of the numbers of people who took that training, how many have been hired.

Hon. Mr. Nixon: As I mentioned, over the last couple of years there has been an intensive training program to prepare our correctional staff for a new way of doing business. So over

the years there has been countless training — and I could go over again — you can refer to the Blues, but I can go over the training that was available. But over the last six months with new staff specifically coming onboard, there were two major recruitment and training services provided to new staff. Then they would slip into the training that the other staff took to incorporate the new way of doing business at the Whitehorse Correctional Centre. Recruitment is underway. If the member opposite or anyone else is interested in taking up a job at the Whitehorse correctional facility, they can go on-line or look in the newspaper.

Ms. Moorcroft: So the minister indicated that they have hired approximately 13 new staff. Was it 20 people who took the recruitment and training? Was it 30? Of the 13 who have been hired, how many were there who actually took part in those training initiatives?

Hon. Mr. Nixon: In the light of the fact that I have a budget in front of me, it would be good to get into some dialogue about the budget itself, but we held one course at the Northern Institute of Social Justice. Approximately 22 individuals attended that. From those 22, we hired seven, and since then, there have been six additional people hired. That is 13 people in total.

Ms. Moorcroft: In this House earlier this week, the minister stated that the staff is running Whitehorse Correctional Centre, and not the inmates, and he wanted to be clear on that. Now, it is the minister's responsibility to be answerable for overall strategy and direction. I want to ask the minister how he is supporting the staff.

The minister, in his opening remarks and in responding to questions, has talked about the new programming model and full implementation of a programming model, but it is my understanding that there is no programming occurring at the present time. So perhaps the minister could describe for me the program model that they are implementing. I am not asking the minister to read into the record the list that he has given earlier of Alcoholics Anonymous coming in, which is not, in fact, a program, but volunteers coming in to the facility, or programs that have been offered previously. I am looking for information on the new programming model and what initiatives are underway as a result of the changes that they say are part of the new correctional strategy.

Hon. Mr. Nixon: As I mentioned earlier, when the member asked me the initial question, programming will be implemented at Whitehorse Correctional Centre.

We started with smudging on Monday at the request of the inmates. Due to the cultural sensitivity of smudging, it was important that we jump on that sooner rather than later. The Whitehorse Correctional Centre will also offer spiritual services and cultural celebrations, such as solstice gatherings and feasts.

Correctional Services will be piloting a cognitive skills program in the near future. Corrections tailors programming specifically for women. Programming for women is carried out separately from the male population, as it was in the old correctional facility. Programming is designed to address specific offender needs and considers if they have been victimized in

the past. Corrections provides substance abuse programming, and that will be rolled out in due time, as I mentioned yesterday — spousal abuse programming and anger management programming. First Nations and non-First Nations women can take part in an array of traditional programming activities, such as elders counselling, spiritual guidance, talking circles and traditional crafts. As I mentioned, and will reiterate, those programs will be coming forth in due time.

There are also work programs and recreational activities offered at the Whitehorse Correctional Centre. As I've mentioned before, the programming that will be rolled out is evidence-based and a client-focused, healing centre approach to correctional services. We have a culinary arts program that the inmates will be involved in that I believe the Member from Takhini-Kopper King was involved in, in the old facility. The culinary arts program at Yukon College is a certificate program that prepares people for career possibilities in the field of food services. It's designed to meet the need for qualified cooks in the hospitality industry. The program provides professional cook training in a practical, hands-on learning environment, achieved through a commercial kitchen on campus or at the new Whitehorse Correctional Centre. During the eight-month program at the college, the students rotate through a variety of stations. Each station has a different culinary focus. Students also participate in a variety of catering, banquet, community events, all of which broaden and enhance the students' experience.

The culinary arts program is going to be piloted at the Whitehorse Correctional Centre for sentenced general population inmates. The training will be provided over a 15-week period and will involve a combination of classroom teaching and kitchen experience, both at the Whitehorse Correctional Centre.

Programming will be offered at the new Whitehorse Correctional Centre, as I've mentioned, and coming in due time — and I will mention it again: substance abuse programming; anger management; spousal assault programming; sexual offending programming; mental health services; cultural activities such as craft drum making and carving; educational upgrading through Yukon College, AA and so on. The government recognizes that we cannot simply lock up offenders and hope when they are released, they don't reoffend. So these types of programming are very important to the department; they're very important to the correctional workers.

This government is committed to ensuring that programming is offered to inmates at Whitehorse Correctional Centre that addresses the underlying causes of crime and provides them with access to resources and skills that will help them make better choices in the future. Programming is available to inmates to address the issues that led to their incarceration. As I mentioned, it is client focused. Our commitment to providing effective offender programming is outlined in the *Correctional Redevelopment Strategic Plan*. This plan was approved by the Yukon Forum in December of 2006, and it lists two primary goals: (1) implementing the recommendations of the corrections action plan in order to substantially improve the quality of correctional programs offered to victims, offenders and com-

munity members; and (2) fundamentally changing the operation of the correctional system, as we have seen in the new facility, so that the Department of Justice, First Nations, and other service providers are better able to deliver high-quality correctional programs to offenders. In order to achieve these goals, the plan identified a commitment to develop and implement a new program model for offenders. As I mentioned before, that will roll out in due time.

The new Whitehorse Correctional Centre supervision and program model has been developed and approved by the programs and services advisory committee. The development of this model included input from a sub-group that looked at the needs of female offenders. The new Whitehorse Correctional Centre supervision and program model provides an evidence-based rationale that supports the delivery of correctional programs at Whitehorse Correctional Centre. This model guides the correctional officers to provide direct supervision of the inmates. Correctional officers have been implementing this new supervision model and their involvement in inmates' day-to-day life and reintegration planning has increased. We've seen a positive and significant change in the way of positive relationships between inmates and correctional officers, less administration in the complaint process and more hands-on efforts and programming activities by the correctional officers. This new model is subject to ongoing review, as implementation of the programs progress.

Now, academic programming, in recognition that the success upon release is directly related to employability and education, inmates at the Whitehorse Correctional Centre can access a number of academic courses, as you may very well know — general studies; general education; development preparation and testing; resumé workshops; vocational programming including first aid, transportation of dangerous goods, FoodSafe and Workplace Hazardous Materials Information System.

We must also consider programming specific to the female inmates. Female inmates at Whitehorse Correctional Centre have the opportunity to regularly take part in programming and counselling provided by the Department of Justice staff and volunteer organizations such as FASSY. Female inmates are also able to participate in weekly, women-only AA meetings.

The government continues to work diligently to ensure that all willing and able inmates receive appropriate training and programming when they are in custody at Whitehorse Correctional Centre.

Ms. Moorcroft: We did have the tour in December and again I would like to thank the minister and his officials for that. I observed that the shop didn't look to be particularly large, but I did want to ask whether that shop could be used for woodworking.

Is there an exhaust fan, and is there the ability to do any woodworking crafts or carpentry trades in the shop?

Hon. Mr. Nixon: As I mentioned before, the programs we are looking at are specifically client based. So areas such as the shop — we are looking at purchasing exhaust fans for that area, in the event that individuals who are incarcerated at WCC have the opportunity to take part in woodworking, carving, et cetera. So I hope that answers your question.

Ms. Moorcroft: Yes, I'm glad to hear that. The minister stated that their new programming model was evidence based, and I think the evidence would show that there are a number of inmates in the past who have been interested in carving and woodworking programs, and that is something they could probably anticipate would be needed in the new facility.

