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HANSARD

Tuesday, April 18, 2023 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2023 Spring Sitting

SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Lane Tredger, MLA, Whitehorse Centre

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Ranj Pillai	Porter Creek South	Premier Minister of the Executive Council Office; Economic Development; Minister responsible for the Yukon Housing Corporation
Hon. Jeanie McLean	Mountainview	Deputy Premier Minister of Education; Minister responsible for the Women and Gender Equity Directorate
Hon. Nils Clarke	Riverdale North	Minister of Environment; Highways and Public Works
Hon. Tracy-Anne McPhee	Riverdale South	Minister of Health and Social Services; Justice
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Safety and Compensation Board
Hon. John Streicker	Mount Lorne-Southern Lakes	Government House Leader Minister of Energy, Mines and Resources; Tourism and Culture; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
Hon. Sandy Silver	Klondike	Minister of Finance; Public Service Commission; Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission

OFFICIAL OPPOSITION

Yukon Party

Currie Dixon	Leader of the Official Opposition Copperbelt North	Scott Kent	Official Opposition House Leader Copperbelt South
Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Yvonne Clarke	Porter Creek Centre	Geraldine Van Bibber	Porter Creek North
Wade Istchenko	Kluane	Stacey Hassard	Pelly-Nisutlin

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Takhini-Kopper King
Lane Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

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**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, April 18, 2023 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Are there any visitors to be introduced?

INTRODUCTION OF VISITORS

Hon. Mr. Mostyn: I ask this House to welcome members of the Recreation and Parks Association of the Yukon who are here for the tribute this afternoon. We have, from the board of directors, Lindsay Johnston. We also have Anne Morgan, the executive director, who has been with the organization for 21 of the last 30 years, I am told, and was the association's first president. We have Peter Jacob, and we also have Caroline Sparks and Channing Sparks, her granddaughter. Please join me in welcoming them to the House.

Applause

Hon. Mr. Streicker: We have a tribute today as well for National Canadian Film Day. We have from the Screen Production Yukon Association: Moira Sauer, the executive director; Kelly Lu, operations manager; co-presidents, Kelly Milner and Teresa Earle; as well as Matthew Lien, who is a board member. We also have from the Yukon Film Society Patrick Jacobson, the new general manager and — I hope I pronounce this correctly — Evan Stepanian, who is one of the technical folks from the Yukon Film Society — if we could welcome them all here today, please.

Applause

Hon. Mr. Pillai: I also would like to welcome two individuals to the Legislative Assembly today, both here for our ministerial statement on McIntyre Creek — a big hand for Dr. Michael Bendall, and also a fearless leader Dorothy Bradley from the Friends of McIntyre Creek association.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of Recreation and Parks Association of the Yukon

Hon. Mr. Mostyn: Mr. Speaker, I rise today to pay tribute to the Recreation and Parks Association of the Yukon, which is celebrating its 30th anniversary tomorrow night. On that day in 1993 when RPAY was formed, it was the parks and recreation association that preceded RPAY but disbanded shortly after forming in 1984. The need for a territorial recreation and parks association emerged during the breaking

trails recreation conference. It was a big push from rural Yukon to form RPAY because there was a need for more recreation support and an organization to elevate the importance of recreation in the territory. Forming the Recreation and Parks Association of the Yukon led to the increased networking between recreation leaders across the territory and improved quality of life and recreation opportunities for all Yukoners.

For three decades, Recreation and Parks Association of the Yukon has been a leader in recreation through their training initiatives and by empowering Yukon people in communities to adopt active, healthy lifestyles. They have been doing this most recently through their Active Schools, Active Yukoners, and Winter Active for Life programs.

With the training opportunities that they make possible, the Recreation and Parks Association of the Yukon also strengthens the capacity of rural communities in aquatics, professional development, and fitness to name just a few. The Recreation and Parks Association of the Yukon continues building the recreation community at its fall recreation gathering held annually in different communities throughout the territory by offering knowledge-building and networking opportunities. Communities that support recreation and parks in a way that reflects local values and traditions positively impact the lives of residents.

Thank you to the Recreation and Parks Association of the Yukon for making recreation accessible to everyone and adding to the well-being of the Yukon citizens and its communities. Congratulations again on celebrating 30 years. I look forward to attending the Recreation and Parks Association of the Yukon celebration tomorrow night and seeing the screening of *The Recreation Effect*, a new film produced by Midnight Light media that highlights the Yukon's recreation community.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to pay tribute to the Recreation and Parks Association of the Yukon, or RPAY, as they celebrate their 30th anniversary of promoting healthy, active living across the Yukon.

RPAY was founded in 1993, and from humble roots, the organization has grown into an incredible community partner in recreation and healthy, active living. RPAY has programming for all and, best of all, offers training opportunities to ensure that programming and the promotion of healthy living stays rooted in each community.

The rural healthy eating active living program helps individuals and organizations to offer active recreation programs in their communities. The winter active for life program is a library of winter activity equipment that can be accessed by organizations and schools throughout the winter. It consists of snowshoes, cross-country skis, and kicksleds to keep people moving during the colder months.

Now, despite the little setback in weather we just had, it is almost time for families to dig their bikes out of the shed. RPAY operates the cycle smart program, which teaches children from grades 4 to 6 how to safely ride their bikes and how to care for them. Ahead of swimming season, RPAY also

offers aquatic workshops to help rec leaders prepare their pools and train staff.

Each fall, RPAY holds a rec gathering offering rec leaders the chance to meet, learn, and network. As you can see, RPAY works year-round to ensure that our communities are well-prepared to get outdoors, promoting physical activity and healthy lifestyles.

RPAY is celebrating their 30th this year at the Yukon Transportation Museum on Wednesday — tomorrow. Doors open at 6:30 p.m. and all are invited as they premiere their new 20-minute film, *The Recreation Effect*, which highlights the importance of recreation in our communities.

We would like to congratulate and thank: Anne Morgan, the long-time executive director of RPAY; board president, Lindsay Johnston; training manager, Roger Bower; and active living coordinators, Kelsey Hassard Gammel and Peter Jacob.

We would also like to recognize the rest of the board — all of those who work with RPAY to ensure the success of these amazing programs and all the past staff for their contributions and commitment to recreation.

Applause

Ms. White: I rise on behalf of the Yukon NDP caucus to celebrate the 30th anniversary of the Recreation and Parks Association of the Yukon.

RPAY has changed the lives of Yukoners for an entire generation in every community across the territory. We congratulate members past and present for the work that has been done, and thank you for the work that you can continue to do now and into the future.

You have taught young and old alike the joys of living healthy, active lives by removing barriers and making learning and recreating fun. If you are ever unsure of what sticks in the knowledge that you share, know that the line, “Be bold or be cold”, lives on the tips and tongues everywhere — mine included.

For anyone who wants to see the effects of this incredible organization, I suggest that you watch *The Recreation Effect*. This film illustrates the powerful effect that recreation has on the health and well-being of people in communities and will leave you feeling inspired. I watched the trailer earlier today.

Thank you, RPAY, for your leadership, for your vision and, of course, for all the fun that you bring to the territory. Congratulations on reaching this important milestone; 30 years of supporting the mental health and well-being of the Yukon is worthy of celebration.

Applause

In recognition of National Canadian Film Day

Hon. Mr. Streicker: I rise today on behalf of all Members of the Legislative Assembly to pay tribute to National Canadian Film Day — please don’t go.

On April 19, Reel Canada is marking the 10th anniversary of National Canadian Film Day with a coast-to-coast-to-coast Canadian cinema celebration. Affectionately known as CanFilmDay, this event spans the globe with screenings of Canadian films occurring on 6 continents, providing an

abundance of ways that movie-lovers can partake in fantastic pieces of northern cinema. Whether you are interested in attending a local screening, watching live events, or paying tribute to our amazing members of the Canadian film-making community, there is something for everyone to enjoy.

I am pleased that Yukoners will have the opportunity to celebrate National Canadian Film Day by attending events throughout the territory, with films being presented by the Yukon Film Society, the Kwanlin Dün Cultural Centre, and the Klondike Institute of Art and Culture.

For those of you with more specific cinematic tastes, the 2023 spotlight event this year is the All You Can Eat Buffet, which provides a carefully selected menu of Canadian films that are divided into 10 diverse categories to make choosing a film easier than ever.

Canada’s film industry plays an important role in both our country and the Yukon’s culture and economy. I want to acknowledge the support that Screen Production Yukon Association and the Yukon Film Society provide to Yukon filmmakers and audiences. They enable projects that create jobs, build capacity in our local industry, and inspire our communities.

Canadian films provide a stage for genuine northern storytelling as they explore our desires for the future of Canadian folk, our country, and the rest of the world. The Yukon makes it a priority to develop and implement programs that support local creators in getting their projects on screens in the Yukon, Canada, and beyond. We believe that media is an important path in diversifying our economy.

Yukoners remain enthusiastic about coming together in the shared love of cinema, and National Canadian Film Day provides the perfect opportunity to celebrate Canadian-made films and the brilliant professionals behind them.

By the way, Mr. Speaker, at the 24th Dawson Short Film Festival held over the long weekend, *Kyoshu* by Kiyoshi Maguire and Lillian Nakamura Maguire won the local Emerging Artist Award. *Don’t Bring Lulu* by Lulu Keating got honourable mention for its deep artistic commitment and sense of very playful self-expression. The coveted Made In The Yukon award went to — drum roll please — *The Home Team* by Suzanne Crocker, a beautiful, thoughtful, and wonderfully Dawson-esque story.

On National Canadian Film Day, thanks to our Yukon filmmakers and film enthusiasts.

Applause

Speaker: Are there any returns or documents for tabling?

Are there any reports of committees?

REPORTS OF COMMITTEES

Hon. Mr. Mostyn: I have for presentation the seventh report of the Standing Committee on Rules, Elections and Privileges.

Speaker: Are there any further reports of committees? Are there any petitions to be presented?

Are there any bills to be introduced?
Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House supports the work of the Referred Care Clinic in Whitehorse, including opioid treatment services which include opioid agonist therapies and safer supply medications for patients as well as the expansion of those programs to serve Yukon communities.

Mr. Istchenko: I rise in the House today to give notice of the following motion:

THAT this House urges the Government of Yukon to work with the local trapping industry to review and streamline the application process for trapping cabins.

I also give notice of the following motion:

THAT this House urges the Government of Canada and the Government of Yukon to work together to ensure that any pending strike action by federal employees does not affect services from Immigration, Refugees and Citizenship Canada.

I also give notice of the following motion:

THAT this House urges the Government of Canada and the Government of Yukon to work together to ensure that any pending strike action by federal employees does not affect services from Veterans Affairs Canada to veterans.

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

THAT this House urges the Yukon government to provide the Fireweed Community Market with multi-year core funding.

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

THAT this House urges the Minister of Justice to update the Members of the Legislative Assembly on the Government of Yukon's legislative review of the *Safer Communities and Neighbourhoods Act*.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Chasàn Chuà/McIntyre Creek park

Hon. Mr. Pillai: We know that healthy communities are connected to healthy habitats, waterways, fish, and wildlife. Green spaces are integral to our well-being and the Yukon remains one of the few places where the natural environment is intact.

To protect our environment and provide urban access to the wilderness, the Government of Yukon is implementing new environmental protections for the McIntyre Creek area. This is in support of the City of Whitehorse establishing Chasàn Chuà/McIntyre Creek park, as described in the draft Whitehorse 2040 official community plan.

As the MLA for Porter Creek South, McIntyre Creek is in my backyard and I have long been committed to safeguarding this special spot, including during my time as a city councillor. This area has tremendous historical, cultural, and academic importance for the residents of Whitehorse and they have been asking for protection for decades.

Two years ago, the creation of this park was in our platform and is in the Minister of Environment's mandate letter. The Executive Council Office has supported the departments of Environment and Energy, Mines and Resources to take action on this initiative.

Located in the traditional territories of the Kwanlin Dün First Nation and the Ta'an Kwäch'än' Council, the McIntyre Creek area in Whitehorse provides many benefits for Yukoners and the Yukon's wildlife. This area includes portions of land near Yukon University, Mount McIntyre, and Porter Creek. It is a recognized and valued natural recreational area. Yesterday, we amended the prohibition of entry order under the *Quartz Mining Act* to expand the boundary of the existing staking ban. This amendment will protect against any additional quartz mineral claims in the proposed park area.

We also established an administrative reserve. This will ensure that the proposed park area is set aside from future land dispositions and land permitting while park and land use plans are developed. An administrative reserve allows the Government of Yukon to sign off on smaller administrative projects that will not impact the creation of McIntyre Creek park while also supporting the goals of land tenures within the area.

It is important to note that existing land authorizations such as land use permits and licences of occupation are exempt and not affected by the administrative reserve. Chasàn Chuà/McIntyre Creek park is a beautiful and important area for wildlife and Yukoners alike. The changes made yesterday will provide the interim protection needed while park management planning discussions take place.

Park planning processes include confirming the park's boundary, vision, and level of protection. The Government of Yukon will continue to support the City of Whitehorse and work alongside Kwanlin Dün First Nation, the Ta'an Kwäch'än' Council, and Yukon University to advance the strategy to create Chasàn Chuà/McIntyre Creek park. As discussions proceed, partners will have the opportunity to explore what kind of park should be created and how potential partnerships are established.

Speaking of partnerships, I would like to say a special thank you to the Friends of McIntyre Creek for their efforts on this initiative. We have been working alongside this organization for years to support collaboration and their strategic approach to realizing this vision.

We are fortunate to have passionate and dedicated organizations in environmental stewardship here in the Yukon who are committed to responsible and effective land use planning.

Again, I look forward to continuing to work with our partners to see this new park come to fruition and serve Yukoners and visitors for generations to come.

Mr. Istchenko: The ministerial statement echoes much of the information contained in the press release that went out this morning announcing the expansion of the boundary on the existing staking ban under the *Quartz Mining Act*.

