

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Thursday, December 3, 2009 — 1:00 p.m.**

**Speaker:** I will now call the House to order. At this time, we will proceed with prayers.

*Prayers*

## DAILY ROUTINE

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

Tributes.

## TRIBUTES

### National Day of Remembrance and Action on Violence Against Women

**Hon. Ms. Horne:** I rise today to pay tribute to the National Day of Remembrance and Action on Violence Against Women, which is December 6 in Canada. The day was established in 1991 by the Parliament of Canada and marks the anniversary of the 1989 murders of 14 young women at l'École Polytechnique in Montreal, who were targeted and killed just because they were women.

Let us reflect on violence against women and girls in our society and recognize that far too many have violence against them. This is a daily reality for them. Let us remember those who have died as a result of gender-based violence, but let's do more.

Let us change the future by speaking out in support of improving the quality of life for women and girls. Each one of us can take concrete actions to eliminate all forms of violence against women. We can speak out against those things that degrade women and make violence possible such as sexist jokes, putdowns, and name-calling. We can support women who have been abused and are being abused. We can support our local women's shelters and those who work to end violence.

I want to thank both the Victoria Faulkner Women's Centre and Les EssentiElles for your work to encourage speech and action about violence through your events and public information campaigns during the 12 Days to End Violence against women campaign. Part of this year's campaign featured posters and postcards with images of local men under the caption, "My strength is not for hurting." The local campaign also includes a campaign that asks men to sign a postcard recording their promise never to commit, condone or remain silent about violence against women.

More and more people, including men, are speaking out and taking action and that gives me hope that things are changing. Canada has marked December 6 as a National Day of Remembrance and Action on Violence Against Women so we may all speak out and take action to ensure respect, equality and safety for all women and girls.

Günilschish.

**Mr. Mitchell:** I rise today on behalf of the Official Opposition in tribute to the National Day of Remembrance and Action on Violence Against Women.

December 6, 2009 marks the 20<sup>th</sup> anniversary of what has become known as the Montreal massacre. For 45 minutes on December 6, 1989, an enraged gunman roamed the corridors of Montreal's l'École Polytechnique, armed with a semi-automatic rifle. The gunman killed 14 innocent women, and injured 13 more while making hateful statements toward women. This gender-based violent act shocked our nation. We must never forget this terrible loss and never forget the many women who continue to live and die in the shadow of violence.

Au delà de commémorer la perte de ces 14 jeunes femmes, ce jour représente une occasion pour que tous les Canadiens réfléchissent sur le phénomène de la violence contre des femmes dans notre société.

Beyond commemorating the loss of these 14 young women, this day represents an opportunity for all Canadians to reflect on the phenomenon of violence against women in our society.

We must think of the women and girls for whom violence is a daily reality and remember all those who have died as a result of gender-based violence. Today is a day for everyone to reflect on what they can do to help end violence against women and girls and for communities to consider concrete actions to eliminate all forms of violence against women and girls.

This is a time to remember all the women globally who were killed because of the bias of misogyny, the hatred of women.

Il est important que ce jour non seulement soit un du souvenir, mais également un d'action. Le silence est complicité, et nous devons parler dehors. Tandis que nous car les individus ne sont pas responsables des actes de violence commis par d'autres, nous sommes responsables de nos propres actions qui une égalité plus de derrière et tolérons ou encourageons la violence.

It is important that this day not only be one of remembrance but also one of action. Silence is complicity and we must speak out.

While we as individuals are not responsible for the acts of violence committed by others, we are responsible for our own actions which hinder equality and tolerate or encourage violence.

While December 6 reminds us of horrific violence, in the 20 years since that tragedy, this day has become a call to effect change and remember all women whose lives have been touched by violence.

As we mark this sad anniversary, let us renew our resolve to prevent and eliminate all violence against women. We all have a role to play in violence prevention. Let us consider what we can do, individually and collectively, to help heal the victims of violence and build a safer future not only for our daughters, wives, sisters and mothers, but for all women. Together we can make a difference.

We would like to acknowledge the staff, front-line workers, counsellors and volunteers at our women's centres here and in the communities for their support, confidential shelter and

advocacy on behalf of women and children in crisis. These people deal with stressful situations on a daily basis, and we thank them for being there and for providing hope.

On December 6, the Yukon flag and flags on all government buildings across the country will be flown at half-mast to mark the National Day of Remembrance and Action on Violence Against Women, and in remembrance of all women who have died as a result of violence.

We must make a stand to end violence against women now. We must teach our children by example that all forms of violence are unacceptable. Respect for girls and women and equality between men and women are preconditions to ending violence.

J'encourage tous les hommes à se comporter d'une manière dont favorise l'égalité, la dignité et le respect de toutes les femmes.

I encourage all men to behave in a way that promotes equality, dignity and respect for all women.

Mr. Speaker, I don't want to have to stand each year to acknowledge this terrible anniversary, and know in my heart that the violence against women continues in our society. It has to stop. The words we speak have to be translated into action that ends the violence.

I encourage everyone to join the gathering on Friday, at noon, in the Elijah Smith Building foyer to commemorate the 14 young women killed in the Montreal massacre of 1989.

Merci, Monsieur le Président. Thank you, Mr. Speaker.

**Mr. Hardy:** Mr. Speaker, I rise on behalf of the NDP caucus to pay tribute to December 6, which is this Sunday. December 6 is the Day of Remembrance and Action on Violence Against Women. We wear a white ribbon to signify our stance that violence against women must end. The recognition of December 6 is significant, because it relates to the violent and shocking deaths by shooting of 14 women students in Montreal on that date 20 years ago. No doubt the families and friends of those women are still grieving as we all are in Canada.

The loss of the contributions that these women may have made to a more tolerant society makes it more tragic. But more than that, we grieve for the loss of our innocence as a country. Until that day, we believed Canada to be somewhat insulated from the murders and injuries that other countries live with from careless gun laws. Now we know that no country is immune from this kind of violence. Very little can be done to prevent it through legislative control, although certainly we need to pursue that avenue as much as possible.

The kind of violence we witnessed in Montreal was gender based, which requires more than laws to fight. The murder in Montreal was an extreme act of symbolism. The murderer made it clear that he was acting with a vengeance against all women who dared take on the rights of men. That is why this must be a day of remembrance, but also one of action.

It is vital that we educate ourselves and those around us about the absolute necessity for understanding the root causes of such violence. Without that understanding, no changes can be made. Women face misogynous acts daily — from seemingly minor sexist jokes to sexual assault and domestic vio-

lence. Until there is an attitude by everyone that women truly are equal in our society, violence against women will continue. This month and last we have touched upon many of the issues around the sad and shocking area of violence against women from bullying to sexual assault, and it is not enough for us to wear white ribbons and make speeches. Changes must occur on a very personal level.

When we see bullying of women in the workplace, when we refuse to contribute to the unpaid work done by the women in the household, when we don't vote for a woman because she is seen as a weaker candidate, those are times when we must remember the 14 young women in Montreal. Those are opportunities when we must act on our beliefs about violence against women; otherwise, there will be no change.

### In remembrance of Bill Baker

**Mr. Cardiff:** Mr. Speaker, I rise today to pay tribute to a man who fits the description "larger than life" more than anyone I know — Bill Baker.

Bill passed away suddenly a few weeks ago and will be more than sadly missed by his wife Susan and their two boys, Clayton and Tyrel, and everyone he knew or met. I'm pleased today to see Susan and the family and friends and coworkers here today.

It's hard to speak about Bill without smiling, because it seemed like he was always in the middle of telling a funny story, or playing a joke, or teasing someone. He always did it with a smile. I think I can hear him chuckle now while he listens to his friends and family repeat those stories, and we heard some of those stories at his celebration of life. There were stories about the tricks he played or the wild adventures that he often got into.

One of the things I remember about my interaction with Bill — whether it was when I was knocking on doors during election campaigns or talking to him at the airport — was he always had a positive attitude. He dwelled on the positive rather than the negative. He was always a glass-is-half-full rather than half-empty kind of guy and I think that helped Bill in his work as supervisor of surface maintenance at the Whitehorse airport. His skills were perfect and his experience was perfect for that position. Other airports often phoned Bill for advice and all 11 people he supervised had great respect for him. They worked as a team and, as one says, he was the glue in that team. His loyalty to his workers was legendary. He was very strict about safety, but he always had fun. Called "Hurricane Bill" by some, he was a big man, loud, blustery and his voice was gruff and masculine.

Bill enjoyed people. Full of energy, tolerance and goodwill, he was curious about people and often brought home hitchhikers to stay in the cabin in his backyard. Then he would invite them in for a big meal and get them to tell him stories about where they were from and what had brought them to the Yukon. He was always ready to offer a helping hand, no matter what time of day or night or the weather, with no questions asked.

The Yukon, with its laid-back lifestyle and wilderness, was perfect for Bill. His family lives on the Annie Lake Road at Baker's Acres, where he spent his spare time enjoying the wil-

derness and the wildlife. He loved to tell stories about the many adventures that he and his buddies had exploring the bush on their quads and skidoos.

Fishing at Tagish one day with his young son Tyrel and Rick, a family friend, they pulled the boat far up on the beach and went for lunch and a walk. On their return, the boat was floating a short distance from shore. Rick swam out after it and when he got into trouble, Bill swam out after him. Neither of them could reach the boat and Bill pulled his friend to safety. While warming up by the fire, they remembered the cellphone Rick had in his pocket. So they phoned home for the number of the marina at Tagish, reluctantly confessing the real reason they needed the number. A radio call went out and a passing boater returned their boat to them. As the rope was passing hands, rather than admit they hadn't tied the boat up, Bill turned to Tyrel and sternly warned him not to play in the boat again.

When Bill's sons were small and got to fighting, as children often do, disagreeing, Bill would have them face each other and he would tell them, "I want you to shake your brother's hand and look him in the eye and say, 'You're my brother and I love you.'" At first they would be pretty sure they weren't going to do that, and they had lots of reasons why not, but eventually, knowing they were not going anywhere until it was done, they would end up doing it. They always wound up laughing.

Another tribute to Bill's contribution and the role he played here in the Yukon and in the community and at the airport was the large turnout on the day of the celebration of life, with standing room only at the Mount Lorne Community Centre. Not only was it standing room only, but vehicles were parked up and down the Annie Lake Road.

I think that was the largest snowfall we had in three days that I can remember, and there was almost two feet of snow out at Mount Lorne — and Highways and Public Works did a great job of coming out to clear the Carcross Road. Everybody travelled safely. As I was leaving the service, I looked back up the road and there was the grader operator. He had to pull the grader over, walk in and actually ask people to move their cars so he could get the grader through on the highway — that's how many people showed up.

Bill died in Vancouver. When the plane carrying Sue and his ashes landed in Whitehorse, all the airport emergency vehicles and maintenance vehicles were lined up on either side of the taxiway, lights flashing, the guys beside their trucks with their hats over their hearts — an honour guard and a heartfelt tribute to a man well respected.

Bill's life and his passing so suddenly have a lesson for all of us. Bill knew that what matters most is family and friends. "Live, laugh and love," he would say. "Don't take yourself too seriously and remember to laugh when times are hard." We need to remember that when we think of him.

Thank you.

**Speaker:** Are there any further tributes?  
Introduction of visitors.

## INTRODUCTION OF VISITORS

**Mr. Cardiff:** I'd like everyone to give a warm welcome to Bill's wife, Sue, and the family and friends and co-workers who have joined us here in the gallery today.

*Applause*

**Speaker:** Are there any other introductions of visitors?  
Returns or documents for tabling.

## TABLING RETURNS AND DOCUMENTS

**Mr. McRobb:** I have for tabling a piece of evidence from the Yukon Energy Corporation 2008-09 general rate application regarding the Carmacks-Stewart Minto spur transmission project.