I would also like to explore with the minister the potential for work programs outside of the Correctional Centre. In the past, inmates have worked on Habitat for Humanity projects. I have talked to a number of the board members of Habitat for Humanity and have actually visited one of the triplexes that was built by Habitat for Humanity, which inmates had worked on. This has been working well. I think it is very productive for inmates to be able to go and be supervised while they are working. They are gaining skills that can help them decide to go back to school and become a tradesperson, for instance, or to find employment once they are released. Will the inmates in the correctional facility now be able — this spring — to assist Habitat for Humanity in some of the projects they have ongoing to meet some of the housing needs in the Yukon?

Hon. Mr. Nixon: Just to give people a little bit of background about the inmate work program — under the *Corrections Act* and regulations, sentenced inmates must be given work and program opportunities. Remand inmates have to consent to work or to attend the actual program itself.

Remand inmates are not permitted to leave the Whitehorse Correctional Centre. One work crew supervisor and two work crew officers are involved with the inmate work crew at Whitehorse Correctional Centre. Normally there are between eight and 12 inmates assigned to the inmate work crew, and the crew is restricted to low-risk, sentenced inmates. The work program gives inmates basic skills in carpentry, welding and learning how to operate light equipment.

In 2010-11, the Correctional Centre received funding through a Management Board submission for a secure work crew supervisor and a vehicle for the inmate work crew. As I mentioned before, the *Corrections Act* requires work programs for sentenced inmates. It allows inmates to learn skills and gain experience that may increase their likelihood for employment upon release and, hopefully, decreases the opportunity for them to reoffend. Work programs contribute to a good work ethic, build self-esteem and discipline, and make productive use of inmates' time during their incarceration.

Inmates worked on the Habitat for Humanity triplex housing project called Phoenix Rising. The triplex was built on the site of the well-known 810 Wheeler Street drug house that was previously demolished. The inmates have donated in excess of 5,000 hours to Habitat for Humanity. Tasks include property cleanup, drywalling, building porches, plumbing, flooring, insulation and painting. The work crew is working at the Habitat for Humanity project up in Ingram. Inmate work crews also helped to renovate Angel's Nest for the Youth of Today Society, cleaned up Kishwoot Island and Bert Law Park, made toys and sandboxes for local daycares, constructed food donation boxes for the local food bank, completed renovations to the Justice wellness centre, cleared brush on ski and snowmobile trails and cleaned up Camp Yukon.

Any materials that are needed for projects are normally purchased by the sponsoring agency. Costs associated with equipment, inmate pay, work crew supervisor salaries are included in the budget for WCC.

In September 2010, Whitehorse Correctional Centre purchased, as I mentioned before, a van for the work crew and the equipment and the cost of that was just over \$34,000. It's our intention to continue to assist Habitat for Humanity, as we've found that it has been very successful in the past. This work is always dependent, of course, on the suitable inmates in the Correctional Centre with appropriate level of risk to the community and as I reiterated before and I will say again — safety to the staff, safety to the inmates, and in this case, safety to the community. Four inmates who worked at Habitat for Humanity indeed went on for further training at the college and the inmates were at the current Habitat for Humanity project as recently as last week.

Ms. Moorcroft: Regarding safety and security, while the kinks of the new building are being worked out, can the minister assure us that the segregated and general inmate populations are not mixing?

Hon. Mr. Nixon: The simple answer to that question is, yes.

The inmates in segregation and the general population are not intertwined. The segregation units at Whitehorse Correctional Centre are, as you know, on the top floor. So, the answer is, no, they are not intertwined; yes, they are separate. There are currently inmates in segregation as of March 21. I won't get into the fine details — so, they were in segregation; they are now out of segregation. Basically, they were placed in segregation, because they threatened the security of the institution. As I said before and I'll say again: safety of the inmates and safety of the staff are a high priority.

Charges within the inmate discipline system are pending against the inmates who were placed in segregation. The new *Corrections Act, 2009* sets out a rigorous process of ensuring that the rights of inmates are upheld during any disciplinary process. As per the act, every 24 hours there is a review to determine whether or not inmates in segregation can be returned to the general population.

That review process has been followed for these inmates and now they are out of segregation. Of course, inmates have the right of appeal to the investigations and standards office. All inmates are aware of this process and have access to the investigations and standards office telephone number and access to a telephone.

Ms. Moorcroft: There are a couple of things that I want to go back on there. Habitat for Humanity did expect a work crew this week. I believe it was at the Ingram site — the minister mentioned that. Apparently, they did not show and they were told that the inmates had to work at the Whitehorse Correctional Centre. What were they working on and can the minister tell us when the work crews will, in fact, be at the Habitat for Humanity work site?

Hon. Mr. Nixon: As I mentioned yesterday, it is important to let everyone know that Whitehorse Correctional Centre management is setting a new tone as they move into this

building, and that is why it was important for me to let people know yesterday that it is the staff who are operating Whitehorse Correctional Centre and not the inmates.

This move allowed Whitehorse Correctional Centre management to confiscate a considerable amount of contraband, as I spoke of yesterday. The inmates did not like this very much, but it was the right thing to do for the safe operation of the facility and for the safety of our staff and inmates in the Whitehorse Correctional Centre.

In addition, as I issued in a press release a short time ago, we have now installed an ion scanner that will monitor visitors for illegal contraband, such as narcotics.

When we talk about transition, as I mentioned before, preparation for this move began over the last couple of years and really heightened over the last year. Transition work included over 30 separate project initiatives, such as complete revision of all operational policies, identification, purchase and fitting of all furniture and equipment needed for operations and housing of inmates, staffing initiatives and development of a new staffing model, development of new daily routines and shift schedules and orientation tours with staff and stakeholders.

The significant need for training and preparation of staff for the new facility really cannot be underestimated. Staff are moving from an ancient model of corrections and a decaying building to a generation 3 facility and direct supervision models. Training and direct supervision has been underway for the last two years to prepare staff. Familiarity with the new building — its technology, control systems, communication systems, safety systems — was critical to ensure that the transition was safe and successful.

Training was developed and delivered by correctional experts from British Columbia, who have significant experience with this model of supervision and construction. Again, I commend the staff members who have stuck with the new program, who have been through the training over the last couple of years and have implemented that training into the new move. It's a great facility. It's a great vision and we have a fantastic team up there who will carry out the programming in due time.

Ms. Moorcroft: The minister has just indicated that they have had great training, that they have had a complete review of all operational policies and that they'll be rolling out new programming.

Successful programming, I believe, depends on involving concerned parties. I think it is important to take advantage of the Whitehorse Correctional Centre elders advisory committee and the insight and advice that they would bring to bear to new policy development. I don't know to what extent they have been involved. I have requested previously of the minister if he would be willing to provide a copy of the policy manual for the correctional facility, absent of course the security policies, which would not be public documents. I could save the minister some time on the floor of the Legislature if he could indicate that he is willing to provide me with a copy of the policies. I also would like an answer from him regarding what, if any, involvement they have had from Council of Yukon First Nations' justice programs, elders advisory committee, and other

groups outside of Government of Yukon in developing this new program model, which he referred to in the Legislature as incorporating cultural values.

Hon. Mr. Nixon: Getting back to the previous question first, asking about why the inmates were not at the Habitat for Humanity site working, I hope that the member understands why it went into the actual transition phase and why I keep saying that programming will be rolled out in due time, as the correctional staff and management see fit, and taking into consideration the right person for the right job.

Moving on to the First Nations advisory committee, right from the inception of this program, the involvement of First Nations throughout the Yukon really has been a very high priority — not only for programming, but as you know, for the construction of the building and having a designated room for people to take part in cultural programming and meet with elders and family.

At present — and I guess I have to fall back again on the transition period and phase. We understand that it's a bit of an inconvenience that there's maybe not as much involvement right now as we would like, but we also have to take into consideration that there was a death of an elder in Teslin, and a number of people have just not been available for that.