As the Premier has noted, this is acting to implement the City of Whitehorse's plans for this area. Last week, CBC Yukon provided coverage of the City of Whitehorse official community plan, which discussed the creation of this regional park.

The article noted that exact boundaries have not yet been set and must be confirmed — and quote: “through comprehensive management plans”. I note that in the ministerial statement, the Premier indicated that the park boundaries have not yet been set either.

I would like to ask the minister to provide some further details about how these plans will be developed, what role the Yukon government will play in their development, and when we will know the exact boundaries of the new park.

I also note that the Premier has indicated that the prohibition against staking has been expanded and will further protect against any additional quartz mineral claims in this area. Can the Premier tell us how many claims there currently are in this area? What will this change mean for existing claims in the region that will no longer be able to be developed?

We have previously asked about the government's claims compensation policy, and from what the Minister of Energy, Mines and Resources has told us so far, it seems that there is no clear, overarching policy and that claims will be dealt with on a case-by-case basis. Can the Premier please provide some information about whether or not owners of mineral claims that are either expropriated or alienated by this plan will be compensated?

I also note that this statement is yet another reminder about the Premier's lack of action to deal with mineral staking in municipalities. I would remind him that his very first commitment as Minister of Energy, Mines and Resources back in 2016 was to meet with First Nations, AYC, and other stakeholders to come up with what he called “an action plan”. He said that would be done by 2017 but, of course, that never happened. As with so many commitments, there is lots of talk but not a lot of action. Perhaps the Premier can update us on this 2016 commitment to solve this issue by 2017.

Finally, Mr. Speaker, I do want to commend the work of the City of Whitehorse on their official community plan, which they had titled “Whitehorse 2040”. It was a plan that created this new regional park within a municipality. As Whitehorse has continued to grow, it is good to see that the city has recognized the need to protect some important areas like this.

We will look forward to the Premier's answers to these questions and look forward to learning more about the process as it advances.

Ms. White: The Yukon NDP is pleased to hear this announcement today. The protection of McIntyre Creek has been near and dear to me for far longer than just my time in this

House, and I am so pleased today to have Dr. Bendall and Dorothy Bradley here with us to share this announcement.

In my very first Sitting as the MLA for Takhini-Kopper King on December 7, 2011, I tabled a petition that read — and I quote: “We the undersigned strongly support the conservation and long-term protection of middle McIntyre Creek for the benefit of present and future Yukoners. We hereby petition the Government of Yukon to designate middle McIntyre Creek as an environmentally protected area and to oppose any municipal proposals for roads, housing, or other developments which are inconsistent with environmental protection.”

This issue, which is so important to Yukoners and especially to Friends of McIntyre Creek, has been brought up in this House dozens of times before and since then. For more than 14 years, the Friends of McIntyre Creek, the Yukon Conservation Society, Canadian Parks and Wilderness Society, the Takhini North Community Association, the Porter Creek Community Association, and many Yukoners not connected with these groups have been petitioning, rallying, and inviting the Government of Yukon and the City of Whitehorse to take the steps required to ensure the protection of this greenspace that is home to so much wildlife.

It is a corridor for animals both big and small, travelling safely through our city. It is a spawning creek for salmon. It is lakes, it is canyons, it is fishing spots, and it is eagle watching. It is a hiking and biking space for people to get away from the bustle of this town. I want to thank those groups and Yukoners for never giving up.

Vancouver has Stanley Park and now Whitehorse will have Chasàn Chuà. Protecting this jewel for future generations is critical and forward-thinking. Protecting it from staking and industrial development is critical and forward-thinking. We would like to hear from the minister what will happen to those claims already staked in this area and what guarantees exist that there will be no future exploration or development where staking has already occurred.

We look forward to the completion of a comprehensive management plan to be completed with the Kwanlin Dün First Nation, the Ta'an Kwäch'än Council, Yukon University, and the City of Whitehorse. We hope that Yukoners who have dedicated so much time and energy to this issue will also be at the table to share their concerns, their vast knowledge of the creek and surrounding areas, and their passion for protecting this beautiful place.

Hon. Mr. Pillai: Our government has worked hard over the years to protect Yukon's pristine environment. We acted to protect fragile alpine areas by creating the off-road vehicle regulations for specific alpine regions. We developed an extensive network of management plans and habitat areas across Yukon that are, again, properly protected. We signed the final recommended plan for the Peel watershed land use planning commission — a huge moment for the territory and one that marked a changing narrative with Yukon First Nation relations, again repairing damage done by the former government.

The creation of McIntyre Creek park will benefit our environment, wildlife, and all Yukoners as well as tourists taking in what the Yukon has to offer. Since day one, this has been an initiative of great importance to our team.

I think back to my time as a city councillor, and I will give credit to my colleague at the time, Doug Graham, who worked alongside me on some of the areas of production when Porter Creek D was put on the table. We spoke a bit about that last night at the annual general meeting of the Friends of McIntyre Creek — again, that was the focus around Porter Creek D — and then where we are today, taking concrete steps in solid alignment with the City of Whitehorse to protect the McIntyre Creek area for development and mining.

This is remarkable and something to celebrate for Yukoners. There are dedicated partners who came together and sat at the same table and put work in over the years to ensure that this action became reality — of course, the City of Whitehorse and Yukon University, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and Friends of McIntyre Creek. I would like to give a special thank you to Dorothy Bradley, president of the Friends of McIntyre Creek Society for all that you do and your rigorous perseverance in supporting biodiversity in our territory for today and tomorrow.

I would also like to mention the Yukon Conservation Society and the work that they have done around their bioblitz and hosting their events every year, as well as CPAWS Yukon for their ongoing work. I know that every year I see the Leader of the NDP at one of these events and certainly have always enjoyed the debate as well as some of the humour at that time.

The creation of McIntyre Creek park will help slow biodiversity loss in the Yukon by protecting important wildlife areas. The park will also provide permanent outdoor recreation space for those of all ages and, more importantly, people of all abilities. It is very accessible for many, many people — especially seniors in the city and those with challenges when it comes to accessibility. It also provides walking, cycling, and public transportation as well as other means. It is a great place — only in the Yukon where can you meet with your neighbours — in about two weeks hunting training starts — and where you can put your pack on and go with a group of friends and get ready for sheep season.

I love the area; I love the work that has been done.

To answer the questions, I will do my best. The claims that are in place have been there for a number — nobody has added any other process to it. The member opposite — the critic on this file was, I think, the Minister of Environment when the prohibition was in, because I was on city council — maybe, maybe not — but certainly the Yukon Party government was in place when, I think, the first moratorium was put in at the municipal level. It could have been the Leader of the Official Opposition. They should have a good understanding of what that means because those rules were put in under them.

Other than that, we will sit with the City of Whitehorse and both First Nation governments. We will define the timeline that is in place — the OIC that we see in place on the mining side goes until 2027. We think that, over the next couple of years,

this can come to creation but we will make sure that we are listening to our partners as we move forward with this park.

Again, thank you to all the folks who made this happen.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Atlin hydro expansion project

Mr. Kent: On November 2 of last year, the Minister of Energy, Mines and Resources told the Legislature that the funding gap for the Atlin hydro project was \$60 million. In February of this year, the project proponent told CBC Yukon that the funding gap is now over \$100 million. Furthermore, the proponent made clear that the funding gap will need to be filled with grant funding as the company cannot take on any further debt.

The Minister of Energy, Mines and Resources told the CBC in February: “Suppose that we don’t get the money this spring to close the gap. It’s possible that that gap could change on us. And so that could put the whole project at risk, not just the timing of the project.” Since the federal budget does not appear to have included \$106 million in grant funding for the Atlin hydro project, does the minister think that this project is, as he said in February, at risk?

Hon. Mr. Streicker: The Atlin project is an important project. It is a First Nation-led, renewable, hydroelectricity project built on a brownfield site — meaning where there has already been development. We have a good energy purchase agreement but there is a need to fill the shortfall of funding for the capital of the project. It is not a cheap project. The Taku River Tlingit and the Yukon government have been working to speak with the federal government to see whether they could fill that funding gap. As I think I have already said in the Assembly when the budget came out, we saw Atlin was referenced specifically, but then it talked about funding mechanisms underneath it. It didn’t say that here is dedicated funding for it. Officials from the Yukon Development Corporation and the Yukon Energy Corporation are working with federal officials alongside of the Taku River Tlingit and the Tlingit Homeland Energy Limited Partnership to investigate those funding avenues to see whether they will close that funding gap.

Mr. Kent: As the minister referenced, although the Atlin hydro project was mentioned in the federal budget, it wasn’t mentioned for any grant funding, which the proponent said was necessary.

On November 2 of last year, the minister told the Legislature that this project was on track to come online in 2024. Later that month, the former CEO of the Yukon Energy Corporation told us that if construction starts in the second quarter of 2023, then the project may be able to come into service in late 2025. Now it seems like neither of these deadlines will be met, and without this project, the only option for the Liberals is to continue their current practice of adding rented diesel generators. What is the new timeline for the Atlin hydro project?

Hon. Mr. Streicker: First of all, the project — it depends on whether we get that funding gap. I have always said that if funding is found, then the timeline — the member opposite is correct — the latest anticipated timeline is 2025. But what have we been doing? Everything. In fact, I raised a ministerial statement on the Innovative Renewable Energy Initiative here in this House. The Leader of the Official Opposition said to us that he felt that this was an unimportant statement. This was about the projects that we are working on that will help bring renewable energy on to our system.

I have also stated that — even though the Yukon has been growing and has the most rapid growth across the country, and we have been transforming our energy system on to our electrical grid — we have maintained our levels of renewables — 93 percent over the past year. This has to do with all of the projects that I keep listing off. We will continue to invest in all of those projects. We have budget dollars this year allocated.

I had a recent meeting with the Chief of the Kluane First Nation about their renewable energy project. We will continue to invest in these renewable energy projects because they are important for the Yukon.

Mr. Kent: The 2025 completion date that the minister mentioned is contingent on that project starting in this quarter, which is before the end of June. The unfortunate reality is that the Liberals have banked a lot on this project. They have been relying on this project to come online and address the rapidly growing dependable capacity gap. They have banked \$50 million of Yukon taxpayers' dollars so far on this project, and the simple fact is that, at this point, no one can tell us if this project has a future, let alone when it will start providing electricity.

My question is simple: If this project does not go ahead, how many more diesel generators will the Liberals need to rent?

Hon. Mr. Streicker: The simple answer to that question is none. We don't have the Atlin project today. We are hoping for it in 2025. The Atlin project would remove the need for diesel gensets but it doesn't mean that we add them if we don't have Atlin right now.

By the way, we put into the budget that we would commit \$50 million but we haven't spent that money. That money is waiting to see whether that funding gap is closed. The Atlin project is a good project. I would love to hear from the Yukon Party — because, at various times, I hear them say, "No, the Atlin project is no good; we should use diesels" and at other times I hear them say, "Okay, we do want renewables, but which?"

We will continue to work on all fronts for renewable energy and this includes across each and every one of our communities, working through the independent power producer policy, the microgeneration policy, and the Innovative Renewable Energy Initiative work. All of it is about working on projects across our communities.

The Atlin project was a big project and it has a good energy purchase agreement. If we don't get it, we will keep going with all our energy projects.

Question re: Energy capital project commitments

Mr. Dixon: The simple fact is that the Liberals' energy policy is failing Yukoners. They had banked our energy future on a plan that is falling apart. The battery project is delayed until 2024; no one knows what will happen with Atlin, but even if they do get funding, it won't be adding power to the grid for many years; and Moon Lake is a moon shot. In all likelihood, there will be a Canadian on the moon before Moon Lake is even built.

That leaves us with no other option than to continue to rent diesel generators by the dozen. Will the Liberals now admit that their energy policy is failing Yukoners?

Hon. Mr. Streicker: No, I will share with Yukoners that the Yukon Party's energy policy was completely wrong. Next generation hydro — they went out and said, "Hey, we will build these hydro projects" but didn't talk to the First Nations first. They didn't get any agreement on any of their projects.

We will do it the other way around. We will start by introducing policies like the independent power producer policy, microgen, and the Innovative Renewable Energy Initiative, and we will work through the Yukon Forum to set up projects for success by starting with talking with the nations first, including when we talk about grid connect. We will start that conversation by talking with Yukon First Nations.

No thanks to the Yukon Party — the way they were going. In their very platform, their idea is to build a second LNG plant; that is what they do. It is not about backup; that is about extra supply — no thanks. We are going to continue to build renewable energy projects across the Yukon.

Mr. Dixon: The fact remains that our load is growing and there is a need for new supply. Even the Yukon Energy Corporation itself has recognized that the Liberal plan is failing.

In November, the former CEO of the Energy Corporation admitted that there is no plan B. Here is what he said — quote: "So, are we working on anything else actively today? No, but I would say that there is a conversation about — is it time to start looking at plan B? Is it time to update the resource plan and take a look at what other options there might be?" He then told the Legislature that, yes, they would need to start working on a plan B and he hoped that this work might start in 2023.

It is clear that the Energy Corporation knows that the Liberals' plan is failing and they need to start looking at plan B. Mr. Speaker, what is plan B?

Hon. Mr. Streicker: What is the next step, Mr. Speaker? Grid connection. When did we start doing that? Just after the fall Legislative Assembly. I travelled with the president of the Yukon Energy Corporation to talk to Canada, and we talked about funding for Atlin but we also talked with the federal government about a grid connection. Why? Because we could see the growth in the territory.

But despite the growth that we have seen — that the member himself just spoke about — when you look at our level of renewable energy here in the territory for the past 12 months — I will table the numbers because the member doesn't seem to believe me when I say them — 93-percent renewable despite all of the growth. What does that mean? It means that we are bringing on renewables through all of these policies that we

have been talking about. Do we want Atlin? Yes. If we don't get Atlin, are we going to keep going with renewables? You bet. Not a new LNG plant — that would be a mistake.

Let them say what they would build and what they wouldn't. Do they want the grid connect — yes or no? Do they want these renewables — yes or no? But really all I see from them is more diesel or more LNG. No thanks, Mr. Speaker.