**Speaker:** Are there any other documents or returns for tabling?

Reports of committees.

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motion?

## NOTICES OF MOTION

**Hon. Ms. Taylor:** I give notice of the following motion:

THAT this House urges the Government of Canada to work with Canada's tourism industry, provinces and territories, and other stakeholders in the development of China approved destination status policies and processes that will enable Canada's tourism sector to capitalize on this opportunity.

**Mr. Elias:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to address the serious issues of safety and security for staff and inmates at the Whitehorse Correctional Centre by:

(1) ensuring that comprehensive major incident plans and protocols are developed and implemented;

(2) ensuring proper recruitment and training programs for staff; and

(3) implementing substantive programming for the inmates reflective of their rehabilitation needs.

**Mr. Fairclough:** I give notice of the following motion:

THAT this House urges the Government of Yukon to ensure the Department of Environment is brought before the House for debate ahead of the assigned members of the Legislature departing for Copenhagen.

**Mr. Hardy:** I give notice of the following motion:

THAT this House urges the Yukon government to:

(1) commend the Peel Watershed Planning Commission for its thorough and thoughtful *Recommended Peel Watershed Regional Land Use Plan* released December 2, 2009, which is grounded in both scientific fact and traditional and/or local knowledge;

(2) accept the findings of the plan as they reflect the views and opinions of large segments of the Yukon public as well as the three First Nations with overlapping traditional territories in the planning area for conservation, ecosystem integrity and intact landscapes while maintaining future resource use options for all Yukon citizens.

I also give notice of the following motion:

THAT this House urges the Yukon government to accommodate, as soon as possible, all Yukon long-term care patients who need the service by expanding the capacity of present facilities, through whatever means necessary.

**Mr. Cardiff:** I give notice of the following motion:

THAT this House urges the Government of Canada to:

(1) develop a national regulatory regime to address urgent water issues, especially for aboriginal communities;

(2) develop legislation as soon as possible containing legally binding drinking water standards, as it promised to do in 2008; and

(3) work collaboratively with all provincial and territorial jurisdictions in Canada to ensure drinking water systems in First Nation communities are properly designed, constructed, operated and maintained to ensure they deliver water whose quality is safe and free from risk.

**Speaker:** Thank you. Are there any further notices of motion?

Hearing none, is there a statement by a minister?

Hearing none, this brings us to Question Period.

## QUESTION PERIOD

### Question re: Long-term care facilities

**Mr. Mitchell:** When I was first elected, one of the issues I flagged for this government's attention was the lack of planning and progress on long-term care facilities. Four years have gone by and little has changed.

I wish to remind this government of the commitment it made to Yukoners during the last election. The minister at the time had this to say, and I quote: "Reopening the Thomson Centre with its 44 beds will allow the government to address the waiting list for Yukoners who need residential care support."

Mr. Speaker, the Thomson Centre is currently being used as office space. The 44 beds did not materialize and the waiting list for Yukoners who need residential care support has not been addressed.

Can the minister tell Yukoners how long the waiting list is now?

**Hon. Mr. Rouble:** This government is very proud of the record that it has established over the last number of years in addressing this very important issue. In addition to expanding the facilities at Copper Ridge and opening more beds there, there has also been significant work providing additional services for seniors throughout the territory. This includes additional seniors residences in Whitehorse, with the opening of the centre at Yukon College; facilities in Watson Lake, with con-

struction in Teslin, with facilities in Haines Junction and in Faro. In addition, there are additional services such as the expansion of home care services throughout the territory, which address many of the needs of seniors in our community.

We're continuing to work with all our professionals in this area to address the need for acute care, and we continue to look at opportunities for expanding services throughout the territory.

**Mr. Mitchell:** Mr. Speaker, how are Yukoners to believe the promises made by this government? During the last election a clear commitment was made by this government to address the need for more long-term care facilities. All the beds that were just cited by the minister today don't add up to the 44 beds lost in the Thomson Centre. So let me remind the minister again of the promise made: reopen the Thomson Centre with 44 new continuing care beds. Today it serves as office space, not continuing care beds. In spite of this clear commitment, the government has done far too little to address the growing numbers of Yukoners on the waiting list. The Whitehorse General Hospital was overflowing with patients a couple of weeks ago, because this government has failed to deliver on its commitment for sufficient, long-term care facilities in Yukon. When is this government going to deliver results instead of excuses?

**Hon. Mr. Rouble:** Mr. Speaker, certainly opening additional beds at the Copper Ridge facility has been one step that this government has taken in addition to several others. The member also further put evidence on the floor to rationalize the expansion of acute care facilities throughout the territory, that, yes, we are in need of additional facilities in areas such as Dawson and Watson Lake.

We did run into some significant problems with the Thomson Centre, and I believe all members are aware of those. In the time since we have taken office, the space has been renovated to a significant degree and there are additional plans to do additional renovations to return the Thomson Centre to an extended care facility.

**Mr. Mitchell:** The evidence I put on the record was the need for more long-term beds, not more acute beds. Four years ago, I warned this government of this looming crisis. The tip of the iceberg was clearly visible back then but this government was too blind to see the obvious. Now it has grown into a major problem for this government and, unfortunately for Yukoners, there's no relief in sight.

Today we heard of a 98-year-old man in Ross River who is waiting for long-term care space to be available. He was 94 when I first raised this issue. At that time this government was announcing new beds and promising big things to come. At this rate he'll be 102 before this government delivers.

Time has run out for this government; it can't be put off any longer. The Yukon Party government has failed to deliver long-term beds in the Thomson Centre, as promised in the last election. What is the government doing to address the waiting list? When will they keep their promise to reopen the Thomson Centre and address the problems they've identified?

**Hon. Mr. Rouble:** The 24 additional beds that were opened at Copper Ridge will continue to address the situation. There is also more than one solution to the situation the member is discussing. There are additional services for seniors and

elders throughout the territory — home care assistance, assistance with keeping people in their home, as well as acute care facilities and continuing care.

We've seen an expansion of these facilities; we've seen an expansion of Copper Ridge as a continuing care facility, and the Minister of Health and Social Services has directed the preparation of more continuing care beds in the Thomson Centre.

**Question re: Yukon Energy Corporation/ATCO**

**Mr. McRobb:** This government has been anything but open and accountable on several energy-related issues. For instance, it denies there are cost overruns on the Carmacks-Stewart transmission line project. We know there will be a huge cost overrun on the whole project despite this government's repeated assurances such a thing would never happen under its watch.

We know the original estimate for all phases increased from \$32 million in 2005 to \$38 million in 2008. To be clear, that was \$38 million for the whole project, from Carmacks to Stewart, including the Minto spur and substations — everything.

The other day the Premier confessed the latest cost estimate, which is about \$70 million. Why won't the Premier admit the current cost estimate overrun is \$32 million?

**Hon. Mr. Fentie:** Well, Mr. Speaker, the member has cited openness and accountability and that's why we provided the member the information we did the other day to help clear the matter up for the member. The member's assertions of a \$32-million cost overrun are, frankly, incorrect. The member knows full well by the document tabled today that even the Yukon Utilities Board was fully aware of the process for this project, including stage 1 and on to stage 2, so I'm sure once the member reflects in a little more detail on the information — that he calls "evidence" but the government side presents as information — I'm sure when the member reflects on that in a little more detail, he'll recognize that his assertions are in fact incorrect.

**Mr. McRobb:** The evidence speaks for itself. In YEC's September 2008 application to the Yukon Utilities Board, the cost of a Carmacks-Stewart-Minto spur transmission project was identified at \$38 million. I tabled the evidence earlier today. It is now on the record. So is the Premier's denial. The facts speak for themselves.

The cost overrun so far is a staggering \$32 million. We know the Premier is running around behind the scenes trying to find investors for this project and time is running out. Construction must be completed within 16 months to be eligible for the federal contribution. Will the Premier confirm he met last week with ATCO's CEO and president and is he courting ATCO to invest in this project?

**Hon. Mr. Fentie:** Let me go back to some of the facts for the member. The member has now cited the involvement of the Yukon Utilities Board. Vis-à-vis a general rate application hearing on May of 2009, the board reviewed stage 1 costs at a level of \$29.7 million and deemed that these costs were prudently incurred. At that time, they also deemed that the current estimate of stage 2 of this project would be at \$40 million, Mr.

Speaker. That's the information that the member is speaking about. The difference is the government presents it factually.

**Mr. McRobb:** The record will show a lot of unanswered questions about the Premier's secret parallel negotiating process. He promised to continue tabling documents, but stopped prematurely weeks ago. The brakes were put on the information flow — we wonder why. One document of great interest is the chronology of the Premier's activities related to the Yukon Energy Corporation/ATCO scandal. Of course, this would include the activities of staff he assigned to this file. So far only the departmental employees have been accountable. They've bucked up, but the Premier hasn't. He needs to fully disclose his involvement — not point the finger at departmental employees who were only following his direction.

When will the Premier be tabling this chronology?

**Hon. Mr. Fentie:** Unfortunately there's no chronology to table, Mr. Speaker. The member has now cited that investments in Yukon's energy infrastructure — building new infrastructure for renewable energy use for Yukoners' needs instead of using diesel fuel and other harmful fuels for our electrical needs — is a scandal. The member suggests that the \$160-million plus project for Mayo B — adding further to green, renewable energy to Yukon's infrastructure, reducing further our diesel costs and by the way, our carbon footprint by literally tens of thousands of tonnes of CO<sub>2</sub> annually, is a scandal. The member opposite even cites the fact that investments by the private sector, like Capstone mine of some \$7.2 million in Yukon's publicly owned and run hydro infrastructure, is a scandal.

The real secret here is where the Member for Kluane actually comes up with this stuff?

**Question re: Yukon Energy Corporation/ATCO**

**Mr. Hardy:** This summer the Premier demonstrated that he is amenable to discussing deals about Yukon's energy resources with for-profit corporations, and that's no surprise from the Yukon Party. He has circumvented the board, unfortunately, and he also circumvented his own Cabinet colleagues in this regard, which resulted in several resignations, one in his Cabinet office and three within the board — three or four within the board; I can't remember now.

We're not going to tread that old ground, but there are questions that are arising again and we're getting the feeling, as Yogi Berra said, "déjà vu all over again". I'm going to give him a chance to clear the air. Did the Premier recently meet with ATCO or any other for-profit energy corporation about Yukon's energy future and, if so, was the board of YDC/YEC involved?

**Hon. Mr. Fentie:** First off, the only thing the government does in relation to building Yukon's energy infrastructure is follow its policy guideline, and the member knows full well that the Yukon energy strategy is a product of major engagement with the Yukon public. Secondly, the member has asked if the Premier meets with presidents and CEOs of the corporate world, and I am sure he would want to include ambassadors and dignitaries and consul generals and other representatives from other orders of government. Yes, of course; it happens all the time. Recently the president of ATCO, a company that has

provided energy to Yukoners for approximately a century — a very good corporate citizen of the Yukon — paid a courtesy call to the Yukon government, and we were very pleased to be able to host the president of ATCO and exchange pleasantries.

**Mr. Hardy:** Holy cow, Mr. Speaker, can I come to that meeting? I would love to see what those pleasantries are. Now, let's be honest here, and it's really refreshing that the Premier has admitted that he had a meeting with ATCO and they flew up here just to exchange hey-how're-you-doing-hope-your-day-is-going-well kind of dialogue. The truth is there is obviously some substance to the reason they would spend thousands and thousands of dollars to come up to the Yukon.

Obviously, Yukon Energy Corporation wasn't involved in this because the Premier didn't mention it. I want to give the Premier a chance in this regard and an opportunity right now to provide the Yukon people with details about the meeting. What did you guys discuss, beside the pleasantries, and was independent power production on the agenda?

