



Yukon Legislative Assembly

Number 222

1st Session

35th Legislature

HANSARD

Wednesday, November 20, 2024 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2024 Fall Sitting

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

CABINET MINISTERS

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

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

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

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Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, November 20, 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 — in recognition of National Child Day

Speaker: Today, the Chair will make a statement on National Child Day.

With us in the gallery to mark the occasion are: Annette King, the Child and Youth Advocate; Julia Milnes, the deputy Child and Youth Advocate; Ben Monkman, advocate representative; and Ian Cooper, advocacy representative.

Today as we gather to celebrate National Child Day, we reflect on the rights of children and reaffirm our commitment to nurturing their potential.

The United Nations adopted the United Nations Convention on the Rights of the Child on November 20, 1989. Canada joined in 1991, making a commitment to ensure that all children are treated with dignity and respect and have every opportunity to reach their full potential.

This year's National Child Day theme is "This is Me". Every child has a unique strength and ability that make them special and they deserve to be celebrated. This day holds profound significance, especially as we acknowledge our responsibility to uphold article 42 of the *United Nations Convention on the Rights of the Child*, which states: All governments must make the principles and provisions of the convention known to children and their families.

Our children are not just the future; they are the present. They need to know their rights, to feel empowered, and to live in an environment where their voices are heard and valued. We must ensure that every child understands their right to education, health, and protection.

Today, we acknowledge programs that embrace this year's theme, "This is Me", by meeting youth where they are at and removing barriers to their access to rights.

Specifically, I would like to highlight the Youth Achievement Centre and the Individual Learning Centre. These programs help youth reach their full potential despite challenges they have faced. Youth who attend these alternate spaces are able to find acceptance and success in their own way.

However, awareness is only one part of the equation. To genuinely protect and promote the rights of children, we must also examine and strengthen legislation and the policies that support these initiatives. This year, Yukon political leaders have signed on to the territorial youth strategy, demonstrating their commitment to ensuring that even the most marginalized youth have access to opportunities.

Numerous professionals and youth have contributed to the critical role in ensuring that children's voices are heard, their rights are protected, and their needs are met by participating in

child rights impact assessment training and contributing to the legislative review of the *Child and Youth Advocate Act*.

Today as we celebrate National Child Day, let us unite in our efforts to uphold the rights of every child. Let us engage our communities, our leaders, and our families in discussions about children's rights, ensuring that no child feels invisible or unheard. Together, we can create a world where every child knows their rights and can stand up for them with confidence. Let us honour their voices today and always.

Withdrawal of motions

Speaker: The Chair wishes to inform the House of a change made to the Order Paper. Motion No. 1129, notice of which was given yesterday by the Member for Riverdale North, was not placed on the Notice Paper, as it is out of date.

DAILY ROUTINE

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

INTRODUCTION OF VISITORS

Speaker: Introduction of visitors.

Visitors introduced

Speaker: Tributes.

TRIBUTES

Unanimous consent for Tributes to exceed 20 minutes

Hon. Mr. Streicker: Mr. Speaker, pursuant to Standing Order 14(3) and notwithstanding Standing Order 11(6), I request the unanimous consent of the House for tributes to exceed 20 minutes.

Speaker: The Government House Leader, pursuant to Standing Order 14(3) and notwithstanding Standing Order 11(6), has requested the unanimous consent of the House for tributes to exceed 20 minutes.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

In recognition of National Housing Day

Hon. Mr. Pillai: Mr. Speaker, I rise today to pay tribute to the community members, non-governmental organizations, and all levels of government that continue to work together with innovation and determination to address homelessness and housing insecurity across the Yukon. Their collective dedication reflects the values of collaboration and care that strengthen our territory.

Building a stronger, more inclusive, and prosperous Yukon where everyone has a place to call home can only be achieved by working together to meet the growing needs across our territory. The commitment of non-profit organizations and front-line staff to creating holistic housing solutions that address the urgent needs of the most vulnerable people is truly inspiring. On behalf of all Yukoners, we thank you.

The vision and leadership of Yukon First Nation governments in developing and advancing solutions to addressing pressing housing needs in their communities are unparalleled and too numerous to cover here this afternoon. These achievements inspire us all and set a remarkable example of what can be accomplished through innovation, collaboration, and steadfast dedication. We are deeply grateful for your leadership and partnership.

The dedication of Yukon's municipal governments and communities to advancing and supporting land- and housing-development initiatives reflects the shared commitment needed to address the growing housing needs of our territory. Together, we continue to build stronger communities and ensure that more Yukoners have access to the housing that they need. Thank you for your ongoing efforts and collaboration.

From funding new housing initiatives to designing programs that meet the unique needs of northerners, the Canada Mortgage and Housing Corporation has been a key partner in addressing housing challenges across the territory. Their efforts support the growth of stronger, more inclusive communities where every Yukoner has the opportunity to thrive.

The tireless efforts of community members, non-governmental organizations, Yukon First Nation governments, municipal and federal partners, the private sector, and countless others reflect the collective dedication needed to tackle housing insecurity and create lasting solutions.

Together, we are working toward a future where housing is not just a necessity but a foundation for equity, well-being, and opportunity. We are grateful for the continued partnerships and meaningful impact that our housing partners are making, creating a home for all Yukoners.

Applause

Ms. Clarke: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize National Housing Day. Since 2000, Canada has recognized National Housing Day annually on November 22. This day is dedicated to raising awareness about housing and homelessness across the country.

Housing has been an important topic for Yukoners over the last few years, with Stats Canada naming Whitehorse as one of the fastest growing cities in Canada. With the population of the city and that of the Yukon growing so fast, it is no surprise that the housing supply cannot keep up to the housing needs of Yukoners.

This significant growth has put a strain on Yukon's housing market, from increased housing prices to consequently increased rental prices. There are currently hundreds of Yukoners on the Yukon Housing Corporation's wait-list for seniors and social housing, demonstrating the need for housing in the territory.

The Yukon's housing crisis is real, and the need for action in all areas to help balance the rise in the cost of living for Yukoners is critical. National Housing Day is a reminder of this need for safe, secure, and stable housing in the Yukon and for all Canadians.

Salamat po.

Applause

Ms. White: Mr. Speaker, I rise today on behalf of the Yukon NDP in recognition of National Housing Day. Each November 22, Canadians recognize the work done and the work that still needs to be done to improve access to safe and affordable housing for all. Today and every day, housing advocates across the country work to raise awareness about housing and homelessness. Poverty and homelessness are not just issues of scarcity but issues of equality and human dignity. Canada has recognized housing as a human right, but as a nation, we have not achieved universal access to that right.

We're a wealthy nation, yet we see in here too many stories of people living in their cars, couch-surfing, living in hotels over the winter months, or squeezing in at emergency shelters. Those options might be shelter in the most basic of terms, but they are certainly not homes.

We know that the wait-list for Yukon Housing is years long; we know that there are hundreds of people on that list. We know that there are close to 200 people in the City of Whitehorse alone who are homeless or underhoused. So, that is our call to action.

We in this Assembly have the power to change the Yukon. We have the opportunity to fully realize housing as a human right for all Yukoners. It's up to us — all of us here — to work with the people and the organizations on the front lines of this housing crisis and all of the people who are living with the hard realities of that crisis.

So, to those who don't yet have safe, stable, and affordable housing, we see you and we won't stop until you have a place to call home.

Applause

In recognition of the International Day for the Elimination of Violence against Women

Hon. Ms. McLean: Mr. Speaker, I rise today on behalf of our Yukon Liberal government to pay tribute to the International Day for the Elimination of Violence against Women. November 25 marks the beginning of the campaign for the 16 Days of Activism against Gender-Based Violence.

In Canada, we know that still an estimated one in four women will experience physical or sexual violence in their lifetime. In the Yukon, the rate of gender-based violence is approximately three to four times higher than the national average. It disproportionately affects Indigenous women and girls, black and racialized women, immigrant and refugee women, and those living with disabilities.

I urge you to consider this reality and how it impacts our families, our communities, and our territory. We likely all know someone who is experiencing violence right now.

The root causes of gender-based violence in the territory are complex and are often intertwined with other issues such as housing, the cost of living, the substance use crisis, the availability of support services, or even transportation.

The impacts of colonization cannot be underestimated when it comes to violence against Indigenous women and two-spirit people. Transgender women and especially transgender women of colour experience a combination of transphobia,

racism, and misogyny and face some of the highest rates of gender-based violence in the world.

It's clear that there is still so much work to be done, but all Yukoners can be leaders in addressing this. We all have the opportunity and responsibility to work actively to end violence whether we have the honour of being in an elected leadership position or not.

When victims come forward to us, we can support them and provide information on their options. We can call out offenders when they perpetrate violence and we can also make space and find opportunities for them to heal.

As the Minister responsible for the Women and Gender Equity Directorate, I am consistently humbled and inspired by the work of so many within the territory who are doing work in this area. I absolutely raise my hands to all of you and all of the organizations working to support victims, to offer opportunities for healing, and to create healthier families and communities.

I stand by our shared commitment to related initiatives in our territory, such as the Yukon's missing and murdered Indigenous women, girls, and two-spirit+ people strategy, the *National Action Plan to End Gender-Based Violence*, and the Yukon's sexualized assault response team. Thank you so much for all of your hard work.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to recognize November 25 as the International Day for the Elimination of Violence against Women. The 16 Days of Activism against Gender-Based Violence campaign begins November 25 to December 10. Each year, it raises awareness about gender-based violence. Violence against women and children remains one of the most prevalent forms of violence in the world. Globally, it is estimated that one in three women have been subjected to physical, psychological, and sexual violence in their lifetime.

We also recognize that the most common form of abuse is intimate partner violence. Many women and girls are intentionally killed. We must also think of human trafficking, exploiting people for profit. Again, those who suffer most are women and girls. We always want it to be somewhere else, but the statistics are staggering even in our small part of Canada. We must advocate for zero tolerance and hold perpetrators to full account. We must make our laws stronger with victims in mind and stop making excuses or allowances, especially for repeat offenders.

Since the 1800s, women have worked tirelessly to advance their rights in society, and it continues today. Some names attached to these movements are "uprisings", "activism", and "feminism", and, of course, the modern digital hashtag #MeToo shows that the struggle is still very real.

December 6 marks 35 years of the national day of remembrance to honour the 14 victims of the Montréal massacre at École Polytechnique.

December 10 is Human Rights Day, with the theme, "Our Rights, Our Future. Right Now." It is a day for us to reflect on our progress and the challenges that we will and we still face. A safe world for all humans is much to ask for, but we must

strive for and speak up for those who can't. We, females of all ages, ask for safety, respect, and equality. Is that too much?

Applause

Ms. Blake: Mr. Speaker, I rise on behalf of the Yukon NDP caucus in recognition of International Day for the Elimination of Violence against Women and the 16 Days of Activism against Gender-Based Violence.

We honour and amplify the voices of survivors and the grassroots organizations that support them. These 16 days are more than a campaign; they are a collective commitment to confront injustice and to champion the dignity, safety, and freedom of every person. The roots of gender-based violence are all around us: in sexist jokes that degrade women, in language that is used to other or isolate, in media messages that objectify women, and in rigid gender norms imposed on young children.

Gender-based violence is a global epidemic that transcends borders, cultures, and communities. This campaign has always been a time to bring to the forefront the disproportionate levels of violence faced by women and girls and 2SLGBTQ2+ community members. The 16 days of activism remind us that silence is complicity.

This campaign feels particularly significant as we see the rights of women, queer, and trans people being opposed and stripped away across the world. As we see the reproductive rights being challenged and removed and as we see people who have been convicted of sexualized and gender-based violence holding positions of power, it is a painful reminder of how far we still have to go and of how important campaigns like these are.

Today I think of Gaza, where statistics show that 70 percent of those killed are women and children. I think of the women in the United States who are preparing for the further erosion of their reproductive rights, and I also know that these issues continue to impact us much closer to home. I know the startling statistics that Yukon women experience violence at a rate that is at least three times the national average and Indigenous women continue to be even more disproportionately impacted.

Mr. Speaker, we all have a role to play in ending gender-based violence across the world and here at home. We all have a responsibility to speak out when we witness violence, to support survivors, and to work toward a future that is free of violence.

Let us honour the resilience of survivors whose voices inspire change, let us commend activists who dedicate their lives to creating a safer, more equitable world, and let us each reflect on our role in dismantling systems that perpetuate violence.

Mahsi' cho.

Applause

In recognition of Transgender Day of Remembrance

Hon. Ms. McPhee: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to recognize Transgender Day of Remembrance. This annual observance started in 1999

when Gwendolyn Ann Smith held a vigil in honour of Rita Hester, a black transgender woman who was murdered in 1998. This is a day to honour all transgender, two-spirit, and non-binary people lost to senseless gender-based violence.

Last week also marked Transgender Awareness Week, a time when 2SLGBTQ2IA+ folks and their allies take action to educate the public about who transgender people are, share stories and experiences, and advocate for equity and equality. It's a time to recognize and celebrate the transgender Yukoners who contribute to the fabric of our communities.

According to Statistics Canada, in 2021, the Yukon was home to one of the highest proportions of transgender and non-binary people. Many of these are young people between the ages of 15 and 34. We know that transgender and non-binary youth are more than twice as likely as their cisgender peers to have thoughts of self-harm in their lifetime; 70 percent of trans youth will experience some form of sexual harassment or violence and are more likely to experience homelessness than their cisgender peers.

I empathize with parents who worry about their child's safety in such an intolerant climate. I share their frustration and concern, but days like today must serve to remind us of the importance of creating a Yukon that is welcoming, accessible, and fair to all. Let's consider how violence against transgender, two-spirit, and non-binary people impacts families and communities and breaks down the experience of what it means to be a Yukoner.

Each act of violence is not a statistic but represents a person, someone's child, a friend, a co-worker. Let us not lose sight of the humanity behind the labels. There is absolutely no excuse or tolerance for violence perpetuated on people simply for being who they are.

Today, I encourage all members and all Yukoners to seek out opportunities to recognize the Transgender Day of Remembrance and the Transgender Awareness Week.

A local organization known as Bricks is hosting a candlelight vigil this evening at The Cache — the Pride Centre in Whitehorse — and there is a vigil this evening in Dawson City at the fire pit on Front Street at 6:00 p.m.

The Yukon is fortunate to have such strong support for the trans community through groups such as Bricks and Queer Yukon and many other community organizations that work toward gender equity.

I stand in solidarity with transgender, two-spirit, and non-binary Yukoners and invite other members of the Assembly and all Yukoners to join me in honouring this part of our community. To the Yukon transgender, two-spirit, and non-binary community, please know that you are not alone and we will continue to support you. We value you as our students, our co-workers, our neighbours, our children, our family members, and our friends.

Applause

Mr. Istchenko: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize November 20 as Transgender Day of Remembrance, observed annually in memory of those who have lost their lives to transphobic

violence. Ignorance, hatred, prejudice, discrimination — it is important to understand words like these and what they represent in our world. It is important to know that the lives of so many individuals are affected by these words and to know that these words and what they represent have been the root cause of so much hurt and so many deaths of beautiful people.

The week leading up to the Transgender Day of Remembrance is about raising awareness of transgender issues, particularly intimate partner violence. Trans people and allies work to increase visibility of the issues and bring attention to who transgender people are within their communities, and we need to support them. They are brothers and sisters and sons and daughters.

We work to advocate around these issues affecting our fellow community members and replace those words with new ones: hope, acceptance, inclusivity, resilience, and love. We see you, we remember, and we are committed to a better future for you. Always stay humble and kind, and I love you, Taryn.

Applause

Ms. White: Mr. Speaker, I stand on behalf of the Yukon NDP in recognition of this day, November 20, as Transgender Day of Remembrance.

Today is a reminder of the ongoing struggles and violence faced by transgender people. It is a reminder of how much more work we need for an inclusive and accepting society. Honouring those who have been victims of violence and hate crimes, drawing attention to the discrimination and prejudice faced by transgender people, honouring those who have been lost — these are all important things.

But we have so much more than remembering. If we really want to honour those whose lives have been lost or affected and those who continue to face violence and discrimination, then we have to take action.

So, I'm going to repeat a line from Kai Cheng Thom, a Canadian writer, and she said: "We need people to stop talking about how trans women get killed all the time. We need people to start telling us that they won't let us die."

So, today, that's what I want to say to the trans community: We will fight to keep you safe. We will put ourselves in between you and danger. When we make mistakes, we will make amends and do better going forward. We will listen and celebrate your voices. You are wanted, you are needed, you are loved, and we will fight to make a world that is full of trans joy and possibility.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under Tabling Returns and Documents, the Chair has for tabling a case study of the Yukon Citizens' Assembly on Electoral Reform.

Are there any further returns or documents for tabling?

Hon. Mr. Pillai: I have for tabling a legislative return pertaining to questions from the Member for Kluane on November 18, 2024.

Hon. Mr. Mostyn: I have a letter from Raven ReCentre that I received just last night.

I also have for tabling a legislative return to the Member for Kluane and a legislative return for the Member for Takhini-Kopper King.

Hon. Mr. Streicker: I have for tabling the annual report on French Language Services for 2023-24: *Rapport sur les services en français 2023-2024*.

Speaker: Are there any reports of committees?
Are there any petitions to be presented?
Are there any bills to be introduced?
Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House congratulates the Child Development Centre on their 45th anniversary of offering therapeutic services and supporting the developmental needs of all Yukon children from birth to kindergarten.

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

THAT this House supports the addition of the 419 to 421 Range Road property in Whitehorse to the Canada Public Land Bank, which will see the Government of Canada accelerate its real property disposal process to meet the urgency of getting affordable homes built across Canada.

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

THAT this House urges the Government of Yukon to sign a transfer payment agreement with Raven ReCentre that will allow them to process community depot material streams.

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

THAT this House urges the Government of Yukon to introduce regulations and oversight for social workers in line with those in other jurisdictions in Canada.

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

QUESTION PERIOD

Question re: Diesel generators

Mr. Kent: Mr. Speaker, the Liberals have banked our energy future on a series of projects that are now either delayed, overbudget, or simply not proceeding. The result is that the Yukon will be renting dozens of diesel generators for far longer than we predicted. According to the Yukon Utilities Board, in 2022 — and I quote: "... YEC has been renting diesels since 2016 and expects to be renting diesels past 2030. Renting for at least 14 years is not a short-term event or solution."

