



Yukon Legislative Assembly

Number 169

1st Session

35th Legislature

HANSARD

Monday, March 18, 2024 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2024 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

LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Acting Deputy Clerk	Allison Lloyd
Clerk	Christopher Tyrell
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

Yukon Legislative Assembly
Whitehorse, Yukon
Monday, March 18, 2024 — 1:00 p.m.

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

Prayers

Speaker's statement

Speaker: The Chair would like to remind members to have their devices on silent while in the Assembly, as per rule 3 of the *Guidelines for the Use of Electronic Devices in the Chamber*.

Withdrawal of motions

Speaker: The Chair also wishes to inform the House of a change made to the Order Paper. The following motion has been removed from the Order Paper, as it is outdated: Motion No. 878, standing in the name of the Member for Whitehorse West.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Clarke: Mr. Speaker, for the Global Recycling Day tribute, I have the privilege of welcoming the following persons — and I can advise that this accurate as of about three or four minutes ago. I apologize in advance if I miss anyone.

From the Department of Environment, we have Bryna Cable and Michelle Falloon, from the Department of Community Services, Dave Albisser. Welcome to the Assembly.

There is a fairly long list of persons from the Raven ReCentre: Jacqueline Bedard, Vishal Kumar Sethi, Heather Ashthorn, Robin Reid-Fraser, Jagtar Singh, Michelle Sholea, Danny Lewis, Rob Florkiewicz, Alexandra Cimarno, Zebulon Berryman, Omar Cantu, Harshpreet, Joost van der Putten, and Steve Parker. I also perhaps have Ian MacDonald.

Welcome to the Assembly. Thanks so much for coming today.

Applause

Hon. Mr. Mostyn: Mr. Speaker, I have today the assistant chef de mission for the Arctic Winter Games, Lucy Steele-Masson. She is an accomplished skier in her own right, and it is nice to have her here in the Chamber today. We have lots of people coming off the plane today. She is here to represent the team and the whole mission.

Please join me in welcoming her to the House this afternoon.

Applause

TRIBUTES

In recognition of Global Recycling Day

Hon. Mr. Clarke: Mr. Speaker, I rise today to pay tribute to Global Recycling Day. Observed annually on March 18, Global Recycling Day celebrates the important role that recycling plays in reducing waste and preserving our planet's natural resources.

The theme of this year's Global Recycling Day is "Recycling Heroes". We are fortunate to have passionate individuals, businesses, and organizations at the forefront of recycling in the territory.

First, I would like to acknowledge the dedication and hard work of industry, public servants, the City of Whitehorse, First Nations and municipalities, Yukon businesses, and non-governmental organizations for their contributions to recycling and waste-reduction initiatives.

Today is a great opportunity to highlight Lumel Studios' new glass project as an example of salvaging recycling materials rather than disposing of them. Lumel recently purchased a new kiln that is able to melt glass products into usable glass for their artwork — an incredibly creative solution to manage and recycle glass waste.

Mr. Speaker, other recycling heroes include the Whitehorse Community Thrift Store, Changing Gears, and other thrift and free stores that contribute to reuse efforts and reduce textiles in landfills.

Next, I would like to recognize the efforts of service providers who carry out critical programs to support recycling in the Yukon: Raven ReCentre, P & M Recycling, community depot and free store operators, and Whitehorse blue bins. These services are integral to our community and I applaud your ongoing leadership as environmental stewards.

I would also like to recognize and thank the solid waste committee. This committee is exploring how we can improve our territory's recycling system and has been a big support in exploring how we can use the *Designated Materials Regulation* and extended producer responsibility to help us do just that.

Extended producer responsibility will provide a long-lasting solution to the underlying structural issues facing the Yukon's vulnerable recycling system and will reduce the cost of recycling to Yukon taxpayers and municipalities. Over the next two years, the Yukon government will work with national producers, local businesses, municipalities, and industry representatives in order to establish the details of an extended producer responsibility framework and implement the program by 2025. This is just one more step in the ongoing efforts to improve the Yukon's waste management and recycling regime.

As you can see, reducing waste and promoting recycling is a collective effort and takes heroes at every level — individually and within industry and government.

To close, I would like to thank all Yukoners for their commitment to recycling and waste diversion. Together, we continue to push the territory toward a modern, sustainable recycling system and a greener, healthier future.

Applause

Ms. McLeod: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize today as Global Recycling Day. Recycling promotes individual stewardship and personal responsibility. We have taught our children from a very young age to reduce, reuse, and recycle; so, across generations, this has transpired into healthy, moral habits and environmentally conscious practices in our day-to-day lives.

Many changes are happening regarding recycling, and I know that conversations are still happening that will determine the next steps for recycling across the territory. Recycling is an important part of waste diversion and ensuring that Yukoners are able to continue this practice is important despite massive changes being made to the overall structure.

I would like to recognize the communities, organizations, and businesses that are working to improve the efficiency and effectiveness of recycling and waste diversion across the territory.

Applause

MLA Tredger: Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate Global Recycling Day and to celebrate the unsung heroes of recycling, some of whom are in our gallery today.

It is a day to honour the magical-seeming process that takes our everyday trash and transforms it into treasures big and small. Recycling is a powerful way to protect our environment. Global Recycling Day is also a reminder of the other important Rs: rethink, redesign, reduce, and reuse.

I want to thank the many people making the whole spectrum of waste reduction happen, from recycling centres to thrift stores and free stores to businesses supporting people to reuse products and packaging to repair cafes and tool libraries and to art projects celebrating the circular economy.

There are so many innovative and delightful examples that I am reluctant to say just one, but I have to share one from just last weekend, which was the Chapeau Showdown at Thaw di Gras in Dawson. At this event, people made hats out of recycled materials. I say “hats,” but truly, the creations pushed that category to its limit. It was wonderful to see the creativity that was made possible through recycling. I have a particular love for projects like this that take the challenge of creating a circular economy and point out its joy and possibility.

On Global Recycling Day, let’s celebrate the art of sustainability and thank Yukoners for their efforts, innovation, and entrepreneurship to help us all to reduce, reuse, and recycle.

Applause

In recognition of 2024 Arctic Winter Games and Team Yukon

Hon. Mr. Mostyn: Mr. Speaker, I stand today to pay tribute to Team Yukon, which represented the territory at the 2024 Arctic Winter Games in Mat-Su Valley, Alaska. As we have become accustomed to, our athletes, coaches, cultural delegates, and mission staff have blown us away with their performances and sportsmanship. We were all proud of how the team conducted themselves as ambassadors for their communities and the Yukon. Every one of Team Yukon’s

athletes proved that hard work, dedication, and training leads to positive results.

Those results earned many ulus. The Yukon won 162 ulus: 59 gold, 45 silver, and 58 bronze, putting us second in the medal standings, only behind Alaska. However, whether our athletes made the podium or not, we are proud of them for going out there and doing their absolute best. That shows, as the Yukon was presented with the Hodgson Trophy for the first time since 1998. It is given to the contingent whose athletes best exemplify the ideals of fair play and team spirit. That deserves congratulations to every member of Team Yukon. Thank you for representing our territory so well and with such respect for the host communities, your competition, and each other. It’s absolutely amazing, Mr. Speaker.

Our athletes can’t reach the heights they did without support. I applaud the parents, guardians, friends, and partners for supporting every member of Team Yukon and enabling their participation. I thank the mission staff; because of their dedication, the athletes and coaches were able to focus squarely on their competitions.

As we close the chapter on the 2024 Arctic Winter Games, we eagerly await the 2026 games, which will be hosted right here in Whitehorse. The Yukon looks forward to welcoming the circumpolar north, but we especially look forward to cheering on Team Yukon on our home turf.

Congratulations again to Team Yukon.

Applause

Mr. Dixon: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to pay tribute to our 2024 Team Yukon, which just returned from the territory of Mat-Su Valley, Alaska after a week of competition.

They returned with 162 pieces of hardware that placed them second overall at the 2024 Arctic Winter Games. Beyond those medals, Team Yukon was selected for this year’s Hodgson Trophy, which is awarded to a jurisdictional contingent whose participants best display fair play and team spirit. As the minister said, that is an award that all members of Team Yukon should be very proud of.

Beyond the podium, they returned with experiences and memories, huge team spirit, and personal accomplishment. Individuals from Alaska, Yukon, Northern Alberta, NWT, Nunavut, Greenland, Nunavik, and Sapmi competed in 20 different sports and cultural activities. The games provide an incredible opportunity for not only athletic competition but to promote cultural and social exchange for youth across the circumpolar north.

The Yukon contingent consisted of over 350 athletes, coaches, mission staff, and cultural performers. I would like to congratulate all athletes for their hard work and dedication to sport. Thank you to chef de mission Trevor Twardochleb, assistant chef de mission Lucy Steele-Masson, mission staff, coaches, volunteers, and all those who support our athletes at home and at practice.

I know that all Yukoners are looking forward to the 2026 games that will be hosted here in Whitehorse. A special shout-out to Megan Cromarty, the general manager of the 2026

games, who is leading the preparation for that important work. We are all looking forward to hosting those games in 2026.

Applause

Ms. Blake: Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate the 2024 Arctic Winter Games.

We extend our deepest gratitude to all who have contributed to making this year's Arctic Winter Games a success, including the many coaches, volunteers, coordinators, athletes, and cultural performers.

The Arctic Winter Games is about ongoing investments and opportunities for youth and for communities to come together through the power of sports and culture. This empowers the youth athletes from across the circumpolar north to learn about the diversity of culture while experiencing their passion for sports and character development.

As athletes gather for the Arctic Winter Games, they wear vibrant colours and carry flags that remind all folks that these are young ambassadors who are representing the regions they come from, and they do so with great pride.

At each Arctic Winter Games, the Arctic Winter Games International Committee presents the Hodgson Trophy to the contingent whose athletes best exemplify the ideals of fair play and team spirit. Scrimshaw decorates the narwhal tusk that stands as the centrepiece of the trophy, which is mounted on a soapstone base. A walrus carved into the base wraps itself around the tusk. Near the top, a soapstone bear clings to the tusk to symbolize reaching for the top in competition and fair play. This year, we would like to extend our congratulations to Team Yukon on being the recipients of the Hodgson Trophy.

Thank you for representing our territory, and we are so very proud of you. Mahsi' cho.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McPhee: Mr. Speaker, I have for tabling a copy of an article from the *Whitehorse Star* from Friday, March 15, 2024 entitled "Their pay, benefits and pensions will be protected".

Hon. Mr. Streicker: Mr. Speaker, I have for tabling a legislative return based on a response to a question from the Member for Takhini-Kopper King from March 11, 2024.

Hon. Ms. McLean: Mr. Speaker, I have for tabling today five letters. The first is to the Yukon Association of Education Professionals from me, dated March 15. The remaining four letters were sent from the Deputy Minister of Education, dated March 11. They were sent to the Yukon First Nation Education Directorate; the Yukon Association of School Councils, Boards and Committees; LDAY Centre for Learning; and Autism Yukon.

Ms. White: Mr. Speaker, I have for tabling today a letter from the Yukon Dental Association to the Minister of Health and Social Services.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

Mr. Dixon: I have the honour to present the *Sixth Report of the Standing Committee on Public Accounts*.

Speaker: Are there any further reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House is committed to modernizing Yukon's legislation to ensure that the territorial laws are inclusive and reflect the realities of Yukon families.

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

THAT this House urges the Government of Yukon to immediately begin consultation and work on the development of a Yukon firearms act that would:

(1) support the establishment of a chief firearms officer for the Yukon;

(2) protect the private property rights of law-abiding firearms owners; and

(3) support the creation of a regulatory framework that would limit the implementation of any federal firearms confiscation program.

Mr. Istchenko: Mr. Speaker, I rise to give notice of the following motion:

THAT the Speaker of the Yukon Legislative Assembly transmit to the Prime Minister of Canada that it is the opinion of this House that the Government of Canada's planned increase to the carbon tax on April 1, 2024 should be cancelled.

Hon. Mr. Streicker: Mr. Speaker, I rise to give notice of the following motion:

THAT this House congratulates West End Developments, the Yukon-based development company consisting of Da Daghay Development Corporation, Northern Vision Development LP, Kobayashi and Zedda Architects Ltd., and Ketz Construction Corporation, on the acquisition of the 5th and Rogers land parcel and their vision for the development of this site to create housing, to realize First Nation economic reconciliation, and help to establish a new sustainable downtown neighbourhood.

Ms. White: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to work with affected unions to mitigate the 52.8-percent increase to extended insurance benefits for Yukon government employees and retired employees.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to eliminate the \$50 dispute resolution fee waiver from the *Residential Tenancies Regulation* for tenants.

