

**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, December 3, 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

Yukon Hospital Foundation MRI campaign

Hon. Mr. Pasloski: It gives me great pleasure to rise today in this House to pay tribute to the Yukon Hospital Foundation's MRI campaign. In 2010, the Yukon Hospital Foundation embarked on a three-year campaign to purchase a magnetic resonance imaging, or MRI, machine for the Whitehorse General Hospital.

I am very proud to say that just two years into this three-year campaign, the foundation has met their \$2-million target. This is a remarkable feat — to raise millions of dollars in a small jurisdiction in such a short period of time. This would not have been possible without the overwhelming support of the community. The tremendous generosity of local businesses, community organizations and individual Yukoners contributed to the campaign's success, and each and every one of these donors deserves to be acknowledged for their role in this community's efforts and what is truly a great success.

In fact, as recently as last Thursday at the foundation's multicultural celebration at the High Country Inn and Convention Centre, everyday Yukoners were lined up at the credit card machine and were donating whatever cash they had to the campaign. I am very proud of what the board, the staff and the volunteers with the foundation have accomplished with the help of this small community. I am also proud to say that on Saturday night, I reaffirmed this government's commitment to match the foundation's fundraising target by presenting the foundation with a cheque for an additional \$2 million. This money will go toward the purchase of Canada's first MRI north of 60. At present over 500 Yukon residents are sent outside the territory each year to southern urban centres for MRI scans and are waiting an average of six months for non-critical MRI scans. An MRI in Yukon can reduce this wait time to a matter of weeks and will produce significant benefits for staff and patients that include increased diagnostic capability, among the shortest wait times for MRI in Canada, reduced travel costs for the Government of Yukon associated with patients travelling out of the territory, increased opportunities for recruitment and retention of medical staff, visiting specialists and other health care providers. Until such time as this technology is available in the Yukon, our residents who require MRIs must travel outside the territory to Vancouver or Edmonton or Calgary. That takes people away from their homes, away from their families and

away from their jobs — and the wait lists for such services is often long.

Looking at ways to reduce travel time away from their homes and family and from the workplace, and reducing wait times, is important for the government. By introducing this medical technology in the Yukon, the Hospital Corporation is addressing all of those issues, as well as creating a professional environment that will attract medical professionals.

In closing I'd like to thank the Yukon Hospital Foundation's board, staff and volunteers, both past and present, as well as the businesses, the community organizations and individual donors who made this dream a reality. I'd like to specifically acknowledge a couple of people. One of them is the former president of the Yukon Hospital Foundation who, I'm very proud to say, now sits among our ranks as the Minister of Education and minister responsible for the Yukon Housing Corporation and Yukon Liquor Corporation.

I would also like to acknowledge sitting in the gallery today the current president of the Hospital Foundation, and that is Ms. Krista Prochazka. I'd like to acknowledge her presence today as well.

Applause

In recognition of International Day of Persons with Disabilities and Disability Awareness Week

Hon. Mr. Graham: I rise in the House today in honour of the International Day of Persons with Disabilities.

In the world today, approximately 1 billion people, or 15 percent, of our population live with some form of disability. Many of these people face barriers in their everyday lives. These barriers may be related to the physical environment, such as a building without a ramp or an elevator. Or, it might be related to technology, such as someone who is sight-impaired, who is not able to increase the font on a website. I live with my mother who is sight-impaired and I know, on a daily basis, the challenges she faces, not only in our home, but also in the community living with sight impairment.

It's easy for us with no disabilities to take for granted how simple some everyday tasks are — walking down the street after a snowfall or communicating with a clerk behind a service counter — but for those individuals who suffer from a physical disability, or even a speech impairment, these tasks can often be quite a challenge.

This year, the theme for International Day of Persons with Disabilities is "removing barriers to create an inclusive and accessible society for all". Evidence shows that when barriers are removed and persons with disabilities are empowered to participate fully in societal life, the entire community benefits.

Health and Social Services strives to reduce or remove those barriers by providing a wide variety of supports to individuals with disabilities. The family supports for children with disabilities unit promotes early intervention to increase a child's lifelong learning potential, coordinated access to supports and intervention and inclusion of children with disabilities in everyday community life. Adult Community Services provides employment counselling, income assistance and supportive outreach services.

The department houses a suite of decision-making legislation to protect Yukoners, whether temporarily or permanently disabled, from those who would want to take advantage of them. The *Adult Protection and Decision-making Act*, the *Care Consent Act* and the *Public Guardian and Trustee Act* help protect the rights of Yukoners who are unable, through disability or illness, to make decisions for themselves. As well, through its mental health services, palliative care program, residential care program and respite care services, the department offers support to Yukoners at all stages of life and at all levels of ability.

We fund non-government organizations to support individuals in a variety of ways, from assisting with work opportunities and, in some cases, creating work opportunities, to helping them integrate into community life through volunteer and participation activities. These NGOs and the people who work for them help remove barriers every day through a good quality of life for all our disabled clients.

As well, almost every other department in government offers some sort of assistance to help Yukoners dealing with disabilities — for instance, Education offers special programs for students who need special supports, including financial assistance to students with permanent disabilities to cover their costs. I'm also happy to say that the Yukon Housing Corporation has followed in the good steps of the City of Whitehorse and will soon be convening an advisory committee to help address the access and mobility issues in existing and new housing units that the corporation owns and operates.

As an employer, the Government of Yukon abides by a policy that governs its dealings with employees who have disabilities. It works to respect the dignity of employees with disabilities and make accommodation where necessary to ensure a workplace where everyone's contributions are meaningful and productive.

The social inclusion strategy currently in the works addresses the issues of barriers and removing them, but I offer up the reminder that social inclusion is the responsibility of all of us — all of us as individuals, communities and governments. It's up to each and every one of us to look around and see what barriers we can remove for the most vulnerable citizens in our society.

Ms. Stick: I rise on behalf of the Official Opposition to pay tribute to the United Nations International Day of Persons with Disabilities, and in the Yukon, Disability Awareness Week.

The theme for the International Day of Persons with Disabilities is removing barriers to create an inclusive and accessible society for all. We are fortunate in the Yukon to have many groups and organizations that work hard in Whitehorse and in the communities to promote an inclusive and accessible society. Some are here today, others not, but I would like to recognize the Yukon Council on DisABILITY, the Fetal Alcohol Syndrome Society Yukon, Challenge Community Vocational Alternatives, Helping Hands, Teegatha'Oh Zheh, Special Olympics and Yukon Multiple Sclerosis Association.

We cannot forget families, friends and caregivers who not only provide care but also advocate on behalf of individuals. Persons with disability, the world's largest minority, face many barriers to participation in all aspects of daily life. These barriers come in many forms, including physical environment, access to supportive housing, day program, public transportation, employment and justice. These barriers are all something that we as individuals, as a community or as a government can address and even remove.

It is important that we consult, listen to and act on recommendations made to address these real barriers that individuals and groups bring to our attention so we can work toward being an inclusive society that values all its citizens and their contributions to community.

On December 5, I would encourage everyone to attend the CD release of *Minus 40 Majority* at the Yukon Association for Community Living offices at 5:30. On December 7, attend a launch of the film, *Aren't You Supposed to be Doing Something? Mallory's Story* at noon at the Old Fire Hall. These two events celebrate what can happen when individuals and groups are included and supported in our community. Evidence and experience show that when barriers to inclusion are removed and persons with disabilities are empowered, our entire community benefits. Let us all take responsibility and do our part. Thank you, Mr. Speaker.

Mr. Silver: I rise on behalf of the Liberal caucus to pay tribute and acknowledge Disabilities Awareness Week and persons with disabilities. Today, December 3, is the International Day of Persons with Disabilities. The theme for 2012 is "removing barriers to create an inclusive and accessible society for all". The aim is to promote a better understanding of disability issues and mobilize support for the dignity, the rights and well-being of persons with disabilities. It provides an opportunity to address this exclusion by focusing on promoting accessibility and removing all types of barriers in society.

Around fifteen percent of the world's population — or one billion people — live with disabilities. Persons with disabilities, the world's largest minority, continue to face substantial barriers to their participation in society and often are forced to live in the margins of society. Evidence and experience shows that when barriers to their inclusion are removed and persons with disability are empowered to participate fully in societal life, their entire community benefits. Barriers faced by persons with disabilities are, therefore, a detriment to society as a whole and accessibility is necessary to achieve progress and development for all.

The United Nations has recognized the inherent dignity and equal, inalienable rights of all societies is the foundation of freedom, justice and peace in the world. In the *Convention on the Rights of Persons with Disabilities*, several articles clearly reaffirm that people with all types of disabilities must enjoy all human rights and fundamental freedoms on an equal basis with others. We have come a long way in the recognition of "differently-abled" persons, but we must not stop there. We must fight to eliminate discrimination. We must ensure the rights of differently-abled people to earn a living from freely chosen work

and be able to work in an environment that is both accessible and accepting.

We must be able to tap into and use this valuable human resource and see the gains that will be derived in every aspect of life. More importantly, we must ensure that everyone is able to achieve their full potential in life. We must take the time to acknowledge and celebrate the capabilities and experiences of people who are differently-abled.

We would like to thank the many front-line workers, service providers, advocates and volunteers who work tirelessly on behalf of the differently-abled to make a difference in their lives. Thank you, Mr. Speaker.

In recognition of volunteers

Hon. Mr. Graham: Before I start on this tribute, I would like to take the opportunity knowing full well how busy the folks in the gallery are and they may have to leave. I'd like to take the opportunity to recognize all of the hard-working people up there who represent a number of different groups that work with disabled people throughout the territory and all of the folks they also represent — the volunteers and the other workers who are behind them. I won't try and introduce every one of them, because I know I will miss someone, but I hope that everyone here in the House will join me in welcoming them to the Legislature and thanking them very much for all the hard work they do.

Applause

In recognition of World AIDS Day and HIV/AIDS Awareness Week

Hon. Mr. Graham: I rise in the House today once again in honour of World AIDS Day.

December 1 culminates a week of awareness-raising on HIV/AIDS issues at the national level. The theme for this year's HIV/AIDS Awareness Week and World AIDS Day is "Do something." During this time we acknowledge the efforts worldwide to combat AIDS and we reiterate our support for the fight against this deadly disease.

HIV is the virus that causes AIDS, which is inevitably lethal. HIV is spread through transfusion, unprotected sex, needles and from mothers to children during childbirth. In 1988, the United Nations General Assembly declared AIDS to be a global pandemic and established December 1 as World AIDS Day in a call for more tolerance and information about this deadly disease.

Many of us are old enough to remember those early panicky days and the abuse that was heaped on certain segments of the population. I'm very glad that we've come so far from those dark days, but in some parts of the world, ignorance and prejudice still rule the day.

HIV/AIDS is far from under control. According to the United Nations Association in Canada, about 33.4 million people are affected with AIDS today. Health Canada statistics tell us that new HIV infections among the total Canadian population have gone down. It's not the same story among our First Nations and Inuit populations, however. Aboriginal people in Canada continue to be over-represented in the HIV epidemic, and the HIV rates have been steadily increasing in First Nation

and Inuit populations. Closer to home, approximately 57 Yukoners have been diagnosed with HIV since 1986. With the new treatment regimes currently available to us, we rarely see new cases of AIDS as treatment usually prevents HIV from progressing to AIDS.

We know how to prevent HIV/AIDS; now we need to learn how to cure it. Thank you very much.

Ms. Stick: I rise today on behalf of the Official Opposition to pay tribute to December 1 as World AIDS Day.

The world has made remarkable progress in controlling HIV and AIDS. We have not only been able to control the disease, allowing persons with this condition to live much longer and healthier than ever before, we have also succeeded in bringing it into the open.

I think of my own cousin. Twenty years ago my cousin died of AIDS on World AIDS Day. It was considered a shameful thing then, hidden from others and not spoken of publicly. If he were alive today, how different the outcome might have been. His survival rate would have been greatly increased but, more importantly, he would not have had to hide his disease, not only from the public but from family and friends.

There are many organizations that work hard to support individuals with HIV/AIDS. In the Yukon, Blood Ties Four Directions has been working with families and people for many years, providing information, advocacy and social supports. In the Yukon we also have the Stephen Lewis Foundation's organization, Grandmothers to Grandmothers, which has collected many thousands of dollars in support of grandmothers in Africa caring for grandchildren who have been orphaned by AIDS.

Unfortunately, along with all the good news, there is the bad. The number of persons dealing with HIV and AIDS is still increasing worldwide. In Canada it is disturbing to note that the chances of aboriginal persons having the disease are greater than the general population. But First Nation, Métis and Inuit organizations are making great efforts to educate people about the dangers of HIV and AIDS, and we are hopeful that soon this disturbing trend will be reversed.

It is important for everyone to be knowledgeable about this disease and the prevention of it, and the promising, positive treatments available. We must continue to promote prevention of the disease and acceptance, understanding and support for those infected by HIV/AIDS.

Mr. Silver: I rise today on behalf of the Liberal caucus to pay tribute to World AIDS Day. This year marks the 24th anniversary of the global World AIDS Day campaign. It is a day where individuals and organizations from around the world come together to bring attention to the global AIDS epidemic.

The 2011-15 worldwide theme is "Getting to zero", meaning zero new infections, zero discrimination and zero AIDS-related deaths. HIV/AIDS continues to have a devastating impact on millions of people around the world. While this infection can be prevented, HIV transmission continues to occur. Statistically there is an estimated 34 million people now living

with HIV/AIDS worldwide, with 3.4 million of them being under the age of 15.

Last year an estimated 2.5 million people were newly infected. Every day nearly 7,000 people have contracted HIV and 1.7 million people have contracted HIV, and 1.7 million people have died from AIDS in 2011 alone. Since the beginning of the epidemic, more than 60 million people have contracted HIV and nearly 30 million have died of HIV-related causes. HIV in Canada is a hidden, destructive and evolving epidemic with approximately 65,000 people living with HIV and AIDS. Of those, 30 percent are unaware that they are infected with HIV. It is estimated that between 25,000 and 45,000 new HIV infections occur in Canada each year, although many of these are not reported right away. You can become infected with HIV/AIDS regardless of your age, gender, sexual orientation or ethnic background, by having unprotected sex, sharing needles or any blood-to-blood contact with anyone infected with HIV. It remains a serious disease for which there is still no cure. Awareness, education and prevention are the best defence against its spread. We wear the red ribbon as a symbol of solidarity and tolerance to those who are already and often discriminated against by the public: the people living with AIDS and HIV. We wear the ribbon as a symbol of support and as an act of remembrance to all of those who have died since HIV/AIDS first appeared in the 1980s.

In Yukon, in addition to the services provided by the Department of Health and Social Services, we are fortunate to have Blood Ties Four Directions Centre, located in Whitehorse. This charitable, non-profit organization promotes awareness and prevention, education for HIV/AIDS and hepatitis C. They provide support, counselling, referral services and advocacy for those living with the disease. Individuals must feel empowered to access treatment to know their rights, to take action against stigma and discrimination, and to know and to use methods of prevention against receiving and transmitting this disease.