**Hon. Mr. Fentie:** Mr. Speaker, first off, independent power production is part of a policy work that is out in the public now. Furthermore, I would assume that the president of the company that has served Yukoners for well over a century probably came to the Yukon to visit her employees, which I think is a good thing. Furthermore, the member suggested that he would have liked to attend the lunch. I can assure the member that all we served were sandwiches; it certainly wasn't a culinary soiree, and we exchanged pleasantries.

**Mr. Hardy:** The minister is known for his generosity, so maybe next time he will invite all the MLAs for a nice sit-down exchange of pleasantries with ATCO, who of course has significant investment in the territory and wants to increase that investment.

I think, through that kind of method, maybe the public will actually know what is being discussed, because the public is very, very cynical right now about any kind of meeting that this minister is having with ATCO based upon the past many months of discussion we've had around this. So one more chance. Will the Premier clear the air? Who was at the meeting? What was really discussed? Is ATCO looking at investing in independent power production in the territory?

**Hon. Mr. Fentie:** For that, as far as what ATCO's plans are for investment in the Yukon, the member might want to write representatives of ATCO and ask them. That's certainly not something we discussed. Furthermore, said company being a very good corporate citizen in Yukon, far and above making significant investments, also makes significant donations to the quality of life of the Yukon.

If you look in the foyer, you will see that the company donates to the Yukon Hospital Foundation. The company is a very good corporate citizen; we're indeed honoured and pleased to have visits such as this. It's not something out of the norm.

The member mentioned discussions. It's unfortunate that the Yukon public has been subjected to the material they've been subjected to. The information that has been put on the public record is incorrect, and we as a government will con-

tinue to have discussions with the corporate community when their ideas, their interests, their options of investment in the Yukon make sense for the public interest.

That's why the Yukon has progressed as it has today, Mr. Speaker. You don't get to the unemployment level and this amount of investment by not having discussions and forming partnerships.

#### **Question re: Climate change**

**Mr. Hardy:** Talk is cheap when it comes to climate change, and we're finding that out all around the world as we get closer to Copenhagen. Today in an interview with *The Guardian*, James Hansen — the world's pre-eminent climate scientist — said this about climate change and the upcoming Copenhagen conference, "We don't have a leader who is able to grasp it and say what is really needed. Instead we are trying to continue business as usual."

I've written a letter to the Prime Minister calling for decisive action on climate change, which I'll table here, and there's space for the leader of the Liberals and the minister to sign. I sent this letter to both the Minister of Environment and the leader of the Liberals earlier today for their signatures, so my simple question is this: will the minister sign it?

**Hon. Ms. Taylor:** I just want to be abundantly clear that we have been engaged with the Government of Canada over the last number of years on this very file. I, in my capacity as Minister of Environment, over the last year and a half have been very engaged with the Government of Canada, as we have been engaged through the Premier's office in his capacity with the Council of the Federation and certainly with the two respective territories.

We are doing our own part when it comes to climate change and addressing climate change, whether it is mitigating greenhouse gas emissions through renewable energy, energy efficiency programs or whether it is through working to implement super green technology within millions of affordable housing initiatives underway right now. When it comes to greening our own government fleet, when it comes to enhancing our own hydro capacity, and certainly looking to additional green energy sources through independent power production policies and net metering policies for example, Yukon is in fact doing its part in terms of adaptation and certainly establishing Yukon as a northern leader when it comes to climate change research and innovation.

We will continue to engage with the Government of Canada at all levels and not just today, but yesterday, and in the future as well.

**Mr. Hardy:** Mr. Speaker, we don't have a clue what she said to the Prime Minister or the ministers — not a clue. It's just like the question before. We don't know what is really being said. The letter that I just tabled states, "We the undersigned Yukon politicians call on Canada to take decisive action on climate change by (1) committing to a medium-range target to reduce Canada's greenhouse gas emissions to a level that is 25 percent below the 1990 level by the year 2020; (2) committing to a long-term target to reduce Canada's greenhouse gas emissions to a level that is 80 percent below the 1990 level by the year 2050; (3) establishing a carbon tax and cap-and-trade

system; and (4) creating a series of incentive programs to lower fossil fuel consumption.

Are these measures enough? No, they're not, but they are a start. If all parties were to sign this letter, we would show the Yukon has a strong voice in climate change. Will the minister sign the letter?

**Hon. Ms. Taylor:** As articulated in our *Climate Change Action Plan*, which took a considerable amount of time, energy and effort on behalf of hundreds of Yukoners around the territory — we did launch our action plan and it does speak to Yukon's own climate change actions. One of those actions is pertaining to Yukon government's own internal targets: becoming carbon neutral by 2020.

That also contains provisions for coming up with baseline data inventory, climate data, when it comes to determining what those emissions are for our respective government buildings. We are also committed to providing Yukon-wide emissions targets within the next year. We will be doing that and working with the Government of Canada and our respective industries in the Yukon and all respective levels and orders of the Government of Yukon.

Mr. Speaker, when it comes to meeting our obligations, Yukon is doing our part. I think I have repeated myself on many occasions in this Legislature that when it comes to actually effecting change, it is actually up to the subnational governments — up to 85 percent of those actions required to meet those United Nations targets will be done here at home.

**Mr. Hardy:** Mr. Speaker, we think it's time for Canada to show the world that we will act on climate change. The Copenhagen conference is a great opportunity for our Prime Minister to move forward by demonstrating that Canada is prepared to lead by example. The minister was on the radio this morning, on record, saying that Canada needs to take decisive action and be ambitious but she doesn't define what this means. She has never laid out the government's position to the federal government. As I say, "talk is very cheap."

This letter takes a strong position. It calls for strong targets laid out in the NDP's *Climate Change Accountability Act*. It calls for a carbon tax on the cap-and-trade system and it calls for incentives to lower fossil fuel consumption. Signing the letter at least would have been a strong statement that Yukoners want to see from this minister, as well as from the Prime Minister. How does the minister reconcile saying Canada needs to do more while shying away from demanding action?

**Hon. Ms. Taylor:** Our stand has always been very clear that Canada does indeed need to be more decisive and that Canada does, in fact, need to be more ambitious when meeting its targets. In fact, our message goes out to all 192 countries that will be coming together in Copenhagen to negotiate a new international agreement. Without the fear of being called to order, this is in fact proof on the paper, when it comes to our *Climate Change Action Plan* that came into being after many months of discussion with Yukoners, with other levels and orders of government.

We do have an articulated plan and our message will continue to be clear and concise — that Canada does need to do more, Canada needs to work with every jurisdiction, including

all territories, and that Canada does need to be more ambitious in meeting its targets and at arriving at its own targets.

We as subnational governments are doing our part. In fact, it is much more than writing on paper. We are actually implementing what we have promised to deliver in this action plan in terms of mitigation, adaptation and coming up with research and innovation.

**Question re: Yukon Housing Corporation financial accountability**

**Mr. McRobb:** I've got a wake-up call to the minister responsible for the Yukon Housing Corporation.

Each year the minister is responsible for ensuring the corporation's financial statements are included in the public accounts report. This annual report tells the public how much money the corporation spent, how much it took in, and what the money was spent on. It is released each year by October 31, but something very curious happened this year. The section on Yukon Housing Corporation was left blank. It simply said, "not available at press time."

Can the minister explain why this information was not made public, as required?

**Hon. Mr. Kenyon:** The Yukon Housing Corporation, after consultation with the Auditor General's office, decided in June 2009 to change the accounting standards that apply to Yukon Housing Corporation to public sector accounting standards. Recent changes, and announced pending changes in accounting standards, combined with clarifications from the Accounting Standards Board on the appropriate standards for government corporations similar to the Yukon Housing Corporation, led to that decision.

The decision was made to apply these new standards retroactively to April 1, 2007, and therefore it involves re-doing two years of financial transactions and statements.

**Mr. McRobb:** The minister has an obligation to report to Yukoners on how he spends their money. The government is not meeting that obligation. The minister was required to provide financial statements to the Auditor General before the deadline. The Premier has admitted the corporation was late in providing those statements. Was there a problem with the books at the Housing Corporation, aside from the reason we've heard?

If everything were fine, the minister would have met the deadline, but he didn't. The minister responsible needs to answer for that today. Financial accountability and reporting is an essential part of being a responsible government. Can the minister fully explain the nature of this problem?

**Hon. Mr. Kenyon:** If the member opposite had been listening — the Auditor General's office changed the accounting standards that apply to the Housing Corporation and work very closely with the Housing Corporation to bring the books up to the new standards, which weren't in effect at that particular time.

The board of directors is responsible for ensuring that management fulfills its responsibilities for financial reporting and internal control, and the board has been exercising its responsibility through a financial and risk management committee, which meets on a periodic basis to look after this.

Again, it was a change in the auditing requirements of the Auditor General. It was no problem in the books; it was simply in whether it would report as a public body or as a private body. They continue to work together and the reports should be ready in a very short period of time.

**Question re: Financial accountability**

**Mr. Mitchell:** Mr. Speaker, I would like to follow up on the same issue of financial accountability with the Minister of Finance. Now we know the Premier doesn't think much of the Auditor General; his view of her reports as "just her opinion" is on the public record. However, Yukoners are quite interested in her opinion on the state of Yukon's books and the spending decisions made by this government. Each year, the Auditor General of Canada signs off on the government's books. She provides a letter saying whether she is satisfied with the books or not. That letter is supposed to be in the Premier's hands by October 31 of each year.

This past October came and went and the letter never arrived. The Auditor General has refused to sign off. This is very unusual. Either the Auditor General says the books are okay, or she says they're not. Can the Finance minister tell Yukoners why this letter is missing?

**Hon. Mr. Fentie:** The Leader of the Official Opposition's colleague's question regarding the Yukon Housing Corporation — I think that's the obvious issue around it — the finalization of the books for the Housing Corporation is being done. The minister has responded. All other matters of public accounts have been presented, duly accounted for and reviewed by the Auditor General. The only issue left to be done is with the Housing Corporation.

**Mr. Mitchell:** The Finance minister says it's the obvious issue; we don't know if it's the only one. Now each year the Auditor General looks at the books and gives the government a passing grade or a failing grade. So far, she has given the government an incomplete. When the public accounts were presented in this House a few weeks ago, a page was missing — possibly the most important page, the one where the Auditor General says "thumbs up" or "thumbs down."

The Premier told this House a few weeks ago that by the deadline of October 31, there will certainly be an opinion coming. We're now into December and there has been no mention of this letter from the Premier. I don't think the Premier has a letter as promised and I doubt he's going to get one before this sitting ends.

Why has the Auditor General refused to sign off on the government's books for last year, even after all the time that has been spent on the Housing Corporation?

**Hon. Mr. Fentie:** I think the public accounts speak for themselves. The member is talking about a letter but the government's more concerned about the accounts themselves and the work done with the Auditor General's office. The only outstanding issue is the Yukon Housing Corporation.

**Mr. Mitchell:** The public accounts have to speak for themselves because there's nothing in it from the Auditor General.

The Premier said previously that by October 31 he'd have an opinion from the Auditor General on last year's books. He has nothing. He has a blank page in the public accounts.

The Auditor General has refused to sign off on the Government of Yukon's books for the year ending March 31, 2009. This is indeed a very rare situation. The minister says it is due to problems with the Yukon Housing Corporation. For some reason the Auditor General is not happy with their books, and Yukoners deserve an explanation. It is no coincidence that the government has failed to call the Housing Corporation for debate so far this sitting. What is the problem? What have the auditors found that they don't like? We know that they have had assistance from the Finance department and we still can't get the approval.