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

THAT this House urges the Government of Yukon to work with the Post COVID-19 Working Group to develop a post-COVID condition-specific support program.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to remove the \$250 deductible fee from the *Chronic Disease and Disability Benefits Regulation*.

Speaker: Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Extended health benefit insurance for Government of Yukon employees

Ms. Clarke: Mr. Speaker, late last week, the Public Service Commission informed employees and retirees that their extended health care premiums would be increasing by an incredible 52.8 percent. Since then, we have been hearing from dozens of current and retired employees about how challenging this 52.8-percent increase in their monthly premium will be.

Can the minister responsible for the Public Service Commission explain this massive increase and how the decision was made?

Hon. Mr. Silver: Mr. Speaker, the decision is a joint action committee's, made up of employers and employees; that's how the decision was made.

Ms. Clarke: This change is particularly challenging for retired government employees who are often on a fixed income. A 52.8-percent increase in their monthly health premium is a huge hit and one that will only make the cost-of-living crisis that so many Yukoners are facing even worse. Many folks who received the e-mail have pointed out that the e-mail was sent on March 14 and it included a March 25 deadline for amending coverage before the April 1 increase starts.

Can the minister explain why the Public Service Commission waited until the last minute to inform those affected? Why wasn't more notice given about such a dramatic increase?

Hon. Mr. Silver: Mr. Speaker, I will give some context here. Again, the Yukon's situation when it comes to increases to the plan are not unique to the Yukon. Plan sponsors and

insurers are expecting increasing claims right across the country, and this is due to a rise in usage and also inflation.

The process that the member opposite is asking about — again, this is the *Public Service Group Insurance Benefit Plan Act*. The administration of this benefit plan is the responsibility of the Joint Management Committee — the JMC — and the JMC is a committee that is made up of both employee and employer representatives. They are responsible for determining the benefit design, setting the premium rates, and operating on a consensus basis.

Further context to this particular issue is the fact that the government — the employer itself — pays 85 percent of the premium, so it's not lost on us as far as the increased costs go; I believe the government will be on for paying \$7.6 million in increases. During the COVID pandemic, we saw not as much of an increase in the rates, but again, the fluctuations are based on usage and also the inflationary times that we currently find ourselves in.

Ms. Clarke: Even the pension administrators who are tasked with responding to the dozens of concerned e-mails from current and former employees have acknowledged that this increase is dramatic. Some have called the increases distressing and shocking. Judging from the many e-mails we have received about this, I think that those statements are accurate.

Everyone knows that, given the cost-of-living crisis that is affecting Yukoners, such a dramatic increase is going to be very tough for many people to bear. Will the minister agree to work with our benefits provider to explore options to address this shocking rate hike? Perhaps they could spread the increase over a number of years or negotiate a better deal that recognizes the extremely challenging cost pressures that Yukoners are currently facing.

Hon. Mr. Silver: Mr. Speaker, again, the responsibility of this is with the Joint Action Commission. As I mentioned before, it's not up to the minister responsible to negotiate. However, the benefits are an extremely essential part of our employees' compensation packages, which help to provide peace of mind and quality of life for our employees, for our retirees as well, and for their families. It is extremely important that we have the coverage necessary. Insurance coverage helps all of our employees and retirees when they need the assistance to cover medical expenses or provide financial protections in times of illness and injury or unexpected events.

The rates are going to go up anywhere from \$15 to \$50 for employee benefits. Again, the increase in contributions to insurance benefits is due to an increase in the overall benefits used, benefit coverage, costs per claim, specific costs associated with high-cost specialty drugs, vision claims, paramedic services, out-of-country expenses, and also insured administration fees. We have one of the best plans in the country and it is important to note also that, as the employer, 85 percent of the premiums go on to the Government of Yukon.

Question re: Managed alcohol program

Mr. Cathers: Mr. Speaker, in January, the Liberal government announced that the new managed alcohol program, which is a commitment of the confidence and supply

agreement, would be housed in what is currently the St. Elias Adult Group Home. The home on Hoge Street in downtown Whitehorse was purpose-built to support services that meet the needs of adults living with cognitive or developmental disabilities, and some residents have been living there happily for years.

Beginning this week, residents of the St. Elias home will start being moved to new locations in Whitehorse. We understand that the new managed alcohol program was a promise made to the NDP in CASA, but we also understand that many of the residents and their families, as well as advocates, are wondering why this location was chosen and why these residents need to be uprooted and moved from their home.

Can the minister tell us why this location was chosen for the new managed alcohol program?

Hon. Ms. McPhee: Mr. Speaker, as is always the case, I am very pleased to be able to stand to speak to Yukoners about improvements in services — in particular, the managed alcohol program in this case. It is incorrect that the building was purpose-built for individuals who currently reside there. In fact, it was purpose-built quite some time ago in contemplation of the managed alcohol program, but in the spring of 2024, we will be implementing a managed alcohol program. This is one of the initial 14 actions under the *Substance Use Health Emergency Strategy* and a commitment under the 2022-23 confidence and supply agreement. Mental Wellness and Substance Use Services is working to finalize policies and programs. The individuals who are moving from that location are being moved to living situations that are more well-designed for their treatment and for their care. As a result, they will have improved services, while the building that is currently being used at that location will be for managed alcohol residents.

Mr. Cathers: Mr. Speaker, I would encourage the minister to refer to the press release from when the home opened. She's indebted to her imagination for her facts here today.

Being forced to move from a home where you are comfortable, supported, and happy is a challenge for anyone. This is even more challenging given the nature of the services and supports offered to residents of the St. Elias Adult Group Home, which was purpose-built for them. Disturbingly, the minister didn't see a need to ask people who were being moved — or their families — what they thought. Now they are being moved out of their home to other locations.

Will the minister at least give some assurance to people who are being moved? Can residents and their families expect to continue to receive the same level of care and support, programming, and activities, as well as therapeutic supports, as they have been receiving at the St. Elias Adult Group Home — yes or no?

Hon. Ms. McPhee: Mr. Speaker, the individuals who reside at that location currently — some have been moved already — are of great concern to the individuals who work with them on a case-by-case basis, one on one. They are being cared for and supported in a way that is of primary concern to

the individuals who work with this population of folks at Health and Social Services.

I am always concerned when questions from the opposition seem to indicate that individuals who work with Health and Social Services — professionals, experts in their field — would not care for or continue their work in a way that is positive and to the benefit of individuals whom they serve.

They are very clear about the individuals they serve and about the responsibilities they have to provide that kind of service for individuals. The care, as I have said, for the residents is designed to be an improvement for those folks. I know that they look forward to that and that the opportunity for them to progress and move to a new location is a positive one.

Mr. Cathers: Mr. Speaker, what we're suggesting — the only thing that we are suggesting — is that the minister and her colleagues chose not to consult with the people being forced to leave their home or with employees. As well as being a surprise to residents of the facility, the announcement in January surprised employees of the St. Elias group home. We understand that there are about 27 employees there and the majority of them will be relocated to other jobs in the department. We have heard from employees who are concerned about the change and what it will mean for residents and for them.

What will happen to the current employees who staff the St. Elias group home? Will they be offered new positions within the branch of the department? Will they have any say in what their new jobs will be, or will they simply be offered a take-it-or-leave-it job offer somewhere else in government as a result of this political decision made by the minister and her colleagues?

Hon. Ms. McPhee: Mr. Speaker, I don't know what constitutes a political decision for the member opposite, but all of our decisions are made with respect to the best interests of the people whom we care for. The managed alcohol program was, of course, considered many years ago by the Beaton and Allen report. It is a service that is absolutely required, an improvement for individuals who are subject to alcohol treatment that is necessary in this way. The program will attempt to reduce harms related to alcohol use and abuse among people who are living with severe treatment-resistant alcohol use disorder. This includes reducing instances of emergency services and non-beverage alcohol consumption and increasing social stability.

The initiative will help protect one of Yukon's most vulnerable populations and will support public health and resource allocation. Employees will be protected. Their pay and benefits, of course, will be protected and their pensions will be protected. This is a line that the members opposite continue to use for scare tactics. It is not the case. This government will follow the law and protect our employees.

Question re: Dental care program

Ms. White: Mr. Speaker, Yukon dentists are urging the Yukon government to keep the Yukon dental plan. The Yukon dental plan brought on by the confidence and supply agreement is a success story. Every week, we hear from Yukoners who are

now able to see a dentist — and many for the first time in years. Despite this, the government has been wishy-washy about the future of the Yukon dental plan. We have heard from dentists that this plan works. In a letter to the minister, the Yukon Dental Association wrote that the plan — and I quote: “... is truly a universal dental care that has already and demonstrably changed the lives and smiles of many people living in the Yukon Territory, and we hope it can continue to do so for years to come.”

I share the same sentiment as the Yukon Dental Association and so do Yukoners. Will this government listen to the expert opinion of the Yukon Dental Association and keep the Yukon dental plan going forward?

Hon. Ms. McPhee: Mr. Speaker, I certainly respect the opinion of our health care partners. I think that we have demonstrated that as a government going forward, and we will continue to demonstrate the importance of working with experts in the field. The Government of Yukon is committed to ensuring that dental care is accessible for Yukoners as we continue to implement recommendations from *Putting People First*.

In January 2023, we launched the Yukon dental program to provide dental benefits to eligible Yukoners — far before most jurisdictions in this country. The program is intended to complement our current programs and to provide eligible Yukoners with access to essential dental care. Eligible Yukoners, particularly seniors, who are registered through the pharmacare and extended health benefits program also can receive annual dental checkups, cleanings, and fillings.

This program is extremely successful, and the opportunity for Yukon to once again lead in the area of health care has been demonstrated.

Ms. White: Mr. Speaker, what was asked was for support of the Yukon dental plan going forward. So, the federal plan is a great start for other Canadians, but the fact of the matter is that it is not as good as the Yukon dental plan. Our Yukon dental plan is an actual universal coverage program. Unlike the Canadian dental care program, all eligible Yukon dental plan patients pay zero dollars up front. It also has no additional administrative burden, and unlike the cumbersome Canadian program, Yukon dentists have reported that the Yukon plan integrates seamlessly with existing insurances and claims processing. The Yukon plan also gives patients the right to choose. All Yukon dentists are covered through the Yukon plan by default, and under the Canadian program, only doctors who register will be eligible. Our plan gives people options, it gives people comprehensive coverage, and it has dentists and administrators in mind. If this government decides to replace the Yukon dental plan with the Canada dental care program, it will be a huge loss for Yukoners.

So, how can the government justify opting for a federal program that claws back dental programs for Yukoners?

Speaker: Order, please.

Hon. Ms. McPhee: Mr. Speaker, as always, speculation and incorrect information does not benefit Yukoners. It certainly doesn't benefit Yukoners to come from members who are elected to this Legislative Assembly.

A phased launch began in December 2023 with respect to the federal dental program, and the new Canada dental care plan is opening with applications for seniors aged 87 and above.

As of March 2024, the program is available to seniors who are aged 70 to 71 and above, with applications for those aged 65 to 69 expected to happen in May 2024. These are potentially beneficial to Yukoners but certainly not the coverage that is currently available under the Yukon dental program.

The program in the federal realm is set to launch for children under 18 and people with disabilities in June 2024 — and for all eligible Canadians, not until 2025.

Back in September 2022, the federal government announced that they would provide payment — as the member opposite may have mentioned with respect to \$650 per year. This program is yet to be determined with respect to its applicability to Yukoners.

Ms. White: Mr. Speaker, dental care is health care, and every Yukoner deserves access to affordable care. The Liberal Party and the NDP have a lot to be proud of when it comes to the Yukon dental plan. I will remind this government that it's a core principle as to why the NDP agreed to the confidence and supply agreement in 2021.

In the letter from the Yukon Dental Association, they highlighted the fact that the federal government is open to each territory administering their own dental care provided that their coverage is at least equal to the Canadian program. As the letter points out, the Yukon plan's coverage far exceeds the Canadian program. Additionally, they urge this government to earmark the money from the federal program to enhance the Yukon dental program. They want this government to fight for the Yukon dental plan.

Will the government commit to the current Yukon dental plan as well as the included improvements as suggested by the Yukon Dental Association?

Hon. Ms. McPhee: Mr. Speaker, it is the case that our government believes that dental care is, in fact, improved health care for Yukoners. What this government will commit to is making health care better for Yukoners, including with the introduction of a new health authority. I am very pleased to have received the input from the Yukon Dental Association through the letter that has been noted.

I am very pleased to commit to the fact that our government officials continue to work with Health Canada colleagues on the implementation of their new program and the impacts to the Yukon public dental program, making sure that Yukoners and their dental health is top priority.

Question re: Dental care program

Ms. Blake: Mr. Speaker, last month, we heard of a Yukoner who had to resort to crowd funding for emergency dental surgery. She was faced with serious pain, an abscess, and the need to remove seven teeth.