World AIDS Day is about reminding us that HIV/AIDS is an issue for everyone in each and every community. It is about the importance of being informed, getting treatment and preventing the spread in hopes that we can one day see a generation without HIV/AIDS. We would like to thank the many front-line workers, health care professionals, educators, counsellors and volunteers for their support and services for those living with HIV/AIDS and for those dedicated efforts toward eliminating this terrible disease.

In recognition of the International Day for the Abolition of Slavery

Ms. Moorcroft: On behalf of all members of the Yukon Legislative Assembly, I pay tribute today to December 2, the United Nations International Day for the Abolition of Slavery.

On March 4 in 1793, in Queenstown, Upper Canada, two men witnessed Chloe Cooley, a black slave, putting up a fierce resistance as she was beaten, bound and thrown into a boat to be sold in the United States. They reported the slaveholder's brutality to Lieutenant-Governor John Graves Simcoe, an abolitionist. According to Black History Canada, Simcoe used the incident as a catalyst to introduce the 1793 act to limit slavery

in Upper Canada. By her act of resistance, Chloe Cooley helped to bring about the first legislation to curtail slavery in North America.

December 2 marks the adoption of the United Nations Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others. According to UN figures, 21 million people are enslaved all over the world. Women, men and children are trafficked as sex slaves or to work in mines, factories, farms, construction or the entertainment industry.

According to the RCMP *Gazette*, 600 people are trafficked into Canada each year for sexual exploitation and at least 800 for all domestic markets. An additional 1,500 to 2,200 people are trafficked from Canada into the United States. In addition, Canadian sex tourists contribute to world slavery when they purchase exploited children overseas.

Today, United Nations member states focus on eradicating contemporary forms of slavery, such as trafficking in persons, sexual exploitation, child labour, forced marriage and the forced recruitment of children for use in armed conflict. As Canadians, we need to lend our support to the abolition of slavery around the world and to fight it in every way possible here at home. We stand opposed to slavery, forced prostitution and human trafficking because they are incompatible with the dignity and worth of the human person.

Chloe Cooley's story contains all of the elements of a successful anti-slavery campaign. First, resistance — and as long as there is slavery, there will be resistance. The human spirit, by its very nature, resists abuse, resists slavery and craves freedom — then, support for resistance through public engagement, political and legal action and social change. As a society, we must cultivate the elements of resistance, movements for emancipation, official and legislative support for that resistance and a vigilant public to witness and report slavery in all of its forms.

I pay tribute today to the witnesses, the human rights defenders and to the supporters, but most of all, I pay tribute to the resisters. Thank you, Mr. Speaker.

Speaker: Are there any further tributes?

Introduction of visitors.

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions to be presented?

PETITIONS

Petition No. 7 — addition to

Mr. Tredger: Mr. Speaker, on November 21, I tabled in this House a petition regarding a moratorium on fracking signed by 1,806 Yukoners. I rise today to add another 423 signatures to that petition for a total of 2,229 signatures.

Speaker: Are there any petitions for presentation?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Yukon government to match the \$2 million raised by the Yukon Hospital Foundation for the MRI campaign, as committed to in the Yukon Party 2011 election platform.

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

THAT this House urges the Government of Canada to remove the obstacles that prevent Canadian generic drug companies from selling life-saving pharmaceuticals to the world's poorest countries by correcting flaws in Canada's Access to Medicines Regime.

I further give notice of the following motion:

THAT this House urges the Yukon government to practise good, transparent and cooperative government and rebuild the relationships with the Council of Yukon First Nations and Yukon First Nation governments that have been strained by Yukon government action, notably the:

- (1) Consistent rejection of calls to meet, including the eleventh hour cancellation of the recent Yukon Forum;
- (2) Documented bad faith participation in the Peel watershed planning process;
- (3) The transfer of water inspections from the Department of Environment to the Department of Energy, Mines and Resources opposed by all Yukon First Nation governments;
- (4) Significant rejection of YESAB recommendations; and
- (5) Unilateral action to amend the Yukon *Oil and Gas Act* without consultation.

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

THAT this House establish a select committee on Bill No. 48, *Act to Amend the Access to Information and Protection of Privacy Act*;

THAT the membership of the committee be comprised of equal representation from the government caucus, the Official Opposition caucus and the Third Party caucus to be determined by the Premier, the Leader of the Official Opposition and the Leader of the Third Party;

THAT the committee conduct public consultations for the purpose of receiving views and opinions of Yukon residents and interested groups on Bill No. 48;

THAT the committee report to the House its findings and recommendations respecting whether the government should seek to pass Bill No. 48;

THAT the committee report to the House no later than the 2013 Spring Sitting of the Legislative Assembly;

THAT the committee have the power to call for persons, papers and records and to sit during intersessional periods.

THAT the committee have the power to seek background information from experts and be able to call and hear these experts as witnesses;

THAT if the House is not sitting at such time as the committee is prepared to present its report, the committee transmit its report to all Members of the Legislative Assembly and then,

not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee.

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

THAT this House urges the Government of Yukon to remove from the Order Paper or call for debate today, December 3, Bill No. 48, *Act to Amend the Access to Information and Protection of Privacy Act*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to remove from the Order Paper, or call for debate today, December 3, Bill No. 49, *Act to Amend the Oil and Gas Act*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to inform all Yukoners of the date of the next Yukon Forum will be held.

I also give notice of the following motion for the production of papers:

THAT this House do order the return of the "new resource royalty sharing agreement" referred to in a joint news release issued by the Government of Yukon and Council of Yukon First Nations on October 29, 2012.

Speaker: Is there a statement by a minister?

This brings us to Question Period.

QUESTION PERIOD**Question re: First Nations/government relations**

Ms. Hanson: It was seven years ago this month that the *Cooperation in Governance Act* became law. The goal of this act is to improve the quality of life for all Yukoners by establishing a place for the territorial government and Yukon First Nation governments to discuss issues of common concern and identify opportunities for cooperative action. The main mechanism for building this respectful working relationship between the Yukon government and Yukon First Nation governments is the Yukon Forum.

The Premier likes to mention the forum as an example of the relationship he has with Yukon First Nations. Can the Premier tell this House why he chose to cancel last Friday's Yukon Forum at the last minute?

Hon. Mr. Pasloski: Mr. Speaker, the Yukon Forum is an opportunity to discuss topics of mutual interest and to identify opportunities for future collaboration. I was proud to reinstate the Yukon Forum earlier this year. There hadn't been one for a couple of years, and we were glad to bring that forward again and be able to begin to do some work on areas where we identify opportunities and are willing to work together on them.

The Yukon Forum has not been cancelled. It has been postponed and will move forward in the new year once the of-

ficials have more time to work on projects, such as land-based healing, which they are working on to ensure the substantive work is done so it can come back to the table and there be a meaningful discussion around that issue at that time.

Ms. Hanson: The fact of the matter is that Yukon First Nation leaders were gathered here and were notified after they got here that the meeting had been cancelled or postponed. It's unfortunate because the Yukon Forum is to build cooperation in governance and to improve the quality of life for all Yukoners. Rather than the cooperation called for in the *Cooperation in Governance Act*, this government appears to be going down a path of confrontation with Yukon First Nation governments.

The signing of Yukon First Nation final agreements has fundamentally changed the way decisions that affect all Yukoners are made. Why does the Premier insist on a path of conflict with and disrespect of Yukon First Nation governments?

Hon. Mr. Pasloski: I've risen in this House many times to talk about the many issues where we continue to work together with First Nations. In fact, on a day-to-day basis many great projects and initiatives are done. We are working together with all Yukon First Nations. Yukon resource revenue sharing is an example, not that long ago, of an opportunity where we have come together to share in greater resource revenues within the territory. I've mentioned the Minister of Health and Social Services and the agreement they have with Kwanlin Dun First Nation in terms of child services. I've mentioned the Minister of Education and the tripartite action plan that was created between Yukon First Nations, the federal government and the Yukon government.

I've also mentioned many others, such as some of the stuff we've done with Environment. We work cooperatively to manage Tombstone Park with the park management committee, which has representation from the Tr'ondëk Hwëch'in First Nation. Earlier this year the Minister of Environment co-signed a management plan for Devil's Elbow and Big Island habitat protection areas.

Terms of reference for a park management committee have recently been initiated by Yukon government and three affected First Nations. We recently accepted a bison management plan and wolf conservation management plan. The list goes on and on as we continue to work, on a daily basis, with all First Nations.

Ms. Hanson: That doesn't change the fact that this government has angered Yukon First Nation governments with its confrontational agenda. This government is trying to force through changes to the *Oil and Gas Act* without adequate consultation that would undermine aboriginal rights and title. It is trying to rewrite the Peel land use plan, in violation of Yukon First Nation final agreements, and it has systemically rejected YESAB recommendations and overridden the legitimate concerns of Yukon First Nation governments, municipal governments and Yukoners.

So, Mr. Speaker, the question really is this: When will this government stop its confrontational approach with Yukon First Nation governments and work cooperatively with them, as the

act says, to improve the quality of life for all Yukoners. That is the mandate of that legislation.

Hon. Mr. Pasloski: To use a phrase the Leader of the NDP has used: "Wrong, wrong, wrong." This government has continued to work with First Nations and has done so for many years.

We continue to provide First Nations with millions of dollars over and above obligations to all First Nations. No matter what we do, not only do we live up to our obligations to consult and accommodate, in fact, we surpass what we need to do. We continue to hold land set aside for the three non-self-governing First Nations at this time, even though they have explicitly stated that they have no intention to do a land claims and modern-day treaty and that the federal government has no mandate. We look forward to the next Yukon Forum that will come in the new year. It will give us the opportunity to perhaps be able to not only go forward with the Yukon Forum, but perhaps be able to engage the federal government and at the same time have an intergovernmental forum as well.

Question re: Accessibility audit of government buildings

Ms. Moorcroft: Last January I received a letter from the Minister of Highways and Public Works in response to my questions about ensuring that Yukon government public buildings are accessible to the public and to employees. There are numerous government offices that are not accessible to people with disabilities. There are numerous government offices that are not accessible to employees with disabilities. This prevents Yukon people from accessing services and restricts employment for qualified people.

Would the Minister of Highways and Public Works tell this House when he and his department will complete an accessibility audit of all Yukon government buildings?

Hon. Mr. Istchenko: The Yukon government is committed to accommodating the needs of disabled employees and citizens by ensuring that the government buildings are safe and accessible. The National Building Code of Canada stipulates building accessibility requirements. This government has a master space plan that sets out accessibility guidelines, and we're working toward that. We heard through our 2008 audit that we need to do a better job. All new buildings that are built have to follow the building codes that we go into. We're looking at long-term leases where the leaser provides what we require for people with disabilities in the agreement. We get a better price on our lease. It's long term and we get better access for disabled people.

Ms. Moorcroft: In the letter that I mentioned, the minister said his department is working with the Yukon Council on DisABILITY to conduct comprehensive assessments of Yukon government facilities. However, it appears that the Department of Highways and Public Works has not spoken with the Yukon Council on DisABILITY about building accessibility for almost two years now.

It seems that the minister is referring to a two-year-old activity to excuse current inaction. In his letter the minister said that the comprehensive building inventory that the department maintains does not identify details such as accessibility. What

is the minister doing today to ensure that Yukon government buildings and facilities are accessible to the public and to employees?

Hon. Mr. Istchenko: I just alluded to that; I think I answered that in my last question. All new buildings are built to the required standard — the National Building Code. We have a big inventory of leased buildings. When we look at these leases, we look to make sure there are elevators; that there is accessibility for disabled people and we work with the lessees on this.

Ms. Moorcroft: Mr. Speaker, the minister's first answer was to say that new buildings meet the code, and I know that. My question for the minister is whether or not other older buildings that the government leases or operates are accessible? The minister said that they do not identify details such as accessibility; they need to do that; it wouldn't be hard. All Yukoners deserve access to government services, and all qualified persons should have a right to compete for government jobs.

When will this government live up to its obligations under human rights legislation and complete a full inventory of all Yukon government facilities — whether they're owned or leased, new or old — and work to ensure that those facilities are accessible for everyone?

Hon. Mr. Istchenko: I just wanted to add that we established the diversity employment office and we work closely with people with disabilities who do apply for jobs. As I alluded to earlier, we have a lot of infrastructure within the government, and it's critical that we're committed to accommodating the needs of disabled people. We work with that on a regular basis, like I alluded to with the new infrastructure and with our old infrastructure. Any time there is a case that comes forward, we take it with the utmost seriousness and we look at that and work with those.

Question re: Internet connectivity

Mr. Silver: Mr. Speaker, in August of this year, a research study that looked at the knowledge sector was released by the Yukon Research Centre at Yukon College. The study found the knowledge economy currently employs over 300 Yukoners and is worth over \$35 million. The study also found that "Expanding the knowledge sector presents a huge opportunity for Yukon to further diversify its economy beyond mining, government and tourism, in a way that is detached from the Yukon's regular economic cycles."

One of the main recommendations was the following: "Improve Internet reliability and capacity through a second fibre link to global networks."

This is something that I have raised before with the minister and others have done the same. What is the government doing to help make this happen?

Hon. Mr. Dixon: Thanks to the member opposite for raising this issue. It's a valuable one. He mentioned the report done by a consultant for the Department of Economic Development, the college and the research centre, which outlined what, up to this point, was previously a fairly unacknowledged sector of our economy, and that is the knowledge sector. It's one that I think has a tremendous opportunity for growth in our

territory, and it's one that we made significant investments in to date.

Both the Minister of Education and I have provided funding to the research centre and the Cold Climate Innovation Centre to make those institutions a hub for the knowledge sector. We've taken steps to ensure that money that comes to the territory for the purpose of the knowledge sector, such as research grants or funding opportunities from other research initiatives, are centralized at the research centre and the Cold Climate Innovation Centre, and that those facilities can act as a hub for the growth of that sector.

When it comes to the specifics around Internet reliability, I think I've been very clear in the House about my stance on that. If the member wishes, he can refer to *Hansard* and our debate on the supplementary budget for this session on Economic Development, where we explained those issues very clearly.

So we're working to develop the knowledge sector, and we're working to ensure that Yukoners have access to reliable Internet.

Mr. Silver: I do appreciate the department's work on this file. We're wondering about specific funding for a specific report. During the last election campaign, the Yukon Liberal Party called for the development of a Yukon knowledge sector strategy. That call has now been echoed in the study released this summer by Yukon College. It recommends the development of a strategy for the Yukon knowledge sector, led by the Department of Economic Development, in cooperation with knowledge workers, Yukon College and the City of Whitehorse to, among other things: (a) identify challenges and opportunities; (b) start focus groups discussing needs and measures; (c) encourage ongoing communication and the flow of information; and (d) identify actions, priorities, responsibilities and accountabilities.

Will the minister act on these recommendations specifically to develop a Yukon knowledge sector strategy?

Hon. Mr. Dixon: I'm glad I referenced my comments earlier because it's clear the member wasn't listening when we debated the Department of Economic Development's budget. We are currently funding an industry sector study for the information technology sector of our economy. I look forward to receiving that report in due course. I understand it's in its penultimate stage and should be delivered to my desk very shortly.

I'd be happy to table it in the House for the member opposite to see, and I'm sure he'll appreciate the good work done by the YITIS, the Yukon Information Technology Industry Society, and the Department of Economic Development, which funded the study. I'll be happy to deliver that on the floor of this House as soon as it's ready, and I encourage the member opposite to read it.