**Hon. Mr. Kenyon:** If the member opposite had been listening to the previous questions, both private and public accounting standards are changing rapidly in Canada, mainly in preparation of Canada adopting the international financial reporting standards, or IFRS, to replace the generally accepted account principles, or GAAP. This was done at the request of the Auditor General's office. It is at their request that the change is being made. It was delayed some time because it was taking time to make up the Auditor General's mind as to which system would be done. Now that has occurred, basically the Auditor General has audited all other corporations and reviewed Yukon government transactions.

We're confident that the numbers presented are final. It's in the hands of the Auditor General, now that we know what the accounting principle is to be reported, in what format. All of this has been in close consultation with the Auditor General's office and done at their request.

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

**ORDERS OF THE DAY**

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

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

*Motion agreed to*

*Speaker leaves the Chair*

**COMMITTEE OF THE WHOLE**

**Chair (Mr. Nordick):** Order please. Committee of the Whole will now come to order.

**Motion re appearance of witnesses**

**Committee of the Whole Motion No. 16**

**Hon. Ms. Taylor:** Mr. Chair, I move THAT Craig Tuton, chair of the Yukon Workers' Compensation Health and Safety Board and Valerie Royle, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses in Committee of the Whole on Thursday, December 10, 2009,



from 3:30 p.m. to 5:30 p.m. to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

**Chair:** It has been moved by the Government House Leader

THAT Craig Tuton, chair of the Yukon Workers' Compensation Health and Safety Board, and Valerie Royle, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses in Committee of the Whole on Thursday, December 10, 2009, from 3:30 p.m. to 5:30 p.m. to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

Is there any debate on this motion?

**Hon. Ms. Taylor:** This is really of a housekeeping nature. This is something the government does endeavour to do each year, each fall, and it is calling for the support of all members in the Legislature to have appear as witnesses before the Legislature, including the chair and the president and CEO of Workers' Compensation Health and Safety Board.

I look forward to all members' support.

**Mr. McRobb:** There are just a couple of things I'd like to put on the record. First of all, thanks to the government for providing one week's notice about the officials from Workers' Compensation Health and Safety Board appearing in this House. We would only ask for the same courtesy regarding officials appearing from the YDC/YEC. We still haven't been provided a date for their appearance here in the Assembly.

The other issue is the Yukon Hospital Corporation. We've asked the government several times whether an opportunity would be provided to all members to ask its president and chair questions in this House. In the spring sitting, the Health and Social Services minister seemed to be in favour of that but, upon follow-up in the fall sitting, it's quite disappointing to see the Yukon Party government has denied that opportunity to opposition members and all members of this Assembly and, of course, the Yukon public, who doesn't have the benefit of having an open discussion with those officials who are now charged with the responsibility of multi-million dollars of taxpayers' money on capital projects that now escape the financial scrutiny of this Chamber.

Mr. Chair, it's quite astounding that we cannot ask the Health and Social Services minister questions related to those projects and we don't get the opportunity to now ask the Yukon Hospital Corporation president and chair questions about those facilities.

There's a huge accountability gap in that respect and I would only urge the government to reconsider its refusal to allow those officials to appear in this Assembly.

**Mr. Cardiff:** I too would like to thank the government for a full week's notice about the appearance of the officials from the Yukon Workers' Compensation Health and Safety Board. In the interest of time, I'm not going to go on, but I would concur with the Official Opposition House Leader about the other corporations. I look forward to meeting with the Premier later to discuss that.

**Hon. Mr. Fentie:** Mr. Chair, once again we're going to have to correct the Member for Kluane. The member has just stated that this House no longer has the ability to scrutinize the

expenditures of the Yukon Hospital Corporation. That's incorrect.

The member knows full well that the Department of Health and Social Services budget reflects our arrangements with Yukon Hospital Corporation. The minister has also stated numerous times on the floor of the House that once the transfer — all inclusive, including the employee transfers — have been completed, the minister will make the witnesses from the Hospital Corporation available to the members of this House. To suggest that the member cannot scrutinize the expenditures of the Hospital Corporation as they relate to the government's budget is, in fact, entirely incorrect.

**Mr. Mitchell:** In the interest of having all the information correctly on the floor of the House, I want to assist the Premier by further correcting the record because, in fact, we have on numerous occasions asked very specific questions of the Health minister, such as the amount of the loans that are being put in place to build the new nurses residence at the hospital, the amount of the loans that are being put in place to build the two health care facilities, the interest rate of the loans, the total amount of the interest per annum and numerous others. In each case, we have been told by the Health minister that those are questions that we would have to ask of the hospital chair and the CEO.

Then we ask for those people to come in and we were told, "Once the transfer is complete." Well, Mr. Chair, we are in this limbo, this twilight zone, where we can't ask it of the Health minister, but we can certainly ask it of the other officials once the transfer has been completed, but it's not completed. I think that the Member for Kluane was quite correct in saying this is a flaw in the system as it currently exists. We know in the interest of open and accountable government, the Premier always would wish to endeavour to correct such flaws, and so we would urge him to reconsider and arrange for officials to attend in this sitting so we can ask those questions.

Thank you.

**Hon. Ms. Taylor:** Mr. Chair, certainly in the spirit of open and accountable government and in the spirit of Christmas, we are very pleased to come forward with this motion. I believe I thank the members of the opposition for their conditional thanks or for their conditional support of this motion. We are pleased to be able to welcome the CEO and president, as well as the chair of the Workers' Compensation Health and Safety Board, as we will also welcome, in due time, members of the Hospital Corporation as well as members of the Yukon Development Corporation/Yukon Energy Corporation.

Thank you.

**Chair:** Is there any further debate?

*Motion agreed to*

**Chair:** Committee of the Whole will now continue with Bill No. 17, *Second Appropriation Act, 2009-10*, Department of Energy, Mines and Resources.

Do members wish a brief recess?

*Recess*

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

**Bill No. 17 — Second Appropriation Act, 2009-10 — continued**

**Chair:** The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*.

**Department of Energy, Mines and Resources — continued**

**Chair:** We're on Department of Energy, Mines and Resources.

**Hon. Mr. Lang:** Mr. Chair, going forward in the discussion on the supplementary budget for Energy, Mines and Resources — we're into our fourth day — I thank the members opposite for their questions and I'd like to thank the department for the hard work they do to create this supplementary and also create the good work they do.

I was reading an interesting statistic in the fact of, when the Yukon Party was elected in 2002, there were expectations of the economics of the territory going in the wrong direction. The main cornerstone of our platform was that we would commit — unlike the Liberals of the time who had the government of the day — and that we would work on the economy. Interesting to say — and the Department of Energy, Mines and Resources itself had a big hand in what happened over the last eight years.

We look at the Yukon population — we're looking at June 2002, which would be the end of the Liberals' tenure as government. I remind Yukoners they were the government for two years approximately and June 2002 was at the end of their tenure. The population of the Yukon was falling; it had fallen at that point to 30,256 people.

If we were to look at the Yukon population in June 2009, it's very positive. It's an increase to 34,157. Mr. Speaker, it's roughly a 4,000 improvement on our population. By the way, that's the highest in record of population in the Yukon.

The labour force is very interesting, and of course during the Liberals' tenure in office — we understand the shortness of it — but also that we are — our labour force was dwindling because of course the economy of the territory was going in the wrong direction. In September of 2002, the labour force consisted of 14,700 individuals. In September 2009 — this is the difference between the government and the government today — 17,600 individuals in our labour force. That is a 3,000 improvement. The number of people employed in September 2002 was 13,300. September again is a 3,200-people improvement — 16,500. The interesting thing about unemployment was that in 2002 it was roughly 10 percent, and in September 2009, we have worked on that and it is now 6.3 percent — the third lowest figure in all of Canada.

Certainly, part of the statistic is because we have an influx of people coming to the territory looking for work because of our economy. Some of those numbers reflect the influx of individuals who are here looking for work.

Now the interesting thing is investment in the territory. January to September 2002 under the Liberal watch, there was an investment of building permits and that, Mr. Chair, is a good gauge of investments in the territory. There was \$21,060,000 in

building permits issued in the Yukon between January and September 2002. If you look at January to September 2009, that's an improvement. That figure is \$118,260,000, so that's a vast improvement over that eight-year period.

Now the retail spending in the territory — understanding that over the last 12 months we were in a bit of a Canada-wide or a worldwide recession. Of course, our recessions were over the two-year period that the Liberal government was in power. That would be considered a recession in the Yukon. January to August 2002 was roughly \$265-million worth of expenditures. Of course, January to August 2009 there was roughly \$350 million spent.

With the help of our capable departments and myself representing Energy, Mines and Resources here today — that was only done by the hard work of these departments. It's a vast improvement on the economic front for the territory. I would say that all Yukoners out there understand that the territory is going in the right direction.

Going back into the budget, I know we have three hours this afternoon to talk about our budget. The supplementary budget here with the Department of Energy, Mines and Resources, as I went through the other day and reminded the members opposite about the \$352,000-reduction in operation and maintenance — we went through that thoroughly but, again, we can go through that today if there are any questions from the members opposite — and an increase of \$1.624 million for capital expenditures. Again, we can talk about that this afternoon. There's a lot to talk about in a very short period of time.

Energy, Mines and Resources is working on a range of initiatives across a number of different resource areas. These are discussions we've had over the last four days, but we can talk about them and bring out questions. Of course, the opposition have questions on this and we have the capable staff here to answer the questions that we can, to make sure they're comfortable when they vote on this supplementary budget that they've had a thorough review of it.

As we move forward into this budget, or into these discussions — on the last day I had the opportunity to stand here in the House, we didn't quite get through the forest resources strategy. Resource management plans have been completed. Again, I remind the members opposite about the communities of Haines Junction and Teslin, and we have a draft plan received from the Kaska Forest Resources Stewardship Council in the Watson Lake area — that is southeast Yukon, which has great potential for forest activity.

We have planning, and planning is ongoing. It's underway in the Whitehorse and Dawson City areas. Implementation of the Haines Junction plan is well underway, and that's important. In other words, we're moving forward from the resource plan into implementation. The Haines Junction plan is well underway with the first 250,000 cubic metres of wood now available in the area.

Yukon's new forest legislation is being finalized with the enactment of the *Forest Resources Act*, expected in early 2010. There was a commitment by the government to move that forward. Remember, in the last sitting, we had a great debate

about that here in the House and how we planned to move that forward and implement it, understanding the obligations we had through devolution that we would work and get the *Forest Resources Act* out and in place for Yukoners. The Yukon government is actively engaged with interested members of the public, stakeholders and local industry to obtain input into the new regime.

The *Forest Resources Act* and the accompanying regulations provide certainty around planning, tenure and enforcement, and will enable sound and sustainable forest management that is responsive to changing conditions. That is very, very important. We heard that in our public consultation, and we heard that in our communities, so we have acted on that.

Now, as I move away from forestry — and I'm sure we can go back to it this afternoon — we will move into another important part of our department or part of our responsibility, and that is agriculture. Agriculture is a growing industry, and you can see that if you take part in the farmers market and take advantage of the opportunity to buy local.

That of course is a very active part of our communities today. As a family member with a small family — my wife and I — we have our freezer full of locally grown meat, whether it's chickens, beef, bison or elk. We take advantage of fresh eggs when we can in the territory. Those are some of the things we couldn't do let's say eight or 10 years ago. We didn't have the availability of the product.

The department — in conjunction with, of course, agriculture — signed on to the Canada-Yukon Growing Forward policy agreement which provides our small jurisdiction with \$987,000 per year. Now this is a sharing, another partnership that we do between ourselves and the federal government. It's a 60-percent federal contribution, 40-percent territorial, on a cost-shared basis with another partnership.

Growing Forward provides a means to implement programs and initiatives that will support the development of a profitable and sustainable Yukon agricultural industry. Without the resources and our partnership with the federal government, we wouldn't be where we are at today in the agricultural industry. With this kind of commitment we will be able to move forward in the coming years and improve our capabilities of raising a lot more of our own food that we consume on a daily basis.