Can the minister update us on how long he expects to continue renting diesel generators?

Hon. Mr. Streicker: Mr. Speaker, there is always a lot of challenge in predicting where we are going to go as a territory. For example, we have been growing faster than we anticipated and our economy has been stronger than we anticipated, so there has been a lot of growth and demand on the system. We also had things that were unexpected; for example, this year, the Aishihik hydro facility is only at 35 percent of its normal energy. So, there are always these variabilities, so that does make predicting a little bit difficult.

We have asked Yukon Energy to update their 10-year renewable plan. They are working on that. I think that it is coming soon. We know that we have renewable projects happening around the territory — Watson Lake, Beaver Creek, and Burwash. Here in Whitehorse, what we are doing is working on the grid-scale battery, so there is a lot of work to bring on renewables to offset the use of diesels.

I don't have an answer specifically for the member opposite, but I will say that, last year, rental diesels accounted for 1.3 percent of our total energy.

Mr. Kent: Mr. Speaker, hopefully, the minister can get back to us with an estimate of how much longer we will be renting diesels.

Two days ago, the minister told this House — quote: "... but generally speaking, if you are going to be using the generators for a long time, then you definitely want to have permanent diesels. If you think that you are going to be using them for a short time or need them very quickly, then often it will be rented."

This is certainly a flip-flop from the minister who chastised the Yukon Party for years for noting the necessity of permanent thermal generation. As the Utilities Board said — quote: "Renting for at least 14 years is not a short-term event or solution." And we know it's going to be much longer than that.

So, will the minister admit that his ever-expanding fleet of rented diesels is taking us in the wrong direction?

Hon. Mr. Streicker: No, Mr. Speaker. What I will do is say to Yukoners that I think the approach of the Yukon Party, which would be to forego seeking renewables and instead to invest in fossil fuels to energize this territory, is the wrong approach.

I have always said that we need diesels for backup, and if we're short for our capacity in the winter, then yes, we will need to use fossil fuels, but we also have to work toward renewable energy projects. Almost every initiative that we have brought forward, the Yukon Party has criticized.

Those projects that we're working with are projects that are coming from our communities. I think we're going to get more of them and I think we should continue to get more of them. I think that is the real difference.

The Yukon Party thinks that what we ought to do is just build a diesel future. What we think we should do is build renewable energy and make sure it's backed up by diesels.

Mr. Kent: Mr. Speaker, this is about the case of renting versus owning, something that the minister has chastised us for over a number of years when we suggested owning in the long

term and renting in the short term, but two days ago, the minister flip-flopped on this. On Monday, he admitted that, if you are using generators for a long time — which, of course, we are — you definitely want to have permanent diesels.

The Yukon Utilities Board has said that 14 years isn't short term, and we now expect to be renting diesels well into the 2030s, if not indefinitely, under this Liberal plan. So, since the minister has flip-flopped and admitted that permanent diesels are better in the long term, when will he be transitioning away from rentals in favour of owning permanent diesels?

Hon. Mr. Streicker: Mr. Speaker, I have been working on this issue for most of my professional life, and I have never shifted off of what I believe. When I've talked to environmental groups, I've said to them that, no, we will need diesels as backup. We always have to make sure that our system is reliable.

I want to give a shout-out to Yukon Energy for all of the work that they have been doing to modernize our system, to relicense our system, to work to welcome as many renewables as possible, and to see this vision of the future of the Yukon where we are heavily dependent on renewables — not on a fossil-fuel future. I have said that since I have been in this Assembly; I will continue to say it into the future. The difference that I have with the members opposite is not this argument about whether we use diesels and whether they are rented or not; that is their argument. My argument is that we need to be investing in renewables for the future of the Yukon.

Question re: Energy strategy effect on electricity rates

Ms. Clarke: Mr. Speaker, as the coldest part of the winter approaches, many Yukoners who rely on electric heat are bracing themselves for another expensive winter. For those families who struggle to make ends meet, heating costs are not something that they can reasonably cut back on. The unfortunate reality of the Liberals' failed energy strategy is that their decisions often drive the price of electricity higher. In the last general rate application that was filed last year, we know that 21 percent of the rate increase was due to the cost of renting diesel generators.

How much higher do rates have to go before the Liberals will admit that Yukoners cannot afford their failed energy strategy?

Hon. Mr. Streicker: Mr. Speaker, what just happened was that the Member for Porter Creek Centre took a portion of that rate increase and said that it is due to diesels — it is. But, of course, another portion of it is due to modernizing our grid, and another portion of it is going to our relicensing. So, yes, of course, our utilities are always investing. If we look at what our rates are here compared to our neighbours in the Northwest Territories, ours are way, way lower.

We just had a general rate application from Yukon Energy where it did see a 10- or a 10.5-percent increase over three years. In the Northwest Territories — I would have to get the numbers to be sure, but it was more than 20 percent over two years. That is the increase that they are facing and it is largely because they are dependent on fossil fuels.

So, please, for Yukoners — we really need to be careful. If we go the route that the Yukon Party wishes and we just build capacity with fossil fuels, then we are at the mercy of the price of fossil fuels, which also goes up and down. What we really want to do is to invest in renewables for the long term because we believe that, over time, it will be the best investment for Yukoners, not to mention the climate.

Ms. Clarke: The last general rate application that was filed last year requested an increase to the power rate of over 14 percent, and we know from the general rate application that was filed with the Utilities Board that 21 percent of that amount was due to rented diesels. We have heard that the Yukon Energy Corporation is planning to submit another general rate application before the end of the calendar year.

Can the minister confirm if that is true, and if so, does he know how much of a power rate increase they will be seeking?

Hon. Mr. Streicker: Mr. Speaker, for Yukoners — if we built an \$80-million LNG plant or diesel plant, the ratepayer would, of course, have to pay for that too. So, we can invest in renewables or — that is the choice. So, please, let's not argue that if we're investing in our utilities, we don't have to go to rate somewhere; we do. The only thing that I know of that Yukon Energy is looking to apply for right now is to drop that rate back down by one or 1.8 percent — I'll check — because there is something that is coming off.

But what we ought to be doing is, over time, going to rate applications fairly frequently so that we don't shock the system at any point and that, as there are cost increases for our utilities, we pay for them generally. At the same time, we will as a government look for opportunities to invest in our energy infrastructure. For example, the grid-scale battery, which is being commissioned right now — about half of the price of that grid-scale battery is being paid for through infrastructure dollars which will not go to rates.

Ms. Clarke: When the Energy Corporation spends money to advance projects like they did with the 2018 thermal plant that was cancelled or the Southern Lakes enhancement project, those costs don't just disappear; they end up being future GRAs that affect the rates that Yukoners pay.

Can the Minister of Energy tell us what outstanding projects or expenses need to be included in the next GRA and what their total cost will be?

Hon. Mr. Streicker: Mr. Speaker, yes, I agree with the member opposite and I think I said it earlier — that our energy utilities, both ATCO Electric and Yukon Energy Corporation, are continuing to invest in our energy infrastructure. It's important that they do that because we need to make sure that it is in good repair and that it is going to be reliable for the electricity when Yukoners go to flip their switch or turn on their heaters — that there is reliable energy there. It is not free to do that. It does cost money.

I know that one of the things that is in upcoming rate applications will be the work that is being done on relicensing. That has been significant work. For example, the Whitehorse relicensing project started roughly four years ago. It's probably a five-year project to do that relicensing. There is a lot of work that has been done on that. That is an example of where we will

see Yukon Energy put forward an application to the Utilities Board under a general rate application.

I don't have the full list in front of me. I certainly don't know what the projected dollars are to recoup those investments into our energy system, but what I can say is that Yukon Energy is always diligently looking to make sure that our system is reliable, affordable, and sustainable.

Question re: Gas burning devices

Ms. White: Mr. Speaker, just over a year ago, a home on Bates Crescent in Riverdale exploded. One person died from the explosion, while numerous neighbouring homes were damaged, some beyond repair. Many of the neighbours are still unable to move back into their homes a year later. Recently, charges were laid by the RCMP under the *Gas Burning Devices Act*. This act and its regulations allow homeowners to install gas systems provided that they first pass an exam administered by a government inspector.

In the wake of the explosion, this government suspended the ability for homeowners to perform their own gas appliance work, and we have been told that they are undertaking a review of the test and may make some changes to it.

Has the minister reinstated homeowner permits for the installation of gas burning devices?

Hon. Mr. Mostyn: Mr. Speaker, I know that this was a tragic event in Riverdale, as the member just said, about a year ago. It is still under investigation, I believe. As far as it comes to gas burning appliances, we really must ensure that our building codes and our inspections are up to date. I would warn anyone off doing this work by themselves. Make sure that you get a qualified person to do the work for you so that we avoid such a tragedy in the future.

As to the specifics of the member opposite's question, I will certainly look into that with the department and get back to the member opposite.

Ms. White: Mr. Speaker, while other jurisdictions may allow for these permits, it doesn't mean it's a good idea, and I'll remind the minister and his government that it was a different tragedy that brought in legislation requiring a certified professional to install or service oil-burning devices in the Yukon.

Now the territory has experienced another tragedy, and Yukoners are looking to the government once again to act and protect them and their homes from poor gas appliance installations. It might be hard for some to trust the government on this given that they were unable to maintain their own gas infrastructure at Whistle Bend Place; however, these regulations are in place to protect people, and perhaps it's time they were updated.

What changes is the minister planning to the regulations under the *Gas Burning Devices Act* to protect Yukoners?

Hon. Mr. Mostyn: Mr. Speaker, I really take exception to the tone of the member opposite. We have had incidents in the territory that have been tragic, and people have lost their lives. I remember an incident in the Porter Creek subdivision where a number of people died because of carbon monoxide inhalation because of poorly installed heating systems, and now

we have had a tragic incident in which another person died because of an explosion. It's under investigation. We had a tragic incident in Riverdale.

So, the government has stepped in and tried to bolster the regulations. I know that we follow the National Building Code and make sure that it is updated regularly, but to undermine and sort of perpetuate a distrust in our institutions — in institutions of government where civil servants are working within the law and working as quickly as they can to make sure that the buildings that are built are within the code and are regulated properly and that our inspectors are out there doing their jobs — and to say that people lack faith in that — I would hope that citizens of the territory and of Whitehorse actually have confidence in the institutions. We will continue to work hard to make sure that confidence is well-placed.

Ms. White: Well, the minister missed the mark there.

The tragedy in Porter Creek led to changes in both legislation and regulations. That's the thing: It was made safer because of the loss of life. It's unfortunate that it takes a tragedy to move government to action. Many provinces have outlawed provisions that allow homeowners to do their own gas appliance work, something that can still happen in the Yukon. That's because, as we've seen, it's not just the homeowner who is affected by a failure; homeowners on neighbouring streets had their homes damaged by the Bates explosion too.

We have heard from people who have been removing propane appliances from their homes as a result, and it's difficult to capture the trauma inflicted on the residents who lived nearby and on all Yukoners. It is critical that these systems be installed by qualified individuals to prevent another tragedy.

So, when will the minister review the *Gas Burning Devices Act* to ensure the safety of all Yukoners?

Hon. Mr. Mostyn: Mr. Speaker, I will say that this government does respond to issues. We are going to certainly take the lessons learned, as we have through all incidents, to find out how we can actually improve the way we regulate and operate given the new information we have from tragedies like this. It shouldn't happen. It's a terrible thing that has happened in Riverdale. I said that earlier. I said in my opening statement that Yukoners should ensure that they get a qualified person to install their appliances. I also said that, to my knowledge, this incident is still under investigation, and I will wait for the findings of the investigation. I know that the department too will pore over those findings, and we will make the changes necessary to make sure that Yukoners have confidence in their public institutions so they know that they are safe.

That's the way I operate, Mr. Speaker. That's the way I have operated since I came into this role, and I will continue to do that. We will learn from things that happen and make the adjustments necessary to try to ensure that they never happen again.

Question re: Immigration fraud

Ms. McLeod: Mr. Speaker, yesterday, the *Yukon News* reported about the ongoing RCMP investigation into the Department of Economic Development's immigration

programs. These programs have been the responsibility of the Premier for the last eight years, so I do have some questions for him about them.

Can the Premier confirm that both he and his department are fully cooperating with the RCMP's investigation into these programs that he oversees?

Hon. Mr. Pillai: Mr. Speaker, I know the department is fully cooperating with the requests that are there. I think that the question was posed in an interesting way by the member opposite by referring to me, but I do know that the department is working to make sure that anything that is required is provided.

Ms. McLeod: Mr. Speaker, the immigration programs run by the Department of Economic Development are done in partnership with the federal department of immigration.

So, can the Premier confirm whether or not he is aware of whether the ongoing investigation includes federal authorities, such as the CBSA or CSIS as well as the RCMP, and have either of those federal authorities seized documents from his department in addition to the RCMP?

Hon. Mr. Pillai: Mr. Speaker, I am only aware that the RCMP has had discussions with the Department of Economic Development.

Ms. McLeod: Mr. Speaker, in light of the ongoing RCMP investigation, have there been any policy, program, or personnel changes in the Department of Economic Development in regard to these programs? Is the program still fully functioning, or has it been paused?

Hon. Mr. Pillai: Mr. Speaker, I will give a quick update. I know that there was concern around the program this year, as we paused intakes of the program, and that was really due to the fact that we had so many applications. I want to just give a quick update for Yukoners. Between January 1 and October 31, 2024, there were 333 applicants who were nominated: 256 of those were critical impact workers; 35 were skilled workers; and 35 were Yukon express entry, seven within Yukon communities.

Again, the allocation was for 430 this year, and we would know the allocation. The program is still, right now, processing the applications that we received in the springtime. I know that we are looking at all of our policies and procedures at all times, trying to make sure that we improve what is happening in the department. We are looking to respond to some of the conversations that are happening at the national level. We are thinking that there may be a reduction next year, so we are keeping an eye on that and looking to see how many of these applicants can get in but also working with the federal government around folks with open work permits on extending their stay in the Yukon.

Question re: *Miners Lien Act* review

Mr. Dixon: Mr. Speaker, yesterday, the Premier made a surprising announcement on the floor of the Legislature. He said that he was launching a review of the *Miners Lien Act* and was tasking the Department of Economic Development with engaging with the business community about that act. He even said that work would begin as soon as later this week. This was

surprising, because earlier this year, on April 3, the Minister of Energy, Mines and Resources told the Yukon Legislature that they were focused on other mining legislation that was a higher priority and that reviewing the *Miners Lien Act* was not a priority.

So, can the Minister of Energy, Mines and Resources tell us if his department will be involved in the review of the *Miners Lien Act*? Also, did the Minister of Energy, Mines and Resources and his department learn about this new legislative review yesterday on the floor of the Legislature, or did he know that the Premier was going to make that announcement just yesterday?

Hon. Mr. Pillai: Mr. Speaker, it must be difficult for the Leader of the Official Opposition to get up without breaking into a smile and reading that question. What happened yesterday was that the NDP asked a question about the *Miners Lien Act* — it has been brought up before — and referred to what has happened with the dollars that are owed to Yukon businesses after the failure at Victoria Gold. My statements yesterday were that I thought I would like to speak with the Yukon Party, because they had strong feelings about why that should be in place — the *Miners Lien Act* — and then I said I would direct the Department of Economic Development to reach out to the private sector to begin a conversation to see what thoughts are around the lien act. There was no focus on new legislation.

Again, a bridge too far by the Leader of the Official Opposition — perpetuation of a narrative pretty consistent over the last three weeks. Yukoners are seeing it; the media are seeing it. It's a pretty normal piece, but again, I look forward to the second part of this question.

Mr. Dixon: Mr. Speaker, the Leader of the Third Party asked if the *Miners Lien Act* would be reviewed. The Premier said yes, and he said he was tasking his department to go talk to chambers of commerce later this week. Mr. Speaker, we found that very surprising, and I believe that the Department of Energy, Mines and Resources found it surprising too.

It was equally surprising because we are just on the heels of Yukon's biggest mining conference, and the vast majority of the mining industry was here in the Yukon over the past few days. The minister and the Premier have each made speeches and engaged with industry in multiple ways over the course of that conference. As far as I can tell, not once did either one of them mention this upcoming legislative review.

So, why didn't anyone from the Yukon government say anything to the industry over the course of the mining conference about the launch of the review of the *Miners Lien Act*, which will apparently begin later this week, according to the Premier yesterday?

Hon. Mr. Pillai: Mr. Speaker, I know that the Leader of the Official Opposition and I differ on many real policy issues. Again, to bring this to the table today and to position it and present it in this particular way I think is funny.

I actually thought that the best thing to do — and that's what my overtures were yesterday — was that I would like to speak with the former Minister of Energy, Mines and Resources, who is the Member for Copperbelt South. I would

like to speak with the Leader of the Official Opposition as a former Economic Development minister, and I think I would like to get a better understanding of why that legislation came in, because, to be quite open, I don't have a full understanding other than that they said it would reduce investment.

At the same time, we've seen a number of situations where companies have been left in a dire situation. We saw it with Wolverine, we saw it with Minto, and now we have seen it with Victoria Gold. I think, as the opposition positions themselves to also be champions of the private sector, that they would be open to that discussion, but today again instead, we will perpetuate a narrative. We will stretch again what the perspective is. I thought it would be good for members in this House to get together and be able to at least have a discussion about it. I thought it would be good to go out to the chambers, which I think I named yesterday in Hansard, to see all of the chambers to start that discussion.

Question re: Orthopaedic surgery wait times

Mr. Cathers: Mr. Speaker, this Liberal government has spent more than eight years neglecting the needs of Yukon hospitals. The government left our hospitals struggling, forced to use millions of dollars in capital funding just to meet payroll and cut surgeries and capped other services last winter because of a lack of funding.

In April, the *Yukon News* reported — quote: “The Yukon’s resident orthopedic surgeons aren’t taking new patients for elective orthopedic surgeries because there is no new money or support for the program...” As a direct result of the Liberal decision not to provide sufficient resources, local orthopaedic surgeons announced that they are no longer accepting referrals, and all non-urgent and semi-urgent consultation requests are being sent out of the Yukon as a result.