Mr. Silver: I have a very specific question, and I'm looking for a very specific answer. The *Survey of Yukon's Knowledge Sector*, released this summer, shone a spotlight on an important part of our economy — one that we should focus more attention on. Government can help by responding to recommendations to improve our Internet connectivity and by

leading the development of a knowledge sector strategy. A third recommendation from the strategy is to develop a collaborative marketing strategy and action plan to attract new knowledge workers.

Just as we spend money to market the Yukon as a tourism destination, we should be doing the same to showcase our home as a place for knowledge workers to set up their businesses. Some possible elements of this marketing strategy could be identifying primary target groups and markets, or developing a target Yukon knowledge sector website, or attracting conferences to Whitehorse to cater to knowledge workers.

Will the minister act on these specific suggestions?

Hon. Mr. Dixon: I have to be clear with the member opposite — we have already begun to act on some of those recommendations. Just last week, we hosted a research innovation and commercialization workshop, which was hosted by the Yukon Research Centre, which highlighted exactly some of those recommendations underway currently — that is, bringing together knowledge workers in the territory, ensuring that they have a solid basis for an understanding of what the industry is currently in the Yukon and what it could be in the future.

We understand there are opportunities. We understand there are opportunities for growth. It's something that's a priority for me as minister. I think it's a tremendous opportunity that we have in the territory to develop our knowledge sector. It will be a step toward diversifying our economy and stepping away into an area of our economy that's countercyclical and provides some strength and diversity to our economy.

I've been clear with the member opposite that we are working with a number of industries, including the information and communications technology industry, which is a valuable component of the knowledge economy. They are developing an industry-driven sector study, which I intend to table in this House as soon as it's available. I understand that work is underway on it, and that they've been fairly successful so far, and I look forward to seeing it.

When it comes to the research and innovation and commercialization sector of our economy, we've provided significant support through the Yukon Research Centre and the Cold Climate Innovation Centre. I look forward to continuing that work and continuing to make that research centre the hub of the knowledge economy in the territory.

Question re: Disability allowance

Ms. Stick: This week we are recognizing persons with disabilities, and so I'll ask this question again of the Minister of Health and Social Services. The Yukon's supplementary allowance for persons with disabilities has not increased since 2005. For seven long years, while the cost of living has gone up and up, the amount of \$250 has remained unchanged.

If this government's objective of inclusion and poverty reduction are to be implemented, this might be a good place to start putting these strategies into action.

Does the minister have an immediate plan for assisting people with disabilities and others in need of supplementary incomes by increasing the amounts available?

Hon. Mr. Graham: The Yukon supplementary allowance is specifically intended for individuals who qualify for

social assistance or who are 65 years of age or older or who have a severe or prolonged disability. The important phrase there is that they also qualify for social assistance. Social assistance is indexed. Social assistance is variable depending on your circumstances, and if a person requires additional funding, they can always go back to the Social Assistance branch and work through that department. At this point, we are reviewing a number of things. The supplementary allowance is among the things we are reviewing, but we haven't made any commitments to increase anything in the near future.

Ms. Stick: Let's be clear, the Yukon supplementary allowance is not only for people over 65 years of age. It is also available to adults under that age who have a prolonged disability. Social assistance — there are limits on the amounts.

Moving on though, another source of funding for individuals with disabilities is the Rick Hansen Foundation. This foundation was created with great fanfare, with Rick Hansen himself in attendance here in this building, and a premier in attendance — \$100,000 over five years was committed to this foundation by this government. These funds would be made available to individuals to make adaptations to their homes or businesses to increase accessibility or fund scooters. \$20,000 remained unspent last year, but more importantly, individuals are waiting now for that funding to increase their independence.

Can the minister tell us where the funding is at?

Hon. Mr. Graham: As I've said on a number of occasions in the Legislature, the minister responsible for the Yukon Housing Corporation and I are working in cooperation to streamline and enhance funding for persons with disabilities who require modifications to their home, or require things such as lifts or motorized wheelchairs, or any other equipment to enable them to remain in their own homes longer.

At this point, we do not have the final results of that inter-departmental discussion, but we hope to have it in the very near future, and that point we will be able to make some decisions.

Question re: FASD training for teachers

Mr. Tredger: Many Yukon teachers and other front-line workers approach the challenge of educating and working with children with FASD with imagination, perseverance and compassion. They create learning environments that enable children to be successful, yet the energy needed to meet the needs of students often leaves educators tired, discouraged, stressed and sometimes frustrated. To assist educators working with FASD children, one of the Yukon tools that has been developed is the Department of Education's manual, *Making a Difference*, yet this manual is not widely used; many teachers are not even aware of its existence.

What plans and supports are in place for teachers to receive specific FASD in-servicing so that they are able to cooperatively implement the comprehensive strategies referenced in *Making a Difference*?

Hon. Mr. Kent: Again, figures that I have from 2011-12 show that we had 701 students who were on individualized education plans or IEPs. We had 127.44 full-time equivalents for educational assistants and 33 remedial tutors as well.

This year, as I've mentioned on the floor of this House previously, we've had an additional 15 paraprofessionals to

assist with various needs of students throughout the system in the territory. When it comes to professional development, we are currently looking at increasing the hours of professional development by 15 — doubling them, in fact, with proposed changes to the *Education Act* that I hope to table this spring. Hopefully, those types of initiatives will assist in the type of professional development that the member opposite is talking about.

Mr. Tredger: It has been researched and proven that there are specific methods to effectively teach students with fetal alcohol spectrum disorder. The context for children goes beyond the classroom walls and includes the child's family, peers and community. The educator who sees the students in the context of family and creates a connection with that family builds a foundation for long-term educational success. Interaction between teachers, families and communities has been cited as a predictor of adjustment to school.

Partnering with the community to create a caring and respectful school environment will enhance the success of children affected by FASD. What is needed is time and support.

What support and what time is being given to school staff to interact with parents and communities to build a comprehensive strategy to improve the lives of children affected by FASD?

Hon. Mr. Kent: There are a number of initiatives that the government is involved with, including the Child Development Centre, operated by the Minister of Health and Social Services — his department, of course. Again, I referenced in my previous answer that we are looking to increase the number of professional development hours, doubling them in fact, from the current 15 to 30, as well as increasing the amount of instructional time — moving that from 935 hours per year up to 950. We are going to add 30 hours with the proposed changes to the *Education Act* that I am looking forward to bringing before this House this spring. Again, some of the initiatives that the member opposite talks about that will assist teachers in dealing with students who have special needs — perhaps those can be done by taking advantage of those additional non-instructional or professional development hours that we are looking to bring forth for the 2013-14 school year.

Question re: Government accountability

Ms. Moorcroft: During the election period, the Yukon Party pledged to practice open, accountable government, but it's now ramming through changes to our access to information laws that cast a veil of secrecy over government decision-making.

They said one thing to the public and now are doing the opposite.

The minister calls the changes to ATIPP “balanced” and asserts the government's new secrecy “upholds the integral part of the democratic process”. The minister's explanations suggest that secrets are democratic; that balance is what the government says. They would find a suitable home alongside other choice phrases from George Orwell's *1984*: “war is peace” and “ignorance is strength”.

Can the minister please explain how increasing government secrecy is in the best interests of democracy in the Yukon?

Hon. Mr. Istchenko: As I've alluded to before, over time the existing ATIPP legislation has proven that clarification is required for the act to work as it was originally intended — to balance the integrity of Cabinet confidences and the public's right to public documents. We're making a few changes; we're exempting from the access provision of the act certain records used to brief the minister for limited periods — I say “limited periods”; apply a records exemption in respect to Cabinet confidence, and to clarify the information exemption applicable in respect to policy advice, recommendations or to draft legislation.

Ms. Moorcroft: The Yukon Party believes the public needs to be prevented from seeing what the government is planning or considering. The minister says any discussion of their decision-making prior to the government making its final decision will lead to confusion. According to the Yukon Party, public knowledge of what government is planning before they make a decision is an assault on Westminster representative democracy. Essentially, they are saying too much knowledge is a bad thing.

According to the Yukon Party, secrecy is in the public interest. The minister says refusing to release Cabinet briefing notes and public consultation findings is an integral part of our democratic process that is “in the best interests of the public they have been elected to work for”. Will the minister enlighten the House on how their benevolent plan to restrict the public and the media's access to information represents the public good?

Hon. Mr. Istchenko: This is probably — I don't know how many times I've been asked this, but I'll answer it again. As I said before, these amendments bring the Yukon in line with most other Canadian jurisdictions, where similar provisions have been introduced to uphold the Westminster model Yukoners respect and value to guide our democratic decision-making process.

I have stated previously and state again this government is committed to accountable administration. The amendments permit the democratic process to work as it was originally intended by bringing clarity to the forefront of the Yukon's ATIPP act and to ensure decision-makers can receive frank and honest advice from our advisors.

Ms. Moorcroft: Secrecy is not democratic. The Information and Privacy Commissioner did not recommend these changes and in fact has spoken against them and said they are without precedent — some of the measures that this government is bringing forward.

Of course, it's not the first time the Yukon Party has sought to erode Yukoners' democratic rights. The Yukon Party introduced civil forfeiture, and this spring they used their majority to pass the controversial prohibitions on the use of public space. Just the other day, someone exercising their democratic right to protest was ushered off the grounds of the Legislative Assembly because they hadn't received permission from the government.

The public has not asked for more secretive government and these changes to ATIPP lay waste to the Yukon Party's election pledge of practising open and accountable government. Will the government call time-out on this bill and move it to a select committee of the Legislature to study it and take it out for public consultation so the Yukon people can have a say before the government decides that more secrecy is such a good thing?

Hon. Mr. Istchenko: I'll allude to the Information and Privacy Commissioner — we value his role on behalf of the people of the Yukon to ensure that the government and public bodies achieve balance between transparency and the protection necessary to ensure good governance. We consulted with the IPC and shared the draft legislation with him. He provided his perspective on the amendments and we did incorporate several changes based on his feedback.

We appreciate his contributions to the legislative development process, but this is about full and fair consideration of options. The Cabinet needs to be able to receive information in confidence, which allows us to make the right decision with all the facts.

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

ORDERS OF THE DAY

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): Order. Committee of the Whole will now come to order. The matter before the Committee is Vote 8, Department of Justice, in Bill No. 7, *Second Appropriation Act, 2012-13*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 7: Second Appropriation Act, 2012-13 — continued

Chair: The matter before the Committee is Vote 8, Department of Justice, in Bill No. 7, entitled *Second Appropriation Act, 2012-13*.

Department of Justice

Hon. Mr. Nixon: Madam Chair, I rise today to speak to the 2012-13 supplementary budget request for the Department of Justice.

Our government continues to commit itself to offering high quality Justice programs and services and to make significant investments on behalf of the taxpayer to improve programs and services.

Before I speak to the departmental lines, I do want to just revisit the context of this budget. It is part of a package of budgets designed to reflect our priorities and our policies. When the Yukon Party took office in 2002, rebuilding Yukon's private sector economy was priority number one. I believe that a decade's worth of population, economic, social and many other indicators have proven that the Yukon is a better place than it was in 2002.

This budget before us maintains our commitments to fiscal responsibility. Our vision for moving forward together continues to build upon the previous four pillars: a better quality of life, the environment, the economy and good government.

This budget also represents change. It deals with the challenges that a growing, prosperous economy creates: housing and land availability; the increasing demand for clean energy; the increasing demand for transportation and communications infrastructure; increased pressures on our health and social service safety net; the increasing demand for more education and training facilities and programs; as well as increased pressure on our land and resource management systems designed to protect Yukon's environment.

These are the kinds of challenges that are good to have. We continue to move Yukon forward.

Madam Chair, our budget reflects our vision and our commitments. This budget makes significant investments in the areas of Victim Services, Land Titles Office, Correctional Services, our system of courts and our continuing implementation of the recommendations of the *Sharing Common Ground* report on policing here in Yukon.

In the first mandate of our government, we embarked upon a redevelopment of our correctional services that resulted in late 2006 with the release of *Correctional Redevelopment Strategic Plan*. The plan contained two main areas for redevelopment; those being correctional redevelopment and improving programs and services for victims. We have seen the result for correctional redevelopment, including a new Whitehorse Correctional Centre, a new *Corrections Act, 2009* and a new model of service delivery for correctional services. This budget will see \$1.533 million expended on the Whitehorse Correctional Centre as one-time funding to purchase the remaining fixtures, furniture and equipment to complete the final construction of the facility. The new facility came in on time and on budget at just over \$70 million, and we as a government are very proud to have completed this important project.

I was just up at the facility on Friday, and I want to again mention how much our government truly appreciates the work and the dedication of our staff and management at that facility. It takes a special kind of person to work with offenders, to work with criminals and to be correctional officers. I'm grate-

ful — I'm very grateful — for the dedicated staff we have at the Correctional Centre.

Many local contractors and trades benefited from the project, as well as the Kwanlin Dun First Nation and their partner, Dominion, in the construction project that injected \$70 million into the economy of Yukon.

The implementation of the correctional redevelopment strategic plan has now largely been implemented, and the government is busy with the very important work of improving services to victims of crime. We are part of the way through the implementation of the *Victims of Crime Strategy* that was released in 2009 and was meant to cover the years 2009 through to 2014. We have passed in this House the new *Victims of Crime Act*, which ensures that victims have certain rights under the Victims' Bill of Rights section of that act. It also puts a regulatory regime in place that has various levels of government and their agencies working together in the interest of serving victims.

In this budget there is over half a million dollars allocated to implementing the *Victims of Crime Strategy*, which is recoverable from Canada as part of our joint efforts in improving services to victims. Our response to victims of crime must be measured against our response to offenders. Victims of crime will continue to be a focus for our government because, through no fault of their own, they have been victimized by offenders who cost our society disproportionately to the amount of resources that we spend on victims. Our government will continue to make victims a priority, and we will ensure that victims have a voice in matters to do with their rights, their safety and ensuring they have a voice in proceedings in the justice system.

I want to share with this Assembly how much I appreciate the work of the Victim Services unit. When Yukoners come to me and want help, I know they can receive assistance, compassion and understanding from our dedicated and professional staff. I hope victims know that they matter to our government; they certainly matter to me, Madam Chair.

I would like to now switch to a very important issue that was one of the first I faced as Minister of Justice after I was sworn in last fall, and that is the Land Titles Office. Our system of land titles is based on the Torrens system of land registration, and this system has served fairly well for the past 114 years. The system was and remains extremely accurate and our assurance fund — which is the same age as the act and is used to fund claims against errors on title — has only been accessed twice, and in one of those cases the claim was recovered by the registrar against the submitting lawyer.

The problem with the office at present is related to the time it takes to register a title in that office. During the recent boom in Yukon there has been a significant increase in the number of people purchasing property and thus exchanging or registering new interests in land. The office has not been able to keep up with this demand, despite adding more labour and technical resources. Registrations have gradually crept up over the years from taking a few days to in some cases taking up to nine weeks.

Yukon is not alone in facing this problem. The Torrens system was originally designed in the late 1800s as a paper system and in our modern world, where speed is expected, this paper system is truly showing its age. In the beginning of my mandate I met with a number of stakeholders who expressed strong support for fixing the problems in the Land Titles Office. Our government listened and in the spring of this year I announced a land titles modernization project that would see the *Land Titles Act* and the *Condominium Act* replaced with modernized versions of those acts, as well as modernizing the business practices in the Land Titles Office and replacing or significantly upgrading the computer platform.

