



LEGISLATIVE RETURN

SUBMITTED BY: Tracy-Anne McPhee, Minister of Justice

1. On November 23, 2017, Liz Hanson, Member for Whitehorse Centre

asked the following question during the Oral Question Period
at page(s) 1794 of *Hansard*

submitted the following written question – WQ No. _____

gave notice of the following motion for the production of papers – MPP No. _____

RE: WHITEHORSE CORRECTIONAL CENTRE phone system revenue

OR

2. This legislative return relates to a matter outstanding from discussion related to:

on _____ at page(s) _____ of *Hansard*.

The response is as follows:

(Please see attached).

March 1, 2018

Date


Signature

Questions from L. Hanson, Member for Whitehorse Centre to Tracy-Anne McPhee, Minister of Justice

Q.1: Can the minister tell this House who made the decision to direct these funds to the crime prevention and victim services trust fund and when it was made?

The funds identified in the Crime Prevention and Victim Services Trust Annual Report as “inmate phone system” are funds held in trust, to be spent on eligible victims expense as per the following in the *Corrections Act, 2009*:

- Sec 35.03(b) which sets out that up to 50% of the funds credited to the Corrections Revolving Fund from the operation of a telecommunication service may be used in respect of a victim for payment of an eligible victim expense.
- Sec 35.06 (1) which sets out that a victim may apply, in a form determined by the director of victim services, to the director of victim services for the determination of an expense as an eligible victim expense.

As per section 35.06 (1), the Director of Victim Services has established criteria and guidelines for determining eligibility of individuals and of expenses, under a program called the Victims of Crime Emergency Fund (VCEF). The guidelines and criteria are available online as follows:

<http://www.justice.gov.yk.ca/prog/cor/vs/vcef.html>

Currently, the Department is seeking advice and working to clarify the best mechanism to hold these funds in the trust and the mechanism for drawing upon these funds as per section 35.06(4) of the *Corrections Act, 2009*.

Q. 2: Can the minister tell us if the jail’s phone system is contracted out to a private company, and, if so, what is the total cost?

Response:

- Provision of this service is currently contracted out to Viiz Communications.
- The system is completely managed and hosted by the vendor.
- The contract sets out the fees for the operation and maintenance of the system that the vendor retains to cover their costs. All funds over and above the costs incurred are provided by the vendor to the Government of Yukon. These are the funds that go into the Corrections Revolving Fund.
- So ultimately there are no costs to the Government of Yukon for inmate telephone service, support or maintenance under the telephone contract.
- The only exception is the provision of free calls provided under Whitehorse Correctional Centre policy. These costs are not part of the contract.
- Under the policy, inmates are able to make free calls to lawyers, the Ombudsman, Offender Supervision and Services (probation), Members of Parliament, Members of the Legislative Assembly, the Investigation and Standards Office, community justice workers, aboriginal court

workers, ATIPP office, Family Law Centre, Maintenance Enforcement and Health and Social Services.

- In addition:
 - o Inmates without resources are provided one free phone call;
 - o Inmates without resources can also apply for an “indigent inmate” card that provides three free calls;
 - o Staff will also provide free calls to any inmate without resources for compassionate reasons
- Funds returned to Corrections from the calling system are used to defray costs such as damage to property by inmates, additional programming, on-going subscription costs for TVs, newspapers, and the purchase and repair of leisure activity equipment.