How many Yukon patients have been sent Outside for orthopaedic surgery since April?

Hon. Ms. McPhee: I appreciate the question. It’s always a great opportunity to discuss Yukon’s health care system, and Yukoners care deeply about access and about improvements to health care, as does this government. We have continually increased the budget for the Yukon Hospital Corporation. We have continually supported the orthopaedic surgeons program here in the territory, because Yukoners benefit from that program being here in the territory.

Is there a wait-list? Absolutely. Are we working with the orthopaedic surgeons in that program to expand and continue the program and increase access to that program? Absolutely. Are we doing that through funding to the Yukon Hospital Corporation? Absolutely.

The 2024-25 first supplementary estimates has budgeted \$120.8 million for the Hospital Corporation O&M and \$8.7 million for the capital expenditures for a combined total of \$129.5 million to the Yukon Hospital Corporation. I certainly hope that the members opposite support this funding for this essential service.

Mr. Cathers: The minister didn’t answer my question, and the funding is still short of what the hospital actually needs.

The minister of health and the Premier can try to deny the facts all they want, but it doesn’t change the fact that Yukoners who need surgery are waiting in pain due to unacceptably long wait times.

In April, the minister said that their MOU allowed for only 100 total joint procedures last year. In the same *Yukon News* article that I quoted earlier, they reported that, according to Cabinet communications — quote: “... the wait time for total knee or hip replacement was between 16 and 21 months, with 284 people on the waitlist.”

How many people are currently on the wait-list for these surgeries now, and what is the expected wait time?

Hon. Ms. McPhee: Mr. Speaker, as of October 31, 2024, there were 209 individuals on the wait-list for total knee replacements and 65 individuals on the wait-list for a total hip replacement at the orthopaedic clinic here in the territory.

I would appreciate it, Mr. Speaker, if you would ask the members opposite not to whistle in this House.

Mr. Cathers: Mr. Speaker, the amount that the wait-list has grown since the spring is concerning and alarming.

Following the letter from local orthopaedic surgeons in April, a CBC article says — quote: “The hospital needs more resources across the board to grow its surgery capacity...”, according to the Yukon Medical Association. And — quote: “Growing capacity requires more doctors, more supporting staff, more equipment and more beds. There needs to be space for elective surgeries as well as emergency operating rooms and bed capacity for postoperative care.”

Over five and a half years ago, Yukon hospitals asked this Liberal government to fund their surgical services project, which would double the size of the surgical services area and add beds at WGH, but the government still hasn’t funded the project. Wait times are growing, and a growing number of people are resorting to private clinics Outside for surgery.

Will the Premier step in and agree to provide funding for the surgical services project now, or will the government continue to force Yukoners in pain to seek surgery at private clinics for the foreseeable future?

Hon. Ms. McPhee: Mr. Speaker, unfortunately, more fearmongering by the member opposite for Yukoners — I am happy to give them the facts. While most of our funding at the Yukon Hospital Corporation is provided through the Yukon hospital services O&M and capital budgets, there is also additional funding that’s provided through other channels.

During the 2023-24 fiscal year, we provided a total of \$123.3 million to the Yukon Hospital Corporation. We continue to work with them throughout the year to determine what their needs are. Since 2018-19, we, this government, have increased the Yukon Hospital Corporation’s O&M funding from \$68.2 million to, last year, \$120.8 million, which represents an increase — and I have said this year to \$129.5 million, representing an increase of more than 77.2 percent. I seriously hope that the members opposite will support this funding through a vote for this budget.

Speaker's statement

Speaker: Order, please. I just want to remind members that I ruled “fearmongering” out of order. Please do not use that word.

The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 308: *Act to Amend the Elections Act* — Third Reading — adjourned debate

Clerk: Third reading, Bill No. 308, standing in the name of Ms. White; adjourned debate, the Hon. Mr. Pillai.

Hon. Mr. Pillai: Mr. Speaker, I appreciate the opportunity to just make a few further comments on Bill No. 308. I had an opportunity when this was last here to really outline, I believe, some of the key challenges that we saw with the bill. Since then, of course, we have now had the passing of the new boundaries, and now we find ourselves with a different challenge in hand, Mr. Speaker. As you will know, Bill No. 45 — which has now passed and, of course, we are just waiting to have the Commissioner come in to assent to it — has a different technical approach toward how it identifies our ridings.

I will just take an excerpt from the comments that I made during third reading of Bill No. 45 earlier this week. What I touched on was that the 2018 commission's final report provided metes and bounds to describe the proposed boundaries. The bill that was tabled then reflected the commission's recommendation and used metes and bounds. Bill No. 308, which we are discussing today, has the technical use of metes and bounds. Using metes and bounds is difficult — part of the reason that you saw the change in Bill No. 45.

It is difficult to understand and can become inaccurate as the environment changes. That is why there was a new practice for Bill No. 45. The commission provided the boundary descriptions in Bill No. 45 through the use of maps. This follows the modern practices of other jurisdictions in Canada and improves transparency, access to justice, and accuracy. Remember, we thanked Yukon Geomatics for some of that key work.

Our challenge today is not even so much about a philosophical difference; it is just that Bill No. 308 proposes a metes and bounds approach and now we are seeing boundaries move into a more modern digital-mapping approach. There are definitely some challenges even with the amendment being congruent with what we will see with the changes after the boundaries commission's work and, of course, the acceptance of Bill No. 45 in the House today.

I thank the Leader of the NDP for bringing this work forward. I am sure that we will have more discussion today and there will be more discussion about this topic — even potentially later today. I thank her for her work and I will take my seat now.

Ms. McLeod: Mr. Speaker, I am happy to rise at third reading of Bill No. 308. There are two parts to this bill. The first carves out Vuntut Gwitchin for special treatment under the *Elections Act*. The second is meant to establish a minimum number of seats outside of the municipal boundary of Whitehorse.

I am going to begin by addressing the second part of this bill. My caucus and I are very much supportive of what we think the intent of this part of the bill is. We believe that maintaining an appropriate balance between the political representation of rural and urban Yukon is important. More than that, Mr. Speaker, it is critical to maintaining the character and identity of this territory.

However, we do have some concerns about the way this bill proposes to do that. First of all, I note that there remains some uncertainty about what the current wording of “outside the municipal boundary” means for ridings that straddle the municipal boundary, such as Lake Laberge. I know that it has been mentioned already, but it is an important part. As it stands, it appears to us that this bill would be inconsistent with the current final report of the Electoral Boundaries Commission, which has designated Lake Laberge as a rural riding.

Second, I have concerns that setting a minimum number of seats for rural Yukon may not actually achieve the intent of the bill to protect the balance between rural and urban ridings. For example, it says nothing about the total number of seats or the number of seats in Whitehorse.

Now, it may be a bit of an exaggeration, but what if it was proposed that there would be 16 seats in Whitehorse because of the population growth? This would lead to there being double as many seats in Whitehorse as rural Yukon. This would still be consistent with this bill but totally inconsistent with its intent. I think that some other way of achieving this balance is necessary. It could be enshrining some sort of ratio of rural and urban seats or perhaps capping the total number overall. I'm not sure exactly what the answer would be there, but I believe that a multi-party process to come up with a solution is the best way to achieve that.

Next I will turn to the issue of recognizing the distinct features of the riding of Vuntut Gwitchin. I understand that Old Crow is a unique community and that the riding of Vuntut Gwitchin is a remote area. But on principle, I have a hard time carving this community out as being more special and more unique than any other community. For instance, as the MLA for Watson Lake, I think there are many unique and special characteristics of my own community or the community of Ross River that the boundaries commission has joined with Watson Lake.

While I disagreed with the findings of the commission, I don't necessarily think that Ross River needs to be its own riding. I think we enter a very slippery slope if we start giving special treatment to certain communities but not others.

So, while we appreciate some of the intent behind this bill, ultimately, we can't support it.

I encourage all members to consider a multi-party process to consider another way to enshrine a better balance between rural and urban seats in our election laws, but I don't believe that this bill is the best way to do that.

Therefore, as I said, my colleagues and I will not be supporting this bill.

Hon. Mr. Streicker: Mr. Speaker, thank you for the opportunity to rise to speak to Bill No. 308.

First of all, I know that we have just two days left in this sitting and I always know —

Some Hon. Member: (Inaudible)

Hon. Mr. Streicker: I don't recall speaking to this.

Mr. Speaker, what I was starting to say was that I know that, as we get toward the end of our sessions, sometimes there is a focus on what divides us. I always look through to understand how we work as an Assembly and what our role is as elected officials to try to shape the pathway forward for the territory. I recognize that there is also a lot that we agree on, but because of how we focus in the Assembly, a lot of what comes out toward the public or through the media or certainly during Question Period is about where we disagree.

I know that this may be one of those times where we disagree, but I want to do it in a way that talks about what is at the heart of this and what is important about it. When we were debating Bill No. 45 recently —

Some Hon. Member: (Inaudible)

Hon. Mr. Streicker: Mr. Speaker, do you want me to take a moment to take a moment and check?

Speaker: Order, please.

The Member for Mount Lorne-Southern Lakes has already spoken on third reading of this bill.

Does any other member wish to be heard?

Hon. Ms. McPhee: Mr. Speaker, I rise today to speak to a particular set of comments that were made recently in this Legislative Assembly, and I am pleased to have the opportunity to do so to speak on Bill No. 308. I think the debate on this particular bill and piece of legislation is extremely important.

I think that the concerns that I have with respect to this and want to bring to Yukoners today are some comments about the Electoral District Boundaries Commission being particularly political. In fact, there are, I would say, allegations that come very close to calling into question the honesty of that body. I think that is perhaps a different issue, but I want to start first by speaking about the fact that the Electoral District Boundaries Commission is set up pursuant to section 408 of the *Elections Act* here in the territory, but for the change that was made recently to allow for the Electoral District Boundaries Commission and the work that they have just completed and the report that came to this Legislative Assembly and to all Yukoners and the debate that took place with respect to the bill that was presented here in the House also on this topic does, in fact, indicate that the Electoral District Boundaries Commission will be set after every second election.

As we heard from the Leader of the Third Party the other day, this will return to its regular process after the election in 2029, at which time, another Electoral District Boundaries Commission, pursuant to this legislation — if this legislation is not changed in the meantime — will go forward.

There were particularly comments made by the Official Opposition party — the Yukon Party — about the politics of this particular legislation. Let's be clear — the commission. Sorry, I should say "the commission", not "the legislation". Let's be clear about this. The Electoral District Boundaries Commission is set pursuant to the *Elections Act* of this territory. The Chief Electoral Officer is named to the commission by virtue of section 408 of the legislation. The Chief Electoral Officer does not have a choice with respect to whether or not they as an independent officer — independent of politics — are on this commission. They are required to be there.

In addition, a judge or retired judge of the Supreme Court, who shall chair and who shall be chosen by the Chief Justice and appointed by the Commissioner in Executive Council, shall also be on the commission and be, in fact, the chair of the commission. So, she or he — in this case, she — has no choice but to participate in this process as an independent member of the commission — no politics involved, Mr. Speaker; no politics involved. Not only is there none by virtue of the definition of the jobs that those individuals hold on a regular day at work, they are independent; they must be independent.

Then, the commission is comprised of a representative of each of the registered political parties represented in the Legislative Assembly at the time of the appointments. So, that involved the individuals who comprised this commission this time, each named by a political party that is represented here in this Legislative Assembly — three of them. Each chose an individual to participate on this commission, which, by the way, is not nothing. It's a great deal of work. It was a significant amount of time from an individual's personal life, personal schedule, personal work schedule. It was also a significant amount of time travelling across the territory for the purposes of doing this work.

Mr. Speaker, to be clear, I found the references made by the Official Opposition to the politics impacting — there was no allegation of it; it was clearly stated that the individual speaking believed it to be politically motivated and ultimately called into question the honesty of that commission. I found that offensive; I believe that we must respect — there are lots of ways to disagree, and I don't have any issue with the points made by individuals who did not support the *Electoral District Boundaries Act* in this Legislature or may or may not support Bill No. 308 in this Legislature. I have no issue with that at all. The issue I have is with the disrespect that was shown not only to this commission — which is set up by a piece of legislation here in the territory — but to the activities of this commission and calling that into question.

As I have said, Mr. Speaker —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: Pursuant to Standing Order 19(b), the member is speaking to matters other than the subject under discussion. The minister appears to have forgotten which bill she is speaking to and seems to think that she is speaking on the *Electoral District Boundaries Act*. This, of course, is actually Bill No. 308, which is a private member's bill put forward by the Third Party.

I would ask you to have her focus her remarks on this legislation we are actually debating. Again, as I noted, I believe that she is out of order contrary to 19(b).

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

Hon. Mr. Streicker: Mr. Speaker, the bill before us is talking about our electoral system, and it has a lot of overlap with the similar bill, Bill No. 45, that we were debating recently. There are a lot of overlapping issues. I think that the Member for Riverdale South was talking about both of those in her submission to us on the floor today.

Speaker's ruling

Speaker: There is no point of order. Minister of Health and Social Services, please continue.

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. I think I have the correct number. It is Bill No. 308. If I misspoke that, I apologize, but I certainly understand that we are talking about the current bill here with respect to changes to the *Elections Act* and all of my comments were directed that way.

I note with respect to the Electoral District Boundaries Commission, which is required in the *Elections Act*, that the comprising of that commission requires that each leader of a registered political party is entitled to choose a member for the commission. That occurred in this case, and any vacancies are dealt with in sections 408(3) and 408(4).

My point, Mr. Speaker, is in fact that there were comments on the broad issue of changes to the *Elections Act* and the work of the commission that I found to be disrespectful. I think that, as Members of the Legislative Assembly, we absolutely must uphold the institutions of government and the institutions of democracy and that, whether or not we like the reports that come as a result of that work, questioning how that work is done must be extremely carefully done. I think that there are many ways in which criticism can take place.

I certainly encourage discourse with respect to issues like this. I believe that probably every party in this Legislative Assembly has individuals who feel strongly about certain aspects of the *Elections Act* and the work that has been done here on our behalf and out into the community. I think that work has been extraordinary. I believe that the report that has brought forward this issue has been something that has been properly discussed. I also believe that Bill No. 308, which speaks to wanting to entrench ridings specifically or the ways in which ridings are categorized, is an issue that is important to

Yukoners. Hopefully, others will speak with respect to whether or not this is a good decision at this time — to entrench particular ridings.

I do have one set of additional comments, and that is with respect to some comments that were made in this Legislative Assembly with respect to debate about individual cycles — cycles of review for electoral boundary changes. Certainly, it is considered in Bill No. 308 that entrenching certain parts — certain ridings in one case and certain categorizations of urban versus rural ridings — is an important consideration, but I also note that there were some comments regarding the fact that this could be reviewed again in 2029, and certainly, the *Elections Act* does account for that and require it, yet Bill No. 308 is trying to entrench certain aspects of that in law. I just think that we must think carefully about those two concepts and whether or not they are in conflict with one another. The opportunity for the *Elections Act* to be discussed further by Yukoners and to be potentially ultimately reviewed — I think that there is a motion for that later today — is something that needs to be discussed. But I think that we need to be careful about entrenching aspects that will impact section 408 and how the commission does their work, because they would be doing their work inside parameters that come from the Supreme Court of Canada, inside parameters that come from other common law with respect to aspects of how elections acts — this one and others across the country — are dealt with, how they calculate numbers, and how they calculate diversions from those numbers. Ultimately, should this act pass, it would be yet again another parameter under which the commission would need to do its work, because they would be considering a change to the *Elections Act* — a change to this law — that would give them specific rules that they must deal with that don't exist at this time.

I ask all of my colleagues to consider that carefully in determining their support or their comments or their issues and challenges with respect to the bill that is before us today.

Thank you, Mr. Speaker, and thank you to all of the members who have carefully considered this situation and carefully considered how this bill is connected very carefully to the bill that was here yesterday for our debate. I look forward to further comments.

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

Does any other member wish to be heard?

Ms. White: Mr. Speaker, I appreciate the comments and the changes in the comments from my colleagues since we first debated this on October 9. I will point out that, on October 9, there was a lot of suspicion as to why I had a copy of the Electoral District Boundaries Commission's final report 20 minutes after it was tabled. The secret to that was that I had asked for it. I did; I asked for it. I particularly appreciated the comments from the Minister of Highways and Public Works who talked about the perception of gerrymandering and then referred to Bill No. 308 as a somewhat ill-considered amendment to the bill, having never read the Electoral District

Boundaries Commission final report. I have mentioned it numerous times here, but page 75 really does ask us to contemplate just this. It is putting in some bumpers — some lines, some parameters — going forward.

I do appreciate that the Premier's tone changed between the 23rd and today. Today he talked about the shortcomings as being a technical approach, and I do appreciate the comments from the Minister of Health and Social Services where she referenced "should this act pass", and I would say, well, reading the room, starting on October 9, this bill never had a chance in any way to pass, unfortunately.

But that's neither here nor there, because we in the Yukon NDP really fundamentally believe in the importance of rural representation and we're looking to do exactly what the boundaries commission had asked for, which was to give direction going forward and to make sure that the challenges that they faced this last go-round were not going to be challenges the next one would face in 2029 or 2030.

I think it's important. I would say that, had I had any indication that the legislation, Bill No. 45, would have maps instead of the verbal description that they had from the beginning of time, well, I can tell you that Bill No. 308 would have had maps and not words to describe the riding — or to describe the City of Whitehorse, at least — because, obviously, I would have followed suit. It's funny, because on October 9 prior to the tabling of Bill No. 45, I probably would have been told that I missed the mark on that one too.

I have no regrets about the work that we did. I have no regrets on the work that the drafter did. I'm proud to stand here as the Leader of the Yukon NDP with my colleagues from the riding of Vuntut Gwitchin and Whitehorse Centre. I'm proud of the work and the consultation that we did on this. I'm proud of the meetings that we attended this last year and listening to the boundaries commission that brought us to this proposed bill. I have no regrets.

As a matter of fact, I'm so convinced that we need to do better by the *Elections Act* that we may have an opportunity to debate that later this afternoon. But for now, I'll take my seat and look forward to Bill No. 308 and I thank the House for their time.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pillai: Disagree.