I also established a stakeholder advisory committee to provide assistance and input into the modernization of the office and its legislation. I would like to thank the members of this committee for their countless volunteer hours on this project and their excellent input that is greatly assisting the department in its work.

This supplementary budget requests \$178,000 to fund phase 1 of the land titles modernization project. Phase 1 of the project will be completed this year and has been underway since my announcement this spring. Phase 2 of the project will be undertaken next year and will see the department work through its business processes, select a system and redraft legislation based on initial consultations that took place in phase 1.

Phase 3 will be the implementation phase for the project and will likely be complete in 2015. This project, while not of the scale of correctional redevelopment, does have a direct effect on all Yukoners who own land or a condominium. There was over \$220-million worth of land transactions last year in Yukon and even though the federal government has restricted access to mortgages to first-time home buyers, Yukon is expected to have another strong year this year once all the transactions are counted.

The Department of Justice has produced two discussion papers that may be of interest to members of this House on both land titles and condominiums and they are available on the department's website.

Some recent statistics show that condominiums are becoming a preferred housing type for Yukoners and in particular for residents of Whitehorse. There have been some large condominium developments completed, with the tallest building in Yukon currently under construction on Second Avenue being a condominium development.

Yukon's condominium legislation dates back to 1977 and has remained mostly unchanged since that time. The old act does not have provisions that adequately deal with phased condominium development, the identification of common elements, issues around board governance of condominium corporations, so-called condo conversions of rental properties, the establishment of reserve funds and the applicability of reserve-fund studies, just to name a few of the issues we're facing.

It's clear the current *Condominium Act* has not kept pace with best practices around Canada. In reviewing this legislation, it is clear that this is also an area of law that is constantly changing, such that any legislation that is brought in by our

government will likely need review by subsequent governments more frequently than has been done in the past.

We have been very lucky in phase 1 to have interested parties come forward to be heard and to meet with as many stakeholders as possible. It has been rewarding for me as minister to be able to facilitate this important work that will truly last for generations to come. We expect to be able to put on the website fairly soon the *What We Heard* documents from the initial phase of the project, and I hope to have an announcement on phase 2 very soon.

I will also say, “Well done,” to the staff at Land Titles Office and the Department of Justice officials who have been working on this project. Both parties have truly done a fantastic job. They are very enthusiastic about this project, and it shows in the excellent work they are doing.

Another highlight of this fall supplementary budget is money that is allocated for the implementation of recommendations stemming from the police review. The budget contains \$286,000 for further implementation of the policing review. I am sure members are aware, the Police Council has been very active and, most recently, has held public meetings to seek input and recommendations for policing priorities. I expect to be able to make an announcement about that shortly, and I would like to thank the members of the council for their hard work so far.

The council is an important conduit that gives a voice to the public for policing priorities, but also in improving this very important service in our community. Another example of the implementation of the recommendations of the policing review is the recent investigation by the Alberta Serious Incident Response Team, or ASIRT, of a recent shooting involving police near Dawson City. One of the complaints we heard during the very extensive consultation on the police review was that the RCMP should not be investigating themselves when a serious incident occurs. Our government heard that complaint, and now ASIRT has been contracted to provide an outside investigation team for serious incidents involving our RCMP. This will improve transparency for the public, as well as increased confidence in the fairness of the investigations.

Another aspect of the implementation of the *Sharing Common Ground* report is the construction of the arrest-processing unit, which will replace Whitehorse detachment’s holding cells. The arrest processing unit is designed to ensure that persons detained due to an arrest have access to medical attention in the form of nurses at the Whitehorse Correctional Centre and that they have trained staff who will supervise them while detained in the unit.

This approach will improve the response by government to persons detained by police to ensure they are treated humanely while they await their disposition decision.

This fall’s supplementary budget is relatively small for the department, but represents the continuous good work that our government and the department are doing on behalf of the taxpayers. I’m pleased at our progress at this point in the mandate and look forward to much more as we progress in the years to come.

Ms. Moorcroft: I’d like to thank the minister and his officials for both the opening remarks and for the information presented at the departmental briefing earlier during this sitting. It is my pleasure to debate the supplemental estimates for the Department of Justice.

There are significant pressures on our justice system. First Nation population is over-represented in our justice system, according to the Yukon Department of Justice pamphlet, entitled *Facts 2011*.

In 2010, the number of First Nation persons incarcerated at the Whitehorse Correctional Centre was 185 — 75 percent versus 61 non-First Nation individuals. The 2006 census of Canada noted that 25 percent of Yukon’s population identified themselves as aboriginal.

The lack of early childhood development, addressing poverty and housing means the justice system often serves as the “institution of last resort.” The present federal crime law is tending away from concepts such as restorative justice and community involvement. The concerns about impacts on the north of that move have been voiced by the Justice ministers of Northwest Territories and Nunavut. There are things to celebrate as well. The roots of restorative justice in Canada run deep in the Yukon. It is a concept that is based in aboriginal healing traditions and the fact that our First Nation population is over-represented in our justice system has spurred the judiciary and the legal systems to embrace this participatory process.

Other new developments in Yukon justice in recent years, as the minister has spoken of, are the new *Corrections Act* and the new Whitehorse Correctional Centre and the Yukon Police Council, which has been in effect for a year.

I look forward to productive debate with the minister about this supplementary budget and Justice priorities under this government. As we look at the items in the supplementary estimates, the issue as well of the land titles modernization process that the minister spoke to, Correctional Services, Victim Services and Whitehorse Correctional Centre.

I also want to raise the issue of legal aid in the Yukon. The legal aid cost in the Yukon for 2011-12 was \$1.945 million. It has risen steadily from \$1.6 million in 2007-08. My understanding is that 35 to 45 percent of the budget comes from the Yukon government. The applications from 2007 to 2012 averaged around 1,450 per year and there were very few refusals — only 51 in 2011-12. However, it is a serious issue for our justice system when individuals cannot access a lawyer and are forced to represent themselves.

I understand that the Yukon Legal Services Society is looking for additional core funding from Yukon in order to maintain its current level of high-quality, timely legal services to eligible Yukoners.

So I would like to ask the minister, what is Yukon government’s contribution this year? Is this correct that between 35 and 45 percent of funding of legal aid comes from the Yukon? How does this compare with other jurisdictions? Will the contribution be increased to ensure access to high-quality, timely legal services?

Hon. Mr. Nixon: In 2012-13, Yukon is providing Legal Aid with core funding of approximately \$1,798,000. A fur-

ther \$35,000 is provided for lawyer services, specifically related to the Community Wellness Court. Of that \$1,798,000, Canada provides Yukon with \$864,000 through the access to justice service agreement. Yukon contributes the remaining \$934,000, as well as the additional \$35,000 that I had mentioned.

Department of Justice officials have been working with Legal Aid to ensure that it has enough funding to cover its high-cost cases and provide its regular service under the access to justice service agreement. As a result of those decisions, the department provided Legal Aid with a one-time funding increase of \$20,000 in the 2012-13 year to cover the cost of high-cost cases that are before the courts. The Department of Justice also provided \$235,000 of additional funding to cover Legal Aid's high-cost cases for the 2011-12 year.

Access to justice and the proper administration of justice demand that low-income people who are charged with serious *Criminal Code* offences should be provided with legal representation during the court process. In some situations, citizens charged with criminal offences have a constitutional right to legal aid. The determination as to which applicants are eligible for legal aid is made by Legal Aid itself, according to the *Yukon Legal Services Society Act*, the access to justice services agreement and Legal Aid's own eligibility rules.

So legal aid services in the Yukon are provided by the Yukon Legal Services Society under the authority of the *Legal Services Society Act*. The society is governed by a board of directors who are appointed by the Minister of Justice. The act allows the society to provide eligible Yukoners with legal aid services in certain types of criminal, civil and family court proceedings. In addition, the society also provides poverty law services through its Neighbourhood Law Centre.

The day-to-day work of the society is carried out by three Whitehorse-based clinics with a combined staff of 15, including the executive director, who practises law about 50 percent of the time with the remainder of his time spent on executive director duties. Funding for legal aid services in the Yukon is provided by a contribution agreement that, as I mentioned earlier, flows approximately \$1.798 million per year from Yukon Justice to the society.

The \$1.798 million is cost-shared by the federal government and the territorial government, with Justice Canada providing the Yukon with \$864,000 per year through the access to justice services agreement. This agreement also provides funding for public legal information services of \$90,000 and aboriginal courtworker services of \$158,000. The federal share of the \$1.798 million is about 48 percent, making it the best legal aid cost-sharing agreement in the country. By comparison, the federal share of Northwest Territories is believed to be about 40 percent and only about 25 percent in Nunavut, so we're very fortunate.

Funding for legal aid is a significant concern because the federal share of the funding has not increased since the mid-2000s. In spite of this, Legal Aid's core operating costs continue to rise with the rate of inflation, plus in the last three years legal aid costs have spiked as a result of a few high-cost cases.

A formal request for more legal aid funding has not yet been received by our government. We will consider any request for further funding for legal aid as part of the budgetary process. My officials have had preliminary discussions regarding legal aid funding with the society, and we will likely have more to say on that matter at a later date, so thank you and I thank the member opposite for her question.

Ms. Moorcroft: I'll thank the minister for that and will review it in some detail and see if there is anything that I need to come back on. I'm pleased to hear the minister say that he will consider any requests that are formally made so that the Yukon Legal Services Society can meet their responsibility of providing legal services for those who are unable to afford it.

I was planning to ask the minister for an update on the land titles modernization project. Certainly as he indicated there, there is a lot of information on the website, including the discussion paper, and it looks as if there has been a fair amount of progress made since we debated the initial report that was released in the spring sitting.

I'd like to ask the minister to indicate who was represented on the stakeholder advisory group and I'd also like to ask him when he gets up to make a response on the land titles modernization, if he does have a little bit more information related to purchasing a new land titles computer system.

It's obvious that the Land Information Management System is one that's not used anywhere else in Canada and is also failing to meet current needs. There has also — it appears to me — been some work already done on what other jurisdictions have in place. I believe we also debated the possibility of being able to use a system that had been designed for another territory that might work.

Could the minister just give me a response on those two questions?

Hon. Mr. Nixon: I thank the member opposite for the question. It's great to see interest in the good work that's being done in the Land Titles Office. This was one of those occasions where, as a new MLA and a new minister and a decision made by our hard-working government caucus, is now seeing this come to fruition and moving forward — the modernization of the *Land Titles Act* and *Condominium Act*.

An efficient land management system is a foundation for a healthy economy. Efficient land transfers, access to land and information about land facilities' economic activity.

This area of government responsibility must be maintained at peak efficiency in order to ensure that the progress of economy is not encumbered by an outdated management structure. In other jurisdictions, the Land Titles Office is an area where there have been significant improvements in practice that have allowed for the transfers of title to be completed in days, rather than months. The norm for registering instruments in other Land Titles Offices in Canada is about 24 hours to 48 hours but, in Yukon, the average has been between two weeks and four and a half weeks and, at times, Madam Chair, it has been as high as nine weeks.

While delays in registration are primarily due to shortcomings in the computer system and resulting business processes, the relevant legislation — the *Land Titles Act* and the *Condo-*

minium Act — are archaic and contribute to confusion about the interpretation of terminology.

The land titles system has been a source of public discussion over the last while, which has been exacerbated by the Yukon's ongoing crisis in housing availability and cost. Government and stakeholders alike acknowledge that the *Land Titles Act* is out of date.

The present computer system does not facilitate the work of the Land Titles Office, and the office processes have become focused on working around the barriers created by the system and the legislation.

In May 2012, the Department of Justice brought into effect some quick fixes to the present *Land Titles Act* and *Condominium Act* that have improved efficiency and removed some of the obstacles to development. These specific, short-term changes to the *Land Titles Act* and the *Condominium Act* improved the operations of the Land Titles Office by means of amendments that could be done relatively quickly and easily.

The Department of Justice also made some small alterations to the existing computer platform to improve upon its performance. At the same time, I also undertook a further initiative to move forward with our intention to improve and modernize the land titles system in the Yukon. In March, an inspector of land titles, pursuant to section 12 of the *Land Titles Act*, was appointed.

Inspector Lora Bansley of Saskatchewan assumed responsibility to conduct an independent operational review of the business procedures of our Land Titles Office in order to identify areas for improvement and make recommendations to me that address the need for improvement in our current process.

The inspector's report contains a number of recommendations, such as allowing for title searches to be completed online, replacing the *Land Titles Act* and *Condominium Act*, increasing staff training opportunities and replacing the computer system with one that has improved user abilities, as well as improved security. The report provided a foundation, upon which subsequent consultation, expert advice and further analysis have been developed to determine what improvements to the land titles system need to be made.

On April 26 of this year, I announced the government's intention to modernize the Yukon land titles system to facilitate more timely and efficient land transactions. In order to make this project a success, the department realized that we required the expertise and coordination of stakeholders who regularly use the land titles system.

Accordingly, the department established a stakeholder advisory committee to assist and support the scoping, the development and the implementation of the modernization project. The department invited representatives from each of the following to sit on this committee: the Yukon Law Society; the Whitehorse Chamber of Commerce; Natural Resources Canada, Surveyor General branch; Association of Canada Land Surveyors; Yukon First Nations; Yukon Real Estate Association; Association of Yukon Communities; architects practising in Yukon and the City of Whitehorse. In addition, other interested stakeholders, such as a representative of the newly formed Yukon Condominium Homeowners Association were

invited to attend and provide their input. The committee is not a decision-making body, but will provide ongoing advice to the Department of Justice as the department scopes out, develops and implements the modernization of that project.

The modernization has three phases: phase 1, the scoping phase, extends from May to December 2012. The department is currently wrapping up this phase for which officials have already reviewed Yukon's existing legislation as well as legislation in other jurisdictions for best practices. They have also looked at up-to-date computer platforms in use to support other land title systems. They have looked at and reviewed the business processes needed for efficient and accurate registration of land titles information and they've examined the governance models and fee structures used in other jurisdictions.

A land titles modernization project website was set up, posting discussion papers, addressing the modernization of land titles system and the *Condominium Act* and inviting responses from interested stakeholders. The papers were finalized with the input of the stakeholder advisory committee and are posted on that site. Department of Justice officials, as well as representatives of the Law Society of Yukon and the Association of Canada Lands Surveyors have met with Land Titles Office officials in British Columbia, Alberta and Saskatchewan to discuss their modernization experiences, their modernized computer systems, their business processes and their governance structures.

A *What We Heard* paper is now being prepared and department officials are now in the process of concluding the activities of phase 1 by putting together recommendations to me regarding the essential elements we will need to develop regarding new legislation, an appropriate computer system, relevant business practices and a business model that will work for Yukon.

They are working with the benefit of advice from stakeholders to draft these recommendations for government consideration. A concept paper on modernization containing recommendations to me for phase 2 — which is the development phase — will be produced for the end of 2012.