So as we know right now, elder Ida Calmegane has resumed weekly visits on Tuesdays to see the inmates. Elder Agnes Mills is scheduled to attend the centre tomorrow, in fact, to facilitate First Nations cultural awareness to the correctional officer training class and to have one-on-one sessions with some of the inmates. I don't think we've received confirmation yet whether tomorrow's visit has been hampered because of the death of the elder in Teslin. I can't really comment further on that at this time.

Ms. Moorcroft: Can the minister provide information on the open visiting room and when that will be open and when inmates will be able to meet with their families? It is a great feature of the new facility to have that accessible, and I am sure that it will be good once it is available for use. I would like him to let us know when he anticipates that the healing room in the new facility will be open for use and the library.

Hon. Mr. Nixon: I will be very brief on this one. The room is open and being used. You asked about the open visiting room.

Ms. Moorcroft: I understand the minister's answer was that the opening visiting room is now open.

Hon. Mr. Nixon: As I stated in my previous answer, the visitor room is open and is being used. Having said that we're tying this in with the elders — the elders have a really sincere calming effect and influence when they're in the Correctional Centre and indeed the management of the centre would like them to be there as much as possible. I can only imagine what it might be like to live there. It's hard to imagine what it would be like to have an elder come in and really spend the time and give you that time. I guess that's why we've provided the elders with a lounge and an office within WCC. So it's entirely appropriate for elders to play a role in mitigating conflicts that may arise between inmates and between inmates and staff, for that matter. In fact, the officials tell me that elders

have been directly involved in resolving conflicts between inmates and staff. As the minister, I support this and I think it's a really great idea.

Ms. Moorcroft: As we've discussed previously, we're all aware that between 75 and 90 percent of the inmate population at Whitehorse Correctional Centre is of aboriginal ancestry. That's a huge overrepresentation in the correctional system and it's a concern to all of us. I would like the minister to also indicate whether the healing room is being used yet at the new facility. Although I have more questions after that, I want to yield the floor to my colleague, the Leader of the Third Party, who I understand also has some questions.

Hon. Mr. Nixon: Yes, the room is open and we do expect the potential — I guess, if elder Agnes Mills is available to come to the facility tomorrow still — that if she so chooses to use that room, it will be available for her.

Mr. Elias: Good afternoon, Madam Chair, and once again, good to see the officials here.

Thank you very much for helping the minister answer our questions. I'll just get right into the questions here.

I'll start with the Adult Resource Centre. I believe it was five or six years ago that women were — I don't know if the word "excluded" is right — excluded from using the Adult Resource Centre. I am wondering if there are any plans to provide those types of opportunities for women who find themselves in the correctional system to actually benefit from the Adult Resource Centre so that they can come and go, get their education, attend programs, maybe find a job — the same — I wouldn't say "luxuries" — the same opportunities as the men do within the Adult Resource Centre. As I talk about the ARC, as people call it, over the last couple of months — even previous to Christmas — I have been advised that the facility has a problem with mice. It has become a concern; it has become a health issue.

I've been told this by several different people — employees as well as inmates. That could present a problem, health-wise — the legal ramifications for the government and all that other stuff. If the minister could begin by answering those questions for me, that would be great.

Hon. Mr. Nixon: Just to give a little bit of background on the Adult Resource Centre — in March 2009, several key staff resigned their positions and the Adult Resource Centre threatened to close. Justice was apprised of a number of operational and financial irregularities. The Yukon approved funding for the amount of \$284,000 to address the funding crisis at the centre. In August 2009, the centre was placed under new management. The centre staff completed a budget exercise that included a workplan to bring the Yukon Adult Resource Centre into compliance with standards. The work is nearing completion now.

The centre is currently rebuilding its program capacity. Whenever possible, staff at the ARC are partnering with Correctional Services branch for training in the program delivery. So, most recently, the centre staff have trained in violence prevention programming, motivational interviewing and on-line case management training.

The Adult Resource Centre is a residential facility so that offenders who are released into the community are equipped with the skills and resources they need to become productive community members. Justice has an existing contribution agreement that funds services for 13 clients at the centre. Two beds are contracted to Correctional Services Canada and one to Yukon Health and Social Services. Justice will be renewing the centre's contribution agreement for 13 beds in the 2012-13 fiscal year, and an ongoing review will be undertaken as a component of their renewal for the 2012-13 fiscal year.

The member talked about an issue with mice in the building. To my understanding, that has been an ongoing issue and it continues to be addressed, but as it is addressed it continues to happen and so that work is ongoing. It will continue to go and I will actually follow up with that for the member opposite.

Justice has clarified the approval of private home placements for women within the City of Whitehorse and has guidelines for staff and potential hosts.

A private home placement is an arrangement where one or two clients live in the home of a compatible individual or a family host. Justice posted requests for proposals in July of 2011 for contracted services, but at that time, we received no suitable proposals. Justice will review this issue in this new fiscal year.

The member may know — or likely knows — that only low-risk clients will be eligible for private home placements. Eligibility is determined through risk needs assessments and case planning by the clients and their supervisors. So clients may be transitioning from the Whitehorse Correctional Centre to the community on bail or probation with a requirement to reside as directed by the courts. Placement may occur in Whitehorse or in the communities, depending on the needs of the client and the availability of the host itself. So the costs for the placement, I guess in other jurisdictions, range from a minimum of \$35 a day to a maximum of \$100 a day, depending on the extent of the client's needs while in home placement. These will be things that we will be reviewing as we move forward with this initiative. The cost for two beds in Whitehorse would be approximately \$90,000.

Mr. Elias: I thank the minister for those responses. I appreciate that he's going to follow up with me with some of the questions I had today.

I'll move on to something that I brought up on several occasions in the House and that's with regard to unsolved homicides in our territory and with regard to the RCMP Major Crimes Unit. If the minister has any numbers with regard to how many unsolved homicides we have in the territory — there have been many high profile ones of late — and with regard to the Major Crimes Unit, I think that additional funding does help with solving some of these major crimes — and make no mistake, these unsolved homicides in our territory weigh heavily on the community. They weigh heavily on rural Yukon; they weigh heavily on families and they're unsolved — believe me when I say that it weighs heavily on a lot of Yukoners' minds to have a murder being unsolved. It is very difficult to deal with.

If the minister could elaborate on what the 2012-13 budget does to help alleviate this issue or address this issue — I think it was in last year's budget that the Major Crime Unit did receive additional funding, and I hope they receive even more this year so that they can hopefully solve some of these unsolved homicides in our territory. I don't want to throw a number out there. I think I know what the number is with regard to the unsolved homicides in our territory. But, again, if the minister could explain to the House what is being done to help the Major Crime Unit in solving some of these. I'll just leave that question there, and then I have some other questions regarding primary aggressor legislation.

Hon. Mr. Nixon: Currently, the Major Crime Unit in M Division is made up for four constables, one corporal, one sergeant and one public servant. Two of the constable positions have been designated as crimes-against-persons positions. There is \$175,000 in the budget for additional major crime investigators — not additional, but included in those.

They have a responsibility to investigate complex sexual assaults, serious domestic violence and assist in other major crime divisions. The mandate for duties for M Division Major Crime Unit, in M Division policy — and I can go over a few of these. Major Crime Unit has the primary responsibility for investigation of serious or high-profile incidents. Major Crime Unit can provide support to detachments in less serious investigations. Serious or high-profile incidents include the following: homicide; attempted homicides or suspicious deaths; missing persons, where foul play is suspected; death where RMCP members are involved; in-custody deaths; escapes of high-risk offenders; motor vehicle collisions that are complex and require the use of major case management; discharge of firearms by members causing death or injury; serious injury or death to members on duty; criminal explosive incidents causing death or injury; complex sexual assaults and serial sex offences; complex arsons; robbery with violence and robbery at a financial institution and non-parental abductions.