Hon. Ms. McPhee: Disagree.

Hon. Mr. Streicker: Disagree.

Hon. Ms. McLean: Disagree.

Hon. Mr. Clarke: Disagree.

Hon. Mr. Silver: Disagree.

Hon. Mr. Mostyn: Disagree.

Mr. Dixon: Disagree.

Mr. Kent: Disagree.

Ms. Clarke: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Ms. Van Bibber: Disagree.

Ms. White: Agree.

Ms. Blake: Agree.

MLA Tredger: Agree.

Clerk: Mr. Speaker, the results are three yea, 13 nay.

Speaker: The nays have it.

I declare the motion defeated.

Motion for third reading of Bill No. 308 negatived

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 1122

Clerk: Motion No. 1122, standing in the name of Mr. Dixon.

Speaker: It has been moved by the Leader of the Official Opposition:

THAT this House urges the Government of Yukon to join calls for the Government of Canada to immediately reform the bail system by eliminating credit for time served in jail for repeat and violent offenders.

Mr. Dixon: Mr. Speaker, it is a pleasure to rise today to speak to this motion. There is a growing consensus in this country that our current bail system is broken. It is a consensus that spans political lines and across the various branches of the Canadian federation. This admission of the failure of the system comes from, on the one hand, premiers from a variety of partisan backgrounds representing almost the entire political spectrum in Canada and from all corners of this country's vast geography. It includes those who come from small communities and from large urban communities as well as rural. It also continues to come, on the other hand, from our police forces across the country — from police associations across the country at different levels, Mr. Speaker. Of course, we continue to hear it from everyday citizens who see and experience the failure of this system.

The unfortunate reality of this is that an ever-increasing number of Canadians are losing faith in our justice system every single day as we continue to see the system fail to keep communities safe and fail to deliver justice for victims. In my view, Mr. Speaker, this is certainly the case here in the Yukon. I won't mention specific cases, but needless to say, there have been several notable cases of crimes committed by individuals who are either on bail or who are well-known frequent flyers in the justice system.

While local RCMP haven't been as vocal as some of their counterparts in the south, I know that, from speaking with constituents who serve on the RCMP, there is widespread frustration with our current system and how it has been working — or perhaps not — here in the Yukon. My colleagues and I continue to hear how frustrating it is for RCMP members to arrest repeat offenders to the point that they know these people

by name, yet they have no ability to hold these criminals or prevent them from being back out there to offend again.

At the federal level, we hear some political leaders calling the system a “catch-and-release” system. Here in the Yukon, the Premier has called the system a “revolving door”. So, with this growing consensus that the system is broken, the next step is to begin a conversation about how to fix it. I know that twice over the past two years, Canada’s premiers have written to the Prime Minister and the federal government to raise these concerns and to demand change. Following the first letter, there was some progress through Bill C-48, which took steps toward a reverse-onus system of bail. While many saw this as encouraging initially, the implementation of that bill has been faced with some stunning failures; the most notable came last summer and prompted yet another letter from Canada’s premiers to the federal government about the need to address the failings of C-48 and the need to go further.

Since that time, some provincial governments have made suggestions. For instance, in October, the Government of Ontario issued a press release calling for specific actions. In that release, the Minister of Auto Theft and Bail Reform said — quote: “The federal government’s failure to restrict bail access and get tough on crime is making Ontario communities less safe ... Our government is stepping up by hiring new judges and prosecutors and supporting our police officers, but the federal government’s inaction has made it harder to keep dangerous criminals behind bars. Enough is enough: We need meaningful bail reform now.”

Further in that release, Mr. Speaker, Ontario proposed the following items: They proposed the restoration of mandatory minimum sentencing for serious crimes, which this federal government removed, to ensure appropriate penalties and justice for victims. The release goes on to note that Ontario is calling for the removal of bail availability for offenders charged with murder, terrorism, human trafficking, intimate partner violence, drug trafficking, criminal possession, or use of restricted or prohibited firearms and robbery — for example, car jackings and home invasions. They also called to mandate a three-strike rule requiring pretrial detention for repeat offenders so they are not allowed back on the street to commit more crimes before their day in court. Ontario also calls to bring back restrictions on who can get conditional sentences for serious crimes so that dangerous criminals receive sentences that match their actions. They also called for a requirement that ankle monitors be a condition of bail for serious crimes and, of course, they called for the removal of credits that can be applied to sentences for time that an accused spends in jail before trial for repeat and violent offenders.

The release went on to say — and again I quote: “These measures, which are within federal jurisdiction, are essential to keeping the people and communities in our province safe. The government urges the federal government to immediately implement these measures and looks forward to discussing other ways to protect the people of Ontario.”

Finally, Mr. Speaker, the release ends with a quote from the Ontario Solicitor General — quote: “Public safety has and will continue to be one of our government’s top

priorities ... We have seen a demonstrated failure of Canada’s bail system resulting in harm to the people of Ontario, and those who keep our province safe. We will not stand by while the federal government refuses to hear that the system they broke isn’t working.”

Mr. Speaker, while I think that the words and the comments from the members of the Ontario government are powerful and telling, I also think it’s worth reflecting on the fact that these policy measures have been endorsed by and are supported by police organizations, for instance, the Police Association of Ontario and the Ontario Provincial Police Association.

Here is what the president of the Police Association of Ontario said — and I quote: “The recommendations put forward to fix the bail system are a crucial step in ensuring a justice process that treats individuals fairly while keeping communities safe. Effective bail reform must strike that balance between public safety and the rights of the accused. The outlined approach underscores the government’s dedication to public safety, accountability, and the well-being of everyone involved in the justice process. Stricter bail policies for repeat and violent offenders prioritize the safety and security of our communities.”

Mr. Speaker, I will also add a final quote from the president of the Ontario PPA — and I quote: “The OPP Association support changes to the current bail system. Our members overwhelmingly feel that the current system is a ‘catch and release’ system that results in many of the same accused persons being at large again to re-offend shortly after arrest. We feel that the safety of our community and our police officers are at risk with this system. We acknowledge that the balance of the Canadian Charter of Rights of an accused person and community safety must be considered and welcome all efforts by all levels of government to make the system more effective for all.”

Mr. Speaker, in putting forward the motion that I have today, I fully accept that the policy suggestion that it advocates for is not a novel one. It is a policy that has been proposed and debated before, and it is one that I think would go a long way toward restoring some faith in our justice system and creating a system that punishes those who commit crimes and provides justice for the victims of those crimes.

On October 29, I wrote to the Prime Minister of Canada addressing my concerns and the concerns of many Yukoners regarding the current state of our bail system in Canada. I requested two immediate changes to the bail system. The first was the removal of credits applied to sentences for time served for repeat and violent offenders and the removal of bail availability for serious crimes, including murder, terrorism, and human trafficking.

Mr. Speaker, today’s motion highlights one of those proposals, and it calls on the Government of Yukon to use its voice to push for changes to a system that everyone agrees is broken.

I look forward to bringing this motion to a vote later today and to sending a message to those in charge of this system in Ottawa that the time for change is now.

Hon. Ms. McPhee: Mr. Speaker, I appreciate the opportunity to speak to this motion. You're in my world now; I spent 18 years doing front-line prosecutions in the territory, many of which involved applications of bail. I did probably almost 10 years of weekend bail hearings when I was a sole practitioner on contract with the criminal prosecutions, the PPSC, and this is something that I know intimately from my work as well as the Minister of Justice for the last eight years, of which I am proud to have served. I'm very pleased to have the opportunity to speak to this.

Unfortunately, it is of concern to me the way in which this motion is drafted, because it is, as the member opposite has just said, quite specific in relation to what it is asking to be changed. Certainly, the issue of bail reform is much, much broader than this motion addresses, and it is certainly a complex issue that this motion will not necessarily assist with.

So, Motion No. 1122 is, in fact, that the House urges the Government of Yukon to join calls for the Government of Canada — who, of course, is responsible for the *Criminal Code of Canada* that applies — unlike our neighbours to the south — applies coast to coast to coast in this territory and across Canada, in each province and territory, and, as a result, is the responsibility of the Government of Canada.

The motion calls for the Government of Canada to immediately reform the bail system by eliminating credit for time served in jail for repeat and violent offenders.

There are a number of concerns with respect to the complexity of the bail system and the complexity of the *Criminal Code* — some 800 sections of criminal laws and related laws that apply here in the territory and across Canada. But we will need to focus on eliminating credit for time served, which I wish, perhaps, would address some issues with the bail system, but, in fact, probably, I would say, will not. In fact, they'll impact it in a different way, which I will speak about in a bit.

Then, there is the issue of: What is a repeat and what is a violent offender?

So, definitions of a "repeat offender", which do not currently exist in the *Criminal Code*, or "violent offender", which partly exists in the *Criminal Code* on the basis of whether or not you were to name offences — somebody accused of a murder or accused of, as the member said earlier, human trafficking. I don't know if the member opposite, in that letter that was written to the Prime Minister by the Leader of the Yukon Party, was deciding what "violent offender" would mean — if someone charged with those offences would be a violent offender. But clearly, in order to proceed with eliminating credit for specific offences, the details of what those specific offences would be will be necessary. This brings us to the point of how we draft legislation and, in fact, the changes that would be necessary for determining what a violent offender is and what a repeat offender is and the policy work that would need to be done with respect to making that determination.

In fact, Mr. Speaker, that work is happening. I don't expect the members opposite to perhaps understand that necessarily or

to support my submission to this Legislative Assembly that this work is actually happening, but I also question whether or not they believe that the letters written by the premiers to the Prime Minister and the other letters written — conversations had by the ministers of Justice and Attorneys General and public safety ministers with each other and with the federal ministers responsible for those portfolios — are going ignored, are not being understood, and are not being worked on. Clearly, that is not the case. I was at a meeting in October, that I'm happy to speak about in a few minutes, detailing exactly the priority that is, in fact, being made.

Mr. Speaker, bail reform is needed in this country. Bail reform is, in fact, an active, current priority with the ministers of Justice, with the ministers of public safety, with these Attorneys General across the country and at the table of the ministers and at the conversations that the federal ministers are having with their staff and with their deputies with the work that they do with respect to bail reform.

Asking for, as this motion does, the Government of Yukon to ask Canada to immediately reform the bail system by eliminating credit is unfortunately in my view not going to achieve what is being sought here. I will talk about the Ontario position in a few minutes.

Back in January 2024, the Government of Canada's amendments to the *Criminal Code* bail provisions came into force. This was through Bill C-48. That was drafted relatively quickly. It was drafted as a result of calls by the ministers of Justice, by Canadians, to reform the bail system. At the time, the amendments were designed to strengthen public safety by targeting repeat violent offenders and those accused of serious offences that were committed with firearms and other dangerous weapons.

The provisions were designed to shift the burden to the accused to demonstrate that detention is unwarranted, which is called "reverse onus" in the world of *Criminal Code* prosecutions and defence. The amendments expand the reverse-onus provision. The reverse-onus provision exists in the *Criminal Code* already. It exists with respect to several offences that are listed, including the serious offences that are noted in the letter by the Leader of the Yukon Party to the Prime Minister — those serious offences involving murder and others. It also exists with respect to an individual who might be brought before the courts having several other outstanding charges.

If you come before a court in this country having been charged with any criminal offence and you are already out on a process for which you have breached that process — you have been allowed to leave and not be in custody and there are certain terms that are required for you to comply with and you breach one of those charges and you find yourself back in front of a court — you are in a reverse-onus situation. The *Criminal Code* currently requires that.

So, when the member opposite makes the claim that there is no way for the system to keep offenders in custody, it is simply not the case. There are other provisions of the *Criminal Code* that deal with reverse-onus requirements, and there are provisions in the bail provisions of the *Criminal Code* that

require a court to consider three types of grounds for someone to be held in custody.

They require primary grounds — the consideration of the court for primary grounds. They require secondary grounds — the consideration of a court with respect to secondary grounds — and they require the consideration of tertiary grounds. Some of the conversations that have been happening with respect to the ministers of Justice, the deputy ministers of Justice, senior officials in departments of Justice and Attorneys General offices across Canada are, in fact, whether or not the courts are properly complying and applying primary grounds, secondary grounds, and, in particular, tertiary grounds, which could encompass the concept of repeat offenders for certain offences, what a repeat offender is, what offends the court's sensibilities, and whether or not an individual should be held in custody — being a court decision — in consideration of the facts that are before it, in consideration of the Crown's position and the defence's position, and in consideration of the application of sections of the *Criminal Code*, including reverse onus.

The matter of repeat offenders, Mr. Speaker, in the bail system involves many, many complex factors. Amendments to the *Criminal Code* are truly only one part of the solution. I will speak a bit about that as well, but as I have noted, there are provisions of the *Criminal Code* that take into account repeat violent offenders, that take into account complex factors, that take into account whether someone should be held in custody based on primary, secondary, or tertiary grounds, and that take into account the concept of public safety.

So, to say that it is not, in fact, built into the system is not true. It is simply not the case. However, should our bail system be reviewed? Absolutely. Should our bail system be looked at to make sure that we are responding to the needs of Canadians and balancing that with the rights and freedoms of an individual charged with a criminal offence, not yet convicted of a criminal offence, and their Charter rights and the application of the Charter — I could speak the entire afternoon on the concept of the Charter in Canada and the rights that it protects and the fact that this document is upheld across the world as a protection of individual rights and the responsibility of government to meet those rights. I won't speak this afternoon about the concept of the *Canadian Charter of Rights and Freedoms*, but it absolutely must be taken into account. Ministers of Justice, their teams, and their senior officials know that. That work is happening with respect to policy and the balance that must be struck based on the Charter, and I will speak about that also.

We are working to monitor the effectiveness and the impacts of Bill C-48 within our jurisdiction, as within all jurisdictions across Canada, as we remain mindful of the potential impacts of these measures on groups that are overrepresented in the justice system — some Indigenous peoples, black and other racialized individuals, and other marginalized groups. We absolutely have to take that into account. What is the impact of Bill C-48? Are the impacts of that being properly understood? Are we getting statistics with respect to how those changes in Bill C-48 have perhaps improved or perhaps not had an effect on the bail system? We

need to gather that information and we must be doing that work. That work, Mr. Speaker, is happening.

We work here in the territory to continue to partner with First Nations and Indigenous communities to explore reforms of reintegration, reforms of aftercare and support, and based on individual needs and community culture. So, these are some of the things that also must be taken into account. A black line or a black marker to say that these are the changes — and guessing at what those might be that will make things improved — is not truly where we are. The entirety of that work is being undertaken by departments of justice. Again, based on my assertion that I agree with part of this motion — that bail reform is needed, review of bail reform is needed, and assessment of bail reform and ultimately improvements are needed — that work is happening, so I completely agree with that part of this motion. Whether or not the credit for time served is the one thing that must be removed from the *Criminal Code* — that this will make all improvements — I don't; I'm not able to agree with that.

The federal, provincial, and territorial ministers and the coordinating committee of senior federal, provincial, and territorial officials, known as the “criminal procedure working group”, has undertaken urgent work to examine the issue of repeat violent offending as it relates to bail. That work was directed by ministers of Justice at our meeting in October, just a little bit more than a month ago.

Back in 2022, ministers then responsible for justice and public safety discussed public concerns in several jurisdictions about repeat offending and random violent attacks against strangers. These, of course, are an issue and a concern, and those ultimately resulted in the Canadian premiers' letter that was sent to the Prime Minister back in January 2023. The letter specifically called for changes to the *Criminal Code* that create a reverse onus at the bail stage for the offence of possession of loaded prohibited and restricted firearms. That is what the premiers asked for in January 2023. That is what resulted in Bill C-48.

The letter also suggested at the time that a review of other firearms-related offences would be warranted to determine whether or not they should also attract a reverse onus on bail. Back in March 2023, the federal, provincial, and territorial ministers of Justice and public safety discussed the bail system, particularly its treatment of repeat violent offenders. During that meeting, it was also agreed that non-legislative efforts by federal, provincial, and territorial governments could include improved data collection, policies, practices, training, bail support, and enforcement programs.

Mr. Speaker, that is the work that is being done by the Yukon Department of Justice. We are collecting data with respect to how Bill C-48 has impacted work here and what that impact has been, how it has impacted bail hearings here and release or detention of individuals. We are looking at the policies and the practices. We are also discussing with senior legal officials, including the courts, about enforcement programs, about bail support, and about how individuals are — if and when — being released on bail and the impact of the release of someone who the public might think — potentially

— based on media reports or some information that comes out of the court system — a public system — that an individual should not have been released.

It is very difficult and not often recognized or spoken about that the way in which cases are reported or the information that comes out — or potentially the information that now comes out in public via social media — has an impact on public opinion. Sometimes, that information is accurate and unfortunately sometimes that information is not as accurate as it might be. That certainly causes consternation in communities and potentially causes misunderstanding of a particular case.

There is no solution in my mind that I will be able to suggest today to that impact, having spent most of my career previous to being here in this honourable role. I note that these are complex issues that we must grapple with. We must urge the public to try to understand all the facts with respect to specific matters, but I'm not suggesting at all that there are not policies and practices that need to be looked at — that we can't improve data collection, that we can't improve our understanding of the system, or that we can't improve the bail system itself.

Some other solutions that have been considered by ministers include programs and funding that might be available for broader public safety objectives such as combatting criminal use of firearms, gang violence, and preventing crime, including gender-based violence and intimate-partner violence.

I can tell you that at the table, with respect to the ministers' meetings, I spoke strongly on behalf of increasing penalties for gender-based violence and intimate-partner violence. Individuals who are victims or targeted as a result of either their gender or their perceived gender or being an intimate partner of an offender — it is simply beyond belief that Canada and Canadians and our system can tolerate this in any way. Being a victim of intimate-partner violence, often in your own home in the place of safety, and being impacted violently by someone whom you trust and often whom you care for or love is psychologically something that is almost impossible to endure.

We absolutely must make sure that our system understands that and that our court system at its very highest order understands that — that Canadians do not tolerate such activity, such crimes.