Phase 2, the development phase, will extend from January 2013 to March 2014 and in this phase the department intends to develop that new legislation. They intend to explore and select a new computer system that will properly support the land information functions performed in the Land Titles Office, as well as ensure that land title information used in other government departments and branches is accessible. They will also work out applicable business procedures, as well as the change to management practices that will be needed to shift to new protocols, and they'll work with our stakeholders and internal government users to ensure that the activities that they employ to do their work are taken into account in developing new processes.

The last phase, phase 3, is the implementation phase, which will extend from April 2014 to December 2015. In this phase, the department will put in place the new business model, including bringing into force new legislation, transitioning to new supporting computer software and adopting new business processes appropriate to the new model.

At this time, I would like to take a little time to remind this House of the purpose and function of the Land Titles Office and its role in land development in Yukon. The Land Titles Office operates under the authority of the *Land Titles Act* for titled parcels and the *Condominium Act* for condominium units. Yukon's land titles system is based on the Torrens system, which is used in all of Canada's western provinces and northern territories. It's considered the best system in existence for fee simple land.

In a Torrens or land titles system, all original certificates of title are retained by government Land Titles Office and interests against that title, such as mortgages, are registered in the Land Titles Office. The priority of these interests is determined in the chronological order in which they are filed in the office. The registrar keeps a daybook to record the exact date and time of that registration and the originals of these documents and surveyed plans are kept in the Land Titles Office vault.

When a member of the public registers ownership in a parcel of land, the registrar issues a certificate of title and the public is entitled to rely on the certificate of title as evidence of the correct state of the title. The fact that the interest is registered on title means that any member of the public has the right to rely on it as a valid interest. Through the land titles assurance fund, the Government of Yukon indemnifies anyone who suffers a loss because of an error on title. This means that Land Titles staff must check and recheck the accuracy and completeness of documents filed before finalizing title or registering those documents.

The assurance fund is financed through a system of fees established by statute to be paid for transfers of land. Yukon has the lowest fees for registering land transactions in the entire country. The assurance fund fee schedule is inadequate for current needs. At less than \$4 million currently, it would not cover even one claim for a commercial loss. Fortunately, there have been very few withdrawals from the fund, only one of which was the result of a claim from a party who suffered a loss.

As the territory has grown, the value and number of transactions processed by the Land Titles Office has increased dramatically over the years and continues to reach historically high levels. In 2011-12, the value of real estate transfers in Yukon increased by 59 percent over the year before. The number of documents registered in the Land Titles Office also increased. Our legislation requires a manual, paper-based system for keeping track of registered parcels of land. Being out of date, our registration practices are onerous for citizens to use, and they are faced with excessive delays in processing their transactions.

Yukon is registering over 7,500 documents annually. Moreover, the nature and complexity of the documents is increasing due to the new and complex instruments being registered as a part of the land titles process.

The Land Titles Office operates a comprehensive system of registering land titles similar to systems elsewhere in Canada and other Commonwealth countries. In Yukon's land titles system, titles to land are registered in the government's Land Titles Office.

I spoke briefly a few moments ago about the *Condominium Act*, and I think it's important to add a little bit to that conversation. This act is 35 years old. It doesn't reflect changes in condominium development that have taken place since then and does not measure up to the standards in similar legislation in other jurisdictions. In particular, the requirements for condominium plans, which show the boundaries of the lot, the unit entitlements and the common areas need to be improved. The current act makes no provision for phased condominiums, which developers would like to be able to bring to Yukon. Provisions regarding bare land condominiums are in the act, but are inadequate for current practices.

There's also a concern that the act provides insufficient protection to condominium buyers and owners. Yukon has no requirement for condominiums to build up a reserve fund to pay for major renovation and repair, such as replacement of the roof, heating system, windows, plumbing and electrical. The act's provisions that establish the structure and management of condo corporations are permissive rather than prescriptive. This requirement as to the information to be provided to prospective condominium buyers and to condominium owners is very minimal.

I think that pretty much wraps up the questions from the member opposite.

Ms. Moorcroft: I'd just like to go back to something that the minister had indicated, that the norm elsewhere for registering and transferring of title is 24 to 48 hours, and in the Yukon it is from two to four-and-a-half weeks. The minister also said, though, that there had been some interim amendments and some quick fixes including some alterations to the existing computer platform. I'd like to ask him to tell us if the registration period is now any shorter than the two to four-and-a-half week time period that he just indicated, or whether any of these quick fixes were working to make it a little bit quicker?

Hon. Mr. Nixon: I'll be brief in this answer, because I can tell the member opposite that since we made the quick fixes in the spring, we haven't really seen any nine-week turnaround times in the Land Titles Office. The average is probably — as I said before — between two and four-and-a-half weeks. We've seen it as high as about five weeks. We've seen some as quick as 10 days, so there have been some improvements. It really varies because of the number of transactions going through that office obviously, but we are moving forward and we truly hope to be able to bring that turnaround time to the 24 to 48 hours as is standard across most jurisdictions in Canada.

Ms. Moorcroft: As indicated in the department's own discussion paper, the primary objective of the modernization is that the registry needs to be reliable — and to be reliable, that means accurate and timely and accessible. I would hope that it may be possible to shorten the time period, notwithstanding the constraints with the current systems, because the phasing of this project is quite lengthy. Even though we're moving into phase 2 of the development phase in January of 2013, the minister just indicated that that wouldn't be completed before March 2014, and then it would take into 2015 for implementa-

tion. So I hope that further improvements can be made in the interim.

I would like to move ahead to the issue of Correctional Services. In his introductory remarks, the minister spoke about the correctional redevelopment of the strategic plan, the new act and a new model of service delivery for Correctional Services. We did spend a fair bit of time in the main estimates debate on this, but I do have some questions I would like to go back to.

I'd like the minister to explain what it means when he says that there is a new model of service delivery for Correctional Services. In the spring debate, I was asking for copies of the program and policy manual for Whitehorse Correctional Centre. I've observed that that was posted some time ago on the website — I don't know exactly when that went up, but I have had a look at that. I'd like the minister to talk to us about the kinds of staff training that have been completed that support the new model of service delivery. Has there been training in relation to programming? Has the training for staff simply been about the new facility management, and what is the model of service delivery now that they're in the new facility?

Hon. Mr. Nixon: I guess there are a couple of things I can address here. The new approach that staff in the facility are taking with inmates didn't happen when the inmates moved into the new facility. It has been ongoing for a couple of years. The training did start in the old facility and was just rolled over into the transition phase of the new facility.

Now, the correctional redevelopment strategic plan called for improved programs and services within corrections, more services for victims of crime, and a new regulatory framework and new Correctional Centre, as we know. Each aspect of the strategic plan has seen significant progress, and the opening of a new Correctional centre signals that the plan reached its final stretch toward completion.

The new Correctional Centre was a \$70-million project that was constructed in partnership between the Kwanlin Dun First Nation and Dominion Construction. Over 300 full-time jobs were created during construction, and many Yukon tradespeople and subcontractors were able to contribute to successful completion of that project.

The government is responding to Yukoners' requests to create better treatment facilities. This was heard very clearly throughout the consultation process. The new Correctional Centre uses a direct supervision model for interacting with and securing the inmates. This model ensures that staff interact with inmates throughout the entire day. The new Correctional Centre has larger and better programming space than the old facility.

Architects began work on a facility program based on the work of the building advisory committee and work previously done in 2001-02. The facility program described the client's requirements for a new Correctional Centre and its road map for the design based on functional spaces and relationships. Vision sessions and focus group meetings were held in 2007 to gather input from various groups on how the new facility could operate and sought direction on the type of physical environment that would be necessary.

One of the meetings was an important session with elders. Elders who were involved in the previous planning sessions attended, along with elders who are currently part of the Whitehorse Correctional Centre elders advisory group. We certainly are very grateful to have them as part of our plan in moving forward.

The program introduced enhanced direct supervision — a style of supervision that promotes communication between staff and inmates while creating a safe, secure and efficient facility. Enhanced direct supervision is aided by a generation 3 design style. Generation 3 design is a compact design/build around an elevated central control room that maintains high levels of supervision while freeing staff to provide high-quality correctional services beyond simple supervision.

Integrated offender management is a collaborative client-focused case management model. 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 risk and needs of the offenders by applying processes and programs that have proven effective in reducing that risk and by starting reintegration planning at the earliest opportunity.

So, how does it work? Well, the offender is in custody and an integrated offender management case manager assesses the risk and needs of offenders and then works collaboratively with other Justice professionals to reduce the risk of reoffending. There are two integrated offender management case managers at the Whitehorse Correctional Centre. The case management team develops a plan that covers the offender's time in custody, their transition into the community and their time on probation. That plan targets the factors that underlie the offender's criminal behavior, such as violence or substance abuse, and ensures that offenders are referred to the appropriate programs and resources.

Ms. Moorcroft: I'd like to thank the minister for that explanation of the new enhanced direct supervision model.

Something that we have spent a lot of time debating in this Assembly is precisely what the minister just referred to — the transition period between custody and community supervision. As the minister indicated, that is a time when there is an increased risk of reoffending.

He indicated that there were, under their case management, two case managers up at the Whitehorse Correctional Centre who also collaborate with other Justice officials. One of the primary needs of an inmate leaving the Whitehorse correctional facility in order to reduce the risk of reoffending is to have stable housing. I would suggest that collaboration with officials other than officials within the Department of Justice might be required in order for the risk of reoffending to be contained, because case managers or someone involved in supporting the inmate during that transition period need to ensure that they do have access to stable funding so they're not struggling with issues of substance abuse or violence. Perhaps the minister can speak to whether there has been a successful program of sup-

porting inmates to find housing when they are released and going through that transition period of community supervision.

The other question that I just want to put on the record before the minister gets on his feet relates to programming as well. The minister spoke about larger and better programming space, and I would like to know how much time in a week there is programming offered for inmates. Do inmates have access to programming for an hour a day? Two hours a day? A total of six hours a week? How many hours of programming delivery time is there at this new facility with the larger and better programming space?

Hon. Mr. Nixon: This government recognizes that we cannot simply lock up offenders and hope that when they are released they will not reoffend. This government is committed to ensuring that programming offered to inmates at the Whitehorse Correctional Centre 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 have led to their incarceration. The member opposite was asking at what rate did they get programming and really, that varies on the inmate. Programming is individualized, and there are several circumstances that come into play. If an inmate is in segregation, then their programming will decrease, just for one example.

Programming that is currently offered at the Whitehorse Correctional Centre includes the following programming: changing offender behaviour program; substance abuse management; respectful relationships program; violence prevention program; relation skills for women; emotions management for women; sexual offenders programs and the White Bison First Nations substance abuse program; mental health services; cultural activities such as woodcarving, mask making, beading, dream catchers, talking circles with elders, traditional cooking and solstice celebrations; educational upgrading through Yukon College — through Yukon College alone, we can see how broad the possibilities are with the programs that are offered there — Alcoholics Anonymous; life skills and job readiness programs such as level 1 first aid; industry safety; workplace hazardous information system; resume writing; food safe; positive parenting; and financial management.

There's a whole list of potential programming that offenders can partake in at the Correctional Centre, but I'm also proud to see that there's a great deal of time and effort being put into programs to help victims of crime. Our commitment to providing effective offender programming is outlined in the *Correctional Redevelopment Strategic Plan*.

This plan, approved by the Yukon Forum in December of 2006, lists as its two primary goals: (1) implementing the recommendations of the *Corrections Act* plan in order to substantially improve the quality of correctional programs offered to victims, offenders and community members; and (2) fundamentally change the operation of the correctional system, so that the Department of Justice, First Nations and other service providers are better able to deliver high-quality correctional programs to offenders. Now, it seems to me that we are well on our way to doing this.

In order to achieve these goals, the plan identified a commitment to develop and implement a new program model for offenders. The new Whitehorse Correctional Centre supervision and program model, which I alluded to earlier, which had been put into practice in the old correctional facility had been developed and approved by the programs and services advisory committee. The development of this model included input from a subgroup that looked at the needs of female offenders.

Ever since I've been minister, the member opposite has been asking about what programs are being offered to the inmates, so I can go into a little bit more description on a few of these programs — one of them being the changing offender behaviour program. This program targets the anti-social thoughts and skill deficits, also referred to as cognitive skills. When we look at programs like the substance abuse management, this program is based on the spiritual, social, biological and psychological model of addiction. The respectful relationships program — this program teaches specific tools and techniques that can assist to prevent abusive relationships.

The violence prevention program will identify precursors to violent behaviours, impact on self and others, recognize patterns that lead to violence, identify triggers and high-risk situations to design a self-management plan. We look at relationship skills for women, where they'll develop and maintain healthy relationships and increase emotional intelligence. The emotions management for women will address cognitive distortions and thinking errors to help manage emotions that can lead to criminal behaviour. This program promotes self-awareness, motivation, empathy and social skills.

The sexual offenders program: addressing the cognitive distortions and specific offending patterns of sexual offenders — managing their risk to reoffend. I thank the member opposite for her questions.

Ms. Moorcroft: I'm glad to hear the minister state his commitment to improve the quality of programming. I would like to add that a good way of improving the quality of programming is not only to increase the number of programs that are offered, but to make sure that there is a sufficient quantity of programs available. I would also like to say on the record that some of the most effective programming measures are ones that provide for education and job skills for inmates. So I hope to see that there will be more attention paid to that.

For instance, I'd like to advocate for the use of the shop and the availability of tools so that inmates can work in the shop. I'd like to also add that one of the most effective ways of reducing the number of victims would be to ensure that there are effective programs in place for the rehabilitation of offenders who are within the correctional system.

The minister just spoke to the services to victims and the further implementation of the Yukon *Victims of Crime Strategy*, phase 2. This \$500,000 amount is recoverable from the Government of Canada. The minister made some brief reference to that during his opening statements and I'd like to ask him to provide a little more detail on phase 2, *Victims of Crime Strategy*, that's found in the supplementary estimates.

Hon. Mr. Nixon: I'm extremely glad the member opposite has switched her questions over to the victims of crime.

That's something my government has committed to: addressing the needs of victims of crime.

In fact, in August 2009, we released our *Victims of Crime Strategy*. Since that time we have been actively implementing a workplan that fulfills its goals. The *Victims of Crime Strategy* complements components of the work on *Sharing Common Ground*.

As you know, the *Victims of Crime 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 responses to the victims, families and communities. The strategy has been designed to acknowledge, formalize and continually strengthen the Government of Yukon's existing services as well as to explore new and emerging initiatives, in particular working with others to support victims of crime. The *Victims of Crime Strategy* is being guided by an implementation advisory committee. This committee has representatives from community groups, First Nations and women's groups, Health and Social Services, other Justice organizations and the RCMP.

The committee has remained informed about the strategy work plan through in-person updates. The committee has met seven times since August 2009 and most recently in October of 2012. The Department of Justice and the Women's Directorate will continue to work collaboratively with the implementation advisory committee to implement the work plan for the *Victims of Crime Strategy*.

The strategy has provided a foundation on which to seek funding from other sources for specific initiatives. The Policy Centre for Victim Issues is contributing up to an additional \$500,000 for the 2012-13 year to enhance the Yukon *Victims of Crime Strategy*. In 2012-13, Victim Services has contracted the development of a logic model and evaluation framework for the *Victims of Crime Strategy* with financial support from PCVI. The strategy has five areas of focus and I'd like to now update you on what we have achieved in these areas.