Mr. Dixon: Well, I will remind the minister that the grid connection is at least a decade away and, last time we checked, it was over \$2 billion.

Last year, we set a record for electricity demand — 117.1 megawatts. According to Yukon Energy, 46 of those megawatts were provided with thermal; the majority of that came from rentals. The demand just keeps growing and growing, and the fact is that the Liberals just do not have an answer for supply. Now even the Yukon Energy Corporation has admitted that there is no plan B and they hope to start planning for one since all the projects that the Liberals have banked on are falling apart.

It seems that everyone except the Liberals knows that their energy policy is failing and that it is time to change course.

Will the Liberals now admit that their energy strategy has failed Yukoners?

Hon. Mr. Pillai: What is incredible is to listen to the Leader of the Official Opposition. The Leader of the Official Opposition stood next to me in a debate on the economy and energy before the last election. The commitment from him at that time was that he would build the entire renewable plan and another thermal plan onside.

Today, we stand here, 24 months later, and he says no Moon Lake moon shot, not supporting Atlin — doesn't support them — but 24 months ago when it was a good thing to say, he stood next to me and the Leader of the Third Party and said that. The three of us stood there, but today it is a complete change and a flip-flop. You can wave your hands but those are the facts.

We said from the start that plan B would be a grid connect. BC Hydro, in 2018, didn't want to sell us power; now they do. Now again the opposition is on board.

The only renewable plan that was in place — there was \$1 million left for Klwane for a wind project with no mechanism for them to even sell the energy. It was a colossal failure for a number of years. We are doing the hard work to ensure that we build renewables; they are coming online even with the growth rate — 93 percent — and we will take on the big projects that the Yukon Party were fearful of doing throughout the years that they were in government.

Question re: Student financial support for medical and education studies

Ms. White: One of the many CASA commitments that the Yukon NDP is proud of is a program to support students pursuing education in the medical and education fields who commit to working in the Yukon after graduation. This commitment came after many conversations about the need to take action today to ensure a bright future for our territory. Frankly, the lack of vision from successive governments has led us into situation we find ourselves in today.

Young Yukoners are leaving our territory to study and end up settling Outside while we struggle to attract out-of-territory folks to move up and stay for the long term.

Will the minister update this House on the work being done to get this program off the ground, and when can Yukon students expect to be able to access it?

Hon. Ms. McPhee: I am pleased to be able to stand today to respond to this question. I think the short answer is that there are already programs available for individuals who are interested in studying in the medical field. Here in the territory, there are bursary opportunities and there are opportunities for them to have assistance with their education.

I can indicate that, as part of the 2023 confidence and supply agreement, we have committed to allocate an additional \$2 million during this fiscal year to enhance recruitment and retention of new health care professionals across the Yukon. This includes funding to support the nurse retention and recruitment incentives across the sectoral Yukon health and human resources strategy, which is currently being worked on — the community nursing and nurse practitioner funding, and additional resources for human resources to help administer and actually obtain individuals who are interested in moving to the Yukon to work and make their life here.

With respect to the recruitment and retention of health care professionals, we have a number of programs that support them and there is funding allocated to that already.

Ms. White: I agree with the minister that some health care bursaries exist now but I was also talking about education, which doesn't currently exist.

The most recent CASA includes \$2 million in each budget for the next three years to enhance recruitment and retention of new health care and education professionals, including — and I quote: “programs aimed at supporting students pursuing studies ... who commit to returning to Yukon to work in the Yukon after graduation.”

This commitment was made for both education and health care students. A program to support students in exchange for them practising in our territory just makes sense. It's a win-win scenario for both students and the territory and would go a long way toward solving our shortages of educators, nurses, doctors, EAs and more.

When will this program be ready for Yukoners to apply to?

Hon. Ms. McPhee: I think I will need to follow up with the member opposite. I am not sure what she has in mind with respect to programs but I'm happy to inform Yukoners that, in this fiscal year's budget, the Department of Health and Social Services has budgeted \$89,000 through the medical education bursary, nursing education bursary, and health professional education bursary programs to provide financial support for up to 16 new recipients each year — but certainly this year as well.

During the 2022-23 budget, a total of \$89,000 was budgeted for these bursaries. All 13 Yukoners who have applied for a bursary received one, for a total of \$54,000: \$16,500 went to five students pursuing nursing education; \$22,500 went to four medical students, including those pursuing family medicine; and \$15,500 went to four students in other health care professions, including two students pursuing

licensed practical nursing — remembering that we need all kinds of health professionals here in the territory — lab technicians, social workers, and others who provide important medical services across the spectrum of medical services.

Ms. White: Great, but the CASA commitment also includes education professionals.

We are rapidly approaching the end of the school year, a time when college and university applications are already in and students are trying to figure out how they will pay for it all. In short, this would be a perfect time for the Yukon government to start releasing details about what this program will be. Clarity on what this program will offer, how it will work, how to apply, and who will be eligible would be great information for Yukoners who are deciding to pursue a degree in education.

Right now, folks just don't know what supports will be in place, how much of their tuition will be covered, or what commitment they will be asked to sign on to. We know that there are many people who are eager to learn more, so when will these details be released and how will they be communicated to students?

Hon. Ms. McLean: I am happy to rise and speak about our commitments to recruitment and retention and to education and also our commitment to the CASA agreement. I think that I will go back a little bit.

We did, of course, have a role in the previous CASA. The Department of Education has provided the university with \$170,000 to support the commitment to the first confidence and supply agreement. In addition, the practical nurse program now provides annual opportunities for up to 18 students to pursue health care careers.

We had further financial contributions to that CASA. Moving forward, the support around recruitment and retention and rural education professionals — some of the work is already underway. Of course, we have been working on new strategies and different strategies around recruitment and retention of teachers and education professionals for the 2022-23 school year. We have taken action on recruitment factors that are in our control, even though we are dealing with a lot of different pressures. There were a number of new initiatives taken on in terms of recruiting teachers —

Speaker: Order, please.

Question re: Landslide remediation on major roadways

Ms. Van Bibber: In September of last year, the north Klondike experienced a series of landslides that cut off the access to Dawson City. This meant that some drivers were trapped on the highway and had to be helicoptered into town. Has the Yukon government taken any action to ensure that the north Klondike is protected from landslides again this year?

Hon. Mr. Clarke: Mr. Speaker, first of all, I would like to have a shout-out to the intrepid crew of Highways and Public Works out of Dawson who cleared the sluffing off of the hillsides close to the Dempster Corner and various locations. I certainly received communication from Dawson business persons and Dawson residents and I certainly acknowledge that they were concerned, but ultimately, I also received

communication indicating that the Dawson residents were pleasantly surprised by the industry and the speed with which the Highways and Public Works crew and other persons cleared the road. However, Mr. Speaker, what I would say is that obviously climate change is an issue. Permafrost slumping and sluffing off of hillsides — it is possible that it will occur again in the north Klondike. It is possible that it will occur in other places in the Yukon as well. Climate change is a reality and the Government of Yukon — Department of Highways and Public Works, Energy, Mines and Resources, Community Services, Environment — we are all working on mitigation strategies.

Ms. Van Bibber: In Whitehorse, the mayor has said that what is needed is a large-scale megaproject to address the sliding clay cliffs, but we haven't heard of any plans from the Yukon government to take any action to mitigate the possibility of slides on the north Klondike. We have heard from some businesses that are concerned about tourism access as well as from individual citizens about the possibility of disruptions to grocery deliveries.

Does the government feel that it is adequately prepared for the possibility of more slides along the north Klondike this year?

Hon. Mr. Streicker: First of all, with respect to the work that we are doing, we have established a working group with the City of Dawson and also the City of Whitehorse with Highways and Public Works, and it is led on the landslide side by the Yukon Geological Survey. It is to monitor the risk areas and to advise when there are indicators — if the risk is increasing. The work, if the highway is closed, falls then to Highways and Public Works and the crews there try to make sure that the highway can be opened as safely and as quickly as possible. The work about dealing with emergencies falls with Community Services. We do have a group that is actively working with communities to monitor these risks and to provide the technical advice that we can, although it is not always possible to predict things like landslides. You have risk levels but you can't say down to the moment when it is going to happen, but the folks are actively working to mitigate these risks.

Question re: PSAC members strike impact response planning

Ms. Clarke: There is a good chance that the Public Service Alliance of Canada members will go on strike tomorrow, across the country, and that includes many here in the Yukon. Currently, the YEU is encouraging all its members to join the picket line and has noted that YEU will reimburse all lost wages for those Yukon government employees who join the strike.

Can the Government of Yukon tell us what plans are in place to maintain services if Yukon government employees join the strike?

Hon. Mr. Silver: I would encourage the members opposite to pay attention during Committee of the Whole. We have had this conversation with the Third Party but I will reiterate. Identifying the risks and the issues is important. We know that there are only a few Government of Canada

employees in the Yukon who will be affected. We know that they have participated in a strike vote and may be involved in job action.

While some Yukon government services and employees are located in the federal building in Whitehorse, the vast majority of Yukon government employees and services will not be affected by a strike of the Government of Canada employees.

We are in conversations on a regular basis with representatives of the federal government to ensure that the Yukon government employees and services are not impacted. As I will reiterate as well, there are certain sections in the agreements that we currently have in place with our employees about possible labour action. If a Yukon government employee chooses to not cross a lawfully picketed line of another bargaining agent, the provisions of the Yukon government union collective bargaining speak to this issue.

Ms. Clarke: YEU employees also have the right to refuse to cross the picket line. There are several workplaces across the Yukon where the Yukon government is co-located with federal offices. If Yukon government employees choose to not cross a picket line at one of these locations, are there work-from-home provisions or other accommodations in place to allow them to continue to work?

Hon. Mr. Silver: While the member opposite is correct that there are a few different buildings in which there is a multitude of different government officials working together, there is one that would be affected with this particular action if it were to happen.

Again, I would urge the member opposite to review the Hansard notes. We spoke to this. We also spoke to the fact that article 52 of the Yukon Employees' Union collective agreement does deal with these issues. We are in close working relationships with our federal counterparts when it comes to any action when it comes to a proposed strike. We will find out more details about that in the days to come.

Question re: Cost of living

Mr. Istchenko: Yukoners have continued to feel the pressure of inflation as prices have been rising across many sectors. Data released today shows that food prices continue to rise with year-over-year prices up 8.9 percent. This means that it's getting more expensive to put food on the table. Here in the Yukon, especially in rural Yukon, it's even more expensive.

Since so much of the food we consume in the Yukon is trucked up from down south, one of the only ways the Yukon government can affect the price is through the cost of fuel. In light of the surging food prices, will the Yukon government agree to temporarily cut the fuel tax to help bring costs of food down for Yukoners?

Hon. Mr. Streicker: The first questions that we got today in the Assembly during Question Period were talking about the Yukon Party's idea about reinvesting in fossil fuels and going further down that path. What we are talking about is how we can move away from fossil fuels and off of fossil fuels.

First of all, with respect to local agriculture here, it has more than doubled in the last few years. Again, hats off to all of our farmers.

By the way, we had a ministerial statement about the sustainable Canadian agricultural partnership but the members opposite said that it wasn't good as a ministerial statement.

What they talked about was how we will make sure that we have food for Yukoners. We have a full range of inflationary measures. They range from universal childcare to funding for food in our schools program, a Yukon seniors income supplement, the pioneer utility grant, increases to minimum wage, our work around sick leave, and our interim electricity rebates. We have a whole range of ways in which we are supporting Yukoners through inflation. We will continue to do that. What we will focus on is local sustainability.

Mr. Istchenko: The most recent information from Statistics Canada about the cost of living across the country doesn't paint a pretty picture for the Yukon Liberals — it doesn't. The data shows that, for the fourth consecutive month, Whitehorse leads the country in CPI growth from last year. That means that the cost of living for Yukoners is going up way faster than anywhere else in the country. It is clear that what the Liberals have been doing so far isn't working.

Will the Liberal government agree to look at the data and change course? Will they agree to suspend the fuel tax and help bring down the cost of living for Yukoners?

Hon. Mr. Pillai: Yukon Party math as articulated by the Member for Kluane. It doesn't look good — the picture that is being painted for the Yukon Liberals.

I assume that the member opposite went through the list of consumer price index growth today. When you look from February to March, you would see that there was growth of 0.3 percent for the Yukon. You would see that the average growth was 0.5 percent. You would see that two or three provinces had negative growth, and then you would see Alberta and Saskatchewan, which the Yukon Party always waves as what we should be looking at as best practices even though they were at one-percent growth and .8-percent growth.

The premise of the entire question is incorrect because the information was not understood by the member opposite. Go back and look at the list; it was probably sent —

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: But that is the truth. I mean —

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: Those are the facts. Thank you, Mr. Speaker.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Government House Leader, on a point of order.

Hon. Mr. Streicker: Even now as I rise to speak on the point of order, I would like to be able to hear members in the House. If we could please have order in the House so that we can hear people as they give responses. Thank you.

Speaker: Member for Lake Laberge, on the point of order.

Mr. Cathers: The Government House Leader didn't cite a point of order and it is usually understood as being the Speaker's job to manage the House, not the Government House Leader's.

Speaker's ruling

Speaker: There is no point of order, but as we continue on, let us keep the rumbling in the background down as members are speaking.

Hon. Premier, do you want to continue?

Some Hon. Member: (Inaudible)

Speaker: Okay, we will carry on with Question Period.

Mr. Istchenko: I am sure that the residents of Kluane won't be very happy with the Premier's comments.

The consumer price index, which is the measure of the cost of living, has increased in Whitehorse more than any other part of the country, so it seems like the measures that the Liberal government is taking simply aren't working. According to the Yukon Bureau of Statistics, the main contributor to the year-over-year increase in CPI is all related to the increasing cost of housing, which includes mortgages and rent. We know that the Liberals are committed to continuing policies that are driving rents up but we also hope that they will reconsider their willingness to request an exemption for the carbon tax on home heating fuel.