The emergency room doctors told her that she needed an oral surgeon; yet according to the current policy, only a small part of the surgery, travel, and related costs were covered. That same policy required that she prove that she needed oral surgery, even though emergency doctors recommended it. This

is a nightmare that most of us can only imagine and this story is only one of many that the Yukon NDP hear each year. Rigid policies do not reflect people's realities, especially when these policies contradict doctors' recommendations.

Will this government commit to reviewing its policy to be able to adapt to loopholes and gaps like these?

Hon. Ms. McPhee: Mr. Speaker, I appreciate that there is a particular situation involved here. My recollection, although I don't have my hands on it at the moment, is that a letter was written and we did respond to that. That always initiates a review of a particular policy or work that is being done, but I think what is truly important to Yukoners in this instance is the concept of improvement to our health care system — improvement by way of the health authority to remove systemic racism, to improve equity, to improve service, and to put patients at the centre of the work that is being done with respect to health care and the improvements that are necessary in this territory.

The *Health Authority Act* has been introduced here in the Legislative Assembly for the purpose of taking the first step in building that transition. I look forward to the support of all members of this Legislative Assembly for that incredibly important work.

Ms. Blake: Mr. Speaker, in January, a Dawson resident shared the story of his painful experience trying to pull his own teeth. He became desperate with pain and tried to pull his own tooth because he did not have access to a dentist in his home community. Rural Yukoners should never have to resort to self-surgery because they fear the cost of travel. This government has talked about prioritizing health and respecting rural Yukoners, but until they are able to fill a full-time dental position in Dawson and other rural communities, this government should be providing reasonable alternatives for rural Yukoners. Without a full-time dentist, this government should be providing safe, accessible, affordable options for travel and care.

What is this government doing to provide care and travel options for a dental crisis like the one in Dawson this winter?

Hon. Ms. McPhee: Mr. Speaker, again, I am very pleased to rise to speak about important care for Yukoners.

The dental programs that exist here in the territory — and, of course, no one would ever give advice that dental care should be self-administered.

There are medical travel services available when individuals require medical care that is not available in their home or near enough to their home and they need to travel to do so.

What I can recall for Yukoners is that we continue to work with dental care providers in the territory to support Yukoners' dental health and oral care. As of February 2024, a total of 1,757 people have been enrolled in the Yukon dental program since it launched back in January 2023. Of those enrolled, a total of 1,156 Yukoners have received dental care, and applications are being processed within four to five days, with urgent care applications being processed the same day.

This program is working and it is serving Yukoners. We look forward to it continuing.

Ms. Blake: Mr. Speaker, as indicated previously by my colleague, dental emergencies are health emergencies. Poor oral health contributes to diabetes, cardiovascular disease, pneumonia, and complications with pregnancy and birth. Oral disease causes pain and infections leading to problems with eating, speaking, and learning. It can also affect social interaction and employment potential. This means that dental health has physical, mental, and economic impacts on people when not addressed. No one should be denied access to urgent dental care because of bureaucratic red tape or financial barriers.

Will this government commit to treating dental issues as health issues and offer better coverage for care and travel based on doctors' recommendations?

Hon. Ms. McPhee: Mr. Speaker, I am not sure where the disconnect is, but this government committed to dental issues being health issues many, many months ago — if not years ago, quite frankly — and, as a result, worked very hard to put forward a Yukon dental program that was launched back in January 2023. We also continue to work with the federal government to determine the implications of their program and how Yukoners can best be served. The Yukon government has raised the budget in 2024-25, which, again, I urge the members opposite to support — the greatest health care spending for Yukoners in any budget put forward to date — some \$594 million to provide improved health care services for Yukoners, including a \$9.4-million budget item to support the initiation and the work going forward on the health authority, a piece of legislation that will affect every single Yukoner in this territory and is now before this House and needs the support.

Question re: Yukon convention centre

Ms. Van Bibber: Mr. Speaker, I would like to ask the Minister of Tourism for an update on the new Yukon convention centre. Last fall, the Yukon government announced that a preferred proponent had been selected. According to the statement made by the government, negotiations would begin and a formal announcement with more design specifics and capital costing would be forthcoming.

Has there been any update? Can the minister update us on the status of this project and what capital cost is expected?

Hon. Mr. Streicker: Mr. Speaker, last summer, there was the request for proposals and Kwanlin Dün's Chu Níikwän Development Corporation emerged as the highest ranked proponent. The plan for the new convention centre is to have a capacity of 750 to 1,000 guests and can generate an economic impact of \$800 to \$1,000 per guest for three to five days of events.

The concept is to build along the waterfront next to the Kwanlin Dün Cultural Centre. There is some work that has been happening in recent terms. The last I heard was when we met with the Convention Bureau during the Bravo Awards; there was some good news about funding for the planning work to Chu Níikwän. That work is ongoing right now. I don't have any further specifics or details around the convention centre to date, but I will be sure to bring them back to this House as they are available.

Ms. Van Bibber: Mr. Speaker, according to the minister's briefing note from the fall, the federal government has expressed interest in making a significant capital contribution to this project. The briefing note goes on to say — quote: "Construction funding will not be needed until later this fiscal year, at the earliest, with the bulk of new funding needed in 2024/25 and beyond."

Has the Yukon government been able to secure any funding from the federal government for this project, or should we be expecting to see an announcement in the federal budget when it is released in April?

Is the Yukon government planning to contribute any funding to this project, and if so, why is it not mentioned in the five-year capital plan?

Hon. Mr. Streicker: Mr. Speaker, the first thing I will acknowledge is that we redid the access to information and privacy law where we said: Let's make sure that our briefing binders are available for opposition members.

I'm going to go back and try to check whether they Yukon Party actually voted for that or not; I will see. I am happy that we provide that information. Right now, what we are doing is working with the highest ranked proponent, Chu Níikwän Limited Partnership. We are in those planning stages.

I can indicate that the Premier and I have made this one of our first priorities whenever we talk with our counterparts in Ottawa. They are well aware of how big a deal this is. In fact, when the minister was here for a visit, we got asked what our number one priority was. We said that it is the convention centre. The minister then asked, "What's your number two priority?" We said, "Convention centre." So, we are putting a lot of emphasis on it.

While we work through those planning stages, I don't have a budget before me, so I am not able to speak to that yet, but I will be sure to bring it back to the House as soon as I have it.

Ms. Van Bibber: The minister's fall briefing note also indicates that the government is anticipating this project to be completed in the 2025-26 budget year. Can the minister tell us if this project is still on timeline or, if not, what is the best estimate for when we might see this project complete?

Hon. Mr. Streicker: Mr. Speaker, this project is being done as a partnership. In that partnership, the highest ranked proponent, Chu Níikwän Limited Partnership, is currently working with us and the Yukon Convention Bureau to look at the planning of this facility. There are a lot of variables that can go into it. For example, the proponent could ask for a lower capital cost with an expectation of higher revenues on the O&M side — the operation and maintenance side — or the reverse. Because those things are all part of that dialogue, I am unable to provide that additional information right now. It's in the planning phases with our partners.

What I have committed to and will continue to commit to is to make sure to bring back that information as soon as we have it. In fact, I will give it as a ministerial statement. Maybe the members opposite would allow us to present ministerial statements to Yukoners; that would be great.

I think that I have also indicated that this is certainly a priority for us as a government. I can continue to indicate that

this is a priority for the tourism industry. By the way, Yukon's tourism industry has been rebounding faster than the tourism industries across Canada. The 2023 numbers indicate that we're up to 90 percent of the 2019 levels, which is a really great job by the tourism industry.

Speaker: Order, please.

The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order. Committee of the Whole will now come to order.

The matter before the Committee is general debate on Vote 8, Department of Justice, in Bill No. 212, entitled *Third Appropriation Act 2023-24*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Deputy Chair (MLA Tredger): Committee of the Whole will now come to order.

Bill No. 212: *Third Appropriation Act 2023-24* — continued

Deputy Chair: The matter before the Committee is continuing general debate on Vote 8, Department of Justice, in Bill No. 212, entitled *Third Appropriation Act 2023-24*.

Is there any general debate?

Department of Justice

Hon. Ms. McPhee: Deputy Chair, I would like to take the opportunity to welcome those with me today in the Legislative Assembly: Mark Radke, Deputy Minister of Justice, and also Navneet Nijhar, the acting director of finance for the Department of Justice. Thank you both for being here today to assist with this Committee of the Whole conversation.

I rise on behalf of the Department of Justice to present the Supplementary No. 2 for the 2023-24 fiscal year. Throughout this fiscal year, the department has continued to work diligently toward a justice system that is responsive to the needs of all Yukoners in a fiscally responsible manner. Through these

strategic investments in our future, we continue to build healthy, vibrant, safe, and sustainable Yukon communities.

The supplementary budget that I present to you today enables the department to continue to offer programming and supportive initiatives that meet our objectives. This supplementary budget for the Department of Justice includes only operation and maintenance expenditures. There are no supplementary capital expenditures to report.

The operation and maintenance expenditures include funding for a *National Action Plan to End Gender-Based Violence*, a *Substance Use Health Emergency Strategy*, community safety officer programs, the Indigenous courtworker program, the drug treatment court, the sexualized assault response team expansion project, the family information liaison unit, the gun and gang violence action fund, the Human Rights Commission, three coroner's inquests, hearing costs for the Yukon Utilities Board, a contracted nurse at the Whitehorse Correctional Centre, retroactive pay for RCMP members as per their collective agreement, funding for the RCMP crime reduction unit, deputy judges' expenses for this fiscal year, additional expenses due to the increased volume and costs for library materials, additional expenses due to the number of jury trials elected here in the territory, and outside counsel contracts — a wide variety of supported initiatives.

In July 2023, the governments of Yukon and Canada signed an agreement to advance the *National Action Plan to End Gender-Based Violence*. It will bring \$16.4 million over four years to the 16 initiatives designed to prevent violence in the territory and support survivors. To this end, we allocated a one-time funding increase of \$813,970 for 2023-24 for work within the Department of Justice on related initiatives.

Substance use, drug toxicity, and overdose-related deaths continue to devastate Yukon communities, and we are taking action to respond to these issues and to prevent future tragedies with all hope. The *Substance Use Health Emergency Strategy*, which launched in August 2023, contains 43 recommended actions. The Department of Justice is leading 10 of these actions under the "Community safety and well-being" pillar of the strategy. To meet this commitment, \$623,538 has been allocated in this supplementary budget for work by the Department of Justice in 2023-24 to support the priority actions within the strategy. We will continually assess and adjust our response to reflect changing circumstances and the emerging needs while regularly reporting on how we are meeting our long-term goals.

The Government of Yukon funded \$1,769,212 in funding for Yukon First Nation governments' community safety officer programs in 2023-24, 52 percent of which is recoverable from the Government of Canada through the First Nations and Inuit Policing Program. Community safety initiatives, such as community safety officer programs developed by Yukon First Nation governments, have been successful in improving citizens' feelings of safety in their respective communities. These programs are built by communities and for communities.

Access-to-justice initiatives like the Indigenous courtworker program saw a time-limited increase of \$150,000 in this supplementary budget. The purpose of the program is to

support Indigenous peoples involved in the criminal justice system to navigate the justice system.

We entered a five-year funding agreement with the Government of Canada for the drug treatment court funding program from April 1, 2023 to March 31, 2028. This agreement provides \$510,000 for the 2023-24 fiscal year, 100 percent of which is recoverable from the Government of Canada. This funding allows for two additional clinical counsellors and a case manager.

Next, we allocated a one-time increase of \$116,346 for the sexualized assault response team expansion. The sexualized assault response team, also known as SART, is a multi-agency coordinated response across three main components: victim support, legal/criminal justice services, and medical services. If I have not taken the opportunity in this Legislative Assembly or publicly otherwise — although I am sure that I have — I am very pleased to say how proud we are of this SART program and the design, which is to assist individuals no matter where they enter the system with help as they need it when they have been victims of sexualized assault. To expand services in a way that responds to communities' needs and priorities, engagement was conducted with First Nation governments, Indigenous women's organizations, service providers, and victims of sexualized violence. This funding supports hiring two contractors to lead engagement with First Nation governments, with community service providers, and with victims of sexualized violence in the Yukon. This engagement was important to inform our next steps in expanding services, and it was important that the engagement be conducted through culturally appropriate and trauma-informed approaches with supports in place.

There is an increase of \$285,000 in time-limited funding for the family information liaison unit, which is funded through an agreement with the Government of Canada until March 31, 2025. The family information liaison unit offers centralized and coordinated support for family members of missing and murdered Indigenous women, girls, and two-spirit+ people. We know that many families of victims will have questions regarding their loved one's case and that helping them access information and support is an important step in their journey toward healing.