M Division put forward funding pressure in September 2009, which included \$262,500 for major investigations in Yukon. This amount was supported by Management Board and included in supplemental funding in the policing budget. In 2010, the RCMP did not request any further need for supplemental funding for major crime investigations; however, the RCMP has requested one major crime investigator as part of their incremental funding request for police resources and that was in last year's budget.

Unsolved homicides and major crimes, such as those involving violence against women, really do remain a grave concern to me, as the Minister of Justice, to the department, and I think I can safely speak for everyone sitting in this Legislature and anyone listening. Officials meet regularly with the RCMP, and I continue my correspondence with the commanding officer to ensure that police resources and funding are in place to resolve these crimes. Presently, the M Division Major Crime Unit consists of six members, with primary responsibility to conduct criminal investigations into all suspicious human deaths.

We are confident, and I have full confidence in the RCMP as they are diligently pursuing these investigations to the best of their ability so the perpetrators can be brought to justice and the families who have lost their loved ones can find closure.

Since 2000, the M Division RCMP has conducted criminal investigations into 20 suspicious human deaths. Of these investigations, 14 have resulted in criminal charges. The success includes a 17-month long investigation which led to the arrest of two persons in connection with a death that occurred in March of 2008. One of those two individuals arrested is before the courts right now. The M Division Major Crime Unit currently has six human death files, which are subject to ongoing criminal investigations at this time. These six active investigations include deaths in 2004, deaths in 2007, one death in 2009 and one death in 2010.

Major investigations vary in complexity, depending on the crime type, the number of suspects, the number of witnesses and the quantity, quality and type of physical evidence that's available. These variables all indicate the direction of an investigation and the overall demand on human and financial resources. I can assure you — in my conversations with the Department of Justice, the commanding officer — these issues are of high importance, but we also take into consideration the evidence that's available and the quantity and quality of that evidence. Thank you for the question.

Mr. Elias: When I speak of “unsolved homicides,” obviously Angel Carlick comes to mind. Those are the types of high-profile cases that are better solved immediately.

The minister brought up violence against women. I was actually going to ask this question in Question Period on Monday, but I'll do it right now. It's with regard to primary aggressor legislation and the need for it.

The Yukon currently does not have primary aggressor legislation that recognizes that a woman physically defending herself against domestic violence should not be charged and treated the same way as the abuser — that is, fighting back is not the same as launching an attack. We do a disservice to treat victims as criminals at the time when they need our support the most. Two years ago, I did ask the then Minister of Justice about implementing such legislation in the Yukon and she said that it would be included in the policing review and that training would take place at the Northern Institute of Social Justice to help RCMP officers identify the environment and determine when to charge and how to investigate during domestic violence.

Here's one question: Could the minister please provide an update on the progress toward primary aggressor legislation in the territory?

In addition to that, over the last several months, I've been hearing from women's groups with regard to the legal system how — it's basically, I wouldn't say consensus, but it's a general statement that women need to feel that they can trust the system.

It was brought to my attention that, especially in the cases of sexual assault and rape in the territory — which are three to four times higher than the national average, I might add, and seven times higher for aboriginal women — Crown counsel is

appointed for the victim during these cases. There is a trust issue, and what they asked was that in these cases the women be provided their own lawyer, as in a civil case. Rarely does a sexual assault go to civil court, and that is where the women actually have the power. So in the system that we have now, there is a trust issue.

I couldn't believe it when I was told this statistic: in the Yukon, on average, only 10 percent of sexual assaults actually get reported. I could not believe that, and if there is a problem within our system that we can fix to ensure that that gap is filled, then we need to do that. They also brought up the fact that a legal advocate within the court system for this type of abuse would go a long, long way toward helping resolve these issues with regard to women.

They also brought to my attention that there is a need for a 24-hour crisis line, because they don't feel that the Victim-LINK is a crisis line. It doesn't appeal to their needs. Also, they felt that there was a need for a crisis line that was non-judgmental, that they could be 100-percent anonymous and there were more options for women to consider in terms of where to get help. I think these are — I'm just reading my notes here to make sure I touched on some of these issues. Let's see here — yes, I think it looks like I touched on most of the issues with regard to violence against women that the minister brought up earlier.

There is one more that I'm missing and this could be brought up in the Women's Directorate as well. There seems to be a need for some education and some advocating for safety planning for Yukon girls, especially those who are into the age of consuming alcohol. They feel that hard liquor is the number one date-rape drug in the territory and they wanted some education around that safety planning for Yukon girls at an early stage. These are coming from some meetings that I've attended over the last several months and some face-to-face discussions with front-line workers, NGOs and women's groups throughout the territory.

So I hope I represented those issues well. If not, I'm going to hear it, I suspect. I know I threw a lot at the minister here but I think it's important to get this stuff on the record because some of these statistics I just could not believe. If we can do anything within the territorial government's justice system, the Department of Justice, the Women's Directorate and the Department of Education to help curb some of these statistics, and solve some of these problems, that would be good. I'd like to hear what the minister has to say today on these issues.

Chair: Order please. Would the members like a recess?

All Hon. Members: Agreed.

Chair: We will recess for 15 minutes.

Recess

Chair: Committee of the Whole will now come to order. Mr. Nixon has the floor.

Hon. Mr. Nixon: Madam Chair, to respond to the member opposite's question on dual charging and primary aggressor assessments — and for those of you who may not be

completely familiar with this, dual charging refers to both partners being charged in the case of a domestic assault. The primary aggressor policy is that direct law-enforcement agencies and other prosecutors do investigate and determine the most significant, rather than the first, aggressor in cases where it is alleged that both partners committed an assault. The issues of dual charging and of women who are victims of violence being arrested and charged with assault were raised a number of times during the review of Yukon's police force.

As part of the *Sharing Common Ground* implementation, the inter-agency working group of members from First Nations, women's organizations, government, health care providers, RCMP and the public prosecutor's office was established. A subcommittee of the domestic violence and sexual assault framework committee is still working to clarify RCMP policies relating to dual charging, as well as current RCMP policy and practices regarding the use of primary aggressor assessments in cases of domestic violence. The framework development committee is supporting the RCMP to update M Division policy and procedure manuals and ensuring that open communication lines exist between the RCMP and the service providers. This complex issue is being discussed across the country and is not an issue that is unique to Yukon. Open lines of communication, coordinated service provision and specialized response teams are some of the key success factors in other jurisdictions that are dealing with this issue. Those are definitely things that we're keeping an eye on. Justice officials and the RCMP M Division are working closely with other service providers to develop coordinated service provision and ongoing communication here in Yukon.

The member opposite also brought up the issue of domestic violence and sexual assault against women. This is something that the department, and the RCMP and I have placed a high importance on and pay quite a lot of attention to in this regard. The Yukon Department of Justice, the Council of Yukon First Nations, and M Division of the Royal Canadian Mounted Police, with the support of an advisory committee, undertook a review of policing in Yukon in 2010. During that review, service providers and clients called for a more consistent, effective, coordinated and informed response to domestic violence and sexual assault by police and other agencies. The final report of the review entitled, *Sharing Common Ground*, recommended, among other things, establishing an inter-agency working group of members from Council of Yukon First Nations, women's organizations, Government of Yukon health providers, RCMP and the public prosecutions office. The Domestic Violence and Sexual Assault Coordinating Committee was established and has begun to compile information on current services and structures in Yukon.

It's also considering best practices and research on coordinated community responses to domestic violence and sexualized assault. In addition, the committee is exploring a number of specific service delivery areas identified, including clarifying protocols and practices related to police-charging practices, including cases of dual charging and the use of primary aggressor assessments.

They're also clarifying Victim Services' responsibilities, including victim assistance volunteers, and they're also supporting research being conducted by the Yukon Advisory Council on Women's Issues to better understand the concept and service gaps related to a legal advocate for women.