Will the Liberals reverse their policy of supporting the carbon tax plus GST on home heating fuel and finally ask the federal government to lift the carbon tax on essential aspects of living in the north? Stand up for Yukoners — not for Ottawa.

Hon. Mr. Pillai: I hope the Member for Kluane stands up for Yukoners and supports the budget so that we can make sure that seniors have more money in their hands, so that we can make sure that people in Kluane have less on their electrical bill, so that we can make sure that of all of the measures in here — I hope that he stands up for Yukoners and the people of Kluane versus just a political swing — hopefully we will see that, but we will know in the next two weeks what will happen on that one.

Other than that, for a number of years we have put in policy after policy and programs. I think about what it was like in 2016 if you had two children going to daycare. How did you come up with that money — whether it was \$1,400 — you know what? Now we have a policy that the Yukon Party was against that puts that money back in your pocket. Those are some of the biggest changes that we have seen to households. When people are sitting at the kitchen table from 2016 until now, in 2023, how much more money do they have in their hands to put into the things that mean a lot to them?

Again, we will make sure that we have the electrical rebate both now and in the third quarter of this year, and when we go back to CPI, what we are seeing right now — because it is fun with the numbers across the way — from February to March, we are seeing one of the lowest increases —

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: Yes, year over year — sure. But what you are saying is that our policies aren't working. If our policies

aren't working, why are we in a better position than most of the provinces and territories in the country today? It's because the policies are working.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 27: *Community Services Statute Law Amendment Act (2023)* — Third Reading

Clerk: Third reading, Bill No. 27, standing in the name of the Hon. Mr. Mostyn.

Hon. Mr. Mostyn: I move that Bill No. 27, entitled *Community Services Statute Law Amendment Act (2023)*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Community Services that Bill No. 27, entitled *Community Services Statute Law Amendment Act (2023)*, be now read a third time and do pass.

Hon. Mr. Mostyn: We had a great day yesterday, and I am not going to take a lot of time this afternoon. I will say that this bill supports our government's priority to make it easier for people and businesses to get things when they are interacting with government. It cuts red tape, Mr. Speaker, and makes sure that people interacting with our government can do so more easily and with more consistency with other Canadian jurisdictions.

With that, I am going to close out debate. I look forward to seeing if there are any other questions or comments from the members opposite, and we will get on with the vote.

Ms. McLeod: Now, as we have noted previously, this bill largely makes administrative changes that don't appear to be substantial. There are some reporting dates that are updated and some changes in the way that government forms are administered. It also updates some requirements for information that is outdated as well as modernizes some fines.

Overall, it appears that these changes amount to normal housekeeping with regard to legislation. As we haven't identified any concerns, we will support this bill.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Mostyn: I thank the member opposite for her support, and I look forward to the vote.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pillai: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Clarke: Agree.

Hon. Mr. Silver: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Agree.

Mr. Kent: Agree.

Ms. Clarke: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

MLA Tredger: Agree.

Clerk: Mr. Speaker, the results are 18 yeas, nil nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 27 agreed to

Speaker: I declare that Bill No. 27 has passed this House.

Hon. Mr. Streicker: 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. Blake): Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 25: Act to amend the National Aboriginal Day Act (2023)

Chair: The matter before the Committee is general debate on Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*.

Is there any general debate?

Hon. Mr. Mostyn: I am pleased to rise and speak to Bill No. 25, which changes the name of “National Aboriginal Day” to “National Indigenous Peoples Day”. The bill will amend the *Employment Standards Act*, the *Interpretation Act*, and the *National Aboriginal Day Act*.

In 2016, the Legislative Assembly unanimously passed Motion No. 1039 urging the Yukon government to seek public input concerning the possibility of declaring National Aboriginal Day a statutory holiday. In 2016, local businesses, First Nation governments, development corporations, labour organizations, and the general public were invited to provide feedback. More than 88 percent of respondents were in favour — 88 percent.

The feedback indicated the cultural and symbolic importance of recognizing National Aboriginal Day and the contributions by First Nations as an important concrete recognition of First Nation culture and heritage and their foundational role in Yukon’s evolution.

On June 21, 2017, National Aboriginal Day was celebrated for the first time in the Yukon as a statutory day. We await June 21, 2023, with anticipation as we will officially observe this statutory day with its modern name, National Indigenous Peoples Day. We look forward to responding to questions that may arise.

Mr. Kent: The Official Opposition is supportive of this bill to change the name of National Aboriginal Day to National Indigenous Peoples Day. I do have a couple of questions for the minister. The first one — just back on May 8, 2017, I was in discussions with the previous minister on the original bill and the minister committed to an economic analysis of the stat holiday at that time. This would look at all economic aspects of it — whether or not it is positive or a cost to business, or additional people travelling to communities to celebrate — it was an overall analysis. However, I don’t believe that it has been done. I am going to ask the current minister if it has been actually completed and if he can direct me to anywhere I can find it — if it is online — or perhaps provide a copy of that commitment made by his predecessor.

Hon. Mr. Mostyn: I will endeavour to find that information for the member opposite.

Mr. Kent: I look forward to that. As I said, it is an outstanding commitment made by his predecessor.

Just another quick question — last fall, we passed a private member’s bill put forward by the New Democratic Party to create a statutory holiday in September to honour truth and reconciliation. In the Official Opposition, we agreed to that bill but wanted the government to consider dropping an already existing stat holiday so that we wouldn’t be adding another statutory holiday to the list, which is difficult to absorb for many small businesses that we have talked to — whether it is loss of productivity or additional wages if they have to stay

open. I am just curious if the government is going to consider consulting on this request. If so, when can we expect that consultation to start?

Hon. Mr. Mostyn: I appreciate the question this afternoon; it is an interesting subject. I will say that we certainly don't lead the country — we share the number of statutory holidays in the territory with several other provinces. We are certainly not alone in the number of statutory holidays that we have in the territory. I will say to the member opposite that an engagement for a National Day of Truth and Reconciliation — 66 percent of Yukoners said that they strongly support or somewhat support a new general holiday in the Yukon for the National Day of Truth and Reconciliation — in the same ballpark as the aboriginal peoples day consultation that we held.

But it is an interesting proposition that the member opposite brings forward and it is not the first time that I have heard this. I would like to ask the members opposite what holiday they would suggest that we get rid of — Good Friday, Christmas perhaps, maybe May 24. I would be interested to hear their suggestions for which holiday we get rid of.

Mr. Kent: The reason we are bringing this forward is because we have heard from a number of small business owners that the addition of another statutory holiday is burdensome for them. When I asked my question, I asked the minister if he was going to be initiating any consultations on dropping one of the existing statutory holidays but honouring the September statutory holiday that was brought forward in the private member's bill by the New Democratic Party that we voted in favour of.

We are in favour of adding that statutory holiday. We would like the government to initiate consultations on it. It doesn't sound like there is any interest in doing that so I don't want to belabour the point.

I want to thank the official for coming here today and I will turn it over to my colleague with the New Democrats if she has any questions here today.

Ms. White: I thank the minister and the official for being here today.

Based on our reading and the briefing that we had on it, it's a very simple thing. It's just making sure that the language is in line with the federal language on National Indigenous Peoples Day, so we have no questions and will be supporting the bill.

Chair: Is there any further general debate on Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*? Seeing none, we will now proceed to clause-by-clause.

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*, read and agreed to.

Unanimous consent re deeming all clauses and the title of Bill No. 25 read and agreed to

Chair: The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

*Clauses 1 to 6 deemed read and agreed to
On Title*

Title agreed to

Hon. Mr. Mostyn: Madam Chair, I move that you report Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*, without amendment.

Chair: It has been moved by the Member for Whitehorse West that the Chair report Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*, without amendment.

Motion agreed to

Chair: The matter now before the Committee is general debate on Vote 8, Department of Justice, in Bill No. 208, entitled *First Appropriation Act 2023-24*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 10 minutes.

Recess

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

Bill No. 208: *First Appropriation Act 2023-24* — continued

Chair: The matter now before the Committee is general debate on Vote 8, Department of Justice, in Bill No. 208, entitled *First Appropriation Act 2023-24*.

Department of Justice

Chair: Is there any general debate?

Hon. Ms. McPhee: I will first start by welcoming my colleagues from the Department of Justice. We have Deputy Minister Mark Radke and our director of Finance, Systems and Administration, Luda Ayzenberg. I welcome them both and thank them for joining us today. They will no doubt be of great assistance in providing information to the questions that will be coming today in Committee.

I am very pleased to be able to speak to the Justice main operation and maintenance budget and capital budget for 2023-24. Over the course of the past year and since the end of 2016, I have had the pleasure of overseeing strong and collaborative working relationships between the Department of Justice and other departments, First Nation governments, independent agencies, law enforcement agencies, and our Yukon communities. It has been my true honour to serve as the Minister of Justice and the Attorney General for this great territory.

The Department of Justice serves the entire government — providing legal services, court services, and regulatory services. We operate the Corrections branch, the Public Safety and Investigations unit, Victim Services, and the integrated restorative justice services — to name just a few of the really

important programs and initiatives that come from the Department of Justice.

The estimates outlined in the 2023-24 budget consist of a total of capital investments of \$4,276,000 and the operation and maintenance expenditures are set out at \$91,650,000. The 2023-24 Justice budget is being used for specific projects to improve services and supports for individuals in contact with the justice system, to increase support for victims of crime, and to bring high-quality policing services to the Yukon.

The Justice budget addresses a number of specific initiatives — just some of the important work that's done by the Department of Justice. I will mention a number of those in my address at the beginning of this Committee work today. I am happy to answer questions regarding those and other things that might arise today.

Community safety initiatives, such as the community safety officer programs developed by the Kwanlin Dün First Nation and, at this point, the Selkirk First Nation and other Yukon First Nation governments, have been successful in providing responsive services and improving citizens' feelings of safety in their respective communities. These are very important goals.

Our government recognizes the value and the impact that the community safety officer programs have in keeping communities safe and that citizens are supportive of these initiatives. We have allocated an increase of \$228,000 for this program in the 2023-24 budget.

In December 2022, the Government of Yukon approved a \$1,028,000 total funding allocation for the community safety officer programs of which 52 percent is recoverable from the Government of Canada through the First Nations and Inuit Policing Program.

This year's increase is for the Selkirk First Nation and the Kwanlin Dün First Nation community safety officer programs and to allocate cost-shared funding for half of the 2023-24 fiscal year for one additional program that has yet to be identified.

There is also an increase in this budget of \$567,000 for the integrated restorative justice unit. In 2020, our government approved the creation of the integrated restorative justice unit to improve restorative justice service delivery, to increase engagement with First Nation governments, and to better support community-designed and community-led restorative justice initiatives.

The integrated restorative justice unit allows our government to support existing restorative justice services and practices as we continue to work in partnership with Yukon First Nation governments through the Yukon Forum and other relationships. This project has been extended from January 2023 to March 2025. The Government of Yukon understands the critical importance of legal aid services provided by the Yukon Legal Services Society to Yukoners and remains committed to ensuring that the society has sufficient resources to discharge its mandate.

Our department is committed to ensuring that all Yukon citizens are able to access legal information and advice. In 2022, the Government of Canada announced an additional

\$60 million to funding and, in 2023-24, to support the delivery of criminal legal aid services specifically to the most vulnerable individuals, such as Indigenous peoples or individuals from black or racialized communities and those suffering from mental health issues who tend to be overrepresented in the criminal courts.

In response to this, the Yukon Legal Services Society intends to establish a new legal aid clinic, which will provide enhanced services to Indigenous, vulnerable, and disadvantaged people. As such, I am pleased to highlight an increase of \$580,000 to provide funding to the society to assist in the development of that new legal aid clinic. This funding increase is time-limited until March 31, 2025. The total budget for the society in 2023-24 is \$3,288,000.

I am also pleased to highlight an additional \$175,000 in funding to support the Gladue report writing program. This funding is 100-percent recoverable from the Government of Canada. This program is administered by the Council of Yukon First Nations, supports the preparation of Gladue reports, including training of new writers, and a program evaluation and program administration.

Turning to community supervised housing in the territory, the Government of Yukon has included an increase of \$258,000 in the 2023-24 budget for supervised housing for justice-involved men. Supervised housing is a critical component of the criminal justice system and contributes to a safer, healthier Yukon. Connective has been operating the supervised housing and reintegration program for men who are justice-involved. Since May 2020, Connective has provided services to 97 bail and probation clients and to 12 federal parole clients. This funding will continue to support Connective with their operations in providing this truly important service.

Secondly, there is an increase for \$350,000 for this fiscal year and that has been allocated for a supervised housing pilot program for justice-involved women. This is unique in the north, Deputy Chair, and a very exciting opportunity. The newly launched service provided by, again, Connective is the first of its kind here and the first of its kind across the north. We have been speaking with our partners in other territories to help them perhaps develop a similar program. We are committed to ensuring safe, reliable housing and resources for justice-involved men and women in the territory.

We have increased funding for the sexualized assault response team, also known as SART. SART is a multi-agency coordinated response with three main components: victim support, legal or criminal justice services, and medical services. Our government is committed to expanding the services of SART to Yukon communities beyond Whitehorse. It must be the case that every person who has suffered such a horrible experience has the opportunity to get support — and may I say that by “horrible experience”, I mean “crime”. But SART services are available to anyone who seeks them, regardless of whether or not they are interested in proceeding to a criminal process or reporting it to police.

In order to expand services in a way that responds to a community's needs and priorities, we are planning engagement for the spring and summer with First Nation governments,

Indigenous women's organizations, service providers, and previous victims of sexualized violence. An increase of \$125,000 has been allocated to support the two contracts for engagement: The first is to engage with First Nations and community service providers, and the second is to engage with victims of sexualized violence in a trauma-informed manner.