We are working on options to identify reforms that will not have a disproportionate impact on our most vulnerable and on individuals who we know are overrepresented in our justice system — Indigenous individuals and other marginalized groups — while still addressing public concerns. Determining what kinds of policies are available and what kinds of specific reforms — which is where I have issue with this particular motion. Not the first part of the motion — clearly a good idea. That work is ongoing. But the idea of noting that the elimination of time served as a specific action — and wondering whether or not we know the impact of that or whether it would be impactful at all and whether or not it would have a disproportionate impact on specific groups — it is absolutely critical that we understand that. We can't simply write to the Prime Minister and to the Government of Canada and simply say, "Here are the two that we think that you should

do. Here are the few that we need to pick out." Because we don't have the policy understanding and we don't have the data to support that, it's simply not a strong way of working to do bail reform. We are working to do bail reform.

The Government of Canada has agreed to act as soon as possible to strengthen public safety through amendments to the *Criminal Code*. In fact, they did so by tabling Bill C-48. Did it go far enough? Did it target everything that was asked for by the premiers? It seems to have addressed the premiers' concerns with serious offences committed with firearms and other dangerous weapons. It also targeted repeat violent offenders. It dealt with the issue of reverse onus which was requested, but the Government of Canada has also agreed to continue with the ministers of Justice to act and make sure that the work is ongoing.

Clearly, the message was that this was not far enough. This was a good first step. It was not far enough.

There have been significant investments in poverty reduction — which we know impacts criminal activity — in housing affordability, and in the continuum of care for substance use and mental health conditions, which we know impact criminal activity.

They hold promise to address root causes of crime, and that is incredibly important here. I have described these as very complex issues. All criminal activity stems from root causes and is very complex. Making one quick not policy- or data-supported change to the *Criminal Code* is simply not the way this work will happen. This work happens as a result of research, data collection, policy development, and drafting of changes to a very complex — it doesn't even do the *Criminal Code of Canada* justice to call it a "very complex" document or a "very complex" piece of legislation. It requires careful collaboration, it requires careful consideration, and it requires careful understanding of the impact on individuals, the impact on the rights of individuals, and the impact on the proportion of individuals whom it will affect here in Canada and the interaction of that with Charter rights.

Back in October 2023, the ministers of justice and public safety and the ministers at the table from the federal government agreed to continue to work on enhancements, to gather data about bail, and to continue on the effectiveness and the impacts. That resulted in Bill C-48. At the most recent meeting in October 2024, the ministers agreed to continue that work. It has never been off the table. It has been a priority on the ministers of justice and public safety agenda for the past, I would say, two years, but I will find out the dates specifically; nonetheless, it has been on there since before October 2023. That resulted in Bill C-48.

All of this is to say that this work is ongoing. This has not been taken off the list of priorities for ministers. Is it happening fast enough for the members opposite? Perhaps not, but I can assure Yukoners that the work is happening.

We saw it happen in the last year and the impact of C-48; we're now studying the impact of C-48, and we continue to study other options to make sure that our system in Canada is responsive — the bail system in Canada.

Will it involve the conversation about credit for time served? Perhaps; perhaps not. That provision in the *Criminal Code* is clear. It might be that ultimately the officials believe that is something that should or could be changed. I can't determine that at the moment. The work is happening.

Certainly, the Department of Justice is aware of the National Police Federation's recommendations on bail reform. I've discussed those; our officials have discussed those with the Yukon RCMP, and the recommendations are being considered alongside input that we received from Yukon First Nations and others who are informing the work that we are doing here in the Yukon to advance improvements to the bail system.

There is, of course, the federal *Criminal Code* law that applies everywhere in Canada, but the justice systems are administered by provincial and territorial governments, and that's the work that I am talking about. There are different levels at which this must be addressed. We have a responsibility here in the territory to work with our Yukon RCMP, with our legal officials, with our lawyers who attend and work on behalf of clients and the Crown, with judges, with probation officers, with others who work — with victim services, with others who work at Yukon Justice and serve Yukon communities and offenders and victims alike.

Back in July of 2024, another letter — a follow-up letter — from Canada's premiers was sent to the Prime Minister expressing continued concerns regarding repeat offenders and threats to public safety, and it called for a thorough review and implementation and application of Bill C-48. So, that focused on how C-48 is working. Of course, that commitment was already made, and the work was understood to be a priority for the premiers.

I think those letters are strong. I think those letters present, as the member opposite noted, across the political spectrum. This is not about politics. This is about safety and care for Canadians, for Canadian victims of crime, for others, and for the protection of rights of individuals — but signed across the country by the premiers asking for this work to continue.

I note that with respect to that letter that these — they note that the concerns that they had noted with respect to C-48 and other concerns that were noted, specifically from Ontario where there have been multiple instances of individuals who have been arrested for stealing vehicles multiple times and then released on bail — the premiers refer to the concerns, compelling them to call for a thorough review of the implementation and the application of Bill C-48, including a detailed analysis of bail data since the bill was enacted. So, while I appreciate that this is of primary concern to the premiers who are writing this letter — and that, again, is a primary concern for the ministers of Justice — collecting that data — having implemented Bill C-48 only in January 2024, so not yet 12 months — is absolutely critical. We have to understand how the changes to the *Criminal Code* impacted individuals and impacted the bail system here in Canada.

They went on to urge the government to consider the necessary changes related to both bail and sentencing, which is also a very important aspect. While I appreciate that this motion is not about sentencing — it is about bail — it does speak to

sentencing in that the calls for credit — to eliminate credit for time served impacts the sentences of individuals who go through the criminal justice system, so we have to consider both, and in a way, this motion does consider both.

They went on to ask about necessary changes — consideration of necessary changes both for bail and sentencing, including further legislative amendments — so, changes to the *Criminal Code* — to ensure that the spirit of the commitments that are made during the special meeting of the federal, provincial, and territorial ministers responsible for justice and public safety — that was had last year on this topic — were fully reflected in the application of the law. So, an excellent request, work that is ongoing, work that I'm pleased that our government — our Justice department, our officials — are working on in partnership with those across the country.

The Canadian premiers, in that letter, also noted that their governments had implemented significant measures to address repeat and violent offending, including gender-based violence initiatives, in their respective jurisdictions — the other level of work that I have mentioned.

During the ministers of justice and public safety meeting on October 16 to 18, 2024 — a little more than a month ago — ministers acknowledged that, despite Bill C-48 amendments, there still were significant concerns remaining and they — we — acknowledge the need to consider additional legislative and non-legislative measures.

The federal, provincial, and territorial ministers agreed to continue monitoring the effectiveness of Bill C-48 to collect the data. The collection, analysis, and reporting of reliable data on bail are critical to supporting the administration of the bail systems and to addressing public safety concerns.

On October 28, 2024, the member opposite spoke about the Ontario government publishing a media release or a letter or both, I think it was, urging the federal government to amend the *Criminal Code* to introduce concrete changes to tighten the bail system for repeat violent offenders. There were several suggestions in that letter. Those are all being taken into consideration.

The proposed changes from Ontario, as mentioned earlier, would restore mandatory minimum sentences. Those are of serious concern, and I will speak about the Charter in a moment. They have to comply with the *Canadian Charter of Rights and Freedoms*.

They also suggested removing bail availability for certain offences. Again, I have mentioned that there are already provisions in the *Criminal Code* that do not permit bail availability or require reverse onus for consideration by the court in relation to certain specific offences. They also spoke in the Ontario letter about a mandate — they wanted to mandate a “three strikes and you're out” rule requiring pretrial detention. It is not clear whether that means three offences, but again, there are provisions in the *Criminal Code* that, should an individual come before a court on a third offence of a related nature or a third offence where they have breached a term of their release previously, they would be in a reverse-onus situation. So, then, the court would need to apply primary

grounds, secondary grounds, tertiary grounds to determine whether or not someone can be released.

They also asked to bring back restrictions on who could get conditional sentences and to require ankle monitors as a condition of bail and remove credits that can be applied to sentences for time the accused spends in jail before a trial for repeat and violent offences. So, that is the one thing that has been chosen here to speak to as part of this motion.

Our Department of Justice has been able to speak about this before. Our Department of Justice is exploring a repeat offender management approach intended to mitigate criminogenic risk factors to reduce recidivism or repeat offenders and to address the needs of repeat offenders. The approach would engage offenders in behaviour-change processes. It would look at root causes of criminal activity. Do we have someone who is shoplifting, stealing food, on a regular basis because they are hungry, because they don't have access to money for food, because they try to sell that food so they can find a place to stay that night? Do they have a housing issue? Do they have mental wellness issues? We have to look at the root causes of those offending behaviours.

I know that perhaps members opposite will stand and talk about: Well, this isn't being about that; this is about repeat offenders and violent offenders. A repeat offender is potentially anyone who comes before the court. Someone who comes before the court, in the Ontario suggestion of "three strikes, you're out" — you can come before the court on three charges involving shoplifting of relatively small amounts or of, as I have suggested, something like food. Well, that falls into this category of repeat offending. So, courts have to be able to assess the facts and the individual circumstances that come before them.

Do they, on occasion, make mistakes? Do they let repeat offenders or violent offenders out as a result of their assessment of the circumstances? Potentially, yes, but changes to hamper that way in which they make decisions have to be carefully considered. I am not saying that there don't need to be changes. What I am saying is that they must be carefully considered before those changes are made to the rules that will impinge upon the decisions that can be made in a court.

Canada has a criminal justice system that is second to none. It has criminal justice that is envied by many countries in the world. It has a criminal justice system that has flaws or can be applied in a way that is difficult for the public or sometimes victims of crimes or others to understand, but it is a fine balance. It strikes a fine balance with respect to considering the release of individuals when they are charged with a criminal offence. Let me just say for a second: "charged with a criminal offence", which is where the Charter comes into importance and into being.

We must remember that we all have moments where we hear of something that occurs in the public and we say, "Can that possibly be the case? Can someone really have been released in those circumstances?" If we know all the circumstances, I am never really sure. But yes, we have questions and we have concerns. Sometimes, it is incredible to

us when we hear something that has been reported. What we have to remember is that we are striking a balance.

Sections 7 through 14 of the *Canadian Charter of Rights and Freedoms* deal with legal rights. Section 7 deals with the right to life, liberty, and security of the person. Section 8 talks about the right to be free of unreasonable search and seizure. Section 9 states that everyone has the right to not be arbitrarily detained or imprisoned. That includes arbitrary detention or imprisonment prior to being convicted of a criminal offence.

When we talk about bail and we talk about individuals who stay in custody, having been charged with an offence but not yet convicted of an offence, that is what we're talking about as well as individuals who have the right to not be arbitrarily detained or imprisoned after the conviction of an offence. Section 10 speaks about the rights upon arrest or detention to be informed promptly of the reasons for that, to retain and instruct counsel without delay, to have the validity of detention determined by way of habeas corpus, and to be released if the detention is not lawful — so rights under arrest and detention if someone is, in fact, in that circumstance.

Then there are proceedings in criminal and penal matters set out in section 11 of the Charter. It notes that any person who is charged with an offence has the right to — there are many rights in this section. They have the right to be informed without delay of the specific offence for which they have been arrested or detained. They have the right to be tried within a reasonable time, to not be compelled to be a witness, to be presumed innocent until proven guilty according to the law in a fair and public hearing by an independent and impartial tribunal.

In section 11(e), which is probably the most applicable one in this section today, they have the right not to be denied reasonable bail without just cause.

So, the provisions in the *Criminal Code* that respond to bail understand that it must be applied in relation to the Charter right that is protected, to not be denied reasonable bail without just cause. Now, those provisions — those primary, those secondary, and those tertiary grounds — are, in fact, a determination of those reasonable grounds and the just cause for detention.

I won't go on to read further from those sections, but any changes to bail and any changes to the *Criminal Code* — any changes frankly to laws in Canada, but here we're talking about legal rights that arise when an individual is charged in a criminal or a penal matter with a criminal process — have to comply and be Charter-protected.

Here in the territory, the Department of Justice is, as I noted a few minutes ago, exploring a repeat offender program. The approach will engage offenders in behaviour change, which, as I have said, is incredibly important. It is really important in relation to the Yukon. It is really important in relation to the Yukon because we have the vast majority of inmates in Whitehorse Correctional Centre right now on what is called "remand".

They have either been required by a court to remain in custody pursuant to some outstanding charges — so they have been denied bail — or they have not sat a bail hearing or they

have consented to be in custody on remand. “Remand” is a term used for individuals who are in custody having not yet been convicted of a criminal offence. I’m not talking about their record or a past record that they may have — the criminal offences for which they are charged at the time.

On October 31, I was happy to answer questions regarding the criminal justice system here in the territory, and I was asked about inmates at the Whitehorse Correctional Centre. At that time, I reported that, as of October 11, there were 40 male inmates in the Whitehorse Correctional Centre and three female inmates at the Whitehorse Correctional Centre, for a total of 43 inmates, Mr. Speaker. Again, as of October 11, of the 43 inmates who were housed in the Whitehorse Correctional Centre, 36 of those inmates were on remand and seven had been sentenced. So, in relation to the motion that is before this House, let’s talk a little bit about why an individual would stay in custody or choose to stay in custody. I’m not talking about the ones who have been denied bail. Let’s talk about the ones who would choose to stay in custody in relation to a criminal charge here in the territory.

It is the case that defence lawyers and individuals who come before the court system understand the provisions of the *Criminal Code* that permit pretrial custody to be calculated in a way that benefits an individual. That’s because they are staying in custody without having been convicted of an offence. That’s because they have either been required by a court to stay there for the safety of others or themselves or other grounds that are brought forward — a criminal record that is significant, the specifics of a particular crime, or a number of reasons that are brought before the court to require an individual to stay in custody — or they have chosen to do that as a result of factors that they understand: I’m probably not going to get out anyway; I have a large criminal record; I have an offence that’s related to this one; I choose to stay in custody because I know that individually any sentence that I might get in the future might take into account the fact that I have been in pretrial custody. So, the impact of bail reform that removes credit for time served currently has the impact of keeping individual offenders in custody when they might otherwise seek bail.

The calculation of one day for one day or one for one and a half days or two-thirds time served — the impact of that on an individual might mean that, if that were to be removed, which is what this motion asks for, it could very well have the impact of having an individual say: Well, I am not going to get any credit for remand time or for time before I am convicted of an offence, so I am going to seek bail — or: I am not going to stay in remand; I am not going to choose to stay in remand. I do not have the statistics — for instance, on this figure of 36 individuals on remand — for how many would be held by court or how many would be on what is commonly called “consent remand”. But I assure you that some of them are on consent remand. They might otherwise choose bail; they might otherwise get bail. Choosing remand or choosing to stay in custody because they know that their time in custody will be taken into account on a future conviction — presumably understanding the likelihood of that conviction or the potential for them to plead guilty to an offence and the impact of that —

has a serious effect on the current criminal justice system in the Yukon. The impact of the majority of current inmates at the Whitehorse Correctional Centre being on remand and them not yet having been convicted of an offence is an important consideration. We can’t bring forward changes that say that repeat offenders and violent offenders should have no credit for time served prior to them being convicted of an offence in relation to the lens of the *Canadian Charter of Rights and Freedoms* over top of that without careful consideration and without careful policy understanding.

Mr. Speaker, the impact of removing pre-sentence credit for time served must be considered — the current program of offering credits, often encouraging inmates to stay in custody. As I understand it, changes to bail reform would be seeking to make sure that more people stay in custody prior to being convicted of an offence, so if that is the goal of bail reform, taking away the concept of time served, which encourages inmates — certainly based on the statistics and my experience here in the territory — to often stay in custody on remand, it would not have the impact that is being considered. It would not have the impact of keeping people in custody while they are at the bail status of an offence.

I think I spoke also on October 31 of my conversation with the Minister of Environment, who has a long history in the Yukon courts, in the court system, and in the criminal justice system. He and I worked there together for many, many years, and he and I had been speaking about our experience over the years that far more inmates at the Whitehorse Correctional Centre were there with respect to remand than who were serving sentences. The stats that I have as of the middle of October 2024 bear that out. I can see that the numbers from the last year support that as being the experience that we have had over many years.

In October 2024, when the ministers of justice and public safety met for a federal-provincial-territorial meeting in person in Yellowknife on October 18 and issued a communiqué, those ministers — including me, who attended virtually for the vast majority of that meeting as I could, except when I needed to be here in the Legislative Assembly — spoke about the bail system and the work that we continue to do on this and many other issues regarding priorities of the ministers of Justice.

Federal, provincial, and territorial governments noted that we have a part to play in ensuring that the bail system is working as intended. We noted in the communiqué, following significant collaboration, that *Criminal Code* amendments were enacted with the objective to enhance public safety and maintain public confidence in the administration of justice.

Ministers at that meeting acknowledged that, despite those changes, as I spoke about here today, significant concerns remain. We also agreed that monitoring the effectiveness of Bill C-48 was needed, that jurisdictions will continue to collaborate to support an effective bail system, and that data needed to be collected. We need to understand if Bill C-48 is having an impact and, if so, what that is. We must collect and analyze and report on the reliable data on the bail system that currently exists and that we understood that to be critical in supporting the proper administration of a bail system in addressing

concerns about public safety. Ministers acknowledged the need to further consider legislative and non-legislative measures.

Mr. Speaker, that work continues in earnest. We worked to forward this and other issues to the deputy ministers committee and to the senior officials committee. I look forward to meeting with my counterparts in the future, and I look forward to our opportunities to reform the bail system. Do I think that eliminating pretrial custody or “credit for time served”, as it’s referred to in this motion and often referred to colloquially — perhaps. Do I support that being the one initiative, the one piece of action, and the one thing that is supported by this motion going forward? No, based on the definitions that would be required for “repeat offenders” and for “violent offenders”, based on the categories of what exists already in the *Criminal Code* for keeping offenders in custody, and based on the work that is happening right now to address the bail system here in Canada.

I do share concerns, and we are working here in the territory with repeat offender management. This is not just a concern in the Yukon but across Canada. Individual provinces and territories are looking at the work that we have previously done in the Justice department here in the Yukon and what we are working to do now. I note that, after the meeting in October, our jurisdictions agreed to monitor the impacts of Bill C-48. In the Yukon, our efforts are currently focused on redeveloping the repeat offender management program, on keeping what was a positive impact of that program and improving it as best we can.