We've committed to strengthening the focus on the needs of victims of crime. The Victim Services unit is where the strategy initiated funding to support two additional Victim Services workers who have improved our ability to respond to victims in all Yukon communities. Victim Services has sub-offices in Dawson City and Watson Lake. All other Yukon communities have Victim Services workers assigned to work directly with the victims of crime and community supports.

Services to rural communities continue to be a priority. Staff travel to communities during court and between court appearances. Since November 2011, Victim Services workers have made 67 trips to Yukon rural communities. The Victim Services unit is a voluntary service that provides support and information to victims of all crime, whether or not a charge has indeed been laid. Victim support includes information about the criminal justice system, the role of the victim in the criminal justice system and opportunities to participate in criminal justice processes.

It also includes assistance in the court processes by supporting applications for peace bonds and emergency intervention orders, information about court proceedings, preparing

victims to testify as witnesses, working with federal Crown witness coordinators and supporting victims in preparing victim impact statements.

Victim support also includes information to victims about options available, the status of the investigation, the next court appearances, the final outcome of the proceedings and notification of reduction of level of supervision of the accused. It also includes emotional support regarding the impact of victimization and referrals to other agencies, as deemed appropriate. It also includes practical support, such as the victims of crime emergency fund, emergency cellphone initiative, letters of support for housing and referrals to other agencies. It includes the coordination and support to the inter-agency sexual assault response committee, whose primary objective is to promote consistency and coordination between the member agencies in order to enhance responses for victims of sexual assault.

It also includes information 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. It also includes representation on the Youth Justice Panel. It includes 24-hour access to victimLINK and also includes support for inter-agency and community requests for programming and training. The accessibility to victim services is very important, and over the past year we have released new Victim Services brochures to inform the public about the rights of victims and the unit's services. Victim Services has also contracted the development of a communications strategy. A victims of crime emergency fund has been implemented to address some of the emergency aspects of being victimized, which cannot be covered by any other source. One component of the victims of crime emergency fund is the emergency cellphone program. The emergency phones 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 and Steve MacAvoy for his partnership and their very generous support of this program. This is an excellent example of government-community collaboration.

Many referrals to Victim Services come from the RCMP after a call for service. Victims and their families also refer themselves to Victim Services by calling the office or walking in. Other victims are referred to the unit by other agencies and government departments. Victim Services unit has implemented a consent card, so that referring agencies can provide victim information to Victim Services with the permission of that victim.

The victims are considered to be both the actual victim of the crime and others potentially affected by that crime. Many victims accept the support at first contact with the justice system. Others may return to Victim Services at other times in the criminal justice process.

Victim Services also offers information and support to all victims of crime who are referred to the unit. Finally, Victim Services implemented its component of the justice enterprise information network — or the JEIN system — in early August 2012. This new system will support enhanced case manage-

ment processes and data collection on services for victims in Yukon.

There is \$500,000 that's allocated for the project entitled, "augmenting the Yukon *Victims of Crime Strategy*, phase 2". This project is 100-percent recoverable from Justice Canada. The Yukon applied for and received this \$500,000 from the Policy Centre for Victim Issues to augment the *Victims of Crime Strategy*. This is the second year of a two-year funding agreement with Canada to augment the strategy. The agreement provides support for activities such as implementing the Yukon *Victims of Crime Strategy* to a total of \$50,000. Activities include development of a logical model evaluation plan and communications plan. It also provides support for the advisory committee for a total of \$18,500. Those activities include travel and honoraria for committee members, hospitality, secretariat costs and facilitation costs.

The agreement also provides support for policy and capacity development to a total of \$121,103. Those activities include salary costs for one FTE to undertake policy activities in support of the *Victims of Crime Strategy*, including the emergency fund, responses to *Sharing Common Ground* recommendations and data collection and analysis, as well as travel to specialized events and training out of Yukon. For example, this agreement is supporting two Justice employees and one community-based service provider to attend the national knowledge exchange on risk assessment and safety planning.

The agreement also provides support for the victims of crime emergency fund to a total of \$76,423 and under that activities include covering costs of emergency fund disbursements and related emergency responses. The agreement also provides support in increasing capacity to respond in the rural communities to a total of \$58,974 where activities include salary costs for a half-FTE receptionist and up to \$30,000 in travel costs to rural communities.

The agreement also provides support to the Yukon response to child victims and witnesses to a total of \$175,000. Under that activities include salary costs for one FTE coordinator, as well as specialized contracts, testimonial aids, travel, rent and resources to develop child-friendly environments.

Ms. Moorcroft: I thank the minister for that information. I tried to get all of the numbers written down as he was completing his response to my question. Perhaps if he has it he can just tell me how much of the \$500,000 was allocated for a logic model for evaluation and a communications plan?

I do want to move on to the question I have in relation to the public safety and investigations, which is a supplementary request for \$286,000 for continuing work to implement the recommendations of the review of Yukon's police force 2010. I'd like the minister to provide some information on what recommendations have been implemented.

He did say in his opening remarks that the Police Council has been formed. I understand that; I was at the initial gathering that they had. I was pleased to attend the dinner and I know they've been doing some work. I'm also aware that the Alberta Serious Incident Response Team has been in place for almost a year now, I believe. I would just like to ask the minister for additional information to what he gave in his opening remarks.

Hon. Mr. Nixon: The quick answer to the initial question is that the agreement provides support for implementing the Yukon *Victims of Crime Strategy* to a total of \$50,000. The member opposite was asking for those figures, which would have also been available in *Hansard*.

In April 2010, Yukon launched the review of Yukon's police force. High-profile incidents had caused public confidence in the RCMP to be called into question. Public confidence in the RCMP as Yukon's police service was eroding at that time. The purpose of the review was to engage the public service providers and the RCMP in dialogue with the goal of rebuilding trust, acknowledging and addressing concerns and arriving at recommendations for action in order to improve the quality of policing services for all citizens in the Yukon.

The review was co-chaired by the Department of Justice, RCMP M Division and the Council of Yukon First Nations. The co-chairs received guidance from an advisory committee that represented women's groups, Yukon municipalities, the Government of Yukon and RCMP M Division. There was a strong public interest in the review and Yukon citizens engaged in a vigorous dialogue with the co-chairs. Over 60 public and targeted meetings were held; 15 written submissions were received and several service agencies were engaged to assist clients to participate.

Submissions were brought forward by First Nation leadership and citizens, by women's organizations and the general public and others. These submissions, both written and oral, in large groups and in one-on-one conversations, from Whitehorse to Brooks Brook, resulted in many valuable contributions from Yukon citizens. Yukoners and RCMP members spoke about the unique role the RCMP have in the community and highlighted the importance of developing relationships between the police and the community. Citizens said that communication needed improvement; that they were concerned about police accountability and the disciplinary process and that improvements could be made to help the public to better understand the complaints process.

Following eight months of dialogue with citizens, the co-chairs submitted the final report of the review of the Yukon's police force, entitled *Sharing Common Ground — Review of Yukon's Police Force — Final Report*. *Sharing Common Ground* outlines the foundation for establishing a new relationship between Yukon citizens and the RCMP, and it creates a blueprint for a quality of service that will benefit all Yukon citizens. The report contains 33 recommendations that respond to concerns raised during the review.

The recommendations also respond to the review terms of reference and fall under the following headlines: police responsiveness and accountability; public complaints process; external investigations for incidents involving the RCMP; core competencies and training for M Division members; First Nation and community involvement with M Division; and working with vulnerable citizens responding to domestic violence and sexualized assault.

Priorities for implementation were established in conjunction with the Council of Yukon First Nations' leadership in February of 2011. Implementation of these and other recom-

mendations began shortly thereafter. I am pleased to say that a great deal of work has been completed on the priority recommendations and while the emphasis of the first 18 months of implementation has been focused on these items, work has begun on the majority of the other recommendations as well.

When we talk about priorities, these particular priorities include the establishment of a Yukon Police Council, the construction of an arrest processing unit, the negotiation of a memorandum of understanding with the Government of Alberta — the Alberta Serious Incident Response Team, or ASIRT — to ensure an independent investigation of serious or sensitive incidents involving M Division members.

Also included is the development of a framework to coordinate the response of service providers to domestic violence and sexualized assault, including creating a specialized unit within M Division to investigate domestic violence and sexualized assault and also the development of a law enforcement career orientation program at the Northern Institute of Social Justice to prepare First Nation citizens and women for a career in law enforcement.

The RCMP M Division, the Council of Yukon First Nations and the Government of Yukon Department of Justice have been working closely together to implement the recommendations, and each organization has designated staff to work part- or full-time on the implementation. These agencies have been working together to ensure that progress is communicated with stakeholders and interested organizations.

In addition, a number of additional partners are actively engaged in implementation with a range of specific agencies and service providers involved in working groups and other methods of implementation related to each individual recommendation, including M Division, the Council of Yukon First Nations Justice and Health, the Northern Institute of Social Justice, the Government of Yukon departments of Justice, Health and Social Services, the Women's Directorate, and also Kwanlin Dun First Nation Justice, Kaushee's Place, Liard Aboriginal Women's Society, Public Prosecution Service of Canada and representatives from a coalition of women's organizations.

Kwanlin Dun First Nation Justice has also been an active member of an implementation working group and has provided advice and guidance on overall implementation, as well as specific recommendations.

Regarding the specific budget line: the Symposium on Policing in Northern and Remote was held here in Whitehorse in September, of an estimated \$40,000; the development of a framework for responding to sexual assault and domestic violence, with an estimated \$31,000; and under that the domestic violence sexual assault framework committee, including committee meetings and facilitators; also the development and implementation of an evaluation framework for the RCMP specialized response unit. Also under that was support for phase 2 of legal advocacy research; also supporting partnerships to participate in the implementation recommendations of an estimated \$126,590. Of that, the Council of Yukon First Nations was at \$66,590 and the coalition of women's organizations utilized \$60,000; communication and social marketing strategy

with an estimated \$48,000 — these costs associated with initiating an overall citizen-focused communication and social marketing strategy on policing; and finally, an RCMP resource review, phase 1, of an estimated \$40,000 for costs associated with a contractor to conduct a review of M Division resources.

Ms. Moorcroft: As I was following along with the minister's breakdown of the expenditures for this I wanted to ask him about what work had been done on the legal advocacy research. I'm not sure if that was considered part of the total sum of \$126,590.

I also wanted to say that I'm quite pleased to see that movement has been made on a framework for a coordinated response on domestic violence and sexualized assault. As we have discussed in this Legislature before, the rates of violence against women in northern Canada are far too high and they are certainly much higher than they are in southern Canada.

So I'm quite pleased to know that there are specialized investigation teams that are doing some work on responding to domestic violence and sexual assault. I think it's very important not to lose sight of the fact that regardless of there being a couple of members who have specialized investigation training, part of that evaluation framework, and part of implementing the work of the sexual assault response team should include making sure that all members are also trained on what those specialized investigation methods are. The numbers of sexual assaults that occur in rural Yukon are extremely high. They're higher than they are in Whitehorse. As far as I'm aware, there are no specialized investigation units that do attend and respond in the rural communities. I would like to advocate that members of the RCMP do make an effort to provide that training to rural members and to all members in Whitehorse, given the unfortunately high number of reports of violence against women, as I just noted.

There is also a need for the *Sharing Common Ground* recommendations to be implemented so that the public can, in fact, feel that there is more confidence that the police are responsive to the concerns that were identified throughout the course of the review.

Moving on then to capital budget items — sorry, no. It's an operation and maintenance funding — Court Services — \$178,000 for increases for Territorial Court judges and justices of the peace. Is that tied to a cost of living allowance? Is that an annual increase? Why is it showing up in the supplementary request, and what is included?

Chair: Order please. Before the member responds, would the members like to take a break?

All Hon. Members: Agreed.

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

Recess

Chair: Order. Committee of the Whole will now come to order. We're going to resume debate on Vote 8.

Hon. Mr. Nixon: I think before I answer the member's question that she had asked prior to the break on the increases, I do want to say that I found during the break that my

youngest son who has autism was listening to me on the radio and realized that it was me and got very excited. I just want to say hi to Jack and I'd also like to thank the department officials for being here today to provide the support. Their knowledge and expertise is of extreme importance to me, so I appreciate all their help.

There is an ongoing increase of \$178,000 that is allocated to fund compensation increases for Territorial Court judges and justices of the peace as a result of the 2010 Judicial Compensation Commission recommendations. Just to give you a little bit of background on that — the 2010 JCC recommended that judges' salaries be increased by three percent effective April 10 for the 2010, 2011 and 2012 year. Prior to the JCC recommendations, judges were paid effective April 1, 2009. The increase raises judges' base salaries from \$228,880 to \$235,746 as of April 1, 2010, and then increased to \$242,819 as of April 1, 2011, and then up to \$250,103 as of April 1, 2012.

As the recommendation was accepted by the government in 2012, there was a significant amount of payback required to be paid to judges for the 2010 and 2011 years. There was no increase to the \$5,000 stipends for the supervising judge for the JP program or to the chief judge of \$10,000 per year, which are added to the base salary for the relevant judges. The JCC also recommended a three-percent annual increase to the salary of the senior presiding justice of the peace, raising the annual salary for that position from \$116,169 to \$119,654 as of April 1, 2010; and then on to April 1, 2011 it went up to \$123,244; and then as of April 1, 2012, it went up to \$126,941.

There was also retroactive pay owed to the senior presiding justice of the peace.

Ms. Moorcroft: I thank the minister for that. There is just one item that I wanted to go back to before we move on to the capital expenditures. When we were discussing the land titles modernization, I neglected to ask the minister about the issue of registering title on First Nations' land development and, in particular, the approach that some First Nations are taking of having long-term leases available on settlement lands. I understood from what the minister had to say that regardless of the three-phase process the government is engaged in now in improving the land titles system that they would be maintaining the current system until either late 2013 or early 2014 — that it would still take from two to four weeks to register titles. However, I did not ask, so I wasn't able to get an answer on how the government is accommodating First Nation land development initiatives and also how that will be addressed, not just in the interim, but under a new system.

Hon. Mr. Nixon: The Department of Justice is actively working with the First Nations on land registration issues. At present, First Nations may register lands at the Land Titles Office, but while the land is registered there, aboriginal title is set aside. The department is in the process of seeking advice as to how to accomplish a land title registration of First Nation land, so that First Nations are satisfied that their aboriginal interests are indeed addressed. First Nations must be able to have a clear and understandable title, so that mortgages can be obtained for persons leasing First Nation land. This will indeed allow for a market to be created for First Nations'

leased land and must be sorted out prior to First Nations registering land in the Land Titles Office.

We hope to have progress on this topic fairly soon, so I thank the member opposite for that question.

Ms. Moorcroft: I did thank the officials who are here in the Assembly when we began our debate on Department of Justice this morning, but since the minister just spoke to it, I would also like to extend my thanks to all of the officials whose pleasant duty it is, I'm sure, to be listening to the debate in the House and then producing information to bring back if the minister doesn't have it with him. I'll also say, "Hello, Jack", on the record.

The next question that I have is the capital revote amount of \$255,000 for renovations at the Law Centre, and I'll just ask the minister if he can indicate what all that will cover.