Primary aggressor policies are achieved within the setting of the law enforcement and the Crown. There is no primary aggressor legislation in place in Canada at this time.

Madam Chair, this government, this department and I are very proud of the work that's being undertaken for victims of crime, specifically. This government is very aware of the pressing needs of victims of crime and continues to be committed to addressing these needs. In particular, we're concerned about the statistics on violence against women. Statistics Canada reports that rates of violence against women in the north definitely exceed the national average, and this should be of concern to all of us.

Rates of spousal violence and spousal homicide are also higher for aboriginal women than non-aboriginal women. In fact, aboriginal women experience spousal violence that is three times higher than for non-aboriginal women. I can speak for myself and the department — and in conversation with the commanding officer for the RCMP M Division — that we all acknowledge these concerns. In fact, we responded in August 2009 with the release of our *Victims of Crimes Strategy*.

We have worked hard since the release of the strategy to implement a workplan that will fulfill the goals of the *Victims of Crime Strategy*. I have explained to the members of this House before that the strategy was developed by the Department of Justice and the Women's Directorate, in collaboration with First Nations and community agencies in order to enhance our response to the needs of victims, families and communities. The strategy has been designed to acknowledge, formalize and strengthen the Government of Yukon's existing services. It is also designed to explore new and emerging initiatives and to establish mechanisms to work with others to support victims of crime. We have set up an advisory committee to assist with the implementation of the strategy workplan. This committee has representatives from community groups, First Nations, women's groups, other justice organizations and the RCMP. This group has met seven times in the last couple of years. The departments of Justice and the Women's Directorate will continue to work in partnership with the implementation advisory committee to roll out the *Victims of Crime Strategy*. This government has committed to a total of just over \$1.5 million to support the implementation of the *Victims of Crime Strategy*.

I really do believe that we sometimes overlook the amount of work from these true professionals that has gone into the *Victims of Crime Strategy*. \$817,352 of this figure was allocated for the Department of Justice projects, and the remainder to support the Women's Directorate projects. The strategy has five areas of focus, and I will explain to you what we have achieved in each of these areas. Our programs and services for victims of crime will continue to be client-focused. The Department of Justice currently offers many services to victims of crime through the Victim Services unit. Some of those services are information about the criminal justice system, the role of

the victim in the criminal justice system, and opportunities to participate in criminal justice processes. Other services are the assistance in the court processes 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 and Crown witness coordinators, information to victims about options available, the status of the investigation, the next court appearance and the final outcome of the proceedings.

Other services — the emotional support regarding the impact of victimization and referrals to other agencies, as well as information about practical support, such as the victims of crime emergency fund; coordination and support to the inter-agency sexual assault response committee, the primary objective of which is to promote consistency and coordination between the member agencies in order to successfully prosecute cases of sexual assault; and support for victims whose partners are involved with the Domestic Violence Treatment Option Court in Whitehorse and Watson Lake and/or the Community Wellness Court here in Whitehorse.

While I'm speaking about the Community Wellness Court, I've met with them several times and not only admire the work that they do, but really do need to commend the work they do.

Other services include the 24-hour access VictimLINK crisis line that we share with British Columbia, representation on the youth justice panel and support for community requests for programming and training.

Access to information about our services is very important, and over the past year we have released new victim services brochures to inform the public about the unit's services. A victims of crime emergency fund, as I mentioned just a few minutes ago, has been established to address the costs of being victimized, which cannot be covered by any other source. Guidelines are in place for referral agencies, funding for the emergency fund is being provided by the policy centre for victims issues and also by the crime prevention and victim services trust fund, which is currently \$45,000. Since December of 2010, we have responded to almost 30 requests for emergency funding for needs that have arisen as a result of being victimized and have provided support in approximately 20 cases. The average assistance being provided is approximately \$300. It's a huge step forward for the Victim Services unit to have this fund available to them

Another component, if I may continue speaking about the victims of crime emergency fund is the emergency cellphone campaign. Emergency cellphones are provided to address safety concerns as a result of victimization. Since April 2011, approximately 50 phones have been provided. I want to particularly thank Latitude Wireless for their very generous support of this program. It is an excellent example of government and community collaboration.

The Victim Services unit is a voluntary and confidential service. Involvement with the unit is not mandated by the courts or the police. Many referrals to Victim Services come from the RCMP after a call for service. Some victims self-refer to Victim Services; other victims are referred by the unit or by

agencies and/or government departments. Victim Services offers information and support to all victims of crime that are referred to the unit. Victims are considered to be both the actual victim of the crime and others affected by the crime.

Many victims accept the support at first contact with the justice system, while others may return to Victim Services at other times in the criminal justice process. Victim Services provides services to victims, whether or not charges are pursued and/or a conviction is obtained. Every Yukon community has a victim service worker assigned to work directly with victims of crime and victims of crime in the Yukon are able to — and quite often do — seek support from a variety of sources, whether it be friends, family, community groups or others. This government currently supports a number of community and advocacy groups to support services to the victims.

The department has 10 permanent FTEs in the Victim Services unit who are actively engaged in providing service to all Yukon communities. Victim Services works with other justice workers, such as community justice coordinators, aboriginal core workers, probation officers and other allied professionals to address needs in the Yukon communities.

Victim Services workers travel to the rural communities for court circuits and additionally meet with clients, attend meetings and other events in all communities and provide information and support.

In addition, the Department of Justice also funds the support variation assistance program that provides assistance to persons who need to have their support orders varied. It also supports the maintenance enforcement program, which helps to collect child and spousal support, and supports Legal Aid to provide lawyers for parents involved in child protection matters and permanent custody applications. The department supports the Law Line, which takes over 2,000 calls per year, of which more than one-third are family law questions, and supports the For the Sake of the Children parenting program as well. We're also continuing to develop appropriate and skilled responses to the unique and specific needs of victims of crime.

New initiatives in this area include augmenting services to victims in rural communities, increased public education about services for victims of crime, recognizing Victims of Crime Awareness Week, which is April 11 to 16 this year, with an open house and information session in Whitehorse that will be attended by over 20 community partner agencies. They are also having regular meetings with other partners, including the Crown and RCMP, and participating with other departments to develop a working group to develop a trauma-informed approach to care. As well, they are renewing the exchange of services agreement with British Columbia, which provides the people of Yukon access to the VictimLINK call line 24 hours a day, seven days a week.

Mr. Silver: I just have one question to add to the Member for Vuntut Gwitchin's questioning and this is on circuit court. Circuit court is every six weeks in Dawson, but there has been a pattern of cancellations and the court has been conducted in Dawson with judges and Legal Aid phoning in from Whitehorse. This is not adequate access to legal counsel. Two weeks before a court, there is a pre-circuit phone meeting.

Sometimes the technology works, sometimes it does not. The defendants really can't make out what the lawyers are saying, from what I have been told.

This seems to be happening more and more often. It happens in Ross River as well. It seems that this is becoming a trend. I was wondering if the minister could comment on the situation and maybe elaborate on some methods for a solution.

Hon. Mr. Nixon: I appreciate the member's question. As with any scheduling arrangement, the member can truly appreciate that the Chief Judge schedules a circuit court in the communities. It could be for, really, any number of reasons without purpose that those dates have to be changed or cancelled or moved — whether it be due to illness, due to, really, a number of things. We could make a list a mile long of different reasons why even our own scheduling changes occur. I can understand, if there's a judge going to a community, why those dates might be changed. It's certainly not purposeful.

I don't understand why it might be increasing, if it is, but I'm certainly happy to look into that for the member opposite.