This agreement provides additional funding for one additional staff member, travel for staff and clients, training for staff, professional fees, and honoraria for supports. This agreement also supports funding for the Yukon Aboriginal Women's Council for their work to support families of missing and murdered Indigenous women, girls, and two-spirit+ people.

There is \$800,000 allocated to the gun and gang violence action fund for the 2023-24 fiscal year. This agreement is recoverable at 100 percent from the Government of Canada. That funding supports increasing the capacity of the safer communities and neighbourhoods unit — also known as SCAN — by three investigators and one crime prevention analyst to improve the unit's ability to address the evolving nature of criminal activities here in the territory.

Elsewhere, we have allocated an increase of \$150,000 for core funding to the Yukon Human Rights Commission. This

increase in funding supports the rising number of complaints received by the Yukon Human Rights Commission and allows the commission to support the costs of staffing as well as retain outside counsel when necessary.

Moving on to a one-time increase of \$177,000 to cover the cost of three coroner's inquests in the 2023-24 fiscal year. The current budget for inquests is \$10,000, which, as we know, is insufficient to cover costs in the event that an inquest is called in any particular year. We must budget each time there is an inquest called. Two inquests were completed in 2023.

Preparatory work is also completed in the 2023-24 fiscal year for a 14-day inquest that will begin in April 2024 related to four deaths at 405 Alexander. Inquests are held at the sole discretion of the chief coroner or Minister of Justice, and the inquests are an important way to learn from past tragedies to potentially avoid future ones. These inquests, by note, have been called by the chief coroner.

Next, we have a one-time increase of \$620,475 to cover the hearing costs for the Yukon Utilities Board. The board has requested an increase to its budget for the increased number of hearings that it is currently dealing with, increased board honoraria, increased costs of executive secretariat and administrative services, increased costs of recording, transcription, and other hearing expenses, and complex complaints that have been submitted requiring considerable resources to deal with. This is 100-percent recoverable from the public utilities that appear before the board for the hearings.

The Whitehorse Correctional Centre health services unit has been experiencing some staff challenges which have placed significant operational pressure on the existing team. As interim relief, we have allocated an increase of \$349,000 to contract with a nursing agency in the event that they need to provide a registered nurse to support clients of the Correctional Centre. The contract is a temporary solution while we continue to seek more sustainable, long-term solutions.

On March 30, 2023, the Government of Yukon received an invoice for the RCMP retroactive salary costs in the amount of \$3,942,792. The amount of \$3,608,694 is at a 70-percent cost share under the *Territorial Police Service Agreement*. Meanwhile, \$334,098 is at the 48-percent cost share under the First Nation community policing services. We paid \$1.1 million in 2022-23, and we will pay the remaining \$2,842,792 in fiscal year 2023-24. This is a contractual obligation.

With respect to the RCMP, we allocated an ongoing increase of \$109,000 for funding the salary of a half-position for the crime reduction unit. This half-position increase adds to the previously approved half-position that was provided in 2023-24, making one full FTE position within the crime reduction unit. This position supports the responses to the increase of toxic drugs and organized crime in the territory.

The Yukon population is increasing and it has led to an increase in the number of charges before the court, and the Territorial Court needs to rely on deputy judges from time to time from other jurisdictions to ensure that court matters can proceed as scheduled within timelines that are set by the

Supreme Court of Canada to respect the Charter rights of Canadians.

Unlike other jurisdictions, the Yukon has not seen serious charges stayed because of delays in court proceedings. We are very proud of that accomplishment. The timely resolution of criminal charges increases public safety and confidence in the administration of justice. For this, we allocated a one-time increase of \$400,000 in this supplementary budget. Similarly, we have allocated a one-time increase of \$150,000 to cover additional expenses due to the number of jury trials in the 2023-24 fiscal year. The number of jury trials set has increased from under 10 in years between 2013 and 2016 to upwards of 30 starting in 2019 — that is annually — as accused have the right under the Charter and the *Criminal Code* to choose to have a jury trial in many situations of indictable offences.

The number of serious charges in the courts has been increasing and more accused are choosing to be tried in the Supreme Court by a judge and jury. The costs associated with jury trials are numerous and include costs associated with summoning jurors, renting venues for jury selection and off-site jury trials in communities when no suitable courthouse space is available, contracting a jury guard, legislated per diems for jurors and alternate jurors, and the cost of hotel rooms and meals if jurors are sequestered.

We have also allocated a one-time increase of \$274,000 to cover additional expenses due to the increased volume and cost of law library materials. The law library provides an essential service to the Yukon public and resident lawyers needing access to legal resources including textbooks, annotated legislation, and other materials. Equivalent services are available for the public and legal community in other Canadian jurisdictions, but the law library is unique in the territory. Legal resources and resource materials, including specialized online resources, are expensive and out of reach for most individuals, sole practitioners, small firms, or members of the public. Yukon University students also rely heavily on the law library's specialized resources for academic research.

Finally, we allocated a one-time increase of \$260,000 for outside counsel contracts. Litigation, legislative drafting, and other matters requiring specialized legal expertise not available within the Department of Justice or additional to the needs of the department contribute to outside counsel costs, as do legal matters being heard outside of the Yukon.

Typical reasons for retaining outside counsel include: the situation is urgent and requirements to deal with the matter while meeting other obligations exceed available resources at the Legal Services branch; the work requires expertise that is currently unavailable through counsel on staff within our branch; the use of a Legal Services lawyer may cause a conflict of interest; using outside counsel is more cost-effective than using Legal Services; or representation of the Government of Yukon as needed in a legal action that started or was conducted outside of the territory.

Lastly, I would like to thank all of those who work so hard to ensure that the justice system is administered for the benefit of Yukoners and lastly the Department of Justice staff for their dedicated work — that they know how much appreciation there

is in our government and in my Cabinet colleagues for the really unending work that we ask of them and that they continue to produce in a very professional manner.

We continue to build relationships with our partners to support good governance, encourage innovation, foster safer communities, and support culturally relevant services.

This marks the end of my supplementary budget remarks, and I appreciate the opportunity to speak about the importance of all the items in this supplementary budget for the purposes of supporting the Department of Justice as it moves forward in its goals to make safer communities and a just society for Yukoners.

Mr. Cathers: I would like to thank the officials here today and welcome them to the Assembly as well as others who also provided the briefing to us and those who assisted with the information.

I have several questions for the minister. I am going to start with the costs she made reference to that related to the Yukon Utilities Board. According to the information we have, it is an increase of \$620,000 and change for the Yukon Utilities Board.

Could the minister confirm what the total amount is in this year's budget following that increase for the Yukon Utilities Board? Would she indicate what percentage of those costs will be recovered from the two utilities appearing before the board?

My understanding from what officials told us is that this relates to costs for both Yukon Energy Corporation hearings and ATCO hearings. Could the minister provide us with a breakdown and indicate who will ultimately pay those costs? Are those ultimately going to be passed on to electrical ratepayers?

Hon. Ms. McPhee: I can indicate, in response to the question, that in the 2023-24 total budget, which would include the passing of this supplementary budget, the Yukon Utilities Board total expenditures would be \$890,000. The core funding for the Yukon Utilities Board is \$95,000, which comes from the Department of Justice budget — so that is core funding for them in this budget — and the supplementary budgets have been before this Legislative Assembly. The hearing budget for the Yukon Utilities Board this year is \$795,000, which is 100-percent recoverable from the parties that appear before the Yukon Utilities Board.

For the most part — I don't want to speculate, but the costs paid by those individual organizations that come before the Yukon Utilities Board are costs borne in their business; presumably, they are ultimately passed on to electrical ratepayers throughout the territory. But again, I shouldn't speculate about that. They presumably have budgets that require assessing those costs as well. As we have noted in my previous comments, this is a particularly busy year for the applications that are before the Yukon Utilities Board.

Mr. Cathers: I appreciate the information that the minister provided, but she did not break that down between Yukon Energy hearings and ATCO hearings. Is she able to ascribe a cost to each of those respectively?

Hon. Ms. McPhee: I don't have that information. We can look into whether or not that is assessed by the Yukon Utilities Board or whether it is determined through the hearing

process. Again, I don't want to speculate on that, but it is not information that I have at the moment.

Mr. Cathers: I would appreciate that information at a later date if the minister and department are able to provide it.

I want to move on to the question of the increase in employees. According to the handout provided to us by the Department of Finance at the budget briefing, the largest single increase for any department in the government that is being added in the *Supplementary Estimates No. 2* is the Department of Justice, with 17 employees being added according to the information shared with us by officials.

Could the minister provide a breakdown of those 17 new positions — what they are for? With each of those — again, we see a breakdown here, but it would be appreciated if the minister could state her understanding of the total positions and individually what the purpose of those positions are, just for the public record.

Hon. Ms. McPhee: Let's see if I can break this down for the member opposite. I appreciate the question. We are talking about a total of 17 individual positions at the Department of Justice: 13 of those 17 positions are term positions that are being funded on a term basis, and four of those positions are permanent positions and relate to the substance use health emergency. I have each of the titles of the positions, if that is of some assistance. I can indicate that 11 of the 17 positions are 100-percent recoverable from the Government of Canada. The permanent positions indicate — all related to the substance use health emergency — a senior negotiator, a strategic policy advisor, a senior community engagement specialist, and an investigator with the SCAN unit.

I can indicate, with respect to the term positions, that there is one with respect to a media literacy position; there is a support and outreach worker with respect to the substance use health emergency — sorry, I should have said that there were two of those positions; there is a single position on community-based justice; there are three positions with respect to drug treatment court funding, which is funded by Canada; there is one position for the family information liaison unit, as I mentioned in my remarks; and there are five positions with the gun and gang violence action fund, also supported by Canada. To be clear, 11 of the 17 are supported 100 percent by Canada.

Mr. Cathers: I appreciate the breakdown. With regard to the gun and gang violence action fund, one of the things that has always seemed strange with it, considering the impression that it would leave on the average citizen hearing about it — they would be inclined to think that funding of that type would go toward policing or at least that policing would be eligible. As the minister knows, that has not been the case. I understand that those positions are within the department being created.

But with regard to the program eligibility, as the Minister of Justice will recall, I have written to both her and the then-federal minister who has since been replaced in a Cabinet shuffle regarding this matter and suggested that the criteria of the program be changed to allow the territory to use gun and gang violence action funding to support policing if it so chose.

Has the minister made any such request or raised the issue with her federal counterpart?

Hon. Ms. McPhee: Thank you for the question. The issue with respect to the gun and gang program — which, of course, is federally based, not being able to be used for RCMP positions — is an ongoing conversation, but I should indicate that the current situation is that federal funding cannot be used — is restricted from being used — to fund other federal programs, which certainly makes some sense. Of course, the RCMP here in the territory is a federal organization and we contract with them for policing services. That said, federal policing transformation continues to see the focus of federally funded RCMP positions and efforts being rededicated to strategic criminal threats that exist in national and international environments.

The Yukon continues to raise concerns about the disproportionate effects that this could have on policing in smaller jurisdictions like ours and has requested that the Government of Canada reaffirm its commitment to a strong federal policing presence in the Yukon to address issues such as transporter drug trafficking and maintaining funding and resource levels.

We do look forward to hearing from the deputy commissioner of federal policing on the final plans for federal policing transformation, which is ongoing now, and how that will benefit Yukon's and Canada's policing goals here in the territory.

That said, our department reached out last fall by attending in person to Ottawa and making representations to the RCMP with respect to their federal policing program. There had previously been two positions dedicated to federal policing here in the territory that were frozen by decisions made nationally by the RCMP since that conversation in Ottawa. Those two positions here in the territory have been released and can be filled. I understand that to be the only jurisdiction in Canada where that has happened.

That is a success with respect to the work that is being done by our department with the federal government and with the RCMP nationally to express our story and our concerns about how policing decisions that are made in Ottawa impact the work that is being done here for individual Yukoners.

I should also indicate, based on the question about whether or not this issue around the gun and gang funding is still on the table, that it has recently been raised at a federal-provincial-territorial meeting and is still an ongoing conversation.

Mr. Cathers: I appreciate the information, and I would also like to congratulate department officials who worked on that for the success in seeing those two federal policing positions released, as the minister referred to it, and restored. The minister and officials will recall that we raised concerns about this on multiple occasions, as did RCMP Yukon. We are pleased to see the success that the department officials have had in convincing the federal government to allow those positions to be filled again. Certainly, the growth of pressures on the Yukon RCMP have not kept up with population growth or the growth of organized crime in the territory. We are pleased by that as well as the new positions that have been created here in addition to that. It is something that, for quite some time, we have certainly been pushing for.