One of the producers in the territory — I won't name names, but the individual who raises the potato harvest he does here in the territory — we have a potato farmer who markets in our community roughly 300 to 400 tonnes of potatoes on a yearly basis. That's Yukon-grown product that we can consume here in the territory.

To add to that, in the Dawson City area, we have individuals who have taken the next step and they're creating vodka out of locally grown products. Again, that's a growing of the industry here in the territory.

In addition, Energy, Mines and Resources is maintaining an emphasis on planned agriculture and development to support commercial agriculture. As part of our efforts to increase the farming success rate of planned agricultural land sales, the agricultural branch has developed a value-added tender process

for selling agricultural land as an alternative to the lottery system.

In other words, we've been talking to industry, we've been talking to individuals about how we can best work with them to get land into the hands of young farmers who would like to go out and participate in this industry, which is a growing industry in the territory. The value-added tender process allows Yukon to compare farm development plans for a particular parcel and will allow the best projects to proceed to agreement for sale. This is good news for the industry and good news for participants who are looking forward to participating in the agricultural industry.

I can go on, but I see my time is at a premium here and I'll sit down and take questions from the members opposite.

**Mr. Fairclough:** The minister could pride himself on filling up pages after pages of *Hansard* day after day and repeat his story over and over again — over and over again, the same things we heard about his chickens, his inability to store them and so on. He didn't address the question from last Thursday, so really what is the use of asking the minister a question if he can't answer it, if he doesn't have the ability to do it? I'd like to move on and clear this department.

**Hon. Mr. Lang:** I appreciate the member opposite. I can't remember the question he asked, but I imagine with my thorough review of the department there couldn't be many questions that an individual would have on the supplementary budget because, as you said, we've been talking about it for four days.

I'd like to go over a little bit more — I have a few more minutes before we clear the department. The mineral resources — I was with the member opposite at a bit of a Christmas party at one of the mineral companies that are contributing to this employment rate and the investment in our building permits here in the territory. The mineral resources in our department, under the mineral branch, we remain committed in these challenging economic times to produce — again, Mr. Chair, I have to remind the members opposite that we went from a situation where we as a conservative department in the government were looking at this year's exploration amounts, and we work off what we did in the year past. Then we had to take an assessment on what the feeling was in Canada, or in North America, on the investment dollar we could expect to see being spent here in the territory. That figure was, conservatively, \$30 million and that figure was what we as a department predicted, through many conversations. We felt we could expect a \$30-million investment — understanding that the year before we had close to \$100 million.

When we were looking at this recession that North America was going through — and it was a recession — the optimism and invested dollars in the mining industry had really dried up. Certainly, at the end of November of this year we were very, very happy to see that the pessimism that was running through the industry didn't extend to the Yukon. We saw an investment commitment — exploration dollars spent on the ground — of \$90 million. That is a compliment not only to us as a community and to the mining community, but it is also a compliment to the government that they had that kind of confi-

dence in us that they would go ahead and spend those kinds of resources.

In closing, I would like to thank the department again for their stellar work and certainly look forward to next spring when we bring the main budget forward, and we're looking forward to a very optimistic investment year next year in the industry. We're looking forward to talking about the many parts of the department that I have talked about through these busy four days.

I appreciate the members opposite, and I look forward to working with them over the next 12 months.

Thank you, Mr. Chair.

**Mr. Fairclough:** I thank the good Lord for answering my prayer.

**Chair:** Is there any further general debate?

Seeing none, we will proceed line by line in Vote 53, Department of Energy, Mines and Resources.

**Mr. Fairclough:** Mr. Chair, I would request unanimous consent of the Committee to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried, as required.

**Unanimous consent re deeming all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried**

**Chair:** Mr. Fairclough has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried as required. Are you agreed?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

***On Operation and Maintenance Expenditures***

***Total Operation and Maintenance Expenditures under-expenditure in the amount of \$352,000 cleared***

***On Capital Expenditures***

***Capital Expenditures in the amount of \$1,624,000 agreed***

**to**

***Department of Energy, Mines and Resources agreed to***

**Chair:** Committee of the Whole will now proceed to the Department of Justice.

Do members wish a brief recess?

**All Hon. Members:** Agreed.

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

***Recess***

**Chair:** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*, Department of Justice, Vote 8.

**Department of Justice**

**Hon. Ms. Horne:** I will be brief today by outlining the highlights of the 2009-10 supplementary budget request. Some of the items in this budget bill are directly related to our overall correctional redevelopment project, so I will take a small

amount of time to update this House on this project so the current items are in the proper context.

I am pleased to be able to report to this House that the replacement of the Whitehorse Correctional Centre is on time and on budget. This government is committed to replacing the Whitehorse Correctional Centre as laid out in our correctional redevelopment strategic plan. It was clearly heard throughout the corrections consultation process that Yukoners in the correctional system need access to treatment and rehabilitation programs.

The new correctional centre allows for inmates to maximize their time to address issues that have led to criminality, and it provides suitable space for treatment and readiness programs. We are constructing a facility and implementing a program model that supports preparing inmates for treatment and for taking steps to move forward upon release from custody.

The Yukon government has budgeted \$21.6 million this fiscal year to finalize design and begin construction of a new correctional centre. As we have discussed before, the total estimated cost for the new facility is \$67 million. The Dominion-Kwanlin Dun Joint Venture has been carrying out the construction management at-risk services, working through the detailed design and construction of the project.

Dominion-Kwanlin Dun Joint Venture have worked directly with the design team, Highways and Public Works and Justice to provide specific construction expertise and assistance in finalizing design, estimating the construction cost and managing the construction process. This procurement strategy has allowed various portions of the construction project to proceed before the final design is complete. Building design is at the 95-percent construction drawing stage. We continue to tender and award contracts as the design advances. This approach has allowed the project to be managed to meet the scheduled completion and occupancy date of late 2011. It does take time to develop all the details that the contractors need to build the building. Construction has proceeded on selected parts of the building while the remaining details are being finished. For example, the superstructure has been raised, the steel has been inspected and the placement of the concrete walls has started. All of this can be done before details of the reception counter are completed.

I would like to talk a bit about the design of the new building. The design includes a gathering room that will be used for recreation activities, larger group programs and special occasions; a unique program area that will be used for treatment and healing programming and for First Nations cultural programming; a classroom for educational and other programming; another program room and four program offices; program rooms in the living units; a small workshop; staff meeting and training areas; a fully-equipped dental suite; a nursing station that will be able to provide services to inmates and others as scheduled; a second-floor visitor reception area and administration area; a main-floor common services wing — this includes the kitchen, health services, admission and discharge areas.

The living units have been designed to accommodate our small, yet diverse populations. There are separate living areas for men and women. The women have one, three-tiered living

unit with 14 cells for general population and four cells for segregation and observation. The men's living area is made up of an area separated generally as follows: 70 general-population cells in four different living units; seven cells in a special handling unit; and seven cells in a segregation and observation unit. This new correctional centre will be a combination of structural steel framing, concrete floors and concrete block walls, high security doors and windows, steel cladding and other finishes.

The construction manager continues to prepare sequential tender packages for issuance. The foundations and site services have been completed. Some of the structural steel and block walls are done. We are following a building development process that ensures this new facility reflects the Yukon's unique social context and provides secure custody options while promoting offender accountability, motivation, rehabilitation and healing.

This project has advanced to the construction stage. We will soon see the plans materialize into a structure ready for occupancy in late 2011, which will serve Yukoners over the next many years. A new correctional centre has been designed as a generation 3 facility that supports an enhanced direct-supervision model.

The facility will operate much differently in comparison to the existing correctional centre.

Enhanced direct supervision has the following characteristics: direct supervision of all secure living units from a central control station — this provides a safe environment for inmates, staff and visitors. Program delivery spaces are included on each living unit to reduce the need to move inmates. Improved program access and enhanced security — staff members work on the units with on-unit workstations to improve staff/inmate communication and supervision. There will be separate inmate and visitor circulation for improved security and efficient movement.

Some of the features in the generation 3 design include the following: podular design; living units that have space for movement, programming and interaction; distributed programs and services on the units and in central areas; reduced circulation and corridors for faster response and improved supervision; separation of inmates without staff isolation; staff are always in view from Control; increased use of technology and modern building security and control system.

This design and supervision model will result in increased interaction between inmates and staff. As you can see, Mr. Chair, we are building a multi-purpose facility that will focus on treatment and rehabilitation through education programs and treatment in a suitable and efficient space. The new facility's coordination of services and interdepartmental cooperation are substantial steps toward enhancing security for the Yukon public through a modern approach.

We heard through the consultation process that Yukoners wanted a facility that was more humane, that could address the needs of those inmates with mental health and addiction issues and that could provide greater security for inmates, staff and the Yukon public. Our government is striving to have the best correction system in Canada and to do that, we need a building

complementary to the planning and the programming efforts over the past several years.

This new facility provides the opportunity to bring life to many of the initiatives we are undertaking through correctional redevelopment. The new *Corrections Act* is a very significant piece of work that supports our new correctional centre.

The *Corrections Act* guiding principles reflect the values that were developed during the corrections consultation. These guiding principles bring to the forefront the protection of society, collaboration with First Nations in developing and delivering correctional services and programs, rehabilitation and reintegration planning with offenders, the implementation of policies, programs and practices that respond to the needs of female offenders, offenders actively participating in programming, ongoing support to the corrections branch staff, the implementation of the least restrictive measures consistent with the protection of the public, fair and reviewable discipline processes, and opportunities for the public to participate in the development and delivery of programs.

The first building to be completed as part of this project is the women's transitional living unit. \$385,000 is being reallocated from the 2010-11 capital plan to complete this project. The cost for this project remains unchanged at \$1,604,000 and is now occupied by staff and inmates.

Our government made a commitment to improve the working conditions for staff and living conditions for inmates. This is an important first step in relieving some of the overcrowded conditions that from time to time occur in the women's dorm at the Whitehorse Correctional Centre. The Department of Justice is working hard to provide better services to female inmates. We recognize that the number of female inmates has increased. The renovations that have been completed at Whitehorse Correctional Centre and the construction of the transitional women's living unit are examples of our commitment to improving services to female inmates.

Prior to completion of the new correctional centre, the transitional women's living unit will provide accommodation options and a different supervision environment. This new building distinctly separates eligible low- and medium-security female inmates from the main inmate population at the Whitehorse Correctional Centre. This separation results in safer and more efficient operations by reducing the female inmate count and by reducing the number of units occupied by women in Whitehorse Correctional Centre. Once the new correctional centre is built, the transitional women's living unit building will be transferred to the Department of Health and Social Services. The infrastructure will then be repurposed for appropriate alcohol and drug treatment options. Planning for this next use is ongoing.

In addition to the development of the transitional women's living unit, renovations to the current correctional centre through the interim space plan have provided some relief to the female inmate accommodations. These renovations saw the size of the main women's accommodation area increase. They have more private sleeping arrangements installed and laundry facilities installed.

As previously mentioned, in the new correctional centre women will be housed in a separate secure living unit from men. Female inmates will have improved access to specific services, such as the health unit, and will have program delivery areas within and immediately adjacent to their units. The women's living unit in the new correctional centre is designed with 14 general population cells for sentenced and remand female inmates. In addition, there are four cells for inmates requiring segregation and observation.

The new *Corrections Act* recognizes that female inmates have different needs than male inmates. This is reflected in the new correctional centre design that includes space purposefully laid out for programs and services specifically designed for female inmates. In the future, women will only come into contact with male inmates when intended. In the current facility, it is difficult to consistently maintain the separation. Design of the new facility provides female inmates with slightly more living space with easily accessible program space on the unit and off. This is in addition to the improved exercise space, fresh air and laundry facilities in the unit.