Additional funds were allocated in the 2012-13 budget for existing unfunded community core clerks in both Dawson City and Watson Lake, along with increases for collective agreement management category and benefit costs partially offset by the decreases due to converting the deputy registrar position to the bilingual clerk of the Supreme Court. This is partially recovered from the Bureau of French Language Services. Back-filling and staffing vacant positions had lower rates of pay, so net increase to personnel is \$45,000. Increases are due to additional funds of \$10,000 allocated for French language training for the judiciary — 100-percent recoverable from Canada — and a total of \$42,000 allocated to increased funding for the deputy judges sitting fees.

Ms. Moorcroft: I have a number of items to follow up on. Can the minister tell us and put on the public record what is the telephone number for Whitehorse Correctional Centre?

When someone calls the telephone number in the book, it doesn't work. When someone calls directory assistance, they're told, "Sorry, we don't have a new listing." We know there have been problems all week with the telephone number. I also want the minister to respond — while his officials are looking up to the answer to that — on the availability for inmates to have fair access to phones. It's not actually that easy for them to communicate with friends and family, so I'd like the minister to assure the House that inmates will continue to have fair access to telephones.

Hon. Mr. Nixon: We're just actually discussing that in the new facility and I guess part of the process that it took to get the new correctional facility open and running was really the complexity of the building at large, so there is an entire new phone system in the building. It is up and running and during the last couple of weeks of transition, we are — when I go up there, I don't call Whitehorse Correctional Centre, so I don't have that handy on me right now, but typically I would call my ADM or my DM on their cellphone. I am happy to get that information if the member opposite would like to proceed with another question, I'll put that phone number on record for them.

Ms. Moorcroft: Actually, the husband of one of my colleagues, was told the number was 455-2900 — if the minister can confirm that that is correct when he gets it. Also, I had asked him to speak to the access for inmates to telephone services — if they could communicate with friends and family.

When the minister responds to that question — earlier I was asking about staffing and what happens when staff members don't report to work and whether that results in schedule changes.

Some inmates have been indicating that there isn't a regular schedule in place and they can't know in advance what hours they may be released from their cell and be able to be in the public area of the dorm. If the minister can let me know, as I asked earlier, what the impact is when staff doesn't report for work, how frequently the daily schedule is changing and what the impact is on the inmates.

Hon. Mr. Nixon: I truly don't — I'm a bit perplexed as to why the member opposite would ask me for a phone number that she already knew. For the record, the phone number for Whitehorse Correctional Centre, if the member opposite is looking for a career change, is 455-2900.

As for the schedule at the Correctional Centre and specifically the lock-up schedule — as I mentioned yesterday and reiterated today, it is indeed the staff at the correctional facility that is operating it.

From time to time, there might be a need for an unscheduled lockdown, but for the most part, lockdowns are scheduled. There is certainty to them. There was one instance over the last little while where one specific lockdown time was, I guess, overlooked and it was not included in the inmate handbook. That issue has been rectified, but I will reiterate that this is a correctional facility. It is run by the correctional staff and management, who are doing just a superb job, not only on the transition, but the day-to-day operations of this facility.

Ms. Moorcroft: Let me be clear that the minister is responsible and answerable for overall strategy and direction and for any delays that may have been caused by poor planning. We are fully in support of training for correctional staff and are pleased to hear that the staff members have been trained and that they have done some role playing.

I'd like to ask the minister: Are WCC employees working in the positions that they were hired and trained for? Are they sometimes required to fill in for positions they aren't trained for? Are they trained in responding to inmate concerns?

Hon. Mr. Nixon: If I just heard the member opposite correctly, she indicated that the new Whitehorse Correctional Centre was opened with poor planning. I think if we want a good example of poor planning, we can look at the NDP platform.

Madam Chair, all staff members were thoroughly prepared for the transition to the new facility. A full training regime for the transition to the new facility was completed. The curriculum focused specifically on facility orientation, policy updates, contingency plans and on building security and communication systems.

The training occurred over the last several years, as I have already mentioned to the member opposite, and at the end of

the day it's the management — the exceptional management — of Whitehorse Correctional Centre that wanted to ensure that staff was completely prepared for a successful and safe occupation of the new facility. It is a facility that, I might add, and reiterate, that they are indeed operating. The inmates — the individuals who are incarcerated at Whitehorse Correctional Centre — are indeed not operating the facility.

Ms. Moorcroft: I would point out to the minister that there have been two years to prepare for moving to the new facility. The minister needs to assure Yukon people that the staff truly has the support from the minister that they need to deliver effective programming; yet the minister is unable to answer specific questions about when that programming will roll out. It will roll out in due course. I guess we will wait and see when that is.

The question that I had asked the minister to respond to is whether employees at the Correctional Centre are working in the positions they were hired and trained for or whether they were sometimes required to fill in for positions that they haven't been trained for.

Hon. Mr. Nixon: Talking about the staff at the Whitehorse Correctional Centre and their work schedule — there is indeed a work schedule in place, as with probably most other government departments and agencies. All staff are made aware of the schedule. From time to time, as with any other business or government, staff call in sick. There is a process that takes place when a staff member calls in sick. Generally, that's looks like calling the auxiliary-on-calls to pick up for the staff member who is not able to come into work that day — they'll take over from them.

Ms. Moorcroft: I'd like to move on to the Adult Resource Centre. The men leaving corrections or who are low risk and have a community placement can reside at the ARC. What do the women have? Is the minister prepared to consider a similar building to house and facilitate transition for women?

Earlier, the minister spoke about reintegration planning, and this is so important to reducing recidivism for all inmates when they are released from the facility, whether it's men or women. In order to avoid recidivism, it's very clear — the evidence shows that providing stable housing, having guidance and support is of value. I'd like the minister to tell us whether he has considered having a building to house and facilitate transition for women, and I'm also interested in knowing why the Department of Justice determined that they should release the women's transition unit — turn it over to another department — rather than perhaps keeping it for the use of women inmates after their release and consider using it for a facility like the Adult Resource Centre, which is only available for men.

Hon. Mr. Nixon: I thank the member opposite for her question. I also thank the Member for Vuntut Gwitchin for the identical question about half an hour ago.

A needs assessment was conducted in the summer of 2008. It indicated that private home placements would be the most appropriate halfway-housing arrangements for female clients. A working group was struck and its first order of business was to meet with the City of Whitehorse planning department to

discuss zoning issues for female clients in Whitehorse. The city clarified that personal home placements for female residents are within the purview of existing zoning bylaws. Justice did extensive work to create staff guidelines for assessment and referral of suitable female clients, as well as policies for service providers.

One of the deterrents for potential service providers is that corrections —

Some Hon. Member: (Inaudible)

Point of order

Chair: Order. Ms. Moorcroft, on a point of order.

Ms. Moorcroft: On the point of order, I do not need the minister to read into the record a second time remarks that he previously made when I heard him saying that earlier; I did not catch the first part of it referring to the needs assessment regarding the ARC and providing that by private-home accommodation.

Chair's ruling

Chair: This does not appear to be a point of order. Mr. Nixon, carry on.

Hon. Mr. Nixon: To reiterate, one of the deterrents for potential service providers is that corrections cannot guarantee steady referrals and therefore cannot guarantee a steady income. Because of the small number of low-risk female clients who need this kind of transition housing, it is a complex situation regardless.

The member opposite asked about the women's annex at the new correctional facility. That annex is a stand-alone facility that most of us have probably seen. It has a very nice design, used to accommodate low-risk female inmates. It does indeed operate as a part of the Whitehorse Correctional Centre and it is located on the Correctional Centre grounds facing the road to the college.

When it was opened in November of 2009, the department announced that the facility would be transferred to Health and Social Services once the new Correctional Centre was complete. The Hon. Minister of Health and Social Services and his department are engaged in strategic planning for use of that women's annex. Justice and Health and Social Services will work collaboratively in the transition to that facility.

The facility itself has a capacity for nine residents in six bedrooms. It has a living and a dining space and a small kitchen. The new Yukon Correctional Centre has a separate living unit for women.