With regard to the gun and gang program criteria, I understand from the minister that discussions are underway. I would just again emphasize the suggestion that — recognizing that it is up to the federal government to agree to this request, but I would encourage the minister and officials to push for the federal government to change their criteria to allow the flexibility so that the Yukon and other jurisdictions could use the gun and gang funding to add policing resources to meet the challenges associated with guns and gangs.

As I noted, what the average citizen would assume — and where in fact the need is most serious in terms of responding to organized crime, guns, and gangs is the need for the increase in police resources, so I would hope that they would be successful in that.

Another area that is, of course, ultimately under federal jurisdiction is the *Criminal Code*, but as the minister is well aware, provincial and territorial justice ministers do engage with the federal government regarding any concerns they may have. I would like to talk about the issue of bail provisions in particular. There has been a fair bit of national attention to this subject, including after the Trudeau Liberal government brought in Bill C-75, which lightened the sentences for a number of crimes and created a provision placing the onus on the Crown instead of on the offender to demonstrate that there was — let me rephrase that sentence. The changes in Bill C-75 placed the onus on the Crown to demonstrate that an offender shouldn't be released rather than placing the onus on the offender to demonstrate that it was safe for them to be released. That, of course, was so problematic in terms of violent crimes — including some high-profile ones that have received a lot of media attention — that all premiers jointly wrote to the federal government and wrote to Prime Minister Trudeau asking for some specific parts involving violent crimes and homicides to have the bail provisions changed and those elements that had been brought in with Bill C-75 reversed.

While some changes were made, as the minister has made reference to the piece of legislation from the federal government doing so, what was also noted in that letter from premiers — and has been noted by police and others across the country — is that while those things that were mentioned in the letter were considered the most urgent, more work needs to be done to undo the misguided changes made by the Trudeau Liberal government in Bill C-75.

On the issue of bail reform generally — it has been a topic that has been recognized across the country as an issue — can the minister indicate what the Yukon government is doing on this issue, including what representations they have made to the federal government? To put that in more layman's terms, what have they asked the federal government to do in this area? Have they asked them to make changes to the *Criminal Code* around bail provisions? If so, what areas have the minister and officials focused on?

Hon. Ms. McPhee: On January 4, 2024, which was a little over two months ago, the Government of Canada's amendment to the *Criminal Code's* bail provisions that the member opposite was referring to came into force through Bill C-48, and these amendments are designed to strengthen public

safety by targeting repeat violent offenders and serious offences committed with firearms and other dangerous weapons, and they will do so by shifting the burden to the accused to demonstrate that there is no reason warranting their detention. This is called “reverse onus”. The amendments expand the reverse onus provision for certain firearms and for other offences involving intimate-partner violence.

I can report that I was at the table with Minister Lametti and my counterparts across the country when this came as a result of the letter being written by premiers and a growing concern by federal, provincial, and territorial ministers across the country with respect to serious violent crime. I can also note that these changes came very quickly and were introduced in the House very quickly. These changes came as a result of the concerns that were brought forward by those provincial and territorial ministers at that table. These were of primary concern to everyone, but certainly, the conversation was being led by the larger provinces.

What I can indicate on behalf of the Yukon is that we were in support of these changes and of the conversation continuing. As I’ve said, it has only been a couple of months. Back in October 2023 — again, not that long ago — ministers of Justice and public safety had a meeting and the ministers agreed to continue working on enhancements to the bail data and to monitor the changes that have been put in place for the effectiveness and the impacts of Bill C-48 after it became law, which it did in January.

The Department of Justice is aware of the National Police Federation’s recommendations on bail reform, which we continue to discuss with the Yukon RCMP, and the recommendations are being considered alongside input received from Yukon First Nations and others that are informing the work we are doing to advance improvements to the bail system in the Yukon. I can indicate that the switch to reverse onus was not taken lightly by the ministers, but also, it is a significant change in the seriousness and the consideration of these kinds of offences as they appear before the courts, and the data on how this is playing out across the country in different jurisdictions and in all of the jurisdictions will be incredibly important to evaluate any further necessary changes.

Mr. Cathers: I appreciate that the minister did provide some information, but unfortunately, I didn’t hear an answer to an important part of the question, which was: Has the Yukon government asked for additional changes to be made? Are there other specific areas where they have asked for changes to be made in terms of bail reform? As the minister knows, despite Bill C-48, there are a number of serious crimes where the onus still remains on the Crown, police, and prosecutors to demonstrate that someone shouldn’t be released. That is, for repeat offenders in some cases, clearly making it easier for them to be released from jail promptly and reoffend, reoffend, and reoffend.

So, the question is: Beyond Bill C-48, has the Yukon government identified specific areas to the federal government where they would like to see additional changes made to the bail provisions to put the onus on the accused instead of on the Crown in determining bail eligibility?

Hon. Ms. McPhee: Deputy Chair, the Yukon government has not indicated any specific offences to the federal government — like a loan or more specifically. I think that members opposite who have worked with federal governments in ministerial roles will know that a lot of authority and persuasion can come when all ministers of provinces and territories come together in this conversation and presumably also to have changes supported by the federal government. So, this conversation does continue. Bill C-48 is being monitored by every province and territory for the purposes of determining whether these improvements are enough — the impact of these changes with respect to the data and the effectiveness and the impacts of Bill C-48 — but the Yukon has not encouraged the federal government in any particular way to add or change bail provisions with respect to specific criminal offences.

Mr. Cathers: I appreciate that answer from the minister. I recognize that she may need Cabinet approval. I would encourage them to work with the RCMP in the Yukon and with the department as well as other orders of government to identify additional areas that should be changed in the area of bail reform specifically to point out to the federal government which areas are of highest priority for making those changes to put the onus on the offender instead of on prosecution when bail is being determined. This remains an issue. Experts across the country, including police, agree that it is an issue, and I would urge them to develop a list of priorities and make that request specifically to the federal government, recognizing, as the minister said, that work with other provinces and territories is certainly the best way to be able to likely convince the federal government in that area, but coming up with your own priority list is an important first step.

This is an area that, as I have noted before in this Assembly on multiple occasions — I hear from RCMP members about their frustration of dealing with people who they arrest and who then are released and the next day are back on the street. It’s beyond their power to do anything, even though they believe that it would be in the best interests of public safety to keep that person in jail while awaiting trial as a starting step in disrupting the criminal activities they are conducting on the street and also to protect the public from the risk of potential future violence from those individuals. Again, I would urge the government to identify a list of priority areas and make that pitch to the federal government.

I would also note — just for the reference of Hansard, I am quoting from the National Police Federation’s press release of December 8, 2023. As members know but for the reference of anyone listening, the National Police Federation is the union representing RCMP members. They noted in that press release — and the title is “NPF Finds Bill C-48 a Good First Step Evidence-based Smart Bail Initiatives Remain Critical” — from December 8, 2023.

I will quote, in part, from that release: “We welcome parliament’s decision to take action towards bail reform in Canada by swiftly passing Bill C-48. While this is a good first step towards addressing the challenges facing our bail system, we remain steadfast on the notion that legislative changes alone

are unlikely to resolve the complex and long-standing problems within the bail system.

“When our bail system works, we keep Canadians safe, we respect the rights of individuals facing criminal charges, and we free up police resources so our Members can do their jobs more effectively. Ultimately, the ongoing lack of data-informed processes in our current system compromises public safety across Canada and increases risks for Members of the RCMP, and all police.”

They go on to reference the recommendations made in their report *Smart Bail Initiatives: A Progressive Approach to Reforming Canada's Bail System* and then note — again, quoting from the same press release: “While the Government of Canada has now passed Bill C-48, provinces and territories must now do their part. The Canadian criminal justice system is a shared responsibility, and it is imperative for provinces and territories to collaborate to identify and implement smart bail initiatives that include workable, data-driven solutions that will ensure timely bail decision-making.”

My question for the minister is: With regard to those other areas that the National Police Federation points to as areas where provinces and territories need to take action, can the minister indicate what steps the government is currently taking or plans to take in response to those National Police Federation recommendations?

Hon. Ms. McPhee: Thank you, Deputy Chair, and thank you for the question. It is important to talk about these concerns which are high among the concerns for Yukoners.

We have had quite a bit of discussion about Bill C-48 and the reverse onus provisions in that bill, but I do want to note that there are several other offences in the *Criminal Code* that have reverse onus attached to them. There are also circumstances in which an accused comes before the court that puts them in a reverse onus situation. The reverse onus in all of those situations is not the only way in which an offender might be determined to be detained. The court has tests that are set out very clearly in the *Criminal Code*. Primary, secondary, and tertiary grounds must be considered for the detention of an offender. An offender's criminal history and the seriousness of the offence before the court as well as the specific circumstances of the offences that are before the court are all considered — must be considered through that process — and determination is by an independent court with respect to whether or not a person is detained or released and, if they are released, upon what circumstances and terms that happens. I just wanted to be clear about that, because it is important to note that Bill C-48 brings additional concerns or changes to the *Criminal Code* with respect to specific offences here in the territory.

What I can say is that we are well aware of the National Police Federation's recommendations on bail reform and that we are continuing to discuss them with the Yukon RCMP. Those recommendations are being considered alongside input that we have received from First Nations and others that are informing the work that we are doing to advance improvements to the bail system here in the Yukon.

I can note almost lastly that the seven recommendations in this report from the National Police Federation involve improvements to data, as I mentioned earlier today, and improvements to technology in order for us to be able to track and more efficiently manage files with respect to criminal justice activities and offenders. A third one deals with legal training for justices of the peace, which is something that continues here in the territory. Systemic research across Canada is noted in the recommendations here, as well as data — having the provinces and territories commit to more resources for the collection and sharing of data. Governments have been asked to commit to evidence-informed bail reforms that include alternatives to monetary bail deposits or sureties, which are often used now. In fact, recommendation 6 talks about assessing the defendant's risk level and providing supervision and monitoring instead of detention in some cases, as I have noted earlier. Recommendation 7 deals with the fact that all governments should invest in creating a community bail enforcement monitoring system so that real-time information about individuals can be obtained and used.

We have a project that is being managed by Highways and Public Works with respect to improving technology of correctional services of the Yukon — a serious opportunity to improve what have been long-standing concerns with respect to the technology available through the correctional system and how we can monitor and use that information, as I said here and as is recommended by the National Police Federation in their report, so that real-time decisions and better enforcement are available.

Mr. Cathers: In a recent article by the CBC from March 15, it refers to a situation involving a repeat offender. The title of the article is: “Whitehorse man sentenced for drug charges, including conspiracy to traffic cocaine into jail, skipping trial”. In that article, it refers to sentencing handed down for drug charges including, as noted, conspiracy to traffic drugs in the Whitehorse Correctional Centre.

In addition to that specific case, the minister has been made aware of other allegations of illegal activities involving drugs on Whitehorse Correctional Centre grounds. I'm not asking her to comment on the specifics of the case, but my question is: With regard to the possibility of drugs entering the Whitehorse Correctional Centre, the grounds, or the facility on that site operated by an NGO, can the minister tell us: In response to these allegations and concerns, what are she and the department doing in response to them and to ensure that government is preventing drug trafficking from occurring anywhere on the Whitehorse Correctional Centre grounds?

Hon. Ms. McPhee: Deputy Chair, thank you for the question. We at the Department of Justice and under the Department of Justice branch of Corrections have zero tolerance whatsoever for the use and transmission of contraband within the Whitehorse Correctional Centre. That includes the part of the centre that has been determined — and on the grounds of the centre — for individual men and women to be supported by Connective through the programs that are run there. Zero tolerance exists in all of those circumstances.

We conduct random and targeted inspections to address contraband. I can't speak about any particular security measures. When allegations are made, there are provisions and policies for lockdown procedures and searches. I can also indicate that each and every one of those incidents, should they occur, is reported to the RCMP and full cooperation is given to the RCMP to investigate those crimes. Drugs of all kinds are not tolerated, and you may recall that we recently made changes to the *Corrections Act, 2009* — I think it was last fall, although they all run together a little bit, and it seems like it was not that long ago, but it must have been last fall — to make sure that marijuana and cannabis were properly identified as a prohibited drug in the Whitehorse Correctional Centre and make sure that our policies are up to date with respect to that change and that the laws, including the *Corrections Act, 2009*, are also up to date.

Mr. Cathers: Another question that I have regarding this — and again, I'm making reference to the CBC story. I want to be clear that while I am going to refer to what the story noted from the court case, what I am asking the minister to do is not to comment on a particular case but on the policy and other measures that the department is taking to prevent misuse of the phone system from occurring at the WCC.

In that article from March 15 that I referred to earlier — I am going to quote briefly: "Police obtained recordings of hundreds of calls placed on jail phones..." It then cites the time range and the name of the individual, and it says that he — quote: "... both placed calls as an inmate and received calls from inmates after he was released."