For more than a decade now, our Victim Services branch has received at least \$500,000 per year through a funding agreement with Justice Canada's victims fund provincial-territorial stream for the enhancement of victim services in the Yukon. The current agreement, which runs from 2021 to 2026, includes five primary activities: the victims of crime emergency fund, the independent legal advice program, the rural service enhancements — and under this activity, the Government of Canada provides for an additional victim services worker and professional fees and advertising — the child and youth victim services program, and the promotion to victims' rights, which provides funding for personnel, professional fees, printing, and training through that funding.

Our government has allocated an additional \$249,000 for this fiscal year for increases in each of the five primary activity areas. A significant portion of the increase is in the independent legal advice program, which will allow the Yukon to hire additional lawyers to the roster and to begin an evaluation and provide additional training to determine the value of that program to Yukoners.

This fiscal year, we are increasing funding to support policing services, as we did last year. Funding will support the ongoing maintenance and renovation of existing RCMP infrastructure in the territory. Through the *Territorial Police Service Agreement*, we have a cost-sharing agreement with the Government of Canada and this agreement states that the Government of Yukon will pay 70 percent of the costs while the Government of Canada pays the remaining 30 percent. This budget provides an increase of \$3,518,000 for the RCMP here in the Yukon. There is \$874,700 in one-time costs, including the replacement of the Yukon RCMP's aircraft engine, payout of excess leave liabilities, and one-time costs related to the RCMP's force-wide arms, armour, and equipment modernization initiative.

There is \$122,430 in term costs, including year 2 of a multi-year boat replacement plan, term-funded information, technology investments, and increases to the operation and maintenance portion of the RCMP's infrastructure program, also known as the "accommodations program charge", will be allocated in that way. There is \$2,521,000 in ongoing costs, including lab costs, block-training requirements, ongoing IT and equipment cost increases, budget erosion relating to inflationary pressures, negotiated pay-raise impacts, and 7.5 new full-time positions for our policing service. Six of the new positions are included in the following: two regular members for the specialized response unit; two regular members for the community tripartite agreements with Yukon First Nations; and two public service employees to support the drug-trafficking-focused crime reduction unit and maintain Yukon police evidence exhibits to support proper legal requirements.

Our government has included an increase of \$400,000 for the community safety planning program. The community safety planning program has an overall budget of \$2,800,000 with varying amounts in the Community Justice and Public Safety division's budget each year until fiscal year 2029-30.

Phase 1 of the community safety planning program has recently launched, which provides up to \$200,000 to each Yukon First Nation for community safety planning and for implementing priorities identified in the planning process to support safety in communities.

With respect to the department's capital budget, it includes funding for beginning the morgue and coroner's office build. The Department of Justice's existing morgue is presently located in a repurposed space that once served as a geological storage warehouse. The existing site is aging and does not contain proper amenities, nor does it provide for a culturally appropriate or dignified viewing environment for family or friends of a deceased person. There are no proper reception or meeting areas or public washrooms in the facilities. We have done a functional program and business case analysis. There is a resulting recommendation that a new morgue with coroners' offices being included should be put in our government's five-year capital plan. As such, an increase of \$300,000 has been allocated in this year to begin groundwork and planning and design.

The Department of Justice's collaboration with the Council of Yukon First Nations for the addition of new art in the law centre and law courts building in Whitehorse and the use of eagle feathers in Yukon courts has been very positive. An increase of \$56,000 has been allocated to continue to improve the Department of Justice facilities to be more inclusive in appearance and presence in facilities that are outside of Whitehorse. This may include art, ceremony, or improving signs and making it easier to navigate services, and being more inclusive and welcoming to facility users.

An increase of \$250,000 has been allocated to obtain software and hardware related to surveillance camera upgrades at the Whitehorse correctional facility. Furthermore, an increase of \$195,000 has been included to replace all personal alarm transmitters and several computers as they are all nearing end of life cycle, as well, with respect to workers at the Correctional Centre.

The Government of Yukon funds 70 percent of the capital infrastructure costs of the Yukon's RCMP M Division pursuant to the terms of the *Territorial Police Service Agreement*. The infrastructure program is structured in five-year cycles and includes life-cycle maintenance costs for the RCMP's infrastructure portfolio and major capital projects jointly determined by the RCMP and the Government of Yukon.

The capital budget portion for the 2023-24 budget for the RCMP capital project is \$3,149,000. It will be used to work jointly on the capital projects that are determined by the RCMP and government to be most in need of work and repair to serve communities.

Thank you, Deputy Chair, for the opportunity to provide some of this background information with respect to the

2023-24 budget, and I am looking forward to questions that arise from my colleagues.

Mr. Cathers: I appreciate the information provided. I would like to also welcome officials to the Assembly.

I would like to begin with the issue of RCMP resources. In April of last year, the commanding officer of the Yukon RCMP told media that no front-line positions had been added since 2016 and that the strain on policing is increasing and the demands for policing are growing.

We know that there were some additional police positions then added last year as well as the ones that the minister referenced being added this year. So, I wanted to ask two questions: With the positions added last year to the RCMP, how many of those were they able to actually fill, and at what point in the fiscal year were they fully staffed? With the 7.5 new positions this year, what is the anticipated timing of the RCMP being able to fill those positions?

Hon. Ms. McPhee: With respect to the positions that were added last year — of course, we don't necessarily get updates on the vacancies or when those kinds of positions have been filled. That's a regular staffing role of the RCMP. I'm pleased to ask them where they are with the filling of each of those positions. That, of course, is something that was put forward in the 2022-23 budget. We will speak with them about that.

With respect to the 7.5 positions that are proposed in this budget, we have certainly had conversations with them. They are aware that the budget proposes those positions. You may recall, Deputy Chair, that on the day the budget was presented, Chief Superintendent Scott Sheppard and Superintendent Lindsay Ellis were present here in the Legislative Assembly for the purpose of hearing the budget speech given by the Minister of Finance. If and when this budget passes, those positions will be open for the RCMP to fill and they can do that through their regular staffing process.

I will say that, during the last number of years — particularly with respect to COVID — RCMP positions and vacancies were not filled as quickly as they are in the regular operations outside of a world pandemic, but the information we have been provided with is that they will be able to fill those positions and incorporate them into police operations and are anxious to do so as soon as possible.

Mr. Cathers: Unfortunately, that wasn't the information I was looking for.

I do appreciate the challenges that the RCMP have with staffing. I would also remind the minister — and just for the reference of Hansard, I am referring to a *Whitehorse Star* article from last year — not quite a year ago — on April 22, 2022, entitled "Top Cop, minister vary on budgetary beliefs".

As that article noted — quote: "The two are telling distinctly different tales of the state of affairs for the territorial RCMP resources." That was in reference to the minister and the commanding officer.

We also saw at the time the specific indication that — what the commanding officer told the *Star* — quote: "He said no front-line positions have been added since 2016, when he arrived, despite some increases in funding over those years.

'The last increase for members was in 2016,' he said in contrast to..." — and then it notes that even the Minister of Justice, who, of course, I can't reference in the House — and her comments.

Quoting from the commanding officer as quoted by the *Whitehorse Star*: "The strain on policing is increasing, and the demands for policing are growing."

It also went on to note that the commanding officer had told media that he would like to see funds provided by the government — and I quote: "... so a dedicated drug enforcement unit could be created."

The question that I have related to staffing is not just the ability of the government to budget for it but what that translates into on the ground — and I would like to specifically note that since we saw that call less than a year ago by the RCMP for a dedicated drug enforcement unit, can the minister indicate what action, if any, they have taken to provide the RCMP with the resources for that request?

Hon. Ms. McPhee: I think what the member opposite will recall with respect to the *Whitehorse Star* article is that the chief superintendent and I had different understandings of the Yukon government budget and that we met immediately after those conversations and have moved forward together because it was, in fact, that the 2022-23 Government of Yukon budget did have increased funding for the Yukon RCMP. In February 2022, funding was approved for two additional RCMP regular members to be temporarily assigned to the crew for four years beginning in that fiscal year. That crew is for the crime reduction unit, which is the title, and their focus is often on drug-related crime.

Also, in the 2023 policing budget, there was a total increase of 22.8 percent from the previous year. That increase covered significant pay raises due to the RCMP member unionization, multiple national mandated policy and rate changes, adjustments due to inflation, new investments in policing infrastructure, and several new officer positions. The funding included positions for two term-funded regular members for the crime reduction unit, which are the same two I just mentioned, to help address the territory's opioid enforcement response and funding for three positions for the historical cases unit. That's 2022-23.

As I have noted, in 2023-24, the budget that we are currently discussing, an increase of \$3,518,000 is included in this budget for the RCMP. There are a number of breakdowns in the costs. I have already mentioned them earlier today and I am happy to do that again if that would be helpful. I can also indicate that, in that allocation, there is over \$2.5 million for a number of things. That includes 7.5 new full-time positions for the policing service here in the territory. I understood the first question to be: When would those positions be filled? I appreciate that the member opposite has clarified that. I have given more information about both the 2022-23 and 2023-24 increased resources for the RCMP.

Mr. Cathers: The minister made reference to two positions that were added last year for the crime reduction unit. She also indicated that they were term positions, so the first question that I would ask, Deputy Chair, is: Are those positions being carried forward into the current fiscal year or did those

positions lapse at the end of the last fiscal year? How long is that term for those two positions added last fiscal year? Could the minister indicate the current number of RCMP positions in the territory at the moment?

Hon. Ms. McPhee: I'm sorry. I don't know what order the questions came in. I just forgot.

In February 2022, funding was provided for two additional RCMP regular members to be temporarily assigned to the crime reduction unit for four years. That began in fiscal year 2022-23.

With respect to the second question, there are 125 regular members assigned to M Division. There are 14 management positions, two special constables for a total of 142 members — if that breakdown is of assistance. If the question is about regular members, the total number of regular members assigned to M Division is 125.

Mr. Cathers: I would ask the minister two questions regarding that. Of those RCMP positions that she listed, is the minister aware of how many of those are currently vacant? Secondly, the minister made reference in her breakdown of the new positions being added this fiscal year to two positions related to tripartite agreements with First Nations. Could the minister indicate, for those two positions, which community or communities are those positions going to?

Hon. Ms. McPhee: The information that I have today is that there are 12 vacant positions in the RCMP M Division. I don't have a breakdown of whether or not any of those are management positions or if they are all regular members, but I am told that there are 12 vacant.

With respect to the First Nations and Inuit Policing Program, there has not been a final decision made with respect to where those officers will be assigned. I know that conversations are continuing with respect to communities that have sought additional officers and that once the budget is produced and has passed this Legislative Assembly, the continuation of those conversations will be decided to a final determination.

I can tell you that some of the recent criminal activity in different communities is steering those conversations. We would certainly like to provide more service to every community. I will hesitate to name any at this point because I certainly don't have that information. I will be discussing it. I will be involved, as will senior management at the Department of Justice, in conversations with respect to where, ultimately, the RCMP will assign those individual officers.

It's important that we take into account the entirety of concerns of every community — and certainly things like the criminal activity that is taking place in certain parts of the territory, the substance use health emergency, the opportunity for enhancing community safety officer programs in different communities, as well as things like the Teslin bridge project, which will increase the population, albeit temporarily but for quite a long time — the population of quite a small Yukon community, so all of those factors need to be taken into account. From the Department of Justice's point of view, all of those factors and probably others need to be taken into account with respect to the RCMP priorities.

Mr. Cathers: When the minister has more information about that, I would ask her to share it with me, either through a legislative return or through a letter, and I would expect that the Third Party would also appreciate receiving that update from the government as well.

Before I move on, I have one very important, specific question that I wanted to ask. It is with regard to the situation in Mayo and the request to the RCMP and government from Na-Cho Nyäk Dun First Nation and the Village of Mayo. The question that I would ask is: What is being done by government in response to the requests by Na-Cho Nyäk Dun and the Village of Mayo, but specifically — since one of the specific requests was for increased RCMP resources in the area — can the minister indicate what the government is doing with regard to that request?

Hon. Ms. McPhee: I certainly want to again take the opportunity to express our condolences to those affected by the recent deaths in Mayo — and actually, to all Yukoners. The two individuals who died recently in Mayo were members of greater communities across the territory. Their family and friends are grieving as well — as well as the community members in Mayo who are frightened and uncertain about the situation. I know that it has had a substantial impact on the community. There is certainly a desire to work together on community safety.

We recognize and understand the intent of the state of emergency that has been declared by the First Nation of Na-Cho Nyäk Dun, and we will continue to work with them and the whole community of Mayo during these difficult times to address their concerns. I can note that the Premier was immediately on the phone with the Chief of Na-Cho Nyäk Dun and the Mayor of Mayo upon us learning, on that terrible Saturday morning, what had occurred in Mayo. The conversations immediately began after that.

Within a number of days, the First Nation of Na-Cho Nyäk Dun had made their declaration of emergency. The town of Mayo and the leadership there held a meeting with the community members. Government officials and media were asked to not attend that meeting so that the individuals in their community could have an open discussion about the situation. Following that, there was a meeting held where government officials were invited, as well as the RCMP and other community members and partners involved in justice and community well-being. They were all at that meeting, in person or via Zoom or other technologies for the purposes of developing partnerships and making their commitment to one another with respect to how to respond to this terrible situation and to the violence that has been declared to be a state of emergency by the First Nation of Na-Cho Nyäk Dun.

I am also aware of a written commitment by the Premier to both the chief and mayor in that community that we would support the work and their interested designation of what their priorities should be, together, going forward.

I should also note that this letter, I think, was tabled here in the Legislative Assembly. If I am wrong about that, I will make efforts to have that done. I know that it was provided when questions were asked about the government's

commitment and it was provided to media and other outlets so that the commitment by our government would be clear and reiterated.

We have developed partnerships and taken many steps to address the substance use health emergency that was declared back in 2022, but we do recognize that toxic and illicit drugs still circulate in our communities along with related criminal activities associated with these drugs.

We continue to support public safety efforts in Mayo and our safer communities and neighbourhoods team — our SCAN team — is working to investigate complaints related to the alleged drug-trafficking activity and working closely with the local RCMP detachment. The Mayo detachment also benefits from the First Nations and Inuit Policing Program, which provides for more community-based policing services.