Ms. Moorcroft: I'm not aware of there having been any evaluation of the services provided by the ARC in the past dozen years or so.

Can the minister tell us whether he is prepared to do an evaluation of the programming and services provided at the Adult Resource Centre?

Hon. Mr. Nixon: Just to back up a little bit, in March of 2009, several key staff — as I mentioned earlier — resigned their positions and the Adult Resource Centre threatened to close its doors. As I mentioned before, the Yukon government approved funding of \$284,000 to address the crisis at the cen-

tre. This is kind of the same question as came up before, but the centre staff completed a budget exercise that included a work-plan to bring the ARC into compliance with standards. That work is nearing completion. The centre is currently rebuilding its program capacity and, whenever possible, staff at the ARC are partnering with Correctional Services branch for training in program delivery and, most recently, centre staff have trained in violence prevention programming, motivational interviewing and on-line case management training.

Ms. Moorcroft: Can the minister tell us whether the government and the department have set objectives for what they want the ARC to deliver and what direction they want them to take? Are they looking at a functional review as well as simply addressing the crisis?

Hon. Mr. Nixon: Very briefly, Yukon government does have an agreement that is in place. The department meets with the management of ARC on a regular basis to assess and determine the needs of the program and to ensure that the program is being delivered as it's expected to be.

Ms. Moorcroft: I'd like to ask the minister about the costs for the Correctional Centre. Last year's budget indicated that the daily cost per inmate is \$273. This year's budget doesn't have that information in the budget book — it's page 14-7. I've heard estimates that it's \$100,000 per year, per inmate. I'd like to ask the minister for the daily cost per inmate. I'd also like to ask how that daily cost compares to similar institutions in the north. How does that cost compare to similar institutions Outside, south of 60°? Is the new facility expected to be more cost efficient?

Hon. Mr. Nixon: The cost per inmate really is such a variable number; it's going to depend on how many inmates are in there.

If there are 120 inmates in there, it is going to be lower than if there are 50 inmates in there. But it is something that we are going to be assessing over the course of this next year as we open the new facility. We will have those numbers more accurately in a year from now, but we have only been open for two weeks. I would estimate if we took the numbers over those two weeks, they would be extremely high. We will do that assessment over the course of this next year and have the numbers for you next year.

Mr. Tredger: I would like to begin by congratulating the Department of Justice and thank the two representatives who are here to help the minister. Working in Justice would be a difficult and stressful job, but it is critical to our society — dealing with a lot of people who have slipped through the cracks. As a principal, when I was seeking funding, I often would cite correction stats and the cost to work with inmates as compared to working with kindergarten students and the effectiveness of putting money into early childhood and the need for early intervention.

In corrections you deal with people who have fallen through the cracks, people who have formed habits, many people who have struggled with poverty and literacy issues and with addictions. They're often dealing with people who are hopeless and angry and want to strike out at our system.

My support and the support of my colleagues goes out to all those who are doing this most difficult, demanding and stressful job, and we will do all we can to support them in that. The questions we raise and the ideas we bring forth come from our hearts, from our constituency, and are raised with an idea to help the system perform better.

We have a new facility. It has raised hope in a lot of people's minds. When I go to my communities, when I stop in Pelly Crossing, they bring up the new facility and they're proud of it. They're hopeful that it will live up to their expectations.

As we are seeing, now is the difficult part — building a building is easy. Rehabilitating a struggling person is difficult. Our expectations for the new facility and the directions that the Department of Justice has been going in — looking at restorative justice, looking at integration into the community, looking at training — our hopes and aspirations have been tempered by concern regarding the federal Bill C-10 and the effects that will have on our evolving system.

We have heard how First Nation community people are overrepresented in our corrections institute. That is true.

That is true and, when I worked in Pelly in particular, maybe because I'm closest to the people in Pelly, we'd get into discussions about corrections and how it might work better, and what kinds of things I can do as a representative to help them interact with the justice system.

I was pleased to hear this government's announcement of their support for land-based treatment. I have real concerns about how much is being allocated: \$1 million over five years, which works out to about \$200,000 a year, which, given my rough calculations — and I am not certain of the number, but if you pick about \$100,000 per inmate per year — it is equivalent to keeping two inmates in the correctional facility for a year. Hopefully, land-based treatment and land-based facilities will be more effective than the two people per year. We are not sure, corrections deals with the hard to rehabilitate: the people who have had many chances and many tries and have been looked at in many different ways, and have continued to fall through the cracks.

I'm hopeful that this government and this minister are serious about land-based treatment, that they work very closely with the First Nations and that together they can come up with a strategy that is effective and works well in conjunction with our correctional system.

From discussions I've had with my constituents in communities, interaction between a community and the correctional system has been difficult, to say the least. People are afraid. They're intimidated. They're easily dissuaded from contact. A number of my questions for the minister will relate to that.

The transition from corrections to community is critical. It is critical to develop plans to help our people as they leave corrections and integrate into the community.

I would like to ask the minister to begin by describing what is in place now and what our hopes are for the next while in terms of integrating people from corrections to their communities.

Hon. Mr. Nixon: Some time ago I spoke about the programming that we're bringing back into the correctional

facility. Really, the base of that programming is to do what we can do to maybe provide new skills or increase the skills of the inmates, in hopes that they decrease that behaviour of reoffending. So, at the end of the day, that's the key importance of rolling out that programming.

You asked about restorative justice. It supports ways to recognize and repair the harm of crime by promoting individual and community accountability and responsibility and by responding to the needs of the First Nation communities.

The Yukon government, in cooperation with the Minister of Health and Social Services and the fine people in his department, continues to support nine community justice projects with our federal partners through the aboriginal justice strategy.

These projects make use of various delivery methods, including conferencing circles, clan-based systems, elders boards and committees. For Restorative Justice Week, the department sponsored Shannon Moroney, the author of *Through the Glass*. I met with Shannon when she was up here, and she spoke about the importance of restorative justice. She also made a public presentation to justice-allied professionals and offered two presentations utilizing the circle process for inmates at the Whitehorse Correctional Centre. I can tell you I was at one of those processes for the inmates, and it really surprised me that the biggest, toughest, meanest looking guy in there had tears in his eyes. By all accounts, these sessions were received very well by those who attended.

In February 2012, the crime prevention and victim services trust fund supported the Katy Hutchison speaking tour, organized by the Yukon Circle of Change Society.

She tells the story of her husband Bob, who was killed while attempting to intervene at a party at a neighbouring house, and she brings a powerful message of restoration. During her Yukon tour, she spoke at a number of high schools and to parents of high school students, as well as at Yukon College.

The Government of Yukon increased its commitment to assist with the community capacity enhancement by providing compassion, fatigue, and vigorous trauma workshops for helpers in Yukon communities; developing FASD training with Northern Institute of Social Justice and Yukon College for service providers who work with suspected and diagnosed clients within the justice system; and also by providing additional support to communities as they develop community-based justice initiatives to address the needs of victims, offenders, families and communities that you spoke of.

The Department of Justice also works with many other community groups and First nations on community-based justice initiatives, such as the First Nation of Na Cho Nyäk Dun under the intergovernmental accord signed by Yukon and Na Cho Nyäk Dun; Little Salmon-Carmacks First Nation on training and capacity initiatives; the Kluane First Nation on community safety concerns; and the Carcross-Tagish First Nation on their Southern Lakes development project.

So, since 2008, the Yukon has provided a maximum of \$307,000 annually in direct financial support to eight community justice projects. Two projects also received funding from Health and Social Services and all nine projects were supported by funding from the Aboriginal Justice Strategy as well. Be-

tween 2007 and 2010, the department has also supported a multi-year agreement with the Carcross-Tagish First Nation to support the Southern Lakes justice development initiative. A total of \$479,000 was made available through the northern strategy fund. The project was extended to 2011 with revote dollars in the amount of \$43,000, based on a final review of deliverables underway from prior year workplans under the multi-year agreement. The final report for this project was completed just this past December.