Mr. Chair, the Department of Justice is also in the process of updating its information systems, including replacing the aging court registry information system — or CRIS as it is known — with a newer system that will better service the needs of both the courts and the correctional system in Yukon. The department has received \$37,000 from the Canadian Centre for Justice Statistics to conduct a study of Nova Scotia's JEIN system and document the architecture, data model, security model, process flow and embedded business logic.

This funding will be allocated to the CRIS replacement project, under the management services IT systems development projects. This funding is 100-percent recoverable from Government of Canada.

In addition, there is a capital expenditure budget increase of \$45,000 for the development of an investigations and standards database as part of the *Corrections Act* implementation. This office was created under the *Corrections Act, 2009* that was passed in the spring 2009 legislative session. It is essential that this office be given the tools necessary to operate and give the oversight envisioned under the act for the corrections branch.

In addition to funding for oversight, we have also identified one-time funding in this budget for further implementation of this important legislation.

An operations and maintenance increase of \$340,000 for implementation is broken down as follows: correctional services director, \$122,000; correctional services at WCC, \$155,000; policing and investigation services — \$63,000 is required in the current fiscal year. The funding will cover training and hiring expenses, as well as printing materials for staff and increasing staff cost due to shift coverage during training sessions. In addition, we are allocating up to \$668,000 of O&M, and 6.75 term and 1.5 auxiliary on-call FTEs to fund operating and personnel costs associated with the women's transitional living unit.

Training is very important for staff to deliver high-quality justice programs. That is why we have embarked on the crea-

tion of a new northern institute of social justice to improve the capacity of our communities to deliver programs and services that are important to Yukoners.

I see I'm running out of time and I will continue to go on with this wonderful budget and wonderful department when I have time a bit later. I welcome questions from the members opposite now.

**Some Hon. Member:** (Inaudible)

#### Quorum count

**Chair:** Ms. Taylor, on a point of order.

**Hon. Ms. Taylor:** Pursuant to Standing Order 3(3), I believe there is no quorum.

**Chair:** Pursuant to Standing Order 3(4), while in Committee of the Whole, if the Chair's attention is drawn to the apparent lack of quorum, the Chair shall ring the bells for four minutes and then do a count. There appears not to be a quorum.

#### Bells

**Chair:** Order please. There appears to be a quorum. We'll now continue with general debate on Vote 8, Department of Justice.

**Mr. Elias:** As always, it's a pleasure to rise in debate on the Department of Justice. I'd again like to recognize the officials who are here, as well as all the Department of Justice staff for their dedication in fulfilling the Department of Justice's departmental objectives. I'm going to get straight to the point here. We've only got a few more days left in the Legislature, and I think we've got almost 10 departments and lots of legislation to go through yet.

I'm going to begin by asking the minister some specific questions with regard to the new Whitehorse Correctional Centre and the present Whitehorse Correctional Centre. I'll begin by asking when the minister expects the new Whitehorse Correctional Centre to open and can she give me a total for how much this new Whitehorse Correctional Centre is going to cost?

**Hon. Ms. Horne:** I'd like to say that I did say in my speaking notes that the budget is \$67 million. We are on time, on budget, and I also stated that the completion would be late 2011, and move in will occur immediately thereafter.

**Mr. Elias:** Also in the minister's opening remarks she mentioned the renovations to the present Whitehorse Correctional Centre women's accommodation area. Can she provide me with the cost of these renovations and whether or not they're complete? Are they complete? Is there still more work to do?

**Hon. Ms. Horne:** The total renovation cost is \$28,000 with \$8,000 of that being in our new budget.

**Mr. Elias:** I thank the minister for that response. The reason I asked about the renovations is because it's my understanding, from the minister's previous submissions to the House, that the old Whitehorse Correctional Centre will actually be torn down. Is that correct? If we're renovating the old building, it seems to me a bit of a difficult situation if we're going to be spending thousands of dollars renovating it and

then, in a couple of years, tearing down those brand new renovations. Is that true?

**Hon. Ms. Horne:** Yes, that is certainly true. There are ongoing renovations to any building. Every year there is ongoing repair and maintenance. As I have said before, our correctional redevelopment process is large. This also included the construction or renovation of the women's living unit. The new plans improve our ability to deliver programming and administer correctional services in the present Whitehorse Correctional Centre.

Let me tell you a little bit more about the interim space management plan, the transitional women's living unit and continued programming initiatives. The interim space plan renovations at the Whitehorse Correctional Centre were completed in early 2009. This space management plan has improved the programming and services we have been able to offer the female inmates. The plan provided the opportunity to reconfigure the living areas for new beds and additional tables for meals on the unit. This also created a more suitable environment for staff to begin enhanced direct supervision training in preparation for the transition to the new correctional centre.

Women have increased space, more washroom facilities, improved supervision, easier access to programming and recreational opportunities. The healing room, which was also part of the renovation, is a very important visible step toward addressing the unique needs of the First Nation population at Whitehorse Correctional Centre. These changes and renovations have increased the space and created a more suitable space for First Nation programming.

These services have been improved for our female inmates and I don't think we can count the money for renovations and what the improvements are to our inmates.

**Mr. Elias:** I thank the minister for the response to the question. The minister mentioned the women's transitional unit for a total cost of \$1.6 million. With regard to staffing of the women's transitional unit, how many correctional staff are in that unit? Are they new staff, were they hired specifically to manage the women's transitional unit or did they come from the actual correctional centre?

**Hon. Ms. Horne:** We have 12 staff at the women's annex, and this is 12 staff to work 24 hours a day. Indeed, the construction costs were \$1.6 million.

**Mr. Elias:** With regard to contingency or emergency plans for the women's transitional unit, can the minister go into some detail — if these plans exist — regarding the plans in the case of major incidents at the women's transitional unit, and when were these plans developed, or do they exist and are they being implemented now?

**Hon. Ms. Horne:** Our government committed to correctional redevelopment three years ago, and part of this change, as I have already noted to this House, is to train our staff for a new type of service delivery.

I just realized I didn't answer the question earlier on the 12 new female guards at the women's annex. There were new hires and there were staff who were transferred from the main Whitehorse Correctional Centre into the new unit. In a 24-hour-seven-day-a-week facility, we need to be able to train staff in a

timely manner that often requires bringing staff in on their day off or putting on auxiliaries to cover shifts while staff are receiving training. This is a reality of a facility of this nature. Our government committed this year to increasing the training budget very substantially to over four times the amount spent last year. We still have only one-quarter of a year to go. The fact that we have increased the training so substantially has resulted in overtime being used for covering staff positions while training is occurring.

I'd like to also note that the Whitehorse Correctional Centre is not understaffed. I am pleased to report to this House that there is a full complement of staff at the centre.

I'd like to talk more about our vision for our new correctional centre and the staffing model that is already in place at the old correctional centre to better inform this House as to how our government is improving the lives of staff and inmates in our correctional system.

The new correctional centre has been designed as a generation 3 facility that will apply an enhanced direct supervision model. The facility will operate much differently in comparison to how the existing correctional centre has been set up until last month. With regard to the current Whitehorse Correctional Centre, we have already moved to the enhanced direct supervision model in anticipation of the changeover to the new building. Staff has been able to work with inmates and remain on the floor to supervise them under this model since late November. Once again, there is no staffing shortage at this time.

Enhanced direct supervision causes a focus of the facility to change from strictly security and turning keys to security by the development of relationships, offender management and rehabilitation support. Direct supervision of all secure living units from a central control station is done. This provides a safe environment for inmates, staff and visitors. Program delivery spaces are included on each living unit to reduce the need to move inmates, improve program access, enhance security and reduce capital cost. Staff works on the units with on-unit work stations to improve staff-inmate communication and supervision, and to separate inmate and visitor circulation for improved security and efficient movement.

Our government has already acted by introducing the enhanced direct supervision model to the old facility in advance of moving to a new facility and this has increased the safety of everyone.

**Mr. Elias:** The minister has given me more questions to ask with her comments and that's good. I thank the minister for replying to my questions.

Can the minister go over how many staff at the Whitehorse Correctional Centre are on an auxiliary-on-call basis and how many are full-time? How many of those auxiliary or on-call are in term positions?

**Hon. Ms. Horne:** I know this question is very important to the member opposite. I do not have those details on hand at the moment but I will get back to him with the figures.

**Mr. Elias:** I accept that. I'll be looking forward to the minister's answer to that question in the near future.

Moving toward a bit of a standard with regard to training, that is why I was asking the questions about how many staff are

auxiliary or can expect a phone call at any time to come and work. The next question is with regard to training standards. What are the standards for a full-time correctional officer, for instance, and the standards for an auxiliary on-call corrections officer? Is there a difference and, if so, why is there a difference?

**Hon. Ms. Horne:** All the staff go through the same correctional officer basic training, or COBT, and it's ongoing. The training is ongoing. If there are any changes, the training is offered to the staff. For example, a series of courses were offered to staff on safe communication skills and conflict avoidance. These courses were well-attended and were received very well by the corrections staff and many other staff of the Department of Justice.

Motivational-based interview skills courses were also held for correctional staff to help roll out the new direct supervision model. There were also motivational interviewing train-the-trainer courses offered so we can continue to build capacity as staff change over time at WCC. Staff members were also given training in the supervision of female inmates in anticipation of the opening of the women's annex last month — the first completed building in our plan to replace the Whitehorse Correctional Centre.

New recruits to the correctional centre have been given correctional officer basic training and mentorship training to ensure that we have fully trained, professional staff on-site at all times, and that new staff members have the benefit of experience from the more experienced staff.

Staff members have also been receiving a number of courses around emergency responses, including modules on safe practice for inmate extraction from cells, tactical training, use of force and communication in emergencies. It was clear in the most recent emergency at the correctional centre that this training greatly assisted staff in dealing with that crisis. Staff put out the fire very quickly and professionally, and serious injuries were avoided in that situation. I understand, and have briefed, that the fire chief was impressed with the actions of the staff.

I would also like to clear up one misunderstanding that has been reported in the media and stated in the House. Staff members are trained in the use of masks when dealing with fires, and they did have access to masks during the recent incident.

Staff members have also received training for the implementation of the new *Corrections Act, 2009*. The hearing adjudicators are being trained even as we speak. Training occurred earlier this year on the new earned remissions structure that was implemented in advance of the proclamation of the act in May of this year. There also has been training delivered on the new discipline model, as well as on the new search powers and obligations and urinalysis demand powers laid out in the act.

As you can see, a great deal has already been accomplished in the area of training, but that's not the whole story. As all members of this House know, the Whitehorse Correctional Centre is a close living quarters setting, like extended care facilities or seniors homes. Often they have populations with large numbers of people with a vulnerable health status. It is important to ensure that illnesses, such as the H1N1, are kept

under control in this kind of setting to ensure that the spread doesn't get out of control. It was also brought up in the House that we were segregating sick people into segregation cells, and this is not so. It's for the safety of the inmates and the staff.

Staff plan and train for such situations as the spread of airborne infections. In the case of H1N1, staff began preparing for an outbreak of H1N1 in June of 2009. Like everyone else in the country, the staff and inmates at WCC had to wait until a vaccine was available to mitigate the danger posed by H1N1 to the vulnerable population of inmates. As soon as a vaccine was made available to Yukon, mass vaccinations began at the Whitehorse Correctional Centre for both staff and inmates alike. Vaccinations continue for new arrivals of inmates now and will continue under the direction of the medical officer of health. Inmates who show flu-like symptoms are immediately isolated and kept in isolation from the rest of the inmate population until they are no longer symptomatic.