As I have just noted in the answer to another question, the current state of criminal activity here in the territory will be one of the criteria in determining where additional officers may be sent.

The community and safety planning program, that I have noted earlier in my opening remarks, provides up to \$200,000 to each Yukon First Nation government to support work on community safety planning and implementing priorities or actions to address community safety. This funding is something that we look to engage on, in particular with the First Nation of Na-Cho Nyäk Dun. We have had preliminary discussions with the First Nation in Mayo and their vision to establish a community support team in Mayo. We look forward to continuing those conversations and looking at ways that we are able to continue to support and partner in this initiative. I recognize that this activity is ongoing and top of mind. The Yukon government has been in touch with the First Nation of Na-Cho Nyäk Dun and the town — the governments and how to support them. The RCMP has been part of those discussions; those are ongoing and current discussions.

I have had a very recent conversation with the Premier about attending Mayo and, upon invitation by the town and the First Nation Na-Cho Nyäk Dun — attending and meeting with them about these issues to show our continued support and to further have conversations about how it is that we can support them going forward. We are trying to have that meeting upon the availability of those individuals in Mayo as soon as possible. Certainly, once the session has ended, we expect to be able to go, we hope, very quickly.

Mr. Cathers: I do just note that we will be watching the government's response to Mayo with a large degree of interest and, of course, compassion and concern for the people in the community and others affected by it.

I want to move to the subject of bail reform and the *Criminal Code*. As the minister will be aware, in January, premiers from across Canada jointly signed a letter to the federal government and, indeed, all premiers signed a joint letter to Prime Minister Trudeau on the subject of bail reform. As the minister will be aware, changes were made by the Trudeau government that have weakened the bail system. I have personally heard, as I know a number of colleagues have, from RCMP members and others who are concerned about the

people they are no longer able to keep behind bars following an arrest and about the impact of those people being on the streets on an ongoing basis. This is something that has occurred across the country. Ultimately, the premiers — including, at the time, the premier designate for the Yukon, the Member for Porter Creek South — jointly signed a letter in January to Prime Minister Trudeau, which was dated January 13. It says, in part: “We write to urge that the federal government take immediate action to strengthen Canada’s bail system to better protect the public and Canada’s heroic first responders.

“There have been a growing number of calls for changes to prevent accused persons, who are out on bail, from committing further criminal acts. The justice system fundamentally needs to keep anyone who poses a threat to public safety off the streets. And this starts with meaningful changes to the *Criminal Code*, an area solely within the federal government’s jurisdiction.”

The letter then went on to state — quote: “This is just one proposal for much-needed reform, and we would welcome the opportunity to work with you and your government on this pressing and important issue.” The letter then goes on to call for the federal government to — quote: “... make this change and commit to a thorough review of the bail system in Canada.”

Deputy Chair, my question for the minister is — considering this unified call by premiers for immediate action by the federal government, it is clear that this is a priority across the country. We agree that immediate action is necessary, and my question is: What work has been underway to lobby the federal government regarding this other than the letter? Secondly, what specific discussions have been occurring with the federal government regarding action to strengthen the bail system as quickly as possible?

Hon. Ms. McPhee: Thank you for this question. Deputy Chair, I am pleased to report that in response to the letter that was provided to the Prime Minister from premiers across the country and other conversations that have happened at the officials’ level, I met with the federal, provincial and territorial ministers of justice and public safety on March 10 to discuss the bail system and, in particular, its treatment of repeat violent offenders. The federal government agreed to take action as soon as possible to strengthen public safety through amendments to the *Criminal Code* that would target repeat violent offenders and serious offences committed with firearms and other dangerous weapons.

This is only part of the solution, and we will continue with other jurisdictions to explore the issue of repeat violent offenders and the bail system and to the many complex and interacting factors that contribute to crime and community safety. Of course, amendments to the *Criminal Code* by the federal government will address part of this issue but we must also continue in the provinces and territories to do all of the work that we do to deal with crime and violent offences, and hopefully have individuals change their ways.

We continue to support the work of the Government of Canada and the provinces and territories to explore both legislative and non-legislative tools to better address this issue. Any changes in these areas need to consider the particular

impacts that this may have on racialized or marginalized accused persons and the overrepresentation of Indigenous people in the criminal justice system, which is, of course, a guiding principle in all of the work.

The solutions to repeat violent offending and random violent acts lie in addressing the root causes of crime, which include improving access to mental health services, substance use treatment, and social supports, including supportive housing. We will continue to partner with our First Nation and Indigenous communities to explore forms of reintegration, aftercare, and support, which are based on individual cultural and community needs.

I hope that this is the information that responds to this question. I look forward to further conversations with the ministers of justice and public safety across the country. I know that this is an important issue for each and every one of them. It is a topic that will remain on the agendas for the federal-provincial-territorial meetings. There is a federal-provincial-territorial meeting scheduled in Vancouver at the end of May. It is a deputy-minister-level meeting. This topic — bail reform — is on that agenda as well.

Mr. Cathers: I do hope to hear more information in the future but it doesn't sound like the minister has that available at this time. I would just urge her to continue to, along with other provinces and territories, urge the federal government to act as quickly as possible in this area. As noted, the premiers across the country joined together in identifying this as an area where immediate action was necessary. As I noted, we have heard as well from RCMP members about their tremendous frustration with the situation where they arrest people who they believe not only have committed crimes but pose a threat to public safety if they are released back on to the streets, and they are unable to see those people kept behind bars.

We note, for the judicial system as well, that until changes are made to the *Criminal Code*, they also have their hands tied in keeping people who should be behind bars off the streets due to this problem related to bail. I would encourage the minister to continue to update Yukoners on this and to press the federal government for action in this area.

Moving on to another important area related to discussions with the federal government is a question of the federal government's firearms legislation that they have proposed. As the minister will recall, this Legislative Assembly voted in favour of a motion that we had proposed opposing the use of police resources to enforce the federal government's so-called gun buyback. The Liberal members unfortunately voted against that. We have seen some indication that perhaps they are reconsidering their position. As well, we saw the situation where the federal minister, Minister Mendicino, came up and heard very loudly and clearly from Yukoners their concern regarding proposed amendments to Bill C-21 that would have dramatically gone after firearms of law-abiding citizens, including hunting rifles. While we did see the situation where that amendment was withdrawn, we, as the Yukon Party Official Opposition, have been very clear in our view that the original text of the Bill C-21 is still unacceptable.

As I have noted before, the RCMP have noted through the National Police Federation, which is the union representing RCMP members, the proposed so-called gun buyback and the Trudeau government's May 2020 order-in-council as being measures that divert resources from where they are needed most.

The question I have is: What is the government's position regarding Bill C-21 and the infamous May 1, 2020 order-in-council respecting firearms? Have they done anything to lobby the federal government to withdraw Bill C-21 in its entirety? Secondly, what representations, if any, have they made regarding the May 1, 2020 order-in-council? Specifically, have they asked the federal government to rescind that order-in-council?

Hon. Ms. McPhee: Our government was very pleased to see the federal government withdraw the proposed amendments to Bill C-21. We did not support those amendments and we made that very clear. I certainly would like to take the opportunity to thank Minister Mendicino for coming to the Yukon and for listening to Yukoners about the proposed federal changes. I think the withdrawal of the proposed amendments to Bill C-21 was a positive step. It was probably at least partly due to the impact of the minister's visit here to the territory. We have worked to continue to encourage the Government of Canada to listen to Yukoners and to consider how any of the changes to the federal firearms legislation can be tailored to better address the concerns of responsible gun owners here in the territory. This is, I think, a good example of governments working together — the withdrawal of the amendments.

Our government was certainly proud to advocate for Yukoners and to bring the voices of the north to Ottawa on this important issue. People were heard and the federal government has committed to getting it right. Our Liberal government has long made it clear to the federal government that Yukoners need to be engaged about any legislative changes that would impact them, including those proposed in the amendments to Bill C-21. I shared Yukoners' concerns prior to the visit with the minister and we shared them by way of government-to-government exchange of correspondence and with our federal counterparts many times, including with the Minister of Public Safety. Both the Premier and I were pleased to see the changes that occurred after the minister visited here.

I am certainly proud to be working alongside the Premier and other Yukoners like our Member of Parliament to ensure Ottawa understood that we did not support the amendments or the impact on the real-world responsible gun owners that the amendments were to have.

In response to the question, I can indicate that Bill C-21 itself has not yet been passed and our government has not lobbied for Bill C-21 to be removed. We have continued to advocate for responsible gun owners to be exempt from the impact of the bill or any changes to laws, but we understand that Bill C-21 is working to amend several acts with changes focusing on organized crime, supporting violence prevention programs for youth, and taking measures to combat gun-related

domestic violence and self-harm. These are all important aspects of Bill C-21.

Our government, to be clear, supports the lawful ownership of firearms and will continue to protect the rights of legal firearm owners here in the territory.

Mr. Cathers: I appreciate that we now finally have a clear answer from the Liberal government that, while they oppose the amendment to Bill C-21, they support Bill C-21 in its current form.

The minister is indicating off-mic that she didn't say that, but I would note that I asked the minister if they had told the federal government that they don't support Bill C-21 and she indicated that they had not done anything to lobby or make representation regarding it, so it certainly seems that they support Bill C-21. If the minister doesn't share that understanding of the situation, then I would ask her to rise now and commit to sending a letter, either through herself or the Premier, telling the federal government that the Yukon Liberal government opposes Bill C-21 and the infamous May 1, 2020 order-in-council. Will she do that or does she in fact support Bill C-21?

Hon. Ms. McPhee: I choose my words in this Legislative Assembly very carefully with intention. I did not say that I support Bill C-21. In fact, what I spoke about were the elements of Bill C-21 that are important to Canadian society. That is what I said. What I can also say is that Premier Pillai and MP Hanley have both stated opposition to Bill C-21 and called on the Government of Canada to engage with Yukoners to amend the bill. That is quite distinct. Yukon has the highest per capita number of prohibited and restricted firearm licences in Canada. Lawful firearm owners in the territory include many Indigenous and non-Indigenous hunters, trappers, and people performing remote and wilderness work. Their work must be considered. Their choices must be considered along with the several criteria and elements of Bill C-21 that focus on organized crime, supporting violence prevention, and taking measures to combat gun-related crime.

Mr. Cathers: I know the minister chose her words carefully, but in doing so, she indicated that they had not made representations to the federal government with regard to Bill C-21. We know the Premier opposed the proposed amendments to Bill C-21. We have not heard a clear statement from the Liberal government — other than the one the minister made and then appeared to walk back — regarding whether the Liberal government supports or opposes Bill C-21.

If the government supports Bill C-21, then say so. If the government opposes Bill C-21 or certain parts of it, then I am asking the minister to commit that either she or the Premier will write a clear letter to the federal government outlining their position regarding Bill C-21.

Hon. Ms. McPhee: I can reiterate what I have noted here to be the position of the Premier in that he has stated opposition to Bill C-21 and called on the Government of Canada to engage with Yukoners to amend the bill. I do not have at my fingertips whether or not that has been done in writing or through exchanges with officials in meetings. I will endeavour to determine whether or not that correspondence

which the member opposite is interested in having done has in fact been sent, but I don't have that information right now.

Mr. Cathers: I look forward to hearing that information and to seeing a letter from the Premier to the Prime Minister in opposition to Bill C-21. We would hope again, to reiterate the request, that he add in a request for the federal government to rescind the May 1, 2020 order-in-council.

I am going to move on to another area, Deputy Chair, in the interest of time, and that is the matter that has come up in Question Period here in this Legislative Assembly regarding the government's discussions with the Taku River Tlingit First Nation related to the potential sale for \$1 of an 1,150-hectare piece of land. My first question for the minister is with regard to the litigation that was initiated by the First Nation with the Yukon government. The government has repeatedly made reference to it as the justification for beginning the current process.

My first question, just to establish the basis of facts, is regarding that litigation. There was a court decision issued by the Supreme Court of Yukon, dated February 18, 2016, and in that judgment issued by Justice Veale, in fact, the trial was adjourned pending the outcome of another Court of Appeal decision regarding a related matter. My question would be: Did this matter end up in court again following that decision to which I referred?

Hon. Ms. McPhee: In response to the question about the Supreme Court of Yukon decision back in February 2016 — of course, I don't have access to that at the moment. The question was whether or not it has been in court again. What I can indicate is that, back in 2016, following the decision of the Supreme Court of the Yukon, the parties entered into an abeyance agreement for the purposes of negotiating a settlement in relation to the issues of the case to advance reconciliation and that the conversation and the negotiations pursuant to that abeyance agreement have been ongoing since that time.

Deputy Chair (MLA Tredger): Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continuing general debate on Vote 8, Department of Justice, in Bill No. 208, entitled *First Appropriation Act 2023-24*.

Is there any further general debate?

Mr. Cathers: Just before the break, I was asking the minister about the court action that was filed by the Taku River Tlingit First Nation and resulted in a judgment issued by Justice Veale in February 2016 — whether that matter ever went back to court. I didn't get a clear answer from the minister. I hope that during the break she was able to find that information. Again, the judgment at the time adjourned the trial pending the

outcome of another decision. The question is: Did that matter ever go back to court?

Hon. Ms. McPhee: I thought that I did answer but maybe I wasn't clear enough. After the decision issued by the Supreme Court in this matter back in 2016, there was an abeyance agreement signed by the parties for the purpose of the parties coming together to negotiate a settlement of the matter. If the matter has returned to court for some administrative matters — or as an opportunity to deal with the fact that negotiations were ongoing and remind the court of that, or something to that effect — I do not have an answer to that. I am not aware of any of those kinds of appearances.

The abeyance agreement signed by the parties would be a demonstration to the court that the parties were working on a settlement of the matter and, therefore, the matter did not need to return to court.

If the member opposite is aware that it has returned to court on a particular administration matter or something like that, and they want to ask about that, I am prepared to see if we can find the answer. I can say that back in 2016, the Government of Yukon consented to the two mineral declarations that the consent order suspending the first mineral declaration, which dealt with mineral rights, expires in September of this year, 2023. Declaration 2 regarding mining exploration is still in effect.