The member also asked about the land-based treatment camps that the Department of Justice — I would suspect that more comment will be available on this from my colleague, the Minister of Health and Social Services — but I can speak more to the Justice aspect of it. I guess it's important to go into a little bit of the background information, because it originates from work on the correctional redevelopment strategic plan and planning for a new Correctional Centre. It also carries out the commitments that the Yukon made in February of 2003 — an MOU with the Kwanlin Dun First Nation — in which the two parties agree. They agree to work together in a spirit of cooperation in partnership in connection with the establishment and replacement of the correctional facility and for it to be located within the traditional territory and very importantly, within the Kwanlin Dun.

The building advisory committee for the new Correctional Centre included members from the Council of Yukon First Nations and Kwanlin Dun First Nation and recommended a new Correctional Centre designed concept to Yukon and to this department.

From their recommendations, we don't have to look very far to see the fruits of their labour paying off. The design proposed a Correctional Centre in one building, together with an off-site separate treatment resource, or land-based healing camp. That's something that this government is definitely looking at. A residential facility was proposed as a land-based camp and as a therapeutic community resource available to both secure and community corrections and other agency clients.

The Department of Justice was suggested to provide leadership and facilitate a mixed partnership approach. In 2010, the Yukon announced funding for a land-based healing camp pilot project. The Departments of Justice and Health and Social Services worked cooperatively with the Kwanlin Dun First Nation to undertake this pilot project in the summer and the fall of 2010. The land-based treatment camp emphasized a holistic, culturally-based addictions healing program that addresses the spiritual, mental, emotional and physical needs of the residents.

Health and Social Services is now the government lead on this initiative.

There was a therapeutic community resource feasibility study. This feasibility study was a Department of Justice and Kwanlin Dun First Nation project funded by the federal northern strategy. The project studied the possibility of a multi-use residential land-based facility with varied programming and varied clients. It also explored management approaches to support a multi-use land-based facility. The Kwanlin Dun First Nation received northern strategy funds to build on what was

learned in the feasibility study and that has developed a land-based healing program at Jackson Lake.

Mr. Tredger: Thank you for that. My big concern in the whole issue is the actual transition for inmates from the correctional institute to the communities.

There are a number of projects there. I hope and expect to see an evaluation of them and the future plans, or what will come out of them. I look forward to that coming from the minister at some point.

One of the things that I've heard is critical to helping transitions is the ability of inmates to keep in touch with their communities. We talked about the phone systems and some of the logistics around that. Many of the people in the communities are not comfortable in dealing with corrections. This is an opportunity to make that a positive one and to build those relationships. Is there a community liaison or coach who could work both in the institute and in the communities? Has that been considered? What would that look like? How would that develop as it moved along? I'm talking about for each of the communities to develop the relationships. I can understand that takes time and effort. All I need to hear is whether there is something like that in existence and whether we're working on one.

Hon. Mr. Nixon: As we know, there is a great deal of First Nation involvement at the Correctional Centre, both at the old one and, as we move forward, at the new one. WCC has contracted individuals, like the Member for Southern Lakes and an individual — Phil Gatensby — to provide First Nation programming to offenders in the past and those are the things that we will move forward with.

Kwanlin Dun First Nation is also involved in delivering wellness programming to female inmates. The superintendent and deputy superintendents meet with the elders who come into WCC on a fairly regular basis. In addition to that, and as we move forward, we will have a considerable amount of First Nation programming at the facility.

The member opposite also asked about integration back into the community. There's an integrated offender management system. It's a collaborative, client-focused case-management model that is used at Whitehorse Correctional Centre.

The model provides a seamless case-management plan for the entire sentence of the client, including custody and community supervision. It focuses on the transition period between custody and community supervision when clients are particularly at risk to reoffend.

The goal is to reduce reoffending by assessing the risks and needs of offenders by applying processes and programs that have proven effective at reducing that risk and by starting reintegration planning at the earliest opportunity. As we move forward with our new vision, our new approach and our new plan with the Whitehorse Correctional Centre, I am hopeful that we will start to see this come to fruition and relay the benefits in the long run.

While the offender is in custody, a case-management team assesses the risk and the needs of offenders and then works collaboratively to reduce the risk of reoffending. The case-

management team develops a plan that covers the offenders' time in custody, their transition to the community, and their time of probation.

The plan targets the factors that underlie the offender's criminal behaviour, such as violence or substance abuse in many cases. The pilot project was evaluated in 2010, and the findings confirmed that the project met or exceeded the stated goals. The project became operational in 2010. Although there is no individual budget allocation for this program, it is a new case management model implemented to more efficiently and effectively assist the clientele at Whitehorse Correctional Centre. Since the integrated offender management, or IOM, pilot program began on July 6, 2009, 156 individuals have been sentenced to 90 days or more, and 90 of these individuals met the criteria for this model. Of those, nine were women and 81 were men. Of those individuals, 30 were Caucasian and 60 were of First Nation ancestry. Most of the clients rated as "high-risk needs" and "very high-risk needs" on the level of service for the case management inventory.

A further 16 clients rated as "medium-risk needs" and five of the individuals have not yet been rated. So the community advisory board has the mandate to liaise with the communities, as you have asked. This board is operating now and is one of the many ways that corrections keeps dialogue going. So, in addition, we continue to consult with individual First Nations on service delivery within the communities, and we will continue that work.

Ms. White: My question is maybe too specific. I guess it's a commentary and a query at the same time. Right now, when someone leaves corrections — if they have been picked up in the community and they've been brought to court — so they get brought into Whitehorse from the surrounding communities, and then they go into corrections — when they get released, the only people who can get home with the help of the Justice system is Watson Lake, because there is a bus.

I think if you were to look statistically, when someone gets released on a Friday and they're from a community like Pelly Crossing or Dawson, unless a family member can come in and pick them up, they're almost always back in by Monday. I was wondering if, under this big, broad scope of trying to do things differently, there was the possibility that we would look at trying to get people back to their home communities, so it wasn't on the onus of their families to try to get in to pick them up to take them back. They are brought in to Whitehorse with the RCMP, typically. Has there been any thought of trying to get them home without making them have to try to figure that out on their own?

Hon. Mr. Nixon: Madam Chair, I will address the member opposite quickly, seeing the time. As we move forward with the new facility, new programming, looking at ways of assisting people in hopes that they don't reoffend — these are things where there is no policy in place per se, but I have full confidence in the staff and management of Whitehorse Correctional Centre. Those are things they take under very serious consideration. I understand the member's point and I've actually witnessed where individuals have come out and completely reoffend. I know of an individual who feels safer in

WCC so he reoffends so he can keep going back. I can assure the member opposite that's something that we will continue to look at and continue to address, because I certainly wouldn't want to see somebody getting out and not having a ride home.

I would also hope that there might be family members or friends who would be relatively excited to see somebody who has been incarcerated for a period of time to show up and help out.

But in the event that does not happen, I would expect that the staff at Whitehorse Correctional Centre and the management would do everything they possibly could to avoid that happening.

Seeing the time here, I move that we report progress.

Chair: It has been moved by Mr. Nixon that the Chair report progress.

Motion agreed to

Hon. Mr. Cathers: I move that the Speaker do now resume the Chair.

Chair: It has been moved by Mr. Cathers that the Speaker resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. McLeod: Mr. Speaker, Committee of the Whole has considered Bill No. 6, entitled *First Appropriation Act, 2012-13*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Cathers: I move that the House do now adjourn.

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

Motion agreed to

Speaker: This House stands adjourned until 1:00 p.m. Monday.

The House adjourned at 5:25 p.m.