It is true that some inmates complained about being held in isolation and some also complained about having to clean their dorm rooms. Isolating inmates was a precaution, long planned at the Whitehorse Correctional Centre, in order to manage the outbreak and was part of the recommendations of the medical officer of health, and that is good preparation.

**Mr. Elias:** I thank the minister for that response; however, I have been hearing from concerned staff and inmates who have conflicting views with what the minister has just put on the table. I've got little interest in getting into what some may call a negative debate on the floor of the House today, but what I am concerned about is that inmates and staff are getting seriously injured at the Whitehorse Correctional Centre, so something is not working.

You know, I would like to get to the root of the problem. One of the things that I have been hearing is that with the new correctional redevelopment project and this new type of service delivery model, maybe it is the speed at which it is being implemented. Maybe it's the fact that there is a significant number of auxiliary on-call staff who have to work within the enhanced direct supervision model but cannot develop a consistent relationship with the inmates.

I'm hearing that's where part of the root of the frustration is coming from at Whitehorse Correctional Centre. There's an inconsistency between the relationship between the corrections officers who are on the floor at the time, the actual mentorship of the new auxiliary on-call employees — there's a different level of training because things are happening at a quick speed and, as a result, it could be one of the factors why, over the last few months, we've seen a number of correctional officers and inmates admitted to the Whitehorse General Hospital.

I'm trying to break this down here to find what the root causes are. Obviously something is wrong. It's in the evidence that has been in the public over the last couple of months. That's the reason I'm asking these questions, because the concerned staff and the inmates themselves have brought these issues forward, and I think they deserve an adequate answer from the minister. I did ask about several issues with regard to the Whitehorse Correctional Centre, with the recent fire and violence that happened up there, and with the — I believe it



was one officer who ended up with a broken leg and a broken nose in October. To me, that's an issue, and it's not providing a safe and secure environment for the staff and the inmates at the Whitehorse Correctional Centre.

I'm trying to break this down, as to trying to find possible root cause or causes of our fellow Yukoners getting hurt. It has to do with — I've heard things about training standards. I've heard things about a tremendous amount of overtime hours being accumulated by full-time staff. I've heard concerns about when the H1N1 flu was at the Whitehorse Correctional Centre, that there were issues with staff and inmates, with staff being overworked and with inmates feeling they were isolated without just cause. They seem to be telling me there was no plan — a solid, identifiable plan that was communicated to the staff and to the inmates up there. That's one example.

The other example is about a current contingency or an emergency plan that could have been implemented when the fire and violence took place up at the Whitehorse Correctional Centre a couple of weeks ago. These are very legitimate and serious concerns. I've not only heard this from concerned staff and inmates, I've heard this from Yukoners in general, saying, "What's going on?"

I have no interest in getting into a negative debate but I just have to represent these issues and concerns that I've been hearing. I hope the minister can respect that. I'd like to hear some general comments on my suggestion that maybe the correctional redevelopment project and the direct supervision model and maybe the speed at which these are being implemented is a little too quick.

Maybe the consistency of the direct supervision model is not being implemented properly, and therefore it's causing frustrations within the Whitehorse Correctional Centre. I think these are valid concerns and I would appreciate a little bit of insight and thoughts as to some of the things that are actually happening up at the Whitehorse Correctional Centre.

**Some Hon. Member:** (Inaudible)

#### Quorum count

**Chair:** Ms. Taylor?

**Hon. Ms. Taylor:** On a point of order, again pursuant to Standing Order 3(3), I would like to draw your attention to yet another apparent lack of a quorum in the Assembly.

**Chair:** Pursuant to Standing Order 3(4), there doesn't appear to be a quorum. The Chair will ring the bells for four minutes.

#### Bells

**Chair:** Order please. There appears to be a quorum.

We will now continue with the Department of Justice, Vote No. 8. Is there any further general debate?

**Hon. Ms. Horne:** I don't take these questions as negative at all. It's great that the public is concerned about the safety of the staff and the inmates, as we are very concerned about the safety of our employees and inmates. It's really unfortunate, but incidents like this do happen.

As I stated before in this House, I will not comment on one individual case, but I can assure this House that investigations

are ongoing, and I have full confidence in our staff. During the direct supervision training, staff provided suggestions about how to assist the inmates in transitioning into the new model of supervision. The ideas reflected feedback from inmates, as they observed the introduction of the staff stations in the living units, and the knowledge of staff with direct supervision experience from other settings. These ideas have been consolidated in information sessions that will be held with inmates prior to staff moving into the units. This has already happened. We are doing this planning two years in advance of moving into the new centre.

This is not an overnight change; it is ongoing. We are working very closely with the staff and the inmates. Managers and supervisors will directly monitor the progress of staff and inmates during the initial stages of direct supervision implementation in order to make ongoing adjustments. They will also be undertaking monitoring staff to ensure the concepts, training guidelines and policies are implemented on a consistent and timely manner. Manager and supervisor presence will provide the necessary support for both staff and inmates and will allow immediate avenues of communication and feedback.

Inmates are informed of the rules and operations of the centre upon intake by the admissions officer. This is done verbally through provision of an inmate handbook and by viewing a video. Living unit rules will also be posted in the living unit and the inmate will be able to interact with the living unit officer as well as consult with the elected inmate living unit representative. The budget for the living unit training for this fiscal year is \$321,305.

This government is also committed to correctional redevelopment, and part of this change, as I have already noted to this House, is to train our staff for a new type of delivery service. This will take time. We have increased the training so substantially it has resulted in overtime. I am very proud of the accomplishments that the staff at the Whitehorse Correctional Centre have done. So far, they have been very quick to accept the changes and give their suggestions and input into this new method of supervision.

The *Corrections Act* consultation process identified the need for independent and impartial oversight of the corrections system. The investigations and standards office will meet the need at Whitehorse Correctional Centre for the convenience of those there who have questions. The office will respond to requests from inmates for a review of their disciplinary hearing. As well, inmates will be able to request a review of the response by the corrections management to an inmate's complaint.

The director of supervision of investigations and standards may investigate any matter with respect to administration of the *Corrections Act, 2009* at the request of the assistant deputy minister or on the director's own notion.

The office will also conduct periodic inspections of the correctional centre to ensure the treatment of inmates is aligned with the principles of the new act. Posters and pamphlets have been created so inmates and Whitehorse Correctional Centre staff can better understand the role, mandate and procedures of the office. The investigations and standards office will com-

mence work with a proclamation of the new act. Hiring for the investigation and standards office is complete, and the office is comprised of the director, senior investigator and two investigators. Extensive work is underway to establish the needed policies, procedures and data tracking abilities for the office. If the staff have concerns about their training or their safety, they can always call the health and safety committee at the Whitehorse Correctional Centre, or they can contact the administrator, the deputy, the ADM or the superintendent of WCC at any time to have their matters looked into and explained.

**Mr. Elias:** I thank the minister for that response. Again with this direct supervision model and the correctional redevelopment plan project — this direct supervision model — the staff I've talked to have brought this model up several times. All plans or models — when they're being implemented — should have some way to measure how they're actually working. Just because something works in the British Columbia correctional system doesn't necessarily mean it's going to work in the Yukon correctional system. Are there any progress reports or — I'm at a loss for words here — evaluations that are done with this direct supervision model and how they're working at the Whitehorse Correctional Centre? Has there been an evaluation as to what is working and what is not working? The other thing that seems to be coming up is inconsistency of the implementation and the lack of certain categories in the training program for new employees, especially auxiliary, on-call employees.

One topic that comes to mind is dealing with inmates with mental health issues. Can the minister elaborate if there is any evaluation or progress reports with regard to how the direct supervision model is being implemented at the Whitehorse Correctional Centre? What is working? What is not working? Because to me, having several correctional officers and inmates admitted to the Whitehorse General Hospital, something is not working — in the last three months alone. These are matters of concern. I'll leave that question for the minister.

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

#### *Recess*

**Chair:** Committee of the Whole will come to order. The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*, Department of Justice.

**Hon. Ms. Horne:** In responding to the member opposite's questions, there were a few there, and I hope I cover all of them. I know he referred back to the incident that happened at the correctional centre. It really was unfortunate, but these situations do occur from time to time. They're something that we don't plan for, but we do train and prepare for them. I can say at this time that our thoughts are with the staff who were injured in this very unfortunate situation and their families. As I said, full investigations are being undertaken and appropriate actions will be taken to mitigate the risks in the future.

We are building the new building and that's why we're building the new correctional centre with much planning going into it so these incidents are apt to happen much less often.

There are plans to monitor and review the new direct supervision model. The introduction of direct supervision training is not yet complete.

As I said in my speaking notes, we really only got into it at the end of November, so, no, we don't have updated plans on how it's going, and we're changing it as per the guards' work. It's just too early for an evaluation, but I can assure the member opposite when we do get them, that we will supply them and let him know how the training is going. But as I say, the training is still ongoing. This is two years out from moving into the new facility. It does not hinder the staff or make it more dangerous for them to be at work; this design has been gone over very thoroughly and it is safer for the guards and for the inmates alike. We are building this new facility to reflect our new philosophy. As I said earlier, if staff has concerns about safety, we and the union have a joint management, health and safety committee that includes the deputy minister, the assistant deputy minister, director of community justice and public safety, and the superintendent of WCC.

The Yukon Employees Union has several representatives including the president of the union, shop stewards and correctional officer representation. We are all committed to making the facility as safe as possible for employees and inmates. As I said — and I can't stress this enough, that if a staff member has a problem, he should be going to the appropriate people to change whatever's happening that he feels unsafe with. He should not be going to the opposition. Go to the department that can make the changes to make it safer. We have them in place, and they should be utilizing them. The new correctional centre has been designed, as I said, as a generation 3 facility that supports enhanced direct supervision. It operates much differently in comparison to the existing centre. It is direct supervision of all secure living units from a central control. It's hard to visualize what this new correctional centre is like, because it is unique. It's one of the best in Canada. There are very few centres that have this new generation 3 design, and it has proven to be very safe and very effective for the staff. I went to visit one and I was very impressed. And that was from the inmates, the guards and the visitors. It's very safe. It's hard to describe. One has to see it when it's in operation and then get the feedback from the staff at that time.

There was a question on mental health services. Whitehorse Correctional Centre has been designated as a hospital. At sentencing, the judge can recommend that an accused person avail themselves of mental health services during their period of confinement. A judge may not order someone to receive medical treatment. Mental health services are available to all inmates. Whitehorse Correctional Centre continues to contract with a local psychiatrist to provide comprehensive psychiatric services to inmates. Whitehorse Correctional Centre has two full-time nurses with forensic mental health experience who are able to provide a range of care to inmates. If an inmate does not choose to take advantage of programming at the correctional centre, they cannot be forced to participate.

Whitehorse Correctional Centre has the ability to manage inmates with mental health issues within its mental health

room. The room is capable of holding three inmates and is a bright, spacious area.

A local psychiatrist attends weekly to treat male and female inmates referred by the physician. Two full-time nurses with forensic mental health experience can provide a range of care as well. Also, the department employs a masters level forensic clinician who attends the centre to assess and treat mental health clients. Recommendations made by a judge in respect of case management or probation order terms are incorporated into the case management plan at either Whitehorse Correctional Centre or Probation Services.

Before being released back into the community, an integrated case management approach is used to release planning. This may include referrals to service providers and/or briefing probation officers where community supervision follows the sentence. Case management plans are made in compliance with probation order terms and in consultation with the person who is the subject of the order.

In 2008-09 and 2009-10 fiscal years, \$33,000 was budgeted for psychiatric services.