In July 2017, the Yukon government and the Taku River Tlingit First Nation filed an abeyance agreement with the Supreme Court of the Yukon in which each agreed to provide notice prior to taking steps on the other matters set out in the statement of claim.

As I have said, negotiations have been underway and discussions have been underway since that time.

Mr. Cathers: I appreciate the clarification. That the matter didn't then end up back for trial is the bottom line to what the minister had indicated — what it boils down to. Following that, from 2016 to the present, it appears that the government has entered into discussions with the Taku River Tlingit First Nation that are dealing with a land claim but they are technically calling it “not a treaty process”.

One of the things that is especially troubling about this approach is — in addition to the fact that the federal government is not part of this and this is not a treaty negotiation — one of the things that is very concerning is, Deputy Chair, that throughout 30 years of land claim negotiations, the protection of existing third-party rights and interests was a guiding principle of those processes. Both the territorial government and the federal government during those negotiations sought to identify existing third-party rights and interests and to ensure that they were protected.

It appears that the government has completely abandoned what was a guiding principle for both levels of government for three decades by not beginning this process — or early on in this process, at the very least — by taking steps to identify impacted interests of others. That is specifically in the case of the land in question — relates to trails used by Camp Yukon and others, which are existing public trails.

Deputy Chair, as I would hope the minister would be aware, what happened throughout land claim negotiations was that even when settlement land was created, the right of existing access for public trails was protected. But contrary to that and abandoning that principle of 30 years of negotiation, we see the government, in this case, treating other interests — third-party interests — as an afterthought rather than taking steps to identify them and protect them.

My first question for the minister would be: Why has the government not sought early on in this process to identify any existing third-party rights and interests, including trails, that might be negatively impacted by the potential disposition of land?

Hon. Ms. McPhee: The member opposite has posed a question that I am not able to answer. I want to say that the negotiations that have resulted as a part of the abeyance agreement with respect to the parties involved in this lawsuit, which is the original question posed by the member opposite, are confidential negotiations inside the concept of what the issues were in the lawsuit in the first place and the concept of continuing to promote reconciliation.

I want to be clear that by not having the information to answer this question — first of all, it's a question that I can't answer because I don't agree with the premise of it. The idea that the government has not recognized any third-party interests or has completely abandoned guiding principles — those are things that I simply don't agree with. I do not have the detailed information that the member opposite is seeking about the specifics of the negotiations or what is in the minds of the parties who are doing that negotiation as part of that lawsuit. Just to be clear, the parameters of this question were as a result of the original dispute having gone to court and then the parties agreeing that they are going to talk about how they might settle it. That's not something I am privy to and — I just want to be clear — I don't agree with the premise of the question.

Mr. Cathers: Disagreeing with the premise of a question doesn't invalidate the question. Again, as I mentioned, throughout 30 years of land claim negotiations, both the federal government and the territorial government — as part of the land claim process — sought to identify any existing third-party rights and interests — including trails — that might be impacted by a potential land disposition through that treaty process. During that, they protected those existing rights.

I will just refer briefly to a document that is on the Yukon government website, *Understanding the Yukon Umbrella Final Agreement — A Land Claim Settlement Information Package — Fourth Edition*. It just explains it in easier language than the legalese. The introductory letter of that document is jointly signed by Shirley Adamson, Grand Chief of the Council of Yukon First Nations, and the Hon. Piers McDonald, Government Leader, Government of Yukon.

The document then goes on to explain what the *Umbrella Final Agreement* means, including regarding public access to settlement land. Under the chapter section entitled “Access”, under “2. Public Access to Settlement Land”, it says — and I quote: “The public has a general right of access, without the consent of the affected Yukon First Nation, to enter, cross and

stay on Undeveloped Settlement Land for a reasonable period of time for all non-commercial recreational purposes.

“The public also has a general right, without the consent of the affected Yukon First Nation, to enter, cross and make necessary stops on Undeveloped Settlement Land in order to reach adjacent Non-Settlement Land for commercial and non-commercial purposes, provided that the access is of a casual and insignificant nature, or the route travelled is generally recognized and used and the exercise of the right does not result in a significant alteration to the route.”

To emphasize that one section, I will again quote — makes specific reference to — “... the route travelled is generally recognized and used...” That is a reference to the use of trails. A similar reference occurs under section 3 in that same chapter to commercial access, and again I quote: “... the route travelled is generally recognized and used and no significant alternation of the route is required.”

My point is that this Liberal government appears to have abandoned a guiding principle of 30 years of land claim negotiations by not doing what they should have done early on in this discussion process, seeking to identify existing third-party interests, including trails, which could be impacted by this. In contrast, as shown in a document that they shared with potentially affected property owners, they indicate that — and for the reference of Hansard, I will provide them with a copy of this — quote: the “parcel would be private property and the decision to allow further access to the parcel would rest with the new title holder, a corporation held by TRTFN.”

The minister, as Attorney General, is the senior legal advisor to government. She should be aware of the spirit and intent of the land claims, including the guiding principles of those negotiations, and that does include the importance of identifying potentially affected impacts on third parties.

Governments seeking to understand those rights and seeking to protect them — and again, as I have noted, as I reference from that land claim settlement information package, entitled the *Understanding the Yukon Umbrella Final Agreement*, there is specific reference, as contained in that more plain-language explanation of what the agreements mean, that trails on settlement land are protected. Existing public trails and the existing public right of access on settlement land, including category A settlement land, is protected. So, what the government is discussing right now with the Taku River Tlingit First Nation is providing the ability to exclude existing rights contrary to the spirit of the *Umbrella Final Agreement*, and they have absolutely failed to engage with people who use those trails to attempt to understand those impacts and to understand what rights of access should be protected to provide those Yukoners with a comparative right of access as to what they would have on settlement land owned by any one of Yukon’s 11 settled First Nations.

My question for the minister is: If she has not been actively involved in this, will she now recognize that the government has made a mistake and needs to make efforts now to understand what those existing third-party rights, including trails, are and ensure that any action by government does not negatively impact existing third-party rights and use?

Hon. Ms. McPhee: I appreciate the quotes from the Yukon government website regarding the *Umbrella Final Agreement*. I don’t have any issue with what the member has said about third-party rights, about the existence of those third-party rights, or commercial access or any of those details. I am fully aware of the spirit and intent of the *Umbrella Final Agreement*. Where the member opposite and I differ is the assumption that government has not considered those and that government has not, in the course of some seven years’ worth of conversations, had that consideration. It is not appropriate to go into any of the details.

As I have said, I have not been privy to those negotiations and I certainly am not going to agree with the assumption that government has somehow breached its duty in those negotiations. In fact, I have much confidence that the government has met all of its duty with respect to any negotiations and the consideration of the importance of the *Umbrella Final Agreement* on any of those conversations. I am not speaking specifically to the details of these negotiations because I am not privy to those details, and they are confidential, in any event, and it would not be appropriate.

I take the member’s points about the rights that exist and the conversations that include Indigenous rights pursuant to the *Umbrella Final Agreement* or traditional territories that are affected by those agreements, and the self-governing agreements that arise as a result of that work, but that is where I do not accept the assumption that government has not met its duty.

Mr. Cathers: The minister can refuse to accept it, but I would point out that the document shared with nearby property owners by the Yukon government, entitled “Questions and Answers Regarding the Proposed Transfer of the Áashú Lands to the Taku River Tlingit First Nation”, says specifically — after talking about road access being preserved as unmaintained public road, it says — and I quote: “The rest of the Áashú parcel would be private property and the decision to allow further access to the parcel would rest with the new title holder, a corporation held by TRTFN.”

That statement, Deputy Chair, says that the government didn’t follow through with what has been a guiding principle — 30 years of land claim negotiations — identifying existing third-party rights, including trails used by Camp Yukon and others seeking to understand those rights, and protecting the right of access when a land settlement occurs. They have not done that in the proposed agreement. It is not too late for the government to recognize that they have failed to protect those rights.

I am asking the minister to recognize that they made a mistake and do that. Noting the time and in the interest of allowing the Third Party to ask questions, I will just wrap up with that notation as well as make reference, Deputy Chair, to the fact that in a CBC article dated February 2, 2016, entitled “Federal gov’t ordered to negotiate over Taku River Tlingit’s Yukon land claims”, it says — and I quote: “The Yukon Supreme Court has ordered the federal government to begin negotiations with the Taku River Tlingit First Nation over its transboundary land claim in Yukon.”

“The Atlin, BC-based First Nation filed suit in 2014, asking the court to protect lands it has claimed in Yukon.

“Yukon Justice Ron Veale’s ruling says the federal government agreed to negotiate a land claim agreement with the First Nation in 1984.

“Most of the claim is in BC, but about eight percent is in Yukon — including all of the land about 100 kilometres southeast of Whitehorse around Little Atlin Lake, from Tagish to Jake’s Corner.

“The First Nation argued that Ottawa has not followed through with promises to negotiate a treaty, and control of the land was devolved to the Yukon government in 2003.

“The Yukon portion became contentious after the territorial government decided to build a campground at Atlin Lake, within the First Nation’s traditional territory. The First Nation says the federal government has an obligation to protect the First Nation’s interests...”

My point, as I hand it back to the minister and then to the Third Party, is to note that, in fact, what the government is doing appears to be contrary to the spirit of a court order directed at the federal government because it is affecting some of the same lands in question and appears to be undermining a transboundary land claim agreement. So, the question to the minister would be: Where is the federal government, and why have they not made any efforts to ensure that the federal government is part of this process as a treaty negotiation instead of as some sort of a new process bilaterally between the Yukon government and the TRTFN?

Hon. Ms. McPhee: The Government of Canada, the Government of Yukon, and the Taku River Tlingit First Nation were engaged in exploratory discussions about matters of priority to the Taku River Tlingit First Nation. Those discussions were set aside to allow for the bilateral negotiations that were related to the settlement of the lawsuit, which is where these questions originated.

The focus of these questions has been what happened after the decision of Mr. Justice Veale back in February 2016 in relation to the issue that was before the Supreme Court. The agreement of abeyance was put in place following that decision for the purposes of coming to a settlement. Has the negotiation of that settlement, which is not yet complete, taken an extraordinary amount of time? Yes, it has. Was the Government of Canada involved in early parts of that conversation with respect to what was important to the Taku River Tlingit First Nation? Yes, they were. So, there have been trilateral conversations. The Government of Canada removed itself from that process for the purpose of the other two parties focusing on settlement of the lawsuit, and that is currently what is still going on.

Ms. Blake: I would like to thank the officials for being here today.

I am going to start my questions with a focus on the Whitehorse Correctional Centre. That’s an important topic to me because I receive a lot of calls from folks with concerns.

To start, I’m going to ask a few questions about the Whitehorse Correctional Centre inspection report that was done in May 2018 by David Loukidelis. My first question is on the

summary of recommendations, on points 1 and 2. It’s in regard to mental wellness supports at WCC. My first question is regarding point 2 where it’s recommended that an appropriate in-depth mental wellness screening occurs upon admission at WCC for anyone entering.

I am wondering if that has been implemented. How often are folks screened with the mental wellness screening tool when they are coming in or staying at WCC? What is the current mental wellness training for correctional officers who work within this institution?

Hon. Ms. McPhee: I was a bit remiss in not welcoming back the officials after the break, but we have with us the deputy minister and the director of finance for the Department of Justice. I thank them for their assistance in providing answers here today.

The Whitehorse Correctional Centre offers programming to all clients regardless of their incarceration status; however, the criminogenic programming is mandatory for all sentenced clients. I can note that in a bit.

Mental wellness screening is done for every inmate upon admission. I should note that the average stay for inmates in the Whitehorse Correctional Centre over the last year has been approximately 45 days. The programming at the Correctional Centre is classified into four sections. They are: criminogenic; cultural and spiritual; education, vocational, or health promotion; and leisure, recreation, and well-being. Programming is offered through the facility-based programming staff, contracted service providers, and some professional partners.

Deputy Chair, I am providing this information because I think it all contributes to the health and well-being of inmates.

The Whitehorse Correctional Centre has a dedicated First Nation liaison officer whose work includes connecting inmates with available cultural and/or spiritual supports. Supportive programming at the centre includes opportunities for carving, drumming, fire ceremonies, and talking circles. We also work to build relationships with Yukon First Nations to provide ongoing supports for offenders who are reintegrating into the community.

I can indicate that health services staff receive continuous training on mental wellness and there is ongoing training for all correctional officers. It is a priority to make sure that training doesn’t just happen in one block of time or one opportunity for correctional officers. Every day, they are faced with issues and challenges in doing their work well. The training must be ongoing in order for them to stay up to speed on the importance of mental wellness as well as the opportunities to defuse situations and to protect themselves and other inmates.

I can also indicate that the Whitehorse Correctional Centre partners with Yukon University to provide educational and vocational options for clients. Cultural programming, including emphasizing First Nation culture, is provided by contracted services for the provision of carving programs, as I have said, and drumming, talking circles, and fire circles, et cetera — and targeting referrals for individuals to have ongoing community support and assistance.

As there may be other questions, I will stop there.

Ms. Blake: My next question is in regards to points 4 and 5 of the summary of recommendations that are referencing the FASD strategy for Corrections in Yukon. Are inmates still being assessed and diagnosed for FASD? Point 5 recommends that there should be an implementation of a program for managing the behavioural difficulties that FASD clients exhibit. I am just wondering where this is at. What is happening with the assessments — or if there is a program in place to support both the client and the employees who work within the institution when it comes to supporting folks who are living with FASD?

Hon. Ms. McPhee: I thank the member for the question. Case managers are assigned following initial assessment to every inmate or client of the Whitehorse Correctional Centre. They may offer referrals for clients to a number of places. The health promotion programming is presented at the Whitehorse Correctional Centre through the health services team that works there on relevant topics up to twice a month, including substance use counselling. It is also offered by the Aurora Wellness Group in response to referrals submitted through the Whitehorse Correctional Centre case management teams.