I note that, before requesting Canada to prioritize the elimination of credit for time served as a specific amendment, I think we would need to conduct thorough review to consider whether that change would be helpful and appropriate in the Yukon specifically as well as considering the impacts that it could have on the Charter rights that protect Canadians, as I’ve noted. The previous efforts — which have to be taken into account — to implement a similar change through the federal *Truth in Sentencing Act* that was brought forward in 2010, similar changes were found to be unconstitutional by the Supreme Court of Canada back in 2016, and that is something that we would need to consider and approach very carefully in drafting changes to the *Criminal Code*, because we need to make sure that they are Charter-proof; any changes would need to be Charter-proof.

Careful consideration would need to be given to how that change might square with the principles of fundamental justice. The possibility to provide credit for time served during remand is only one element of the decision-making that a judge must take into account upon sentencing. Credits do help ensure that offenders who are detained pretrial or choose to be in custody pretrial do not serve longer overall sentences than those who were granted bail. I think that the federal-provincial-territorial ministers are taking the right approach by monitoring the recent changes and by taking time to consider what role further legislative changes might play. What will improve the bail system in the legislative box and in the non-legislative box? There are probably things in the legislative box that need to be brought forward, but we need to take into account the best, the

most effective, and the most Charter-worthy way in which to do that.

Here in the Yukon in the meantime, we’re focused on programming to improve the tools that we have available here locally.

Mr. Speaker, the proposed changes from Ontario, for instance, to restore mandatory minimum sentences or remove bail availability for some or to mandate the “three strikes and you’re out” rule or the concept of what is calculated with pretrial detention and the effect of conditional sentences — ankle monitors, the things that they have listed — are due their consideration and are being considered with respect to bail reform, be it legislative or non-legislative.

Also have to take account that — oh, it is the provisions in section 719 of the *Criminal Code* that during sentencing — the *Criminal Code of Canada* in section 719 allows courts to account for any pretrial detention as a credit to a maximum of one and a half days per one day spent in custody. So, applying that credit for time served in pre-sentencing custody has generally been in practice since the *Bail Reform Act* of 1970, 1971, 1972. Since that time, courts, including the Supreme Court of Canada, have considered the application of the provisions and have generally favoured allowing discretion for judges to apply those credits and without requiring that they may be awarded — so, no requisition to do that in section 719 application through many cases to the Supreme Court of Canada of how that should be done. Establishing those — discretion was supported and established in *R. v. Rezaie* of 1996. That noted that credit should be generally given unless there was a good reason to deny it — that, again, being the discretion of a judge.

As I have noted, through the 2010 *Truth in Sentencing Act*, which was known as Bill C-25 at the time, a general rule of a 1:1 ratio with the possible exceptional circumstances justifying a 1:1.5 ratio was introduced. That was back in 2010. The Department of Justice in Canada in 2011 examined credit for pre-sentencing custody and examined data from five courts, including here in Whitehorse, to provide a baseline of data prior to the 2010 changes coming into effect.

So, prior to the 2010 changes, a 2:1 ratio was often used, and there was guidance in place through common law on when that could be justified. That came from *R. v. Wust* in 2000, but then those changes came in 2010 to clarify through the bill and then clarify in section 719 the changes that should be made in relation to how that is calculated.

While I appreciate this motion, Mr. Speaker, and I note that I could continue to speak about this, I also note that, to be clear, I will sum up this way.

Bail reform is an active priority for the ministers of Justice across this country. Bail reform is an active priority for the federal government — not speaking on their behalf, but with my experience at meetings with the federal ministers, an active opportunity and an active priority for the federal government. I am pleased about that, because I think that there are very good ideas that come forward from senior officials and those with experience in the criminal justice system on how to improve it.

One of the things that I spoke about — and continue to speak about and continue to support through the work that I have the honour to do with both the Department of Health and Social Services and the Department of Justice — is making sure that we are taking into account front-line individuals and their ideas for improvement. They work on the front lines. They know what an improvement here or an improvement there — the impact of a change, the impact of what different and innovative ways of doing things would have on individual Yukoners, and I think that we absolutely must take those into account.

I am sorry that this particular motion is so specific. I am certainly supportive of calling for the Government of Canada to work on bail reform. I am partly so supportive of that because that work is absolutely happening. It is underway now and it continues to be a priority for ministers of public safety, ministers of Justice, and Attorneys General, and I am pleased with the work that the Yukon is contributing to that conversation. I am pleased with the work that we are doing here in the territory to assess the impact of Bill C-48 and to learn from that and to further consider how we can improve the bail system here in Canada.

I unfortunately will not be able to support this motion — it being too specific and it being not specific enough to make real improvement and not having taken into account the impact from the Charter and the impact of the entirety of the policy changes that need to be made to improve bail reform.

Thank you for the opportunity to speak to this. I appreciate the motion being brought forward for discussion, and I certainly appreciate the opportunity to talk about this important issue.

Ms. Blake: I am pleased to rise to speak to this motion, because I feel that there are some far-reaching aspects.

This motion needs to be discussed because there are some very important misconceptions about jail, bail reform, constitutional rights, and the findings of the Truth and Reconciliation Commission.

The proposal to eliminate credit for time served in jail for repeat and violent offenders touches on critical issues of public safety, fairness, and rehabilitation. An analysis of the potential pros and cons of this reform demonstrates that any possible positives to this change would be far outweighed by the many negatives. I am going to outline a few of the possible pros of this motion.

Removing time-served credits could ensure that repeat and violent offenders face the full consequences of their actions, aligning with public sentiment for stricter penalties for serious crimes. The reform might discourage individuals from engaging in violent or repeated criminal activity if they know that they will not receive credit for pretrial custody. By ensuring that repeat and violent offenders remain in custody for longer periods, this policy could reduce the risk of reoffending while incarcerated. The measure could restore public confidence in the justice system by addressing concerns that current bail and sentencing practices are too lenient. However, there are also many downsides to this idea that we have to be

clear about — the damages that this will do to individuals, families, and communities and to the justice system as a whole.

Marginalized groups, including Indigenous people and individuals with mental health issues, are disproportionately represented in pretrial custody. Removing credits could exacerbate systemic inequalities by subjecting them to harsher penalties. At the same time, this would delay the reintegration of people back into their communities and increase the likelihood that they will reoffend.

Extended incarceration periods for pretrial detainees could increase prison overcrowding and strain correctional facilities, leading to higher costs for taxpayers. We need to address the backlog and delays in our court system, not add to them.

This reform focuses on punishment rather than addressing the root causes of repeat offending such as lack of access to mental health support, substance abuse treatment, or education. Credit for time served recognizes the often harsher conditions in remand centres and ensures proportionality in sentencing. Eliminating this credit could lead to disproportionately long sentences, raising concerns about fairness.

In addition, once you start politicizing bail decisions like this, you open the door to politicians interfering with charging, trial processes, sentencing, and other aspects of the justice system. Defendants may be less willing to plead guilty if they know that they will not receive credit for time served, potentially leading to more prolonged trials and case backlogs.

The proposed reform risks significant unintended consequences, including exacerbating systemic inequities and undermining rehabilitation efforts. A more balanced approach might involve addressing the root causes of repeat offending, improving bail decision processes, and reserving harsher measures for the most severe cases. The proposal to eliminate credit for time served in jail for repeat and violent offenders poses significant concerns, particularly when considering the principles outlined in the Truth and Reconciliation Commission calls to action. These calls emphasize the urgent need to address the systemic inequities and overrepresentation of Indigenous people in the criminal justice system.

Indigenous people make up a disproportionately higher percentage of those in pretrial custody due to systemic barriers such as poverty, intergenerational trauma, and limited access to legal representation. Removing credit for time served could exacerbate this overrepresentation, as Indigenous individuals are more likely to be denied bail or held in custody pretrial due to socio-economic factors.

The TRC explicitly calls on federal, provincial, and territorial governments to eliminate the overrepresentation of Indigenous people in custody. A reform that increases incarceration time for Indigenous offenders runs counter to this goal and risks perpetuating systemic discrimination. Remand facilities where individuals are held pretrial are often more punitive than regular correctional facilities, with limited access to rehabilitative programs and cultural supports. The credit for time served acknowledges these harsher conditions, ensuring proportionality in sentencing.

TRC call to action 31 urges governments to provide alternatives to incarceration that incorporate Indigenous

cultural perspectives. Instead of punitive measures like eliminating credit for time served, reforms should prioritize culturally appropriate rehabilitative approaches such as restorative justice practices. The proposed reform focuses on punishment rather than addressing the underlying causes such as intergenerational trauma, lack of access to education, and substance abuse issues directly linked to the legacy of residential schools.

TRC call to action 36 highlights the importance of culturally relevant services for Indigenous offenders. By lengthening incarceration periods without addressing systemic inequities or providing Indigenous-specific rehabilitation opportunities, this reform risks perpetuating cycles of incarceration rather than breaking them. Instead of punitive reforms, government should invest in restorative justice programs that centre on Indigenous practices such as healing circles and community-based sentencing. These approaches align with TRC call to action 42, which emphasizes Indigenous involvement and justice system reforms.

Addressing systemic barriers to bail for Indigenous individuals, such as providing better legal support and reducing financial conditions, would be a more equitable way to reduce pretrial incarceration without disproportionately punishing Indigenous offenders. Investments in community-based interventions such as Indigenous-led substance abuse programs, mental health services, and education initiatives align with TRC recommendations and provide long-term solutions to reduce repeat offending.

The proposed elimination of credit for time served undermines the TRC calls to action by exacerbating the overrepresentation of Indigenous people in custody and disregarding the principles of proportionality and reconciliation. To move toward a fairer justice system, governments should focus on culturally appropriate rehabilitative and community-based approaches that address the root causes of crime while honouring the TRC's vision for reconciliation.

Indigenous-led justice programs demonstrate culturally appropriate ways to address crime, focusing on healing, rehabilitation, and community strength rather than punishment. These programs align with the TRC calls to action and offer meaningful alternatives to punitive measures like eliminating credit for time served. Notable examples and their connection to TRC principles include the Gladue principles and reports.

Gladue reports align with TRC call to action 30, which urges governments to reduce the overrepresentation of Indigenous people in custody. It ensures culturally appropriate sentencing that recognizes the systemic injustices that Indigenous people face. Gladue principles have successfully advocated for non-custodial sentences promoting restorative justice measures like probation, healing programs, or community service over jail time.

Restorative justice focuses on healing and accountability by bringing together offenders, victims, and community members to discuss the harm caused and to develop a plan for reconciliation.

Many Indigenous communities incorporate traditional practices, such as healing circles or elder-guided meditation and circles. There are many examples of these across Canada, and they work, unlike this punitive bail reform idea. For example, the Hollow Water Community Holistic Healing Circle in Manitoba uses restorative practices to address family violence and sexual abuse, promoting healing for both victims and the offenders. The Tsuut'ina Nation peacemaking program in Alberta employs traditional peacemaking processes as an alternative to court systems, involving elders and community members in decision-making.

I have mentioned connections to the Truth and Reconciliation Commission, but this is so important that I want to emphasize it again. TRC call to action 42 emphasizes the need for Indigenous-led processes and justice reform. It promotes reconciliation by fostering healing for individuals and communities impacted by crime. Indigenous-led processes have high success rates in reducing re-offending while restoring community trust and rebuilding relationships. Indigenous courts provide a culturally appropriate justice framework incorporating traditional laws and customs. These courts work collaboratively with Indigenous elders, legal professionals, and social workers. Indigenous-led court processes integrate Indigenous knowledge and leadership into the justice system. This builds trust in the justice system by respecting Indigenous cultural practices.

Land-based healing programs — something that is important to many of our rural communities across the Yukon — combine traditional land-based activities, such as hunting, fishing, and ceremony, with mental health and addiction recovery. These initiatives address the root causes of offending by fostering cultural pride and spiritual healing. These actions align with TRC call to action 36, which promotes culturally relevant services for Indigenous offenders. They encourage long-term healing and reintegration back into the community. These programs have demonstrated success in reducing recidivism and improving mental health outcomes for those who participate.

In terms of education and legal advocacy programs, these initiatives focus on raising awareness about systemic inequities, advocating for the rights of Indigenous offenders, and training justice professionals to understand Indigenous perspectives.

TRC call to action 27 urges law societies to ensure cultural competency training for legal professionals, which reduces barriers that Indigenous individuals face in accessing fair representation.

The TRC calls to action emphasize the need for systemic change that prioritizes healing and reconciliation over punitive approaches. Indigenous-led justice initiatives provide effective culturally grounded alternatives to incarceration, addressing the root causes of crime and reducing recidivism.

By investing in these programs, government can honour their commitments to reconciliation and create a more equitable and responsive justice system that is based on the principles of support, connection, and reintegration.

Mahsi' cho.

Hon. Mr. Clarke: Thank you so much for the comments from the Member for Vuntut Gwitchin. I certainly can't disagree with the vast majority of her observations based on my experiences. I thank her for her thoughtful comments.

I will perhaps be not as comprehensive as my colleague the Minister of Justice, and there may be some repetition, but nevertheless, I will have some perhaps slightly different perspectives. I also concur with the majority — or most — of the observations made by the Minister of Justice.

While I recall, there is just a practical problem with this motion, which the Member for Vuntut Gwitchin also identified as well as the Minister of Justice. First of all, of course, you are going to have to define and codify what a “repeat” and/or “violent offender” is, but once you have done that and then you have eliminated —

These persons are in custody. Now, the problem is that the provinces and the territories presumably will agree or provide guidance to the federal government and will come up with some codification of what those serious offences are that justify this proposed change.

There are a number of problems, but the problem is going to be that these are, in fact, serious offences, and if the accused person wishes to assert their right to trial — because they have a right to trial — there may very well be a preliminary inquiry, and after that, for some of these offenses, the accused person will have the right to a judge-and-jury trial.

So, it would probably move a little bit faster in the Yukon, but in Surrey or 222 Main Street in Vancouver or the Brampton courthouse or the downtown courthouse in Toronto, it could be perhaps as much as a three-year process from start to finish — so, from a period of incarceration to finish — where the accused person would have no pretrial custody, and under this motion, this would also include a person who — as we heard from the Minister of Justice — would have agreed to consent remand. There wouldn't even be a discussion about whether the person had obtained bail or received bail and then had breached their bail conditions.

It could be a person who would have difficulty coming up with a compelling or acceptable plan for release based on many of the factors set out by the Member for Vuntut Gwitchin, which would be poverty, Indigeneity, member of the BIPOC community, not having a stable residence, not having persons who could provide surety for them, not having a job, having deep-seated possible mental health issues or substance abuse issues so that they are potentially not releasable.

In this circumstance, if it were codified by the federal government that there would be no credit for time served pretrial for repeat and violent offenders — once you have gotten to the “repeat” and “violent offender” definition, which one might get to — then the sentencing judge would likely be compelled to impose a fit sentence from the time of the imposition of sentence going forward. So, if the sentence merited five years or seven years or nine years, then that would be, by virtue of the operation of law of the *Criminal Code*, deemed to be a fit sentence going forward, and that judge would be stopped from considering pretrial custody. So, the accused

person would have really served two or three years of dead time.

As the Member for Vuntut Gwitchin also pointed out, that is going to cause, first of all, some pretty significant despair and hopelessness at a provincial facility or a territorial correctional facility, which are not really equipped to deal with this — to deal with a population that is in their custody for a long period of time and they are doing dead time.

Anyway, this is, of course — I agree with the Minister of Justice — not nuanced in any way, shape, or form, but I would suggest that it is incredibly problematic ab initio by virtue of the situation that I have set out: that there is going to be a management issue and the offences for which bail reform may very well be warranted very well might want to look into this, but then completely eliminating any credit could mean that, during the process of going through the court system, there could be as much as two and a half years or three years of no credit, which is going to — in my respectful submission — create significant management concerns at institutions that are not federal penitentiaries but which have to deal with this management concern.

In any event, I have a bit of time here. I guess what I — some of the different areas that I can provide some guidance on to the Assembly this afternoon are perhaps just with respect to remand, which has been talked about in general. I will start by saying that Canada, among comparable common-law countries, has the highest proportion of its total prison population on remand, with an unenviable figure of 46.6 percent in 2022-23. This percentage has been steadily increasing over the past two decades. In the year 2000-01, the proportion of Canada's total prison population on remand was 24.6 percent. This increase in the use of pretrial detention is consistent across many common-law jurisdictions, such as Australia, New Zealand, the UK, and the United States. As I mentioned, all of these jurisdictions are trending upward, but Canada is significantly higher than the US, England, Wales, Northern Ireland, Scotland, and Australia. The closest to Canada is New Zealand, with 44 percent of their total prison population being on remand.

The literature also clearly demonstrates that the use of pretrial detention is not equally distributed among groups. Indigenous persons, black people, and other racialized persons experiencing poverty, substance abuse, and mental issues are all vastly overrepresented in that category. The trend is clear and could be interpreted as the concerning erosion of the presumption of innocence through the expansive use of pretrial detention.

Mr. Speaker, when an individual is placed under pretrial detention, the uncertainty around if and when one will be released as well as outcome of the charges contributes to the experiences of punishment.

The Yukon Party is ignoring that there are significant social and legal implications on being held on remand, including difficulties in assisting counsel with defence, which includes identifying and securing witnesses, being able to retain experts if needed, and an increased likelihood that the accused persons will plead guilty, be convicted, be sentenced to custody, and receive a longer custodial sentence, not to mention

the establishing of an unenviable criminal record that will pose, in some cases, insurmountable barriers to persons for their future prospects.

Inequitable bail outcomes contribute to inequitable case outcomes, compounding the accused person's disadvantages and marginalization through the court process. When we consider bail, it can be argued that it is part of a broader criminal court process that differentiates and marks the accused who lack the requisite docility and discipline as risky, requiring more intensive conditioning and monitoring, importantly, how accused people present themselves, how they interact with the legal counsel and the court, and how they handle the stress of the court process by not demonstrating deference and compliance or resistance and withdrawal, and that varies across racial and class lines.

On a national basis, a significant proportion of cases are stayed or withdrawn, signalling both the magnitude of systemic delay in case processing and the common practice of holding the accused person accountable through pretrial custody and receiving a sentence with no conviction.