Further, the article goes on to talk about — on those recordings, the offender — quote: "... discussed supplying cocaine to individuals outside of WCC who were entrusted with facilitating its entry into WCC, as well as accepting payment." The article then notes that the individual was — quote: "... recorded speaking about trafficking cocaine more widely in Whitehorse and about 'using violence to ensure the compliance of other individuals assisting with the scheme, including for the purpose of collecting debts accrued by trafficking.'"

So, the question is this: Since, according to what the article indicates — unless the minister feels that the reporter got something wrong — it makes reference to hundreds of calls placed on jail phones at WCC and it makes reference to this offender not only discussing supplying drugs to individuals outside of WCC and facilitating entrance into the jail and payment but about discussing the use of violence to ensure the compliance of other individuals. All of this, according to the article, was taking place on a phone system that is owned and operated by the Whitehorse Correctional Centre. It is concerning to me that there may have been an ongoing issue with someone engaging in activity of that type and using a government-owned phone system. So, again, the question is not regarding the specific case, but going forward, what is the government doing — what is the minister doing — to prevent the phone system at Whitehorse Correctional Centre from being used for facilitating trafficking of drugs or for threats of violence toward other individuals? Have tangible steps been taken in response to this issue being identified, and if not, can

the minister indicate what they are planning to do to address this serious issue?

Hon. Ms. McPhee: With respect to this issue of community justice and public safety, I share the concerns expressed by the member opposite with respect to this activity and the necessary action that is needed to restrict and prohibit such activity. I have not seen the entirety of the article that the member is referencing. I think the member said that it was from last Friday's newspaper. Of course, people at the department have seen it and have taken action to determine our next steps as a result. We are taking all the actions that are necessary all the time to address concerns about drugs entering the Whitehorse Correctional Centre. As I said, there is a zero-tolerance policy. It is a continuous effort to reduce risks and to address contraband. It is something that is well known to be an activity at correctional centres and we must be vigilant.

The phone system that was made reference to is not owned and operated by the territorial government. It is a contract with a company known as "Synergy". We do respect the privacy of inmates, but calls are, in fact, recorded, as might be evident to individuals who may not have known so before. We can intercept and review calls with reasonable grounds, and the grounds for recording and intercepting calls is found in section 17 of the *Corrections Act, 2009*.

I can also indicate that the Whitehorse Correctional Centre requires hardware and software upgrades for equipment currently at the end of its life cycle and that the Whitehorse Correctional Centre is, of course, a 24/7 multi-level-security facility with a video-surveillance system. It is an essential requirement to ensure the safety of staff and clients and to facilitate evidentiary needs. Failure of this equipment would result in significant security implications for the facility. An increase of \$40,000 has been put into the 2024-25 budget to obtain and replace some hardware that has reached the end of its life cycle to ensure the continued operation of the system. It will replace some cameras and some hard drives, and we will continue to work with Synergy to make sure that all opportunities to intercept such activity.

I'm confident in saying that it is not common that a telephone is used in this way by an individual, but that does not displace the concern that we all have to make sure that contraband is not getting into the Whitehorse Correctional Centre where it can endanger the lives of individuals there as well as the folks who take on these great challenges to work in the Correctional Centre and in the correctional facilities — where the main goal, of course, is to house and also to make sure that individual inmates are supported in the event that they choose to make their lifestyle different.

Mr. Cathers: The minister indicated that she hasn't seen the article. Just to clarify, it is a CBC article that is posted online. I understand that the minister may need to return at a later date with information about the response to it. I do just want to emphasize that I do recognize, of course, that officials at Justice — including at the WCC, I'm sure — treat these issues seriously. It is, however, also quite concerning when a court case comes up, as we have seen and is reflected in this article, that covers hundreds of calls on jail phones that were

recorded. While it does not state the number of recordings on which this occurred, it notes that, on multiple recordings, the offender in question — quote: "... discussed supplying cocaine to individuals outside of WCC who were entrusted with facilitating its entry into WCC, as well as accepting payment." It also notes that the offender was — quote: "... recorded speaking about trafficking cocaine more widely in Whitehorse, and about 'using violence to ensure the compliance of other individuals assisting with the scheme, including for the purpose of debts accrued by trafficking.'"

I recognize that the minister may need more time to come back with specifics, but I do want to flag this as an issue of the utmost concern, particularly because not only is this drug trafficking and attempts by an individual to ensure the compliance of others with the use of violence but the fact that these calls were recorded on the phone system at the Whitehorse Correctional Centre. What I am asking — and I will give the minister time to come back at a later date with that — is: What is the government doing in response to those concerns — whether it's replacing the phone system, changing the monitoring, changing how they respond to these issues once they are identified — all with aim, from my standpoint, of ensuring that we don't have a situation where someone is incarcerated at the Whitehorse Correctional Centre and is engaging in calls from the jail related to facilitating drug trafficking, threats of violence, and other activities consistent with organized crime. This should not be happening on the phone system at a jail run by the Yukon government.

Again, I will give the minister a chance to come back at a later date with more information regarding that, but what I'm looking for in this is a recognition of the seriousness of the issue and steps to be taken by government to address that as well as the concerns regarding the potential for illegal activities taking place on WCC grounds involving drugs.

I am going to move on to another issue in the interest of time, which is the question of outside counsel costs. We see the indication from officials that there is an increase of \$260,000 for outside legal counsel, bringing the total for the year, as I understand it, up to \$270,000. The largest single item on that list was for the court case typically referred to as "Mercer et al.", to which we understand that \$80,000 of those costs were attributed. Can the minister indicate the total amount that the government has spent to date on the litigation involving Mercer et al.?

Hon. Ms. McPhee: The total expenditures expected by the end of 2023-24 for the case known in the courts as "Mercer" is \$1,161,796.59. There are a number of indications of part of those fees for outside counsel with respect to lawyers who have been contracted and retained by the Government of Yukon to deal with this matter, but the vast majority of that amount — some \$897,851.40 — is direct cost for document discovery.

Mr. Cathers: I would like to thank officials for the information that they provided the minister. I would thank her for the answers that she has provided and remind her of the ones that remain outstanding or where more information is requested. With that and in the interest of expediting debate as

well as moving on to the budget for the upcoming fiscal year, I will hand the floor over to the Third Party Justice critic.

Ms. Blake: I would like to thank the officials for being here today. I am going to jump in with a question in regard to community safety officers. In this supplementary budget, there is an allocation of funding for four full-time positions for community safety officers at Teslin Tlingit Council, Selkirk First Nation, and Carcross/Tagish First Nation. There are none designated to my riding of Vuntut Gwitchin.

I guess the question is: What is this government doing to support communities not supported by funding for community safety officers?

Hon. Ms. McPhee: Deputy Chair, in December 2023, Management Board authorized a little over \$1.7 million in funding for Yukon First Nation community safety officer programs, of which 52 percent is recoverable from the Government of Canada through the First Nations and Inuit Policing Program.

The noted increase of \$741,000 in this supplementary budget reflects an increase in the initial funding in the mains of \$1,028,000, which was approved back in December 2022. That has been in order to increase the number of CSO programs funded from 2.5 to four and to provide \$40,000 in one-time expenses for each of the two new funded CSO programs in 2023-24.

I should perhaps explain that we are extremely supportive of community safety officer programs here in the territory. Our government and I personally have spoken for more than seven years now to federal ministers and federal ministers of Public Safety about how community safety officer programs — programs designed and delivered by communities of their own to self-determine issues that are concerning to them with respect to public safety, justice, and community safety — are supported by our government and how they are the way of the future. As a result — I don't have the date; maybe I have the date here somewhere — our government put in place a community safety planning program which allows individual First Nation governments to apply for and obtain up to \$200,000 over a three-year period for planning of community safety programs and for the opportunity to use that funding in a low-barrier — obtain it first — manner and ultimately to use it for planning purposes, which are designed by each individual community.

I can indicate that any community that is interested in accessing this funding can do so by contacting the Department of Justice. I can get a specific contact person for the member opposite, if necessary. I can also indicate that, through this activity and through direct bilateral conversations between the Department of Justice and justice initiatives, departments, or chief and council at individual First Nations, they are welcomed by the Department of Justice and have resulted in the expansion of these programs into the additional communities.

We have had and supported conversations with the federal government between individual First Nations and we also all come to the table as willing partners with respect to making sure that community safety officer programs that have been

very successful across the territory expand at the rate requested and designed by individual First Nations.

I can indicate that the community safety planning program, as I have noted, is available, and there are new officer positions in communities funded by the First Nations and Inuit Policing Program. We are working with Public Safety Canada to seek crime prevention funding opportunities. Crime prevention Canada just met with Yukon First Nation chiefs — I believe almost all of them were present — who attended recent meetings in Ottawa. Restorative justice approaches are also active and available in communities, including work with Indigenous courtworkers and focus by our department on restorative justice practices and how they can support offenders to be diverted from the court system and support them in a way that hopefully they become contributing members to community safety programs in individual communities.

Please, if the question is focused on what is being done — which is what I understood it to be — for communities that do not yet have community safety planning funding from this program or do not yet have community safety officer plans or grander plans to address community safety, do not hesitate to reach out through your chief and council either to me directly or through your department of justice to our Department of Justice to explore how you as a First Nation government and community could be supported in this way.

Ms. Blake: Thank you, Deputy Chair, and I thank the minister for that response. I asked that question because it was one of the first things that came up in a recent conversation with the executive director of the Vuntut Gwitchin Government. They were just seeking clarification on what supports they have access to if their application for community safety officer programs within Vuntut Gwitchin was denied.

In regard to the First Nations and Inuit Policing Program, there was an increase of \$1 million to the RCMP through this program. There are six FTEs. Can the minister please confirm where these positions are being allocated?

Hon. Ms. McPhee: Deputy Chair, I appreciate the question. I am not aware of an application from Vuntut Gwitchin First Nation that was denied for this program and will look into the details of that. That being the case, I will determine the situation. I can note that the rest of the question, I think, involves what is commonly known as FNIPP, which, in true government acronym fashion, is used regularly; it stands for the First Nations and Inuit Policing Program. There is an increase of \$1,040,834 for six new RCMP positions under the First Nations and Inuit Policing Program. In the mains of 2024-25, the FNIPP is cost-shared between the governments of Yukon and Canada. Yukon's share is 48 percent of that amount that I have noted — a little over \$1 million — and Canada's is 52 percent. These positions are to provide enhanced, responsive, and dedicated services to First Nation communities under the community tripartite agreement.

I can indicate that the determination of where those positions are going to be is a conversation that we have — with the Department of Justice and with the RCMP — determined ultimately to make sure that the policing priorities which are set by the Police Council and the Department of Justice are met by

the RCMP, and the budget having not yet been passed, no determination has been made with respect to where those positions might be.

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

The matter before the Committee is continuing general debate on Vote 8, Department of Justice, in Bill No. 212, entitled *Third Appropriation Act 2023-24*.

Is there any further general debate?

Ms. Blake: Continuing with my questions, I am going to dive into supports for the upcoming inquest that is happening with the Whitehorse Emergency Shelter.

What is this government doing to support the community of Old Crow for the upcoming inquest, as there are two Vuntut Gwitchin citizens who are part of the inquest? I am also wondering about supports for Pelly Crossing and Little Salmon Carmacks as well as the communities impacted across our territory.

One of the questions that came up in my recent conversations with the executive director of the Vuntut Gwitchin Government is: Will Yukon First Nations be reimbursed for the time and money they have spent on supports around the inquest? It was also indicated that the Vuntut Gwitchin Government is going to livestream the inquest and provide supports in the community. They asked what this government is doing to provide supports prior, during, and after the inquest.

Hon. Ms. McPhee: This is a file that is being worked on by Health and Social Services, but I am happy to stand on and provide the information that I have to date. I can reconfirm for Yukoners that coroner's inquests are, pursuant to the *Coroners Act*, determined by a coroner. There is a role, if the Minister of Justice deems it so when an inquest has not been called, to reconsider that. In this case, these inquests have been determined to be appropriate by the chief coroner. As a result, they will proceed as the others did last year.

What I can also indicate is that the Department of Health and Social Services is providing supports upon request, but I have had a conversation with the Chief of Vuntut Gwitchin First Nation with respect to providing supports — although not a formal request — and supports in the form perhaps of a healing room actually on-site here in Whitehorse. I certainly hope that individual First Nations, either together or separately, will engage in ceremony if that is of assistance to them. The coroner's inquest will be livestreamed — at least the vast majority of it, as I understand it to be the case — although again, I cannot confirm this because it is the coroner's process, not mine or the Department of Justice's. I can indicate that I understand that livestreaming will be occurring. We have not yet been asked by any individual First Nation, as a government,

to provide financial support — I understand the question to be for supports — but I would certainly entertain any conversations to that end.