Hon. Mr. Nixon: There was an approval of \$255,000, which is recommended as a revote to complete renovations at the Andrew A. Philipsen Law Centre.

The completion of this project by March 31, 2012, was delayed due to the time required to manufacture and install specialized furniture and unforeseen contractor delays in completing the work. The renovations were completed in July 2012.

Ms. Moorcroft: Could the minister tell us the details of the \$268,000 in Correctional Services to complete the contracts in place as of March 31, 2012, for PMD for the new Whitehorse Correctional Centre?

Hon. Mr. Nixon: Madam Chair, \$1,533,000 is recommended as a revote to complete aspects of the corrections infrastructure project; \$268,000 is recommended as a revote to Property Management to enable them to complete contracts in place at March 31, 2012. The remaining \$1,265,000 is recommended as a one-time supplemental funding to purchase remaining equipment and complete construction of the facility. Delays were experienced in the completing aspects of the project because of contractor availability and the identification of needs discovered post-occupancy.

Ms. Moorcroft: I'd like to ask the minister to indicate what needs were identified that needed to be covered post-occupancy. Since the minister in his answer has referred to the \$1.265 million for Correctional Services as part of the \$268,000 for the revote, I'll move to that question now.

The \$1,265,000 is for remaining fixtures, furniture, and equipment and for final construction. So I'd like to ask the minister what final construction is needed — if he can tell us what the new total capital construction cost is for the facility. Is this really the total amount? Is this the end? Is the project finished? Will all construction be done once this \$1,533,000 is expended that's found in the supplementary budget?

Hon. Mr. Nixon: The total cost for the Yukon corrections infrastructure project was \$70.366 million. Leading up to that, in 2006-07, there was \$102,000 spent; in 2007-08, there was \$731,000 spent; in the 2008-09 fiscal year, there was \$2,554,097 spent; in the 2009-10 fiscal year, there was \$24,465,140; in the 2010-11 fiscal year, there was just over \$27,000 spent; in the 2011-12 year, there was almost \$14 million spent; and in the supplementary budget for 2012-13, there was just over \$1.5 million spent.

The government committed to construction of the new Correctional Centre on the current Whitehorse Correctional Centre site following 15 months of territory-wide public consultation.

One of the meetings was an important session with elders who were involved in the previous planning session attended, along with elders who are currently part of the Whitehorse Correctional Centre elders advisory group. I think that answers the member's question.

Ms. Moorcroft: I was writing those figures down as the minister gave them and I just want to clarify that in 2010-11 — was it \$27,000 or \$27 million? In 2011-12, he had \$14,000. So I don't know if I misheard them, but I thought that he said "thousand." I'll let him answer that question before I move on.

Hon. Mr. Nixon: In the 2010-11 year, it was \$27,017,621 to be exact. In the 2011-12 year, it was \$13,962,719.

Ms. Moorcroft: The other area of expenditure in Correctional Services is the arrest processing unit, which has an amount of \$400,000, with \$200,000 of that recoverable from Canada. I would like the minister to indicate when that arrest processing unit will be finished and whether it is currently in use, or whether cells at the RCMP building on Fourth Avenue are still used in some cases to detain people who have been arrested and not yet charged?

Hon. Mr. Nixon: Madam Chair, the RCMP requested that the Department of Justice assume responsibility for holding RCMP prisoners while the cells in the Whitehorse detachment were repurposed in early 2012. The admissions and discharge area of the new Whitehorse Correctional Centre was opened on January 4 to hold police prisoners. Policy development and training of staff was done jointly between the Corrections branch and the RCMP. Nurses from the Whitehorse Correctional Centre are available to attend to the prisoners who are in need of medical services during the day.

Emergency Medical Services has been working in partnership with the Corrections branch and are available at the centre as they are needed, especially in the early hours.

There was a recommended approval for \$401,000 as a revote to complete the construction of the arrest processing unit. Construction did not progress in 2011-12 as anticipated, owing to weather forcing an early end to the construction season. Construction is anticipated to continue through the summer months and is due for completion in the fall of 2013.

Mr. Silver: I would like to just begin by thanking the department officials for their valuable time here today. I'd also like to thank the Member for Copperbelt South for her thorough questioning. I have one question right now.

Circuit court — we brought it up in the spring session. The minister committed at that time to look into a particular matter. There were many cancellations at that time in the rural communities, and it looked like the officials would rather conduct their business from Whitehorse by phone and other methods — telecommunications — that's including providing counsel for clients as well. It's my opinion that this does not constitute quality access to justice, and I would like to know what the

minister has done to curb this behaviour in the time since we last discussed this in the Legislative Assembly.

Hon. Mr. Nixon: There is a quick and simple answer to the member opposite's question. Circuit court is scheduled by the judiciary and facilitated by the Court Services branch, so it's actually the judiciary that has always ensured that the court is provided and the schedule.

Mr. Barr: I'd like to thank the officials for being here and for their hard work. I have a couple of questions. I understand there are two case managers up at WCC — if that's correct. Also then, the ratio between those case managers must be rather high, so what would be the number of times an inmate would get to see a case manager to develop their programs — what they're going to be in with and also then on pre-release? It seems like that must be a rather difficult job.

Hon. Mr. Nixon: I think what the member is referring to is the integrated offender management. The integrated offender management is a collaborative client-focused case management model. This 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.

Obviously the goal is to reduce reoffending by assessing the risk and needs of offenders by applying processes and programs that have proven effective in reducing that risk and by starting reintegration planning at the earliest opportunity. So while the offender is in custody, an integrated offender management case manager assesses the risk and needs of offenders and then works collaboratively with other Justice professionals to reduce the risk of reoffending.

As the member opposite made note of, there are two offender management case managers. The case management team develops a plan that covers the offender's time in custody, their transition to community and their time on probation. The plan targets the factors that underlie the offender's criminal behaviour, such as violence or substance abuse and ensures that offenders are referred to the appropriate programs and resources.

So there is no individual budget allocated for this program. It's a new case management model that has been implemented to more efficiently and effectively assist our clients at Whitehorse Correctional Centre. Since the integrated offender management pilot program began on July 6, 2009, there have been 156 individuals sentenced to 90 days or more. Ninety of these individuals met the criteria. Of those, nine were women and 81 were men; 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 case management inventory. A further 16 clients rated as medium risk and five have not yet been rated.

I know that the member opposite's next question is probably going to pertain to the First Nation liaison officer, so I can answer that now while I'm on my feet. Justice has been working on ways to increase the number of First Nation staff at Whitehorse Correctional Centre and Offender Supervision and Services through hiring preferences and recruitment initiatives. Correctional Services staff is already a very diverse group of

people coming from all walks of life and different ethnicities. Whitehorse Correctional Centre recently worked in partnership with the First Nation Training Corps to recruit more First Nation persons as correctional officers. The strategy will help to achieve our goal to incorporate First Nation cultures into operations more effectively than a liaison officer.

Approximately 12 percent of staff at Whitehorse Correctional Centre and 20 percent of staff at Offender Supervision and Services have self-identified as being of First Nation ancestry. Case management staff do considerable liaison with First Nations in their day-to-day work. Both of the correctional officers delivering programming to offenders at Whitehorse Correctional Centre are First Nation. The elders advisory committee also plays an important role in advising the management staff of First Nation issues, and they meet on a regular basis.

Justice is also exploring a community reintegration pilot project that would work specifically with First Nations to assist with the transition of their citizens when released from jail. Ideally the person undertaking this project would be of First Nation ancestry or somebody with significant familiarity with the communities. A tender has been let and it closed in October.

Mr. Barr: I asked that question because there are several calls from time to time of the time between inmates trying to get to see case managers and oftentimes their plans upon release are left in kind of a precarious way. I would ask the minister if he could look into this.

I would also thank you for speaking to the aboriginal liaison worker. I know there is still a call for — given the large number of aboriginal inmates at WCC and recognizing that 12 percent of the staff are self-admitted First Nation, knowing that the stats are generally 90 percent — 85 percent — of aboriginal population, what is the minister doing to increase — are there any partnerships with Education to increase the number of aboriginal workers?

I realize that although there is some cultural training done with staff up there who are doing day-to-day work with inmates, in speaking with some of the elders, they feel that their efforts would be best served with a full-time aboriginal liaison worker to help facilitate some of the difficulties the elders have in maneuvering through their services to inmates.

Before I sit down, I would also like to ask: What is the smudging policy, and how does it differ between the general population, those in segregation and the female population?

Hon. Mr. Nixon: The inmates at WCC are provided materials to smudge in the outdoor exercise area of all of the units. Due to the fire suppression system, smudging is only permitted in the exercise yard of the units where smoke can dissipate into the air. Inmates may also request to smudge with an elder.

The new Correctional Centre was built with a healing room that features the appropriate ventilation for smudging indoors. The healing room was designed in consultation with the elders, and we very much appreciate the input they provided in this process.

The inmates may request to smudge, as I mentioned, in that healing room with an elder. The healing room is for ceremonies, counselling and spiritual services. It was designed to be meaningful to all people in the Yukon and to inspire reflection and discussions between inmates, staff and elders.

In consultation with the elders, smudging materials are provided. These materials are blessed by elders prior to distribution to the inmates. In addition, elders may bring in and use their own smudging materials. By request, inmates may obtain their own smudging bundle, which is inspected by an elder prior to approval and use.

Mr. Barr: I would like to get more clarification around population that would be in segregation in regard to their ability to access their own smudging bundle or smudging with an elder.

Hon. Mr. Nixon: There are indeed currently inmates in segregation at WCC. The numbers I have here: as of September 24, there were two inmates in segregation out of a total count of 102 inmates. One inmate was in segregation as a result of a disciplinary process presided over by an external adjudicator and one inmate was placed in segregation because the inmate had requested a voluntary separate confinement. The *Corrections Act* sets out a rigorous process of ensuring the rights of inmates are upheld during any disciplinary process. Inmates have a 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.

The member was specifically asking about smudging while an inmate is in segregation and that is something that is taken into consideration because of the increased security that individual is requiring at that time, so decisions have to be made as to whether it's appropriate or not at that time to allow the inmate to proceed with smudging.

Mr. Tredger: Welcome to the officials. I just have a couple of questions relating to fetal alcohol spectrum disorder. When the previous Yukon government accepted a fetal alcohol spectrum disorder strategy, there were originally to be three diagnostic teams in the Yukon — a youth, a school-age and an adult. The youth and school-age are in place and coordinated through the Child Development Centre. However, the adult unit was never developed and consequently, since about 2005, FASSY has been doing it under contract for Health and Social Services. A team is brought in from Outside once a year. The maximum number they'll see is 10.

Now, before you refer this to the other minister — where it affects Justice and the concerns that I've had raised from a number of people is that it's critical that an FASD assessment be done in order to determine appropriate sentencing, as well as appropriate treatment and programming.

The first part of my question: When can we expect a Yukon-based team for adults to be in place? The second part of it is that the Health and Social Services position this fall was for an FASD coordinator, which was to put in place an adult team soon — and I believe it was this fall — to do part 2 of Justice's FASD prevalence survey. This study was to determine what percentage and how many of the clients in the justice sys-

tem had fetal alcohol spectrum disorder and to get an accurate estimate of the prevalence and how the justice system can serve them.

With that, if the minister could answer those two questions on fetal alcohol spectrum disorder.

Hon. Mr. Nixon: I had the real privilege to attend the federal and provincial and territorial ministers meeting in Regina just a couple of months ago. The meetings were extremely productive and provided an opportunity for the provinces and the territories to have discussions on a number of items of national importance. I was happy to see that the federal government ensured that FASD was indeed on the roster at that FPT. Indeed, Yukon leads the item of fetal alcohol syndrome disorder and access to justice on that FPT agenda. I provided an update of the ongoing work of the steering committee on FASD and provided an update of Yukon's prevalence of FASD in the Yukon corrections population study. The steering committee has made substantial progress, advancing the issue of access to justice for individuals with FASD. I was very happy to see that the federal ministers acknowledged the importance of this work and indicated commitment for ongoing support. The Department of Justice recognizes that a number of offenders in the adult justice system may have cognitive impairments, along with mental health and substance abuse issues, that may hinder their abilities to successfully benefit from treatment and programs.

There is a need to improve services, case coordination, and outcomes for these offenders. There is very little data on the number of people in the criminal justice system who indeed have FASD. This is true for Yukon, and it's true for other jurisdictions as well.

Interest in determining the prevalence of FASD arose at a national conference held in Yukon on access to justice for individuals with FASD. One of the conference recommendations was the need for research to determine the prevalence of FASD in the adult criminal justice population here in Yukon. It was also identified that in order to determine prevalence, diagnostic capacity needs to be developed. Case management and coordination and post-diagnosis service provision have also been recognized as challenges to improve outcomes for individuals.

The departments of Justice and Health and Social Services are working collaboratively to develop a series of tools that will assist in determining the prevalence of FASD and other cognitive disorders, as well as identifying mental health disorders and substance abuse issues in the Yukon's corrections system.

There is a steering committee overseeing the development and implementation of the project. Project partners include Justice Canada, the Northern Institute of Social Justice, Yukon College, Correctional Service of Canada, the Canadian Centre on Substance Abuse, Fetal Alcohol Syndrome Society Yukon and First Nations Health and Social Development Commission.

With funding from the Public Health Agency of Canada, Yukon Health and Social Services is working to develop local diagnostic capacity for adults and implement an integrated case management approach with the Department of Justice for affected individuals. Now, as a result of the conference and funding support from Justice Canada and the Northern Institute of

Social Justice, Yukon College and the Public Health Agency of Canada, Yukon Department of Justice is undertaking a study of FASD prevalence and identifying mental disorders and substance abuse in the corrections population here in Yukon.

The Department of Justice is taking the lead for the research stream, and Health and Social Services is managing the adult diagnostic capacity and case management stream. Work is currently proceeding concurrently in the two streams so that each stream can inform the other.

Department of Justice Canada and the Northern Institute of Social Justice at Yukon College is funding development of the research methodology for the prevalence study, and the Public Health Agency of Canada is funding parallel work to determine what level of programming, services and case management techniques are required to meet the needs of this offender population and reduce their involvement in the justice system.

I thank the member opposite for his question.

Mr. Tredger: When will this prevalence study be completed and when can we expect an adult Yukon-based diagnostic team to which clients will have access?

Hon. Mr. Nixon: This is a pilot program that we expect to complete somewhere in the 2014-15 fiscal year, give or take. The diagnostic team is being operated through the Department of Health and Social Services, so that may be a question the member can ask the minister responsible when the Department of Health and Social Services is up for debate.

Mr. Tredger: Thank you for that answer. I guess that's where it becomes important that we get those numbers accurately and as soon as possible because the programming is important. That leads to my next question. We know that many persons with FASD have challenges with language. Often rules and procedures need to be communicated simply and in concrete terms. Lack of compliance is often not the result of deliberate intent to be a problem, but because they were not understood.

Will the Minister of Justice commit to having the rules in place for the language to be reviewed for clients in the justice system pre-sentencing, during sentencing and in the follow-up period, with the intent of ensuring they are FASD-friendly? And a second part to that: What plans are in place for Justice front-line workers to receive specific FASD education? The Northern Institute of Social Justice offers training in FASD and I noticed just today a course came around. Will the Minister of Justice commit to making it a requirement that all front-line service providers and key personnel take this training?