I would like to take the time to quote Nicole Myers from the Department of Sociology at Queen's University in her 2024 article about the bail process in Canada that was published in the international peer-reviewed *Journal of Criminology*. "In 2021/22, of all the adult criminal charges (excluding traffic) with a decision, 70.0% of charges were stayed or withdrawn, and in 53.5% of cases, all charges in the case were withdrawn... Though the mean length of a custodial sentence was 131 days, the median was 30 days. One of the offences with the highest proportion of custodial sentences imposed is failing to comply with a (bail) order ... In Bourgon and Gretch's (2011) sample of 994 cases from five jurisdictions in Canada, 41% were sentenced to 'time-served' and 34.3% to a sentence of 2 days to 1 month in custody... It is difficult to predict how long any case will take, but sentences of time-served suggest some people are serving more time in custody pre-trial than they would have been sentenced to."

The result is an inversion of the criminal process where the most restrictive outcome for many accused persons is experienced when they are presumed innocent under the *Canadian Charter of Rights and Freedoms*, pursuant to section 11(d), which states that any person charged with an offence has the right to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal.

Mr. Speaker, I will just provide some of my personal reflections. I had somewhere between 3,000 and 3,500 cases between 1992 and 2016 and had the honour and privilege to have represented many Yukoners, and I can confirm the observations made by the Member for Vuntut Gwitchin that the representation was likely somewhere in the range of 75- to 80-percent Indigenous.

My estimation is that 90 percent of inmates whom I represented had deep-seated substance abuse and mental health issues and other dysfunctions with profound socio-economic issues that require societal supports.

My observation is that my clients wanted to aspire to have hope — to replace despair with hope — and that they desperately needed relationship skills, parenting skills, and intensive counselling to address transgenerational trauma.

Over the years, I have had clients who have been on 2nd Avenue or 4th Avenue and I have walked by and they have said, "Hey, Nils, how's it going?" I have said, "Hello, how are you?" I would make a quick mental note and then realize that I have not seen that person in the criminal justice system for, I don't know, five years or so. I would say, "What happened?" It's going to be that one person who reached out — an apprenticeship trade program that took seed — and they have been respected.

I know that it's difficult, but we know that, in order to promote reconciliation in the territory — because who we really are talking about are Indigenous persons. And, sure, I considered myself to be a fairly middle-of-the-road, reasonable defence counsel, and I would suggest that Yukoners would expect us and me to not necessarily be tough on crime but to be smart on crime. If there is bail reform that will accurately identify those persons — where those persons should be and who should not receive bail — but what I would say is that it is a minority of local Yukoners.

I have been to all circuit courts in the territory except actually to Old Crow; I have been to Old Crow in my time in this House since. I have been to all communities, and those citizens will return to the communities. They have to be given the tools. They have to be provided the support so that they can be integrated. I know that fair-minded Yukoners don't think this, but 97 percent to 99 percent of all persons who are sentenced in the Yukon justice system will very likely return to their communities and will return to the Yukon.

So, this government, through early childhood development — things like the Teen Parent Access To Education Society, of which I was a board member for 20 years and which provides wraparound services — our Minister of Education is very much aware that there has to be early childhood development to provide that support so that you have citizens in the Yukon who are well-equipped to live pro-social lives where they are unlikely to find themselves in the criminal justice system. That is money that is incredibly well spent, because a lot of my clients were committing breaches of probation order, disturbing the peace, public alcohol, drinking alcohol when they were not supposed to be drinking, or relatively minor thefts. I am not for one moment discounting that there are terrible fact patterns that occur in the territory.

I represented those fact patterns as well, so I am not unaware that this has occurred, as I have represented the clients whom I had the privilege of representing between 1992 and 2016. However, there are persons who can reasonably be supported, and if one cannot support them through things like a safe inhalation site or managed alcohol or mentoring or the trades, then they cost the system a ton of money through EMS, through judges, through probation officers, defense counsel, Indigenous courtworkers, fire service, police — you name it. It's incredibly expensive.

Long way of saying that — if I loop back to this actual motion — I think that I have identified the concerns. Yes, of course, the Government of Canada is seriously considering bail reform, but one should be mindful of the comments made by the Member for Vuntut Gwitchin. Once again, I adopt many of her comments, because it will just result in even more overrepresentation and over-incarceration of Indigenous persons in the territory.

Hon. Mr. Pillai: Madam Deputy Speaker, I appreciate the comments today. There has been so much shared today. The initial points that were raised through the motion and by the Leader of the Official Opposition — and I just want to thank my colleagues here on this side of the House for the incredible job that they have done in this work. There are about 40 years of professional experience with two of my colleagues here, if not more. They just did an incredible job of articulating their positions.

The issue of public safety, I must state, is a concern that our government is taking very seriously — and it is an issue that we are committed to addressing. We have taken decisive actions to address the rising concerns that have affected our community, particularly regarding crime and the challenges faced by our vulnerable populations. We have seen troubling incidents that have rightfully raised questions about the effectiveness of our current bail system.

Here in Yukon, we faced our own challenges that highlight the need for continued vigilance in our approach to public safety. We have taken a number of actions to improve public safety, which I would like to briefly touch on today, because the issue of reforming our bail system is just one of the many tools that must be deployed.

In our continuum of addressing issues of public safety, we have launched a comprehensive downtown Whitehorse safety response action plan, expanded supervised consumption site hours, funded a new mobile outreach van, extended support to Safe at Home for housing options, and operationalized a managed alcohol program. These strategies tie back, and I will share some of what the premiers of the country, through the Council of the Federation, communicated to the federal government. You will see that not just bail reform has been identified as part of the strategies that premiers across the country want to focus on but also some of the other policy items that I have just touched on which we are doing here within the Yukon.

In addition, in September, we announced new initiatives, which include funding for two additional RCMP officers for downtown Whitehorse, adding a new *Safer Communities and Neighbourhoods Act* investigator, and funding the support and development of a downtown community safety and well-being plan.

We're nearing completion of renovations at 408 Alexander Street for supportive housing, and we're reopening part of the lower level of the Assembly building as well as a warming centre, and you have seen that happen already. We're launching the new security grant program for businesses and organizations to improve their safety measures.

These are important items, and we will have an opportunity — all of us in the House — to vote on these items tomorrow, and I look forward to seeing support from all in the House.

As well, I want to again just touch on the fact that two of my colleagues collectively here who spoke have over 40 years of experience working in this exact field who Yukoners elected to represent them, and again, I'm happy to hear their points on this issue.

In the opening address from the Leader of the Official Opposition, he referred to two letters that were sent to the Prime Minister. The first letter, which I will summarize, spoke to the work that needed to be done around bail reform, and that ended with — or focused on the work that then was accomplished through Bill C-48.

The second letter was after Bill C-48 was put to use, and I'll share some of the thoughts of leaders from across the country on the current status of bail reform from a number of individuals, different political parties that they represent, but all coming together to collectively send this message to the federal government. It was entitled "Bail Reform and Public Safety".

So, I'll quote from this: "Further to our correspondence from last year, we wish to express our gratitude for Bill C-48 and the work that the federal government has undertaken to reform Canada's bail system. We appreciate that you listened and took steps to help ensure the safety of our communities and strengthen public confidence in the justice system. However, we also write to share that we continue to have significant concern regarding repeat violent offenders and threats to public safety.

The amendments that Bill C-48 brought into law represent valuable progress in tackling this important issue, but recently troubling incidents, including the tragic death of Tori Dunn in British Columbia, raise the question of whether this legislation is functioning as intended. Tori Dunn's alleged killer was released from jail just days before the fatal assault, despite a long criminal history and current criminal charges for an unrelated robbery. Provincial prosecutors had urged that he not be released into the community. Clearly, in this case, Bill C-48 failed to keep a violent offender from posing a serious risk to public safety.

Further to this, in Ontario there have been multiple instances where individuals have been arrested for stealing cars multiple times and released on bail the very next day. Police services should not have to chase the same criminal three or four times because of an inadequate bail system. This not only represents a drain on policing resources but is a hindrance to public safety. It is just another example of repeat and violent offenders being released into our communities without proper considerations.

These concerns compel us to call for a thorough review of the implementation and application of Bill C-48, including a detailed analysis of bail data since the Bill was enacted. We urge the federal government to consider any necessary changes related to both bail and sentencing, including further legislative amendments, to ensure that the spirit of the commitments made during the special meeting of Federal-Provincial-Territorial Ministers responsible for Justice and Public Safety on this topic

are fully reflected in the application of this law. We also note that other organizations, including the National Police Federation, have made calls for bail reform.

In addition to the work being done at the federal level, each of our governments has taken significant measures to address the issue of repeat and violent offending, including gender-based violence, in our respective provinces and territories. We understand that ongoing efforts on a wide range of interconnected issues — including poverty and homelessness, addiction, and mental health challenges — are needed to ensure public safety. We appreciate the federal government's ongoing collaboration and support, and we are committed to doing our part."

The last line is — quote: "We look forward to advancing this work with you to keep our communities safe and increase access to justice from coast to coast to coast."

Madam Deputy Speaker, I can say that this letter — because there have been requests in the House about communication from the Government of Yukon or my communication to the federal government about concerns, specifically on challenges after we have seen C-48, and this is a letter that I signed with David Eby, Danielle Smith, R.J. Simpson, Scott Moe, P.J. Akeegok, Wab Kinew, Doug Ford, François Legault, Dr. Andrew Furey, Blaine Higgs —

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker (Ms. Blake): Member for Lake Laberge, on a point of order.

Mr. Cathers: It's a practice in this House that when a member is quoting from a document — particularly in this case, the letter that the Premier is quoting from — that they are typically tabled so that other members can see what they are referring to. Could the Premier please table a copy of the letter that he is quoting?

Deputy Speaker: Hon. Premier, on the point of order.

Hon. Mr. Pillai: Yes, before the House rises for this session, I will look to provide a copy of this letter to the House — not a problem.

Deputy Speaker: Hon. Premier, please continue.

Hon. Mr. Pillai: Thank you. I don't have a problem with bringing in a copy before the session finishes tomorrow.

— Blaine Higgs, Tim Houston, and Dennis King, and it was cc'd to the Hon. Dominic LeBlanc, Minister of Public Safety.

I hope that can be — as it is put on the record today, you will see that the Yukon was concerned and is concerned about what has happened, and we laid out what we believed with colleagues across the country on an appropriate direction of due diligence that should occur on the gathering of data.

Since C-48 has gone through — not just specific changes that the premiers thought should be done but actually what I think is an appropriate set of reviews that would help to really

identify the potential surgical changes that you would want to do to ensure that you are enhancing the effectiveness of the bill.

What our government has done also, as laid out in this letter — as premiers from across the country also believe should be done — is invest in holistic wraparound supports for our communities, which, yes, can include calls for bail reform, as you just heard we have done. But unlike what you will hear from the opposition is that our government believes in the principles of harm reduction, and we do.

It is difficult to speak out solely against harm reduction when the organizations that are providing those services come with the data and share it with you about how many individuals they are saving and how many lives have been saved at a number of organizations just over the last number of years. We have continued to lose our friends and family members much too early — many Yukoners much too early — we lost them much too early — but also, there have been so many individuals who have been saved.

Really, our approach looks at focusing on keeping people who use substances safe but also includes health and safety of the broader community. It is a definition that considers the health of our entire community. So, of course, it is not just harm reduction for one group of people; it is harm reduction for all of Whitehorse and all of our communities — Watson Lake, Dawson City, you name it — all of the communities in the Yukon.

On the issue of bail reform, we know that this is needed. As I have publicly stated in the past, there have been incidents that have frustrated Yukoners and the RCMP alike as our local law enforcement grapples with a small group of individuals who repeatedly cause problems, and this is a serious concern for our communities. These issues demand our attention and action. However, as we consider potential solutions, we must be careful not to oversimplify complex issues or propose changes that may have unintended consequences.

As we examine the proposal at hand in Motion No. 1122, it suggests eliminating credit for time served in jail for repeat and violent offenders, so let us consider the implications of that. I would like to share some insights from Yukon lawyer Noel Sinclair, who offers valuable perspective on this issue. He stated — and I quote: "Credit for pre-sentencing custody is an incentive to offenders to voluntarily stay in custody. So, you're taking away an incentive... Secondly, we're not talking about murders, terrorism or human trafficking offences that offenders are getting out on bail and going and breaking the window at ... some retail outlet on Main Street..."

"So, there is a rational connection between that and offenders who are accused of murder, terrorism, and human trafficking offences. There are very few people who are accused of murder, terrorism or human trafficking offences in the Yukon to begin with. I just don't see a criminal law policy change as solving or going to the problem that they are trying to address."

Mr. Sinclair's words highlight two critical points that we must consider. First, as my previous colleagues have eloquently argued, eliminating credit for time served could remove an important incentive for accused individuals to remain in

custody voluntarily. This could potentially lead to more contested bail hearings and increased strain on our justice system.

Second, there is a potential mismatch between the problem that we are trying to solve and the proposed solution. The types of offences causing concern in our communities, such as property crimes or public disturbances, are often not the same as the serious violent crimes that this proposal aims to address.

As we grapple with these complex issues, it is important to note that progress has been made at the federal level. Bill C-48 brought valuable amendments to Canada's bail system. However, recent incidents have raised questions about whether the legislation is functioning as intended, and I spoke to that in the letter that I quoted earlier that was sent to the federal government. That is why, along with other members of the Council of the Federation, I had signed that.

We also, in the letter, emphasized the need for a comprehensive approach to public safety. I think that is what we have tried to do here in Yukon with a series of different programs focusing on items such as poverty, homelessness, addiction, and mental health challenges.

So, with these considerations in mind, I believe we need to take a more comprehensive and evidence-based approach to bail reform and public safety, recognizing the underlying concerns that have motivated the call for this motion. We are actively pursuing multi-faceted strategies to address these issues.

Our government is committed to ongoing engagement with the federal government and our provincial and territorial counterparts. We are pushing for a comprehensive review of Bill C-48 and its implementation as outlined in our recent letter to the Prime Minister. For Hansard, that was sent on July 22, 2024 before we even started this discussion over the Fall Sitting.

This review is crucial to understanding the real-world impacts of the legislation and identifying any gaps or areas for improvement. We believe that by working collaboratively across jurisdictions, we can develop more effective solutions to the complex challenges we face in our justice system.

Recognizing that the Yukon's unique context requires tailored solutions, as my colleague the Minister of Justice has mentioned, we are actively working to develop a Yukon-specific strategy for addressing repeat offending and enhancing public safety.

Our government is also making significant investments in prevention and support services that address the root causes of crime in our communities. We recognize that many of the issues we face in our justice system are symptoms of deeper societal challenges. That's why we're expanding mental health services, enhancing addiction treatment programs, increasing housing support, and creating new employment opportunities. By addressing these underlying issues, we aim to reduce the likelihood of individuals entering or re-entering the criminal justice system.

So, while we share the concerns that have motivated this motion, we cannot support it as it is currently written. Our government recognizes the need for bail reform and is actively

working toward this goal. We have joined the other provinces and territories in calling on the federal government to review and improve the bail system, as evidenced by our recent letter to the Prime Minister.

However, we believe that eliminating credit for time served in jail for repeat and violent offenders is not the comprehensive solution we need. As we have heard from legal experts, this approach could have unintended consequences and may not effectively address the specific challenges we face in the Yukon.

Hon. Ms. McLean: Mr. Speaker, I am happy to rise today to add my voice to Motion No. 1122, brought forward by the Leader of the Official Opposition.

I want to just start by thanking the Minister of Justice for her comprehensive submission today and, of course, also the Member for Vuntut Gwitchin. I very much appreciated the comments that were made — also, of course, the Minister of Highways and Public Works.

As the Premier stated in his comments, which I appreciated as well, emphasizing the depth of experience and work that we have all done, I share that. I had to make choices today on what I wanted to focus on in the short period of time that I have to speak today. I too worked at the front lines of the justice system in the last seven years before coming to the position I am in now. I worked as a director of justice at Kwanlin Dün for almost a decade and also in the Watson Lake area in the same level of position, so that's just over 20 years of front-line work in justice, so I very much appreciate all of the comments that were made today.

My comments are going to focus on my most recent and hard work that I'm doing right now, which is very upstream in my responsibilities to changing the story and creating better outcomes for particularly our children — so, the ability to address an issue that goes beyond politics, touching the very foundation of our society, which is early learning and childcare. It's a profound connection to education as a preventive measure against future crime and criminal behaviour.

As leaders, we have a duty not only to address the challenges of today but to create a safer, more equitable future for generations to come. Research and lived experiences tell us that the path toward thriving communities begins in the earliest years of a child's life. By investing in quality early learning and childcare, we are investing in better outcomes in education, employment, and public safety.

The evidence is clear. When children are nurtured in environments that foster their emotional, social, and cognitive development, they are far less likely to encounter the justice system later in life.

These investments are not just wise, but they are essential for building a society where every child has the opportunity to succeed and every community feels safe and supported. Education is not just the cornerstone of opportunity; it's the bedrock of a just and prosperous society.

When we speak of education, we must begin at its very foundation of early learning childcare. Early learning is not just about preparing our young citizens for kindergarten; it's about

equipping them with tools to navigate life. We certainly have taken many, many extra measures. I will speak about a few of them through our work in advancing early learning childcare and through our Child Development Centre and through our investments throughout the Yukon.

It's about teaching problem-solving, fostering resilience, and building a sense of belonging and purpose. These are the same tools that, when absent, too often lead individuals down paths of despair, disconnection, and tragically into cycles of crime and addiction. Studies have shown time and time again that quality early learning and childcare programs can reduce the risk factors associated with future criminal behaviour. By investing in our children early through enriching environments, positive role models, and supportive communities, we are taking concrete steps to prevent the conditions that lead to crime before they ever take root. This is not just about protecting potential victims or reducing costs of the justice system; it is about giving every child the chance to thrive, to dream, and to become a contributing member of society.

Today I want to share how we are investing in early learning childcare. It is not just a policy choice but a moral imperative, I think. We adopted early — and I will talk a bit about that — before many other jurisdictions in the country did.

Together, we can build a future where our children grow up to be innovators, leaders, and caregivers — not statistics. I think that is something that I have spent my life working on, as well as many others in this Legislative Assembly, particularly those who have spoken already today.