There are no provisions for that under the *Coroner's Act*, for instance, but we are very keen to make sure that First Nations that are involved in this particular inquest, that the individuals and families involved in this inquest — and, in fact, all those who might be adversely affected by the difficult conversations that will happen as a result of this inquest and the public scrutiny on what occurred in these cases and the importance of that public scrutiny — we absolutely support, as a government, the coroner's inquest. We expect to learn much about what has occurred in these particular cases, which is what the inquest is focused on, and we expect, as many changes have taken place already, to address what we understand to be deficiencies or problems in supporting individuals at 405 Alexander. The more that we can learn about that, the more that we can work better together to support our most vulnerable people.

Ms. Blake: I think it's important for me to note that the concern that came from the Vuntut Gwitchin Government is that there are children involved who are going to be witnessing this inquest. There is concern about the details that they will be exposed to through the inquest that they might not be prepared for, which is why the Vuntut Gwitchin Government has asked for my support in my role to advocate for supports for the community with this upcoming inquest.

With regard to the *National Action Plan to End Gender-Based Violence*, there is an increase of \$2.8 million for this plan, including two FTEs. Where will these two positions be allocated?

Hon. Ms. McPhee: With respect to the *National Action Plan to End Gender-Based Violence* here in the territory and the supplementary budget, there is a one-time funding increase of \$813,970 to the Department of Justice O&M budget for 2023-24.

The funding is distributed as follows: \$223,970 to the Negotiations, Collaborations, and Partnerships branch of Corporate Services; \$590,000 to Community Justice and Public Safety; \$92,000 will be spent at the Whitehorse Correctional Centre for programming; Justice Wellness Centre, \$228,000; and Victim Services for \$270,000. I can indicate with respect to the two positions that there is a position focused on the gender-based violence and funded by that — a term position that will end in March 2027 in the policy branch of Corporate Services, a media literacy position. There is another position that is funded — a term under this program — that is funded in Community Justice and Public Safety, and it will be a community-based justice position.

Ms. Blake: The next question that I have is regarding nursing at Whitehorse Correctional Centre. There is a time-limited increase to the WCC for agency nursing to cover issues with short-staffing. What is the plan going forward to address the staffing shortages with nursing at WCC?

Hon. Ms. McPhee: I am pleased to say that the Department of Justice participated in the health human resources work that was led by the Department of Health and

Social Services for the purposes of addressing issues of shortages in health care providers. The *Health Human Resources Strategy* released last fall in 2023 was focused on real actions that could be taken going forward to alleviate the stresses of a few key vacancies that we have around the health and social services experts providing services to the territory.

The Whitehorse Correctional Centre health services unit has been experiencing staffing challenges. We do have staff but not enough to provide the service that is required at the Correctional Centre. The challenges have placed significant operational pressures on the current and existing team. They are being supported with interim relief. The Correctional Centre does require an increase of \$349,000 to procure an agency nurse company in the event that we need to provide some agency nurses. It's not always necessary, but sometimes it is.

Despite the four postings back in 2023, we have been unsuccessful at finding suitable candidates for the positions at the Correctional Centre. The current situation, of course, of there not being enough staff is unsustainable for the Correctional Centre health services, so we have taken the move to procure the agency nurse company in the event that we need it.

A global shortage, of course, does not surprise anyone regarding the challenge of health human resources. We are actively recruiting for enough staff to support all of the team at the Whitehorse Correctional Centre health services.

We are scheduled to attend recruitment expos and to make ongoing efforts to recruit nurses to these important positions. We are also engaged with other jurisdictions to examine health care provider options and how those work.

Ms. Blake: Thank you, Deputy Chair, and I thank the minister for her response to that question.

One of the concerns that has come up from the First Nation when I'm in community visits is with regard to when violent crimes occur in small communities. There have been a couple of First Nations that have indicated that they want to know, when violent crimes occur in small communities outside of Whitehorse, what supports are provided to communities after the crime and during the trial? Communities tell us that they want to bring folks home but aren't resourced well enough to keep everyone safe. It has been indicated by a few First Nations that when hard crimes happen in the community, they are left with the burden of trying to bring the community together when the community is divided in multiple ways after severe crimes have happened. So, there are a few First Nations wondering what supports they have access to, especially after the trial.

Hon. Ms. McPhee: We have a number of programs at the Department of Justice and the Department of Health and Social Services that overlap on occasion in order to make sure that our focus is on supporting communities. I will start by talking about how, under the *Substance Use Health Emergency Strategy*, there is a plan for a community wellness plan to be determined by each community, in and for each community. There is no way that a community wellness plan can be determined without having a justice component to it, so we are well aware that the two departments will work together. We support communities as needed. Unfortunately, it is far too

often that we need to make sure that communities have a proactive response from Health and Social Services and from Justice.

We work closely with individual First Nations and we always respond when a request comes for us to attend communities. We, of course, wait for invitations to do so. For instance, one small example is that we sent a support team on the anniversary of the horrible crimes that occurred in Faro, and we certainly sent supports at the request of the First Nation when horrible crimes were committed in Mayo.

We also have a rapid-response team that responds to trauma — again, upon request — when such horrible crimes are committed. Of course, we can appreciate that we may be getting a request and we often reach out to the First Nation government to ask how we can help and then those responses come. Some of the overlap comes through the restorative justice supports. Indigenous courtworker programs are available to support people who are navigating the criminal justice system. Other supports are available and we work directly with specific First Nations, as I have said, to respond to their unique interests. Victim Services workers are available to support people based on the needs of specific victims. Bail and probation officers are also there for support and supervision, and outreach workers are now employed through Yukon community corrections.

I can also add that the Justice Wellness Centre will continue to partner with Yukon First Nation governments to advance Indigenous-led programs and support alternative justice models by providing resources for ongoing development and implementation. Indigenous programs such as traditional parenting and on-the-land healing, aftercare services, and culturally integrated services remain a priority for our therapeutic court clients.

With respect to options provided through the Domestic Violence Treatment Options Court, the team will spearhead a treatment program development and implementation process and ensure culturally integrated programming through partnerships with First Nation governments. That's a commitment from the individuals who work in that court option, and community capacity-building remains at the forefront of the therapeutic court expansion, for which there are funds in this supplementary budget.

I hope that is helpful.

Ms. Blake: The next question I have is this: In recent conversations with First Nations, one of the, I guess, areas that came up is that when folks are incarcerated at WCC, they are asked if they want to give consent for their name to be shared with their First Nation. It was indicated in a recent conversation that, when folks are incarcerated, it's for the purpose of letting citizens know what supports could be provided by their respective First Nation.

What work is being done with First Nations to build data-sharing agreements with the Department of Justice so First Nation governments can work with their citizens who are incarcerated at WCC? In the recent conversation, it was heavily indicated that First Nation citizens deserve connections to be made with their governments and it needs to be ensured that First Nation citizens know what supports are available to them

from their government. What is the government doing to ensure these connections are built and maintained while folks are incarcerated and working on reintegration and release back into the community?

Hon. Ms. McPhee: Deputy Chair, thank you for the question. I think it is incredibly important to remember that individuals who are detained at WCC either pre-trial or post-conviction have privacy rights that must be respected. The idea that they are even there is personal information, and their personal information — particularly about why they might be there and other details — is governed by the *Access to Information and Protection of Privacy Act*; we must protect their personal information. That said, we make every effort to connect individuals with available programs through the case management process not only while they are at WCC but as they are preparing to leave and go home. There are First Nation liaison officers at the Whitehorse Correctional Centre. It is their job to assist inmates in the transition. Of course, the inmate will lead what information, if any, is shared, where, and how. Inmates are informed on multiple occasions of these options. They are told about this kind of assistance and help at admission by case managers, by the First Nation liaison officers, and by elders who are at WCC and work to reach out to individuals who may be a member of their First Nation or may be of another First Nation but still need assistance and the opportunity to have the guidance of an elder and other professionals.

Ms. Blake: In a conversation that I was having recently with a First Nation, it kept coming back to the question of: How are people informed of why they need to sign — or when they are given the option to sign a consent to release their name to their respective First Nation, are they being told that it is for the intent of connecting them to the First Nation supports? What supports are available from the community, and how will the Department of Justice work with the First Nation that folks may be connected to so that they have access to their First Nation, their community, their culture, their family, and also opportunities to reintegrate back into their community that works both for the person incarcerated and the community? So, the question is: How are they being informed?

Hon. Ms. McPhee: I don't know whether I misunderstood the question or perhaps my answer was misunderstood. Individuals who attend at the Whitehorse Correctional Centre and who identify themselves as being members of a First Nation are informed, on multiple occasions, that there are supports, that there are ways to reach out to their First Nation, and that there are ways to reach out to other elders and First Nation liaison officers who are in the Correctional Centre. Case managers require it once an individual self-identifies. The First Nation liaison officers are looking for individuals whom they can assist. Inmates are told that the purpose of collecting the information, if they choose to provide it, is that it is being collected to connect them with available supports.

Again, I will just repeat that inmates are advised at admission by case managers, First Nation liaison officers, and elders at the Correctional Centre that connections with their

culture, with their language, and with opportunities to practise traditional activities are all available for them — and focused as available for them — at the Whitehorse Correctional Centre.

Programming plans for the 2023-24 year included, and continue to include, continuing to deliver and expand on existing programming through in-house training of program staff and discussing programming options with our federal, provincial, and territorial colleagues. There is continuing cultural programming, including emphasizing First Nation culture, a contracted service for the provision of carving programs, drumming, fire ceremonies, sweat lodges, and talking circles. We continually target referrals to individuals, First Nation persons, for ongoing community support and assistance. If we can connect with an individual and provide them a myriad of supports in the Whitehorse Correctional Centre and ultimately provide them with those same kinds of supports when they are returning to their community, our job, through that work, is to not have them return — to show a way in which they might connect spiritually and culturally to their First Nation. The focus of First Nation liaison officers is to do so and to provide spiritual supports through partnerships with community spiritual leaders in multiple faiths including First Nation spirituality, group church services, individual clergy counselling, and one-on-one First Nation elder and knowledge-keeper counselling services.

These programs are discussed at every turn at the Whitehorse Correctional Centre for the purposes of supporting individuals who find themselves there and who want to avail themselves of the kinds of supports and the connections to their own First Nation that are made available by these professionals.

Ms. Blake: In regard to programming, as I have indicated in one of the times I stood up previous to today, I have spent some time at the Whitehorse Correctional Centre visiting some folks who are incarcerated, and I have heard from people who work in the justice system that, when it comes to programming in the Whitehorse Correctional Centre, it may be written in policy that these are the programs and services available and that this is what is delivered by this agency or this outfit or whatever, and what I have been hearing from those incarcerated or those who work in the system is that there are internal challenges of making programs happen and ensuring that they are accessible and delivered.

I think that my question is: What is the Department of Justice doing to ensure that folks who are incarcerated, no matter why they are incarcerated, have access to the programs and services that are promised to them through the Department of Justice and through policy?

Hon. Ms. McPhee: I would encourage anyone who has expressed to any member of this Legislative Assembly or anyone they know that they are having some difficulties accessing or, as I think the member opposite put it, “internal challenges” — because the Whitehorse Correctional Centre is focused on providing programming, as I said in my last answer, to individuals who want to avail themselves of those services for the purposes of supporting them through this part of their lives to the point where we hopefully do not see them there again. We know that this is what’s best for community, we

know that this is what’s best for individuals and families, and we know that this is what is best for individual offenders.

The Whitehorse Correctional Centre offers programming to both remanded and sentenced clients regardless of incarceration status. Again, if there is some issue with somebody accessing programs requested, we would like to know about it — please.

However, I should note that criminogenic programming is mandatory for all sentenced clients. Programming is available in four different areas: criminogenic; cultural and spiritual; education, vocational, and health promotion; and leisure, recreation and well-being. These are four diverse areas that should help individuals access activities, knowledge, and counselling that they need and want. Programming is offered through facility-based program staff, contracted service providers, and professional partners.

The Whitehorse Correctional Centre has a dedicated First Nation liaison officer whose work it is to connect clients with available cultural and spiritual supports. Cultural programming at the Whitehorse Correctional Centre includes opportunities for beading, carving, drumming, fire ceremonies, and talking circles. The Whitehorse Correctional Centre also works to build relationships with Yukon First Nations to provide ongoing supports for offenders who are reintegrating into the community.

Lastly, what I will say is that the Department of Health and Social Services and this government are committed to encouraging and funding land-based healing programs. We have dedicated \$9 million over the next three years to support First Nation governments and organizations that are interested in providing this kind of support for individuals. It is under the *Substance Use Health Emergency Strategy*, but it is not solely focused on that.