This contractor with Aurora Wellness Group began seeing clients in November of 2022. Case managers may also refer inmates to the forensic complex care team, which is therapeutic programming supported at the Whitehorse Correctional Centre where they can be referred as appropriate. Those therapists conduct most of the therapeutic counselling and deliver most of the therapeutic programming. The therapeutic counselling may be either individual- or group-based and often includes individual counselling for specific issues. Individual counselling is also available to address mental health issues or substance use concerns.

I can also indicate, in relation to recommendation 5, I think, of Mr. Loukidelis' report, that the FASD strategy is recognized there. The FASD action plan calls for and sets up an assessment committee. It is staffed by Health and Social Services' staff and case managers can make a referral to the assessment committee which would indicate that an individual could get the specialized assessment and services if FASD were an issue.

Ms. Blake: I thank the minister for the response to my question. In regard to case management under recommendation number 6, there is a recommendation that Justice and Health and Social Services work with the Corrections branch to conduct a review on their approach to client case management. I believe that case management is so important for people who are incarcerated at WCC because that is an opportunity to look at the challenges they face with access to housing or if they are dealing with homelessness and to figure out solutions to those issues that they come in with. There is a recommendation that case management be made available to all clients, both sentenced and remanded, and I am just wondering if that is happening or is case management only offered to folks who are sentenced?

Hon. Ms. McPhee: Thank you for the question. I do want to say that all of the recommendations made in the report from Mr. Loukidelis have been implemented. I know that

because I worked closely with the committee that was set up not long after that report came and their primary job was to make sure that those recommendations were implemented. But I do appreciate the questions because sometimes things that were important at the time may change or they may not have survived a longer period of time, and I know this well. The then-assistant deputy minister in charge of the Correctional Centre and other responsibilities in the Department of Justice was the co-chair of that committee, so overall — just as a comment with respect to the recommendations — they have been implemented.

In specific response to the question asked about the importance of case management, I certainly agree that the importance of case management is critical, particularly to inmates who might for the first time benefit from having a person help them navigate certain systems. It does manage to make sure that individuals get services that are geared to their needs, geared to their issues, and are responsive for the short period of time that they stay at the Whitehorse Correctional Centre. It's an opportunity to intervene and hopefully assist them in a way that will be positive going forward. Case management services are provided to all inmates regardless of their status.

Ms. Blake: My next question is in regard to recommendation 11. It is recommended that the government, at this time, remove WCC's statutory designation as a hospital. I am just wondering if this has been completed.

Hon. Ms. McPhee: I appreciate this question as well. This has long been an issue — not only in the review done by Mr. Loukidelis but before that and after that — for me and for deputy ministers to make sure that we make this correct. I did have a conversation with Mr. Loukidelis about the fact that this would take some period of time so that we could provide an alternative in order for this designation to be removed. I should also indicate that the designation is in the *Criminal Code* and, as a result, will require us to sort out the changes to that.

Back in 1993, pursuant to section 672.1 of the *Criminal Code*, the Minister of Health and Social Services ordered that the facilities be designated as hospitals for the custody, treatment, and assessment of an accused in respect of whom an order or disposition or placement is made under the *Criminal Code*. At that time, Whitehorse General Hospital, mental health services of Health Canada, and the Whitehorse Correctional Centre were named. Those three are the designations. I appreciate those are the parameters of the question.

Our government continues to explore alternatives to that designation that would facilitate removing the Correctional Centre's designation as a hospital without compromising client care or decreasing institutional safety or increasing risk to the public. The complex needs of individuals who require forensic care as well as the limited availability of crucial resources in the territory have historically presented challenges. I think that is where it came from originally — not that I am defending that designation, but the Whitehorse Correctional Centre statutory designation as a hospital will at this time be maintained for the purpose for detaining individuals found not criminally responsible or unfit for trial on a very short-term basis. It is a

safe place should a court make those designations for an individual.

The Whitehorse Correctional Centre does not have the capacity to house individuals who require proper forensic care for prolonged periods of time so it would only be a short-term period of time. Individuals who have complex care requirements are more appropriately placed in accredited psychiatric facilities capable of delivering appropriate health care by medical professionals who specialize in those psychiatric services. If that were the case, an individual would likely be transported to such a facility. We have relationships with certain facilities, mostly in western Canada, although I know that some individuals have on occasion gone to Ontario for the care that they need if that was the appropriate place.

I should also note that, whenever possible, I am well aware that the Department of Justice and, on occasion, the Department of Health and Social Services are financially responsible for returning someone to the territory if there was to be a hearing or — we have had someone return for a family funeral — those things. Of course, they require someone to go and get them and to transport them back and then return them to wherever they are receiving care. Those are things that we try to facilitate whenever possible so that when individuals who do need, for various reasons, to be outside of the territory for such care can still have a connection to this place.

Ms. Blake: I thank the minister for her response to my question. I think I will switch gears from this Loukidelis report, but my question with this report — I was just wondering if there is an updated report on how these recommendations have been implemented for Yukoners to be able to reference, because there are a lot of great recommendations in here in terms of enhancing the supports that are provided to folks who are incarcerated, particularly those who are in segregation — so if an updated report is available, if I could have access to that.

Hon. Ms. McPhee: I don't want to go by memory. I believe that we did publish a report card of some kind or a list of recommendations and how they were implemented, but I will check to determine if that is the case and provide it to the member opposite, of course, as well as any citation or location where she can find it online, but we will get a copy for her. I believe that is the case, but, as I say, I don't want to rely on my memory. Pre-COVID activities are virtually gone from my mind, but I do recall us having produced a document. I will see if that has been made available to the public.

I do agree absolutely with many of the recommendations — well, not agree with them, but the reference to the individuals who are held in solitary confinement, as it used to be called, but what I can indicate, of course, is that we have made progressive changes to the *Corrections Act* since we have been here and since that report, for the purposes of making the most progressive legislation almost in Canada with respect to those terms. The changes that were made were positively driven by the details of this report, so I will check on a report card and provide it to the member opposite.

Ms. Blake: My next question is in regard to case management. There are a lot of folks who reach out to me from WCC who have gone into WCC incarcerated and they're

homeless. What work is being done within WCC when it comes to case management to ensure folks are not being discharged to the shelter or onto the streets but into secure housing and at least given a chance for stabilized living?

Hon. Ms. McPhee: Thank you for the question. I have spoken about this before, because I think that I share the concerns of the member opposite with respect to transition out of custody at the Whitehorse Correctional Centre and how we can do that better. I don't have any details from case management at the moment about how many matters they deal with to assist connecting individuals to care and perhaps to a residence or some place to live. What I can say is that case managers have the responsibility to deal with individuals to try to make sure that they are connected to services that they need and surely that includes some housing. I can also speak briefly about the supervised housing being a critical component of the criminal justice system that contributes to a safer and healthier Yukon.

Our government supports the non-custodial supervised housing that enables justice-involved individuals to gradually reintegrate or remain unsupervised in the community. Connective has been operating the supervised housing and reintegration program for men who are justice-involved since May 2020. As I said earlier today, I believe, in an answer: They provided services to 97 bail and probation clients and 12 federal parole clients. SHARP — the supervised housing and reintegration support program for men involves individuals who are required by court order to stay there but also who may be staying there as a result of issues around housing, supervision, or assistance in the community — those kinds of things — when they are leaving a sentence at the Whitehorse Correctional Centre.

Whitehorse Correctional Centre case managers continuously reach out to community partners, to families, and to identified support persons on the discharge of clients and make best efforts to try to support them as they transition back into the community and that would include a place to stay.

Ms. Blake: Thanks to the minister for that response. The next question I have is in regard to phone calls that are being made by inmates within the Whitehorse Correctional Centre. I understand that when phone calls are made, all calls are recorded and there is a time limit on the calls that inmates are allowed when a call is placed. I guess my question is: If someone is serving time at WCC and they place a call to a lawyer or to me, as their MLA, are those calls recorded? Also, is there a time limit when those calls are being made to me or their lawyer?

Hon. Ms. McPhee: We are checking on the issue of time limits. By recollection, my colleague, who spent many hours with individuals who were spending time at the Whitehorse Correctional Centre, does not recall time limits but we will check to determine if that is the case.

It has been a while for both of us so, that said, let me say that all calls are recorded, although they are not accessible to anyone unless there is a particular process to go through to determine if that was part of an investigation or something important. Conversations with legal counsel are privileged and

therefore not recorded. The information that I have with respect to time limits is that the time limit is 60 minutes per call so one hour per call. There wouldn't be any issue about continuing a conversation if need be, but initially that is the case. The other thing I can note is that — because the member opposite gave two examples — a conversation with a Member of the Legislative Assembly would not be considered privileged and therefore would be recorded as if someone had called their family member or friend, but the conversations with lawyers are privileged and not recorded.

Ms. Blake: Thanks to the minister for clarifying that information for me. I will pass it on when folks ask.

I have printed a document from the Yukon government website that says, "Get in touch with an inmate at the Whitehorse Correctional Centre". In one section, it refers to the cost of collect calls: "Collect calls cost \$1.85 per 20-minute phone call. Long-distance collect calls cost \$1.50 for a connect fee plus \$0.30 per minute." How I understand this is that these costs are paid for by the inmate. My question is: Where does this money go? On here it says that the calls are, I guess, provided by Synergy. Does this money go back to Synergy or does it stay within WCC?

Hon. Ms. McPhee: A portion of the revenue from this program goes to the operation of the technology for the programming for the services and the phone system. An additional percentage of that — it is not spent on the materials for the programming — goes to Victim Services.

Ms. Blake: I am looking at "Yukon Corrections: Adult Custody Policy Procedures", section A, "Authority and Administration". It's dated January 11, 2010. Under the provision for the wage scale, it outlines the minimum and maximum amount that inmates are allowed to earn for each job. I am wondering what the number of hours are that inmates have to work to earn the set wages, depending where they are working within the institution. How many hours do they have to work, and are these all seven days a week? Have these wage rates increased since 2010?

Hon. Ms. McPhee: I will look up the document that is being referred to, or someone at my office will look it up and I will see it.

With respect to the total hours — we don't want to go by memory so we can look and provide that answer to the member opposite. I can indicate that the wages are currently being reviewed, which is why we know that they haven't been reviewed previously, but they are currently under review by the department.

Ms. Blake: I have so many questions about WCC. I guess one of the bigger questions that I wanted to ask is in regard to cultural programming and supports, or access to cultural foods. I know that we are in the Yukon and a lot of the services are geared toward Yukon First Nation culture. I am wondering if there is any work being done in the Department of Justice to work with the Government of Northwest Territories to incorporate any of their cultural practices within WCC for folks who are from the Northwest Territories.

Hon. Ms. McPhee: I have noted before, as part of my conversation today, the importance of the case managers and

the importance of the programming that is provided at WCC being geared to individual needs. I will just repeat that, in all instances, they strive to make sure that the individual's concerns, cultural knowledge, cultural specificity, and cultural practices relate to the individual. There would be no problem whatsoever, if it was accessible, to determine if an individual had a particular practice, for instance, and make sure that it was accommodated. We are working very diligently on the casework management of individual inmates to make sure that they receive, when in our care at the Whitehorse Correctional Centre, as much support as entirely possible.

Ms. Blake: My next question is in regard to substance use treatment supports for folks who are incarcerated. I have heard from a few individuals who have served out their sentence within WCC and they shared concerns about the access they had to hard substances within WCC. My question is: Are there treatment programs available for inmates who are sentenced at WCC to access? Are inmates able to access any treatment services outside the territory? If so, who covers the cost of that?

Hon. Ms. McPhee: I can indicate that we do have individuals from Health and Social Services working on the health services team that operates at the Whitehorse Correctional Centre. Substance use counselling, as I noted earlier, was offered by the Aurora Wellness Group in response to referrals that were submitted through the Whitehorse Correctional Centre case management, and this contractor providing Aurora Wellness Group services and counselling began back in November 2022.

Clients who receive physician-supervised opioid agonist therapy — also known as OAT — are required to attend substance use counselling as part of that OAT treatment programming. It is facilitated by WCC health services staff and they referred all clients who required such attention to attend counselling to the contractor who is provided.

In conjunction with Health and Social Services, Whitehorse Correctional Centre offers two five-week intensive treatment sessions at the facility for substance use issues.

Ms. Blake: In regard to the Justice 2023-24 statistics, under the subject of "inquest", I am just wondering when we will see the inquest into the deaths that happened at the Whitehorse Emergency Shelter?

Hon. Ms. McPhee: Thank you, Deputy Chair, and I appreciate the question.

The coroner is responsible for the timing, calling, supervision, and the operation of inquests. The coroner has announced publicly that she will be conducting such an inquest. I don't have any more information than others in the public do. She operates independently and, of course, is supported administratively by the Department of Justice but operates independently with respect to those inquests. As a result, the dates, times, and the operation of that inquest and any others will come from the coroner directly. Other than the announcement of it, I don't have any dates as to when it will be completed.

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

Deputy Chair: It has been moved by the Member for Riverdale South that the Chair report progress.

Motion agreed to

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

Deputy Chair: It has been moved by the Member for Mount Lorne-Southern Lakes 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 Deputy Chair of Committee of the Whole?

Chair's report

MLA Tredger: Mr. Speaker, Committee of the Whole has considered Bill No. 25, entitled *Act to amend the National Aboriginal Day Act (2023)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 208, entitled *First Appropriation Act 2023-24*, and directed me to report progress.

Speaker: You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:27 p.m.

The following sessional paper was tabled April 18, 2023:

35-1-95

Seventh Report of the Standing Committee on Rules, Elections and Privileges (April 18, 2023) (Mostyn)

Written notice was given of the following motion April 18, 2023:

Motion No. 707

Re: Jewish Heritage Month (Dixon)

The following written questions were tabled April 18, 2023:

Written Question No. 38

Re: electricity supply and demand (Van Bibber)

Written Question No. 39

Re: power outages (Van Bibber)