Hon. Mr. Nixon: In answering the question coming from the member opposite, I think this is a good time for me to extend my sincere appreciation to the staff of Whitehorse Correctional Centre. It's a tremendous group of people working up there, a real diverse skill set, and I know they work extremely hard to ensure that all inmates have their challenges met. It's just a really solid group of people working up there and it's a real pleasure when I go up to the facility running to be able to spend some time speaking with the staff. They are doing a tremendous job up there. It's not an easy job. That's probably one of the toughest jobs in this territory and they are a really dedicated group of people up there who are providing a unique ser-

vice and I tip my hat to them. I know all the members on this side of the Legislature appreciate the support that they provide — not only to each other up there, but also to the inmates and families.

In a project of this nature the complexities of the ethical issues and different understandings of FASD can be very challenging, causing delays during the planning phase. During meetings with agencies and individuals we have consistently heard that assessment must go beyond the clinical diagnosis of FASD to include a strength-based functional assessment. The latter provides more potential benefits for individuals and their caregivers.

Through the assessment process and information sharing around an FASD diagnosis related to the project, the stigmas related to this condition truly must be addressed. Improved diagnostic and assessment services must consider post-diagnosis service provision. Having a comprehensive functional assessment provides little advantage where significant gaps exist in programs and services.

The member opposite was asking about a timeline. In this particular case, the project partners recognize that a project of this magnitude will require a multi-year approach. With the research methodology completed by March of 2013 and funding secured over the summer of 2013, it is expected that the study may begin in the fall of 2013. The research study is expected to require a minimum of 18 months to complete, with approximately 150 assessments to take place. Funding from the Public Health Agency of Canada will fund the capacity development and case management stream until March 31, 2014. So a more detailed budget for the research study will be developed over the coming months, depending on sources of funding secured and if personnel required for the project can be hired locally and trained for the study.

Now, I'll remind the member opposite that the Department of Justice initiated the Northern Institute of Social Justice and certainly supports training for staff offered through the Northern Institute of Social Justice.

We also have supported the Community Wellness Court, which is designed to work with cognitively-challenged individuals — or, “individuals with cognitive challenges”, as I like to word it, because we always want to think of the person first. Part of that is working in language that offenders truly understand. Information is often presented orally and pictorially for persons going through this court. As a father of a child with autism, I can certainly appreciate and understand these oral and pictorial applications for the learning process.

Now, the Community Wellness Court, which is a therapeutic court, held its first session on June 4, 2007. This initiative came out of the recommendations of the *Yukon Substance Abuse Action Plan*.

As of September of 2012, 155 clients have been referred to the Community Wellness Court; 91 offenders have been accepted into the program and 49 offenders have graduated from the program, receiving either full or partial credit for their participation. There are currently 35 individuals actively engaged in this process.

The pilot project was extended in March 2009 for another three-year period to enable further development of the court and an informative evaluation of the pilot project. Two program officers at the Whitehorse Correctional Centre are certified to instruct the substance abuse management program to inmates.

Chair: Is there any further debate on Vote 8, Department of Justice?

We'll move on to line by line.

On Operation and Maintenance Expenditures

On Management Services

Ms. Moorcroft: I would just like to ask the minister to provide a breakdown of the Management Services amount for \$190,000. It appears that the roll-out of expenditures I have from the departmental briefing and then the way that the figures are reported in the supplementary estimates are not identical, so I'm not certain what all is covered in this amount for \$190,000.

Hon. Mr. Nixon: There was a Management Board-approved revote of \$45,000 for the 2012-13 year to further the development of research methodology for phase 1 of the FASD prevalence project by way of a service contract with a principal investigator and a team. That amount is \$45,000. Justice will receive an additional, one-time funding of \$25,000 from Yukon College to assist in funding a contractor to further the development of research methodology for phase 1 of the FASD prevalence project of the adult correctional population through a contract with a principal investigator and a team. This is actually 100-percent recoverable from Yukon College in the amount, as mentioned, of \$25,000.

Then there's \$135,000 — the Department of Justice requested a transfer of those funds of lapsing personnel dollars due to delays in staffing this fiscal year from the Community Justice and Public Safety division, victim services and community justice program, public safety and investigations program and correctional services program to Management Services system unit to fund an additional programmer, analyst and IT support technician for a portion of the fiscal year to assist with workload and special project initiatives.

Management Services in the amount of \$190,000 agreed to

On Court Services

Ms. Moorcroft: I'd like a breakdown for this line item too, please.

Hon. Mr. Nixon: Management Board recommended an ongoing O&M expenditure budget increase of \$178,000 to be included in the period 5 variance report as supplemental funding for compensation increases for Territorial Court judges and justices of the peace as a result of the 2010 JCC recommendations. So that portion was \$178,000. The court services program, child support guidelines and the FLIC office will be receiving an additional \$38,000 this fiscal year to continue work on the pilot project entitled “Communicating in Conflict — Parent Education Program”. Costs associated with this project are time-limited until the year 2012-13 and are 100-percent recoverable from Justice Canada.

Court Services in the amount of \$216,000 agreed to

On Legal Services***Legal Services in the amount of \$15,000 agreed to******On Regulatory Services******Regulatory Services in the amount of \$167,000 agreed to******On Correctional Services***

Ms. Moorcroft: The minister just rose a few moments ago and put on the record his gratitude to the staff at Whitehorse Correctional Centre and indicated that all members on his side felt the same way and so I too would like to rise and extend our thanks for the correctional officers and other staff at Whitehorse Correctional Centre, who we recognize do a very difficult job and we appreciate that they are committed to the well-being of inmates and to providing an environment where inmates can engage in programming that furthers rehabilitation and develops an ability to live productively in the community.

As we consider expenditures on Correctional Services — I know we had a fair bit of general debate on this — but I just would like to say it would be unfortunate if the new healing room and the workshop and the training room and other areas designed for programming were not fully used. I'd like the minister to indicate whether Yukon College instructors are able to offer classes and whether inmates can attend the Yukon College area regularly and can they get tutorial support?

I'd also like the minister to respond to some questions that have been brought to our attention as to whether inmates can have prompt access to crafts that they may use or to arts and culture activities that may also be quite rehabilitative.

Hon. Mr. Nixon: Pertaining to the \$5,000 in this line item, Management Board approved a one-time supplemental funding of \$35,000 for the 2012-13 fiscal year to complete training staff at the new correctional facility. The completion of this training will result in decreased risks to staff, inmates and visitors. The staff will be fully informed of the important aspects of operations and leadership. Whitehorse Correctional Centre staff will be fully trained to operate the new facility — as I mentioned earlier, an incredible team of staff at Whitehorse Correctional Centre — so that's the \$35,000.

The Department of Justice has requested a transfer of \$30,000 of lapsing personnel dollars due to delays in staffing this fiscal year from the Correctional Services program to Management Services systems unit to assist in funding an additional programmer analyst and IT support technician for a portion of the fiscal year to assist with the workload and special project initiatives — so, a return of \$30,000.

Correctional Services in the amount of \$5,000 agreed to***On Community Justice and Public Safety Division******Community Justice and Public Safety Division underexpenditure in the amount of \$35,000 cleared******On Victim Services and Community Justice***

Mr. Elias: Could I get a breakdown of this line item, please?

Hon. Mr. Nixon: The Department of Justice has approval for a project funding agreement with Justice Canada for \$500,000 for the project, entitled "Augmenting the Yukon Victims of Crime Strategy Phase 2". This is a one-time cost and is 100-percent recoverable from Justice Canada.

The Department of Justice has approval for a project funding agreement with Justice Canada for \$8,000 to fund Yukon victims of crime, recognizing community supports. This one-time cost is again 100-percent recoverable from Justice Canada.

Justice has a memorandum of understanding between British Columbia and the Yukon for an additional \$10,000 over main estimates to continue the delivery of victim services to the communities of Good Hope Lake, Lower Post and Atlin, British Columbia. This is a one-time increase to a third-party recovery from the Province of British Columbia.

The Department of Justice requested a transfer of lapsing personnel dollars due to delays in staffing this fiscal year from the Victim Services unit for \$35,000 and the Community Justice unit of \$15,000 to Management Services systems unit to assist in funding an additional program analyst and IT support technician for a portion of the fiscal year to assist with workload and special project initiatives.

Victim Services and Community Justice in the amount of \$468,000 agreed to***On Public Safety and Investigations***

Mr. Elias: Can I also get a breakdown of this line item?

Hon. Mr. Nixon: Madam Chair, Management Board approved one-time supplemental funding of \$286,000 for the 2012-13 year to continue work with First Nations and women's organizations to implement the recommendations of the police review. Also the Department of Justice requested a transfer of lapsing personnel dollars due to delays in staffing this fiscal year from the policing and investigations program — safer communities and neighbourhoods unit — of \$20,000 to Management Services systems unit to assist in funding the additional programmer/analyst and IT support technician for the portion of the fiscal year to assist with the workload and special project initiatives.

Mr. Elias: I guess I have a question with regard to the major crimes unit. Is the major crimes unit of the RCMP participating in any aspect of this line item? Are they receiving any additional money through the annual contract that they have with the minister's office — or the memorandum of understanding or justice agreement — I forget the proper name of it, sorry. I'm just wondering if the major crimes unit is a part of this line item in terms of them getting an increase in funding to solve some of the major crimes in the territory.

Hon. Mr. Nixon: Not in this amount, there is not, no.

Public Safety and Investigations in the amount of \$266,000 agreed to***On Total of Other Operation and Maintenance******Total of Other Operation and Maintenance in the amount of nil cleared******Total Operation and Maintenance Expenditures in the amount of \$1,292,000 agreed to******On Capital Expenditures******On Management Services******On Office Furniture and Equipment******Office Furniture and Equipment in the amount of \$11,000 agreed to***

*On Information Technology Equipment and Systems
Information Technology Equipment and Systems in the
amount of \$134,000 agreed to*

*On Building Maintenance, Renovations and Space
Building Maintenance, Renovations and Space in the
amount of \$359,000 agreed to*

On Court Services

*On Court Services Furniture and Equipment
Court Services Furniture and Equipment in the amount of
\$111,000 agreed to*

On Correctional Services

*On Corrections Infrastructure
Corrections Infrastructure in the amount of \$1,533,000
agreed to*

On Arrest Processing Unit

*Arrest Processing Unit in the amount of \$401,000 agreed
to*

On Total of Other Capital

*Total of Other Capital in the amount of nil cleared
Total Capital Expenditures in the amount of \$2,549,000
agreed to*

On Revenues

Revenues cleared

Chair: That concludes the Department of Justice, Vote
8.

Department of Justice agreed to

Chair: We are going to move on to the Department of
Education.

Committee of the Whole will recess for five minutes while
we change out our officials.

Recess

Chair: Order. Committee of the Whole will now come
to order. We're going to continue debate on Vote No. 3, De-
partment of Education. Mr. Elias has the floor.

Department of Education — continued

Mr. Elias: Thanks again. I'd like to put something else
on record for the Education minister. I'm sure he's obviously
well aware that many of our high schools and elementary
schools around the territory have social studies programs that
include current affairs and current events. It has been brought
to my attention over the last — well, years actually — that the
youngsters in our territory actually review the words that have
been said in this Legislature, and they actually listen to them in
class and review *Hansard* and that kind of stuff. It came to my
attention from — actually, it was my son, who the other day
brought attention to the conflict in the House — in the Legisla-
ture here — and the conflict between what seemingly is be-
tween the government and First Nation governments or First
Nation organizations. I tried to explain to him that it's not al-
ways a bad news story, and it's not always conflict; it's just
sometimes that in the Yukon Legislative Assembly that's the
main thing that is being focused on.

There is a tremendous number of good news stories that
could be told in this Legislative Assembly. So I was thinking
about whether it's the Department of Environment or Depart-
ment of Economic Development or Tourism and Culture or
Justice, for that matter — I think there might be a role the min-
ister could play, seeing that we have the 40th anniversary of the
Together Today for Our Children Tomorrow document coming
in a few weeks.

We have the 20th anniversary of the signing — I think it
was May 29, 1993 — of the *Umbrella Final Agreement* that
spelled out a partnership that's going to stand the test of time.
The first four First Nations that have constitutionally protected
agreements that spell out a lot of good things — a lot of things
that put our Yukoners' parents, uncles, aunts and relatives to
work as a result of the claims — and are able to live a very
healthy lifestyle in our territory. So there is a lot of good news
to be reported.

I thought that maybe the Minister of Education — or the
government, for that matter — hint, hint to the Premier — I
will be asking this before the session is over — about some-
thing to accentuate all that is positive in those trail-blazing
agreements that affect the day-to-day lives of so many Yukon-
ers, in that it could be a week dedicated in our education sys-
tem to say, "These are the positive things that happen as a re-
sult of self-governance in our territory."

I realize there are some things that occur from time to time
throughout individual schools throughout the territory, but I
think there is a lot of work to do when students within the edu-
cation system look at our Legislative Assembly and constantly
see conflict. I think there is a lot of work that we need to do in
here and that we could do as a territory to basically bring out
the positiveness in the education system with regard to the im-
pacts and benefits on our Yukon from our signed claims. I
think the 40th anniversary coming up and the 20th anniversary
coming up are excellent times to do it. I would like to see it and
I would be in favour of a week — whatever it could be called
— self-governance week or partnership in governance week,
where you can have different themes throughout the years but it
is a dedicated block of a week in our education system to ac-
centuate the positiveness of our final agreements and how they
positively affect our territory in business, in culture, in govern-
ance — in cooperative governance — protected areas. I think
there's a really good news story here. Then we can develop our
own curriculum for that alone. So I'd like to hear the minister's
comments on that.

Hon. Mr. Kent: I thank the member opposite for the
question. I agree that there are a number of things to celebrate
when it comes to First Nation involvement and of course the
Department of Education's involvement with First Nations. As
mentioned previously in the Legislature this sitting, Yukon
government has signed off with a number of First Nations on
an MOU. We're still awaiting Canada's final sign-off on that, I
believe. We're looking forward to developing a First Nation
education action plan coming out of that MOU. I have spoken
on occasion too — perhaps not on the floor of this House but
outside at events or in the media — about some of the positive
aspects, such as *Together Today for Our Children Tomorrow*,

as well as the signing of final agreements and moving forward with that.

To that end, perhaps there's an opportunity to include as a theme for Education Week or a part of the Education Week celebrations, celebrating the First Nation aspect when we could talk more about some of the positive aspects of documents such as what Elijah Smith took to Ottawa or the work done by the four First Nations that really kick-started the land claims settlements here, that we're to the point now where 11 of 14 First Nations have settled agreements.

I would be interested in exploring this a little bit further with the member opposite, perhaps outside of these Chambers and we could report back to our colleagues in the House on some of the exciting opportunities that something like this would bring.

Madam Chair, seeing the time, I move that you report progress.

Chair: It has been moved by Mr. Kent 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 do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. McLeod: Mr. Speaker, Committee of the Whole has considered Bill No. 7, entitled *Second Appropriation Act, 2012-13*, and directed me to report progress on it.

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

All Hon. Members: Agreed.

Speaker: I declare the report carried.

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. tomorrow.

The House adjourned at 5:29 p.m.