

LEGISLATIVE RETURN



SUBMITTED BY: Hon. Mr. Streicker, Acting Minister of Justice

1. On November 4, 2019, Ms. Hanson, Member for Whitehorse Centre

asked the following question during the Oral Question Period at page(s) 495 - 496 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 segregation cell

OR

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

Bill No. _____ Second Reading Third Reading
 Committee of the Whole: _____

Motion No. _____ RE: _____
at page(s) _____ of *Hansard*.

The response is as follows:

See attached.

6-Nov, 2019
Date

[Signature]
Signature

1. Why did Corrections officials return an inmate who was clearly suffering from mental health issues to a feces-covered cell?

The Government of Yukon can confirm that the specific inmate involved in this case filed a complaint, and the parties involved reached resolution.

The Government of Yukon is unable to provide any further comments on this particular situation.

2. Were the Corrections officials who decided to return this inmate to his cell held accountable, and are the specific steps that the minister outlined to avoid a repeat of this type of treatment at Whitehorse Correctional Centre actually in place, or are they simply being planned?

The Department of Justice is unable to provide comments with respect to employee matters.

The Corrections Branch implemented changes to its approach to segregation at the Whitehorse Correctional Centre during the summer of 2019, these changes, include:

- the creation of an interdisciplinary care team that includes health care professionals to review all segregation placements. This team also contributes to discussions regarding the original rationale for placement, the continuation or discontinuation of segregation placements, and the development of individual care plans for all individuals held in segregation. Each individualized care plan documents the rationale for placement, services and supports to be offered to the individual to maintain the safety and security of the individual and others, as well as the work underway or planned to reintegrate the individual back into general population. These individualized care plans are developed and reviewed weekly by the interdisciplinary care team and are intended to reflect the needs of the individual.
- establishment of additional internal and external oversight and accountability measures such as regular reviews by senior officials within the Whitehorse Correctional Centre and the Director of Corrections of all segregation placements. Furthermore, identification and discussion of individual segregation placements occur on a daily basis during morning management meetings at the Whitehorse Correctional Centre.
- consistent delivery of mental wellness and substance use programming in collaboration with the Department of Health and Social Services.
- involvement of the Whitehorse Correctional Centre's First Nations Liaison Officer to provide culturally relevant support in the areas of rehabilitation, reconciliation, reintegration, and, cultural awareness for all individuals, including those held in segregation.

3. What real differences will the amended corrections act provide at Whitehorse Correctional Centre?

The amendments to the *Corrections Act*, will establish the requirement for Corrections to utilize the least restrictive measures for managing all individuals in the institution; it will set specific circumstances for the use of segregation; it will provide external oversight of the use of segregation, it will prevent vulnerable persons from being placed and held in segregation and it will enhance access to the interventions, programs and mental health care.

While the legislative changes imbed and codify specific aspects of the approaches to segregation, it should be noted that operational changes to the use of segregation are ongoing.

The amendments proposed to the *Corrections Act* require regulations to be enacted. These regulations will contain the details required to operationalize the Act.

The combination of legislative and operational changes will result in systemic changes to the corrections approach to segregation in Yukon.