I truly hope that reintegration of individuals who find themselves at the Whitehorse Correctional Centre into their community will be supported and that their transition will be supported by some land-based healing initiatives as we go forward. Our government has put a tremendous amount of budget funds not only in this supplementary budget but also in the mains for 2024-25 to support all of these kinds of initiatives because we support individuals who find themselves involved with the law and the criminal justice system and are very mindful of the overrepresentation of First Nation individuals in our criminal justice system. Our work continues to try to support those individuals through that process and have them reintegrate with their First Nation community.

Ms. Blake: I just have one last question, but before I ask it, I would just like to thank the officials for being here today and I thank the minister for the time that she has given to answer my questions.

The last question I have is with regard to the legal costs related to the judicial review of YESAB regarding Michelle Creek. What are the costs related to the lawsuits from First Nation governments in the Yukon?

Hon. Ms. McPhee: Deputy Chair, thank you for the question and for all of the questions. I understand the question to be about the costs of the Michelle Creek application by the

government to have a judicial review of the Yukon Environmental and Socio-economic Assessment Board decision. If I understand that to be the correct question, that process is ongoing. It's being handled internally by expert counsel at the Department of Justice, so there are no external costs at the moment, if that is the question.

If the question is what we will we spend on it internally, I would have to say that I don't have that information now, and I probably wouldn't have it until the process of the judicial review is completed. It is scheduled, I believe, for the fall of 2024, but I'm going to confirm that date.

Mr. Dixon: I appreciate the opportunity to ask the minister another question. It is about a subject that I have asked her about several times before and that is whether or not the government intends to adopt, formally or otherwise, the International Holocaust Remembrance Alliance definition of "anti-Semitism".

In the Spring Sitting of 2023, the minister introduced a government motion on the subject. Following that, on May 2, 2023, I wrote a letter to the minister, which I never received a response to about this. I followed up on January 16, 2024 with a letter that I never received a response to.

So, I put the question to the minister today: Does the government intend to formally adopt the IHRA definition and, if so, in what way?

Hon. Ms. McPhee: I had a conversation with some officials about this earlier today. What I can indicate is that a method by which such an adoption could happen is being explored by the team, and I am awaiting answers on what process exists for doing such a thing.

Mr. Dixon: Does the minister have any sense of timing for when that might happen?

Hon. Ms. McPhee: As I said, I had a conversation today about it. I don't expect it to take terribly long for us to determine, firstly, what the process is and, secondly, whether that decision will be taken — so, as soon as possible.

Mr. Cathers: I would like to ask the minister a question that is prompted by an incident with which she will be familiar, having issued a press release on that topic today entitled "Public notice of break-in at Whitehorse Victim Services office". In that press release, it noted that a break-in occurred at the Whitehorse Victim Services office sometime between the evening of March 15 and the morning of March 16 and that the RCMP are investigating. What is especially concerning in the release is that it notes — and I quote: "Confidential files and other items have been accessed. Individuals who have obtained services through Victim Services may be affected, as may other individuals who may be referenced in victims' files. It is still unclear the extent to which confidential information may have been compromised. Files that may have been accessed often include individuals' names, contact information and birthdates, as well as information about legal proceedings. Some such files contain additional personal information, as do some cell phones that were stolen."

This is, of course, concerning and, while I understand the indication from the press release that they don't yet know the extent of the total amount of confidential information which

may have been compromised, it does raise the question of how this could happen and what steps the government will take to prevent this type of incident from occurring again as well as to identify the extent of the problem in this situation and do as much as possible to minimize the damage caused by any breach that occurred.

Hon. Ms. McPhee: Deputy Chair, thank you for the question. The public notice of a break-in at the Whitehorse Victim Services office released today, March 18, 2024, is, of course, a public notice to properly comply with the *Access to Information and Protection of Privacy Act* with respect to potential breaches of personal information held by government.

It requires specific and certain details to be included — in particular, what kinds of significant harm could be the result of this crime. It is yet to be determined — the extent and how this crime was committed. I can indicate that many of the questions in the member opposite's preamble — or part of this question — are, in fact, describing an investigation and determining how this happened, what happened, what kinds of files, if any, were accessed. This is a precautionary tale. We are taking it extremely seriously. We have immediately reported this to the Information and Privacy Commissioner. We have made sure that Victim Services is available. The investigation continues in the office, so it is physically closed, but we have made sure that Victim Services staff are available by telephone to be contacted in the event that individuals have specific questions or concerns. All efforts will be made to answer those particular questions. We will take every necessary step to remedy any concerns that are identified, should they be identified with respect to our own security at that location and, in fact, Department of Justice locations to remind ourselves how important this information is that is in our hands as well as other things — cellphones, computers, office equipment, other equipment that is owned by the public — and how we can proceed.

I cannot answer any of those questions at the moment based on the fact that the investigation has not yet determined many of those facts. We deeply regret that this crime will cause serious concerns for members of our community and we are taking steps to ensure the safety of our clients and their information. We are actively cooperating with the RCMP criminal investigation to determine who is responsible for this crime and to bring them to justice and do everything possible to avoid such activity in the future.

Mr. Cathers: I appreciate the information provided. I am pleased by the indication that the government does take this seriously. It is quite concerning and I would again note, quoting from the release issued by the government themselves today — they note in part in the release that the minister is quoted in: "We understand that those potentially affected may have serious concerns about their personal information having been accessed and how this information could potentially be used to cause significant harm, such as initiating unwanted contact, attempting identify theft, or attempting to cause reputational damage."

There are two things that I would just identify regarding that which I hope the government is doing — and I would urge

them to if they are not. The first is to try to assess those individuals whose information is contained within the file who might be placed at immediate risk as a result of some of this information being released, such as the potential for unwanted contact that could threaten their safety. I would urge them to work quickly on that and to share that information with the RCMP and those individuals.

Secondly, I would urge the government to ensure that there is a full review conducted of both the physical and cyber security provisions related to Victim Services. As well, I would suggest that this is an opportune time to update the reviews of such for other areas of the government containing sensitive information, including but not limited to the Department of Health and Social Services, for which, of course, this minister is responsible, and I would appreciate the minister's commitment to undertake both of those actions that I have suggested.

Hon. Ms. McPhee: What I can say is that the examples noted by the member opposite are included — examples of what significant harm might occur or could occur are included in this notification to the public, as is required by sections of the *Access to Information and Protection of Privacy Act*. We are required to provide examples of the significant harm that might occur or give individual examples.

We certainly hope that this is not the situation going forward. We, of course, as part of the investigation, will determine — RCMP, not “we” as in the Department of Justice. But the Department of Justice, fully cooperating, will help to determine whose information might be the most serious. In the event that there is a breach of such information — we do not know that at this time, but, as I said, the public notice is written very broadly, and yet some specific examples are included so that compliance with the *Access to Information and Protection of Privacy Act* is done and is respected and that we comply with the law with respect to that opportunity. Any information that comes — I think that this is what the member is asking — from this completed investigation will result in the Department of Justice taking measured and serious steps to work to ensure that such privacy breaches are not the result of criminal activity in the future. That will involve determining how access was made to this location, the purposes of potentially of why someone or some people would access this location and why and what, if any, information was accessed and what items were taken, if any.

Mr. Cathers: I do appreciate the information. I also want to clarify for the minister that we want to ensure that they are taking steps to minimize the damage of what happened and prevent it from happening again at Victim Services or other departments, including Health and Social Services, that hold information of this type.

Thirdly, of course, we want to see the prosecution of those responsible for the offence. We recognize that much of that particular part will involve the RCMP, but I do want to highlight that there are two distinct and very important parts of this. One is the work of the RCMP in conducting an investigation of what happened and holding people responsible for it. The second aspect which I would urge the minister to

ensure is undertaken immediately is both the review of security — both physical security and cyber security — involving Victim Services as well as other departments, including Health and Social Services.

With that, I will move on to the last question that I have for today, which is regarding an issue of legislation that was brought to my attention by a constituent years ago following the passing of his common-law partner of many years.

We had begun the early stages of work during the tail-end of our time in government — and on looking at that — but simply ran out of time to do so. The issue that had come up is that under the *Estate Administration Act* — we have heard concerns from common-law couples — unfortunately usually following the passing of a common-law spouse without a will being in place — where there is a widespread misconception in the Yukon because of the legislative provisions in other jurisdictions that a lot of people who are in a long-term common-law relationship believe that they are considered for the purposes of matters, including settling an estate, to be equivalent to being married and then end up in a situation where they not only are dealing with the grief following the passing of a loved one but run into the unexpected legal problems which may threaten joint assets.

I had raised this matter with the minister first in March 2018 — just over six years ago, as it was on March 15, 2018. I explained the reason and asked if the *Estate Administration Act* is on the government's legislative priority list. The minister, after answering other questions that I had asked, said the following — again, this is Hansard, page 2108, from March 15, 2018: “The next question was regarding the *Estate Administration Act*. It is on the radar. It has been brought to my attention by the department. I don't have details with respect to how that might go forward, but we understand that there are some concerns.”

Unfortunately, this issue has been brought to my attention again by another Yukoner who lost a partner of many years. She found out that his assets would not necessarily pass to her in the way that had been expected. Again, when I have raised it — I floated the idea of consulting with the public on options and suggested that it might be appropriate to change the legislation so that, after a specified period of time, a couple in a common-law relationship would be considered by default to be married for the purposes of the *Estate Administration Act* but that common-law couples might also have the option of choosing to sign a declaration stating that they want to just live together and not link their assets — that option being, of course, intended to allow for the possibility of people, especially those who might have children from a previous relationship, who might want to keep their assets deliberately separate.

My question for the minister is about whether the government is looking at this. I know there are many other legislative pressures, but, again, it was six years ago that this matter was raised and I would ask the minister if she could indicate: Is the government planning on making changes to the *Estate Administration Act*? If so, when do they envision beginning public consultation on the options for doing so?

Hon. Ms. McPhee: I can indicate that I am aware of this situation. I appreciate the question with respect to common-law relationships. I can also indicate that the *Estate Administration Act* has an impact on common-law relationships, as does the *Family Property and Support Act*, which I will come back to in a second.

There is an opportunity under the *Estate Administration Act* to apply for recognition of common-law spouses and a common-law spouses' assets under section 74. I also know that amendments were made to the administration act — those minor ones back in 2018. I can also indicate that, in 2022, we made amendments to the *Family Property and Support Act* in relation to common-law spouses as well. I will look further to determine whether or not the specific issue being brought by the member opposite has been resolved. I can commit to working to resolve issues.

It has been a long-standing practice here in the territory to recognize common-law spouses in as many ways as possible respecting policy and legislation, and there are situations in which they are not properly recognized in law. We support that being the case.

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. 212, entitled *Third 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.

Speaker: We are now prepared to receive the Commissioner of Yukon to grant assent to the bills which have passed this House.

Commissioner Webber enters the Chamber accompanied by her Aide-de-Camp

ASSENT TO BILLS

Commissioner: Please be seated.

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

Clerk: *Coordinated Vaping Product Taxation Agreement Act; Interim Supply Appropriation Act 2024-25.*

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

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

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

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

Motion agreed to

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

The House adjourned at 5:20 p.m.

The following sessional paper was tabled March 18, 2024:

35-1-148

Sixth Report of the Standing Committee on Public Accounts (March 2024) (Dixon)

The following legislative return was tabled March 18, 2024:

35-1-130

Response to oral question from Ms. White re: Michelle Creek mining project (Streicker)

The following documents were filed March 18, 2024:

35-1-171

Unilateral Changes to Educational Assistant Staffing School Allocation, letter re (dated March 15, 2024) from Hon. Jeanie McLean, Minister of Education, to Ted Hupé, President, Yukon Association of Education Professionals (McLean)

35-1-172

Unilateral Changes to Educational Assistant Staffing School Allocation, letter re (dated March 11, 2024) from Hon. Jeanie McLean, Minister of Education, to Melanie Bennett, Executive Director, Yukon First Nation Education Directorate (McLean)

35-1-173

Unilateral Changes to Educational Assistant Staffing School Allocation, letter re (dated March 11, 2024) from Hon. Jeanie McLean, Minister of Education, to Sandra Henderson, Chair, Association of Yukon School Councils, Boards and Committees (McLean)

35-1-174

Unilateral Changes to Educational Assistant Staffing School Allocation, letter re (dated March 11, 2024) from Hon. Jeanie McLean, Minister of Education, to Stephanie Hammond, Executive Director, LDAY Centre for Learning (McLean)

35-1-175

Unilateral Changes to Educational Assistant Staffing School Allocation, letter re (dated March 11, 2024) from Hon. Jeanie McLean, Minister of Education, to Katie Swales, President, and Rebecca Fenton, Executive Director, Autism Yukon (McLean)

35-1-176

Yukon Dental Program, letter re (dated March 14, 2024) from Kenny Liu, President, Yukon Dental Association, to Hon. Tracy-Anne McPhee, Minister of Health and Social Services (White)