Our government has made massive strides and investments and made progress on early learning childcare — progress that not only supports our families and communities today but lays the groundwork for a brighter, safer, and more equitable future for all. In October, the early learning childcare partners with the Child Development Centre presented critical information on the supported childcare program, ensuring that children of all abilities have access to inclusive and nurturing environments.

I wanted to take a moment just to talk about that investment, because I think that it's critically important that we're heavily investing in the Child Development Centre. Over the next two years, we'll be investing \$9.6 million — just over that — for operational expenses. We worked hard to support the Child Development Centre to move into their new location at 206 Hanson Street in August 2023, with new space that accommodates their programs and staff, including their therapeutic preschool. I note that there are steps being taken right now to hire folks in the rural communities to provide direct services. I note that they have worked directly in the Kwanlin Dün health centre for some time now providing Child Development Centre services. I just wanted to point that part out with the Child Development Centre. We also participated in the Education, Career and Volunteer Expo at the Yukon University to advance our strategy of recruiting and recognizing early learning educators who are the backbone of our system.

When we started down this path in 2021 in adopting universal childcare, we had 1,802 licensed spaces for children aged zero to 12, and we now have 2,274 licensed spaces. We

have 1,854 children enrolled, and we have 661 early childhood educators. When we started, we had 333. So, we've made huge strides on that front.

In 2024-25, our budget for early learning childcare was \$42.5 million, with an additional \$515,000 invested in capital for this year to support the development of a data management system for that \$515,000. Among other quality initiatives, the funding is currently supporting fee reduction for families up to \$8,400 yearly and wage enhancements for more than 500 early learning childcare educators. We now have 77 licensed operators, including nine First Nation government-owned and -operated programs representing 2,264 licensed spaces. We've made huge strides and I'm really proud to talk about them today.

We also recently signed an agreement with the federal government. We have a three-year agreement with Canada to see \$7.7 million in new funding flowing to the Yukon that can be used to create spaces and increase accessibility for not-for-profits and First Nation governments. I'm very excited about the rollout of that new initiative that folks will be hearing a lot more about in the time to come.

Again, over 2,000 licensed spaces, including the most recent — and I just want to emphasize them today. Through licensing two new after-school programs, we have added 74 licensed childcare spaces — 44 at Takhini Elementary and 30 at École Whitehorse Elementary. These are new after-school programs addressing a pressing need for affordable, accessible childcare and meaningful programs. It's very exciting. These initiatives are about more than childcare; they are investments in prevention, opportunity, and safety.

Research is clear that when children are supported in their early years, they are less likely to engage in criminal behaviour later in life. Quality early learning environments nurture critical social and emotional skills like empathy, self-regulation, and problem-solving — key traits that reduce the likelihood of negative interactions with the justice system. Moreover, when families have access to affordable, reliable childcare, parents are empowered to pursue education, employment, and community involvement, factors that strengthen our social fabric and reduce conditions that lead to crime.

Every dollar that we invest today in early learning childcare, and more accessible and inclusive schools saves us far more in the future — social costs, including in our justice system. Again, this year alone, we are investing \$42.5 million and we have been investing at that level with our new agreement with the federal government. With our early adoption in 2021, we have invested heavily.

The Premier talked about the CBC interview with Noel Sinclair, who has a lifelong career in working in the criminal justice system, and he emphasized early learning childcare and those types of investments as upstream approaches. I totally agree. I really appreciated hearing that voice from members of our legal community.

Beyond the financial argument, this is about creating a society where every child, no matter their background, has a chance to thrive, contribute, and dream of a future without barriers. By contributing to prioritize these programs and

partnerships, we are not only meeting the needs of Yukon families today but preventing the challenges of tomorrow. Together, we are building communities where opportunity is abundant, where families feel supported, and where our children are safe, nurtured, and equipped to succeed.

I read in some of our background material when we were preparing for this debate today that the early learning childcare and universal childcare that we brought into effect has made profound impacts. As we know, parents' fees are controlled. We are adjusting each year and we are not allowing the fees to increase within a very small percentage point.

The *Yukon Poverty Report Card 2022* published in February 2023 by the Yukon Anti-Poverty Coalition reported that the living wage had reduced from previous years due to the implementation of universal childcare and families having to pay less for childcare. I think that is a huge shift in support for families and for our economy, ensuring that people can get back to work, get back to school, and not have to make those hard choices to not go back to work because they are unable to afford quality, accessible childcare — and early learning programs, more importantly.

Our government is committed to building an education system that reflects the diversity, values, and needs of all Yukoners by making culturally relevant decisions such as signing education agreements with Yukon First Nation governments, advancing inclusive policies like sexual orientation and gender identity, and investing in new accessible schools. We are creating spaces where every student feels welcome, valued, and empowered to succeed.

Mr. Speaker, I spent 20-plus years working on the other end — working with the really difficult situations in our communities and many of them related to the justice system, either through criminal justice or through child welfare — other conflicting types of matters within the community. It's such a pleasure and honour to work for Yukoners in this upstream space and to really invest where it's going to make the biggest difference for society. I know that this is what is happening across Canada, but through the work of the former Minister of Education and the work that I have been absolutely blessed to do, we have advanced and we are one of the leading jurisdictions in Canada in early learning childcare. I am happy to keep doing that work and making those good and right investments.

Education is not just about academics; it's about fostering belonging, building empathy, and ensuring that every child has the tools to thrive. Culturally relevant education connects students to their heritage and community, helping them to feel empowered and to have that deep sense of identity and purpose.

Inclusive policies like SOGI ensure that every student, regardless of who they are, feels safe and respected. Of course, modern, accessible schools are more than buildings; they are hubs of opportunity and inclusion. These investments are not only good for students; they are good for society. When young people feel included and supported, they are less likely to fall through the cracks or become vulnerable to negative influences.

By addressing the marginalization, discrimination, and disconnection early on, we are taking proactive steps to prevent

the conditions that can lead to crime. Again, in the words of Murray Sinclair — and I quoted him the other day: “Education is key to reconciliation. Education got us into this mess and education will get us out of it.” Let us work together to keep our youngest citizens at the centre where they deserve to be and keep doing this work in the best way that we possibly can by investing in the right areas within our territory.

Thank you very much for the opportunity to add that perspective to the debate today. I think it was important.

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

Does any other member wish to be heard?

Mr. Dixon: Mr. Speaker, I am pleased to rise to close debate on this motion today. I think it's clear from what the governing members have said about this what direction this will go in. Nonetheless, I look forward to bringing this matter to a vote and conveying the results of that vote to Yukoners.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pillai: Disagree.

Hon. Ms. McPhee: Disagree.

Hon. Mr. Streicker: Disagree.

Hon. Ms. McLean: Disagree.

Hon. Mr. Clarke: Disagree.

Hon. Mr. Silver: Disagree.

Hon. Mr. Mostyn: Disagree.

Mr. Dixon: Agree.

Mr. Kent: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Ms. White: Disagree.

Ms. Blake: Disagree.

Clerk: Mr. Speaker, the results are five yea, nine nay.

Speaker: The nays have it.

I declare the motion defeated.

Motion No. 1122 negatived

Motion No. 1057

Clerk: Motion No. 1057, standing in the name of Ms. White.

Speaker: It has been moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to review the *Elections Act*.

Ms. White: Mr. Speaker, I am both surprised and delighted to be standing up again today to talk about the *Elections Act*. I gave us a little bit of a heads-up in my final

closing speech of Bill No. 308, which is that the *Elections Act* is sorely in need of review.

It is interesting, because the *Elections Act* should not, in my mind, be governed by a political party, but right now, the *Elections Act* lives under the purview of the Executive Council Office, which means that it is actually governed or maintained right now by the Premier, which is problematic for lots of different reasons.

The Members' Services Board for a number of years has been trying to get the *Elections Act* back to a more non-partisan area and has written many letters actually about that. In my time in this House, there have been many proposals brought forward by Elections Yukon about changes that need to be done to the *Elections Act*, but the problem is that no one is really in charge of the *Elections Act*. The Members' Services Board makes requests, the Executive Council Office does or does not respond, and, as we saw with the Electoral District Boundaries Commission and their final report, they have made suggestions that the *Elections Act* be reviewed and updated.

It's an interesting one, because this act hasn't really been looked at since 2002. I will go one step further and say that the previous Clerk of this Assembly, Floyd McCormick, likes to keep people in the Twittersverse up to date and he has actually mentioned Motion No. 1057 about reviewing the *Elections Act*. He goes on to say: "The *Elections Act* should be reviewed but Cabinet is not responsible for the conduct of elections. Any review should be done by an all-party committee of the Assembly aided by the Chief Electoral Officer, who is an officer of the Assembly."

I agree; the *Elections Act* doesn't belong to the government; it doesn't belong to the opposition. It actually belongs to Yukoners. We in this Assembly are all responsible for it, but the challenge is that it hasn't been reviewed in a long time. Lots of things have changed. Lots of recommendations have come forward, and they don't really go anywhere, because there is not really a clear path on how to do those changes. So, today, I am here to urge that we get the *Elections Act* going forward in a review. I think that this is a great opportunity for someone to move an amendment that an all-party committee be created to review the *Elections Act* — thank you, Floyd McCormick.

I am excited to hear from my colleagues, hopefully in a positive way, that they too think we should review the *Elections Act* or that the *Elections Act* should be reviewed. In my time, I have sat on a fair number of all-party committees and been tasked with all sorts of work, and I believe that it is time. It has been 22 years since the last time that the *Elections Act* was reviewed. The Electoral District Boundaries Commission has come forward with recommendations and things that we should consider going forward with the *Elections Act*.

So, I hope to hear from my colleagues — hopefully with an amendment.

Hon. Mr. Streicker: First of all, I am rising today in support of the principle here. In hearing from the Member for Takhini-Kopper King, I didn't prepare an amendment, I will

just say that, so maybe someone else will have some time in the background to get to an amendment.

I will acknowledge that there were comments earlier today by the Member for Watson Lake, who talked about the same principle: that it should be all parties working to consider how we govern ourselves through elections.

I know that in this House, we have a range of different views, and I am supportive of reviewing the *Elections Act* as is proposed in Motion No. 1057, but I do think that it needs to be considered, how we have a range of parties with different political views. I also think that what is super important is that we get out there and connect with Yukoners. When we have been talking about the citizens' assembly and the perspectives that they brought in front of us when they appeared as witnesses, I think that was also one of the themes that came out, because that process derived itself out of a range of everyday Yukoners from across the territory; they made a proposal to us.

It also came from a period of time when we surveyed Yukoners to ask them whether they thought we should do a citizens' assembly, and that survey got the strongest response or the widest response that we had ever seen from a survey. So, there is a way in which we really need to talk to all Yukoners.

Let me go back to a process that we developed here — I guess it would be a few years ago now. It was the Special Committee on Electoral Reform. This House, through a motion, made the decision to create the select committee with a member from each of the three political parties represented here in the House. We did a bunch of research; we did interviews with a range of experts, had someone who was very well-versed in the subject do up a report for us. Then, I think what was most important was that we went around and talked with Yukoners; we went to communities. They weren't always the most heavily attended, but I think that the principle is pretty important, and I think that it's reflected in the notion that — in one of the recommendations that came out of the citizens' assembly — sorry — the select committee on electoral reform, which is that we really need to balance the views of the territory by getting into the communities and hearing those perspectives from around the Yukon. That select committee led to the select committee to consider citizens' assemblies that led to the citizens' assembly that led to the report that we have before us.

At the same time as that work was happening this summer, we had the work of the electoral boundaries commission, and they made recommendations to us but then also said and noted — as we debated earlier today in Bill No. 308 — that they would like to get direction from this Assembly around if we're going to put in any other parameters. That for me pushes me right back to wanting to check with Yukoners.

So, say that we're going to do something to the *Elections Act*, as we were, you know, debating earlier today with Bill No. 308. We should always make sure that two things are going on: (1) that we're not taking that from one political perspective, and that includes just coming from the government; it should come from the parties who are here in the territory or who are here in this Assembly, and it should be very balanced that way; (2) it needs to connect with Yukoners to get their perspectives, because even when we have processes that represent all parties,

we still have a very specific view, which is a political view rather than a citizen view. I think it's important to get everyday Yukoners' perspectives on this.

Then, the other thing that I think we always need to do whenever we're going to talk about the *Elections Act* is we should be working with and listening to the Chief Electoral Officer, and there will always be a range of potential changes that they have.

Other things that I think are coming up — the citizens' assembly has recommended to us — to this Assembly — that we conduct a referendum or a plebiscite — a choice by Yukoners — to indicate whether they agree with the Assembly that a different voting system is preferable to our current voting system. That was also reflected in the select committee on electoral reform.

One of our recommendations, which was unanimous across all parties, was that if there were going to be a change to the voting system here in the Yukon, it should be by a referendum that Yukoners get to decide whether that is the case or not. In fact, we also said that, if Yukoners do decide to bring in a different electoral system, we should test a second time at a later date after that voting system had been used — sorry. If they said yes to a new voting system, we should have a second referendum down the road to check in with Yukoners that they agree that this is the better system and that is what Yukoners want.

One of the questions that is going to come up is around the voting system then, and it's critically important that we take a look at the act and make sure that it is still aligning with any voting system that we have, the growth in the territory, the changes to our boundaries, and the new way in which those boundaries are represented, as we heard debated here earlier.

There is a whole suite of issues. I myself am not on the Members' Services Board, so I don't get that direct connection to the Chief Electoral Officer, but I am aware that, whenever there are elections, the Chief Electoral Officer will give recommendations on how our system is run. I think we need to consider all of those.

I think it's important to review the *Elections Act*. I agree with the Member for Watson Lake in comments on different subjects today but still on elections and with the Member for Takhini-Kopper King, who is the mover of this motion, but then suggested that it shouldn't just be the Government of Yukon to do that but that it should be some all-party committee. And I would also love it if the ultimate wording of the motion urged that the all-party committee make sure to engage with Yukoners broadly, because we really need to hear from them. The voting system should reflect what they believe about how our voting system or how our elections should be run. It is such a fundamental piece of our democracy.

I think that is most of what I wanted to say. I will make one more comment just about earlier today: When I voted against Bill No. 308, it was not because I don't support trying to consider the balance of our communities and how they are represented here against the important principle of fairness in making sure that representation here is balanced so that constituents or Yukoners have roughly the same access and also

balanced with the question of Old Crow and unique communities and how we define those. It is an incredibly important subject, and it is difficult to draw a line, ever. As we saw, the electoral boundaries commission, when it did its work, will always have a challenging time.

I think that the questions that were raised under Bill No. 308 are exactly a great thing to put into some *Elections Act* review, so long as it is led by all parties and that it ensures engagement with Yukoners.

Those are the sorts of questions that would be great to tackle, because there is the opportunity to talk to Yukoners and make sure that they agree with the approach, however it is. As the Member for Watson Lake noted, maybe the way of having a fixed number is not the right way, because it still won't safeguard against more ridings being attributed to Whitehorse and the balance going off.

I'm for the motion in principle; I do think that it could be improved, and I look forward to further debate.

Mr. Dixon: Mr. Speaker, I would like to join my colleagues in agreeing in general with the concept of the motion that the Leader of the Third Party has put forward today. I think that we're probably not going to be able to, but to the member's question and point, we certainly had prepared an amendment and will be willing to do that. Unfortunately, I don't think that time will allow today, but I will close out by saying, Mr. Speaker, that I do agree that the *Elections Act* is in need of review. I think that the submissions that have been made by the Chief Electoral Officer over the last number of months and years make it very clear that there are some specific changes that are needed. I don't recall that the Chief Electoral Officer has ever suggested a comprehensive review of the act, but the Chief Electoral Officer certainly has listed a number of specific changes that he would like made.

Unfortunately, the situation that we are faced with is that the *Elections Act* as it currently stands rests under the *Government Organisation Act* with the Executive Council Office, and that is something that has been a matter of discussion both in Committee and in the Legislature a number of times before. Of course, Mr. Speaker, I would note that while the decision to put the legislation under the department occurred under a Yukon Party government, it's something that we certainly wish to see changed as well now. It's something that we understand could be improved by allowing that legislation to fall under the purview of an all-party committee, preferably the Members' Services Board.

While we are not going to be able, I think, today due to time constraints, we have prepared a motion for amendment, should this matter come back to the Legislature, that will amend this motion to allow for this work to be led by the —

Speaker: Order, please.

The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

Debate on Motion No. 1057 accordingly adjourned

The House adjourned at 5:30 p.m.

The following legislative returns were tabled November 20, 2024:

35-1-157

Response to oral question from Mr. Istchenko re: carbon tax (Pillai)

35-1-158

Response to matter outstanding from discussion with Mr. Istchenko related to general debate on Vote 51, Community Services, in Bill No. 215, *Second Appropriation Act 2024-25* — Haines Junction septic station, well drilling, and safety response unit equipment (Mostyn)

35-1-159

Response to matter outstanding from discussion with Ms. White related to general debate on Vote 51, Community Services, in Bill No. 215, *Second Appropriation Act 2024-25* — building inspectors (Mostyn)

The following documents were filed November 20, 2024:

35-1-288

Citizens' Assemblies Learning Series — Case Study 1 — Yukon Citizens' Assembly on Electoral Reform (Speaker Harper)

35-1-289

Raven Recycling Society's exclusion from receiving a Transfer Payment Agreement for community depot material streams, letter re (dated November 19, 2024) from Shannon Powell, Executive Director, Raven Recycling/Raven ReCentre, to Richard Mostyn, Minister of Community Services (Mostyn)

35-1-290

Report on French-language services 2023–24 (Streicker)

35-1-291

Bail Reform and Public Safety, letter re (dated July 22, 2024), from David Eby, Premier of British Columbia; Ranj Pillai, Premier of Yukon; Danielle Smith, Premier of Alberta; R.J. Simpson, Premier of Northwest Territories; Scott Moe, Premier of Saskatchewan; P.J. Akeeagok, Premier of Nunavut; Wab Kinew, Premier of Manitoba; Doug Ford, Premier of Ontario; Andrew Furey, Premier of Newfoundland and Labrador; Blaine Higgs, Premier of New Brunswick; Tim Houston, Premier of Nova Scotia; Dennis King, Premier of Prince Edward Island, to Justin Trudeau, Prime Minister of Canada (Pillai)