**Mr. Elias:** I thank the minister for that response. I want to make something clear. The minister mentioned, in a singular form, that the inmates and staff who are communicating with me about these serious issues — there are many people who are communicating these serious issues to me. They said to me that the frustration level is high and the morale is low at the Whitehorse Correctional Centre, and they are concerned about it. That is why they felt it necessary to bring these issues to my attention, and to try to get to the root issues of this, because the plan the minister is implementing up at the Whitehorse Correctional Centre — I don't know — maybe with all these issues that are going on up there — the fire and the violence and the things that have been going on the last few months, things aren't working as they should be. People are concerned about it, and as far as I am concerned any Yukon citizen should feel comfortable bringing issues of concern to my office and for me to talk to the Minister of Justice to try to resolve them. Isn't that why we're here?

Yes, there's protocol. Yes, when they feel that maybe they're not being heard or there's a communication breakdown somewhere that these are serious issues that they want attention to now — I'll just leave it at that.

Can the minister explain to me what the staff at the Whitehorse Correctional Centre is trained in? What skills and abilities are offered to them prior to being employed or after they're employed and during their employment? What topics are they trained in or expected to have as full-time and auxiliary staff?

**Hon. Ms. Horne:** I do thank the member opposite for bringing these concerns forward, but as I say, to have an effective change we should really go through the proper chains. If the staff has concerns about safety, we have the union, we have a joint union-management health and safety committee that includes the deputy minister, assistant deputy minister, director of community justice and public safety and the superintendent. I really encourage the member opposite to have these individuals contact these individuals. You know, we're open to suggestions on how to improve it.

I can also report the staff totals at WCC. We have a total of 83 staff: five management; 24 administration, finance, food and nurses; 38 correctional officers, permanent or terms. We have 16 auxiliary on-calls.

**Some Hon. Member:** (Inaudible)

**Hon. Ms. Horne:** Outside. That should total the 83 staff.

### Chair's statement

**Chair:** Order please. Just to ensure all debate is recorded and answered, it is customary that all debate go through the Chair. I would encourage members just to do that, just so the transcripts do make sense.

**Hon. Ms. Horne:** As to the last question about training, I just went through a couple of times about the training. I will go through it again. The reason why training and planning occurs at Whitehorse Correctional Centre is because of the fact that some of the inmates in correctional centres can be violent and dangerous. Staff cannot prevent these kinds of inmates entering their facilities, but they can and do anticipate and prepare for sometimes violent and dangerous encounters.

It is now expected that staff training resources for the Whitehorse Correctional Centre will be nearly four times the previous year, and that has resulted in more training offered this year as part of the implementation of the correctional redevelopment strategic plan. Our government has been very busy, changing the way we do things when it comes to corrections.

Training staff was one of our priorities, as it was necessary to help facilitate change in correctional services. Again, I will review some of the training that has been delivered to Whitehorse Correctional Centre staff so far this year alone.

A series of courses was offered to staff on safe communications, skills and conflict avoidance. These courses were well-attended and well-received by corrections staff and many other staff of the Department of Justice. Motivational-based interview skills courses were also held for corrections staff to help roll out the new direct supervision model. There were also motivational interviewing train-the-trainer courses offered so we continue to build capacity as staff changes over time at Whitehorse Correctional Centre.

As part of our substance abuse action plan, we went out to consult with Yukoners and other professionals. We found that women's addictions are much different from those of males and they require different treatment. We've held four training sessions in Whitehorse to train the Yukon front-line workers who work with women, to work with the women effectively and bring them back into a healthy standard of living, to have healthy families and healthy communities.

This work is still ongoing. We just finished one of the training sessions last week. These courses are ongoing. Our staff will be fully trained once we move into the new correctional facility.

Staff was also given training in the supervision of female inmates. Part of that training was in the unique needs of females in the correctional system. It's very unfortunate that the number of females in correctional centres across Canada is increasing. We have to address their unique needs to hopefully

bring this number down. Recruits to the correctional centre have been given correctional officer basic training and mentorship training to ensure that we have fully trained, professional staff on site at all times.

When new employees come in and commence work, we always have the trained employees on hand to assist them. It was clear in the most recent emergency at Whitehorse Correctional Centre that this training did assist them very much in dealing with the crisis. They put out the fire very quickly and they were taken to the hospital. This was just a matter of course to ensure that they were okay. Again, it was part of the training. I hope that does answer the questions that the member opposite had.

**Mr. Elias:** I'm going to move on from this issue here soon, but I do have a couple more questions. This direct supervision model that is being implemented at the Whitehorse Correctional Centre — along with the new model and new situations for staff and inmates in confined spaces — to me, there should be new emergency response protocols or contingency plans for power outages, for floods or fires or H1N1 outbreaks — those kinds of things. Can the minister shed some light on whether or not there is some new emergency response protocols and contingency plans to go along with this new direct supervision model that is being implemented, because it seems that the close contact between correctional officers and inmates has changed, and it's going to be changed in the new Whitehorse Correctional Centre. Along with that there should be some different emergency plans.

Can the minister shed some light on that?

**Hon. Ms. Horne:** All these emergency contingency plans are in place. They were followed. As to the H1N1, as I said, we were not reactive. We were proactive. We started working on H1N1 in June, and we're always reviewing to make sure that where we can improve, we do. Any suggestions from the staff are always listened to.

**Mr. Elias:** Well, the minister didn't really answer the question. Maybe I'll ask this — how often do fire drills occur at the Whitehorse Correctional Centre, and when was the last time a fire drill was completed for the staff and the inmates?

**Hon. Ms. Horne:** I thank the member opposite for that question. It is important that we have this contingency plan in place for the fire drills, but I don't have the last date that one was carried out. I will get back to him with a response.

**Mr. Elias:** There was a fire last week at the Whitehorse Correctional Centre. You would think that this stuff would be easily answerable. Another concern was brought to my attention, and this is the reason why I am asking about emergency response and contingency plans for major safety and security issues at the Whitehorse Correctional Centre. I was told that there were no respirators that were immediately on site to protect the staff and inmates from smoke inhalation, but the minister says there were. With this new direct supervision model, people are wondering if there will be escape hatches in place in case major things happen. This is for the safety of the inmates and of the staff — something as simple as a fire drill. When was this last done for the Whitehorse Correctional Centre? You know, do they have regular drills? When

was the last one? With the new direct supervision model, it seems that things are a bit different and that warrants different and new emergency protocols being developed, because you don't want to move into the new Whitehorse Correctional Centre with all of these things complete. Could the minister answer that question, please?

**Hon. Ms. Horne:** Again, the staff is very well-trained in procedures around fires and extraction of inmates from cells. This training, as well as their personal courage, is what helped them to perform so well during the incident the member speaks of. The RCMP have conducted an investigation into the cause of the fire, with the cooperation of the staff at the Whitehorse Correctional Centre. Both inmates have been arrested and charges were laid. Staff responded very quickly and effectively to deal with this very serious incident.

Department of Justice officials, as is standard practice, will review the incident and make recommendations for improvement. As I said, the fire marshal was pleased with the actions of the staff at the time.

You know, I appreciate the questions from the member opposite but we are here today to answer policy issues, not operational issues. These are operational issues.

**Mr. Elias:** Questions from the public — one of them was how exactly did the tools become available for this fire to start in the first place? Another question was, did the staff who attended the fire actually have respirators on before they attended the fire at the Whitehorse Correctional Centre? Everybody knows that in this day and age, when whatever it is, is burning, it emits toxic terrible chemicals.

Can the minister answer those couple of questions that came from the public? How exactly did this fire get started in the first place and did the officers and inmates actually have respirators immediately and readily available?

**Hon. Ms. Horne:** I did answer these questions earlier. As to how the fire was started, as I said, it's still under investigation. They will be investigated and how it started will be reported. We don't know these details right now, and these are operational issues that are being taken care of at Whitehorse Correctional Centre.

**Mr. Elias:** I didn't hear an answer to the question with regard to the respirators. Did the staff and immediately surrounding inmates have respirators on prior to dealing with the fire at the Whitehorse Correctional Centre? Were there any readily available?

**Hon. Ms. Horne:** Breathing apparatuses were available to the staff, and this is again — all of this will come out as part of the investigation of the incident.

**Mr. Elias:** Well, this is one of the important issues because in my research, all it takes is a one-time exposure by anyone having exposure to these burning chemicals to be affected for the rest of their lives. This is what I'm alluding to about proper emergency protocols and plans and contingency plans.

I'm going to move on here, Mr. Chair. Can the minister provide a list of programs that are delivered at the Whitehorse Correctional Centre — a list of programs that the inmates have access to — whether they be First Nation programs or access to

elders or to certain types of religion, addictions counselling or anger management? Is there a list that the minister can provide on the floor of the House today with regard to the programs that the inmates at the Whitehorse Correctional Centre have immediate access to?

**Hon. Ms. Horne:** At Whitehorse Correctional Centre, we offer a variety of programs and services to all inmates, whether they are on remand or have been sentenced.

This is not a common occurrence. It is unusual to offer programming to the remand inmates. We have the substance abuse programming, which is the White Bison program. We have alcoholics anonymous. The elders provide counselling. The culturally relevant programming — we offer traditional activities for First Nation offenders — elders counselling, talking circles, traditional crafts, individual counselling, drum-making, traditional parenting, solstice gatherings and feasts, gathering power. We renovated an area to create a spirituality room.

Actually, it was the other MLA I took to Whitehorse Correctional Centre to view the spirituality room, and perhaps I can do the same for the Member for Vuntut Gwitchin so he is aware of what the renovations did for us. The health care at Whitehorse Correctional Centre — we have two nurses on staff who are employees of the correctional branch. A doctor is on contract; a dentist is on contract as well. For mental health services, we have two nurses with forensic mental health experience, a mental health clinician and a psychiatrist on contract.

They provide such services as mental health assessments, counselling and consultation with other service providers. With the completion of the mental health room, WCC increased its capacity to manage mental health cases. We have academic programming. We offer a number of upgrading and academic options. For example, offenders can access courses from the on-site Yukon College campus in general studies, GED preparation and testing, resumé workshops and first aid. For female offenders we have the opportunity to participate in anger, violence and other counselling. We have a women-only Alcoholics Anonymous program. We have individual counselling. This is what is unique for us as well. We have individual counselling. We design it for the person, not on a group basis or generically; it's for that individual person and what they require and need help in. We have a contractor for chaplain services through the Whitehorse Ministerial Association and others can come into Whitehorse Correctional Centre. If the inmates want them, they can make arrangements to have them come in. We do have a wide spectrum of programming at WCC and it is delivered on a one-on-one setting or in a group setting.

We have First Nation-sensitive programming that is part of the spirituality room, which has really added so much to the First Nation inmates.

**Mr. Elias:** I thank the Minister of Justice for that information. Again, with regard to the respirators, I need to know whether or not the officers who attended the fire at the Whitehorse Correctional Centre were wearing them. Yes or no? Because, if they weren't, to me, the emergency protocols either weren't in place, or else the training wasn't provided, or they weren't followed. That's important to know. Were all correc-

tions officers who responded to the fire wearing respirators? Yes or no?

**Hon. Ms. Horne:** I did respond to this earlier, and maybe you were not listening. I'll repeat what I said. I would also like to clear up one misunderstanding that has been reported in the media and stated in the House. Staff are trained in the use of masks when dealing with fires. They did have access to masks during the recent incident. We cannot force the individuals to take and use the masks.

**Mr. Elias:** The question still wasn't answered. I need to know if they were wearing them when they attended the fire. That's what I'm asking.

I'm going to have a comment about the programs at the Whitehorse Correctional Centre. I appreciate the list of programs she mentioned. The obvious question is, does she have any statistics with regard to maybe this year alone, the last few months, or whatever? How many of the inmates at the Whitehorse Correctional Centre actually have access to these programs? How many are actually utilizing the programs?

Recognizing that in the statistics I found, 75 percent of the people involved in the correctional system in the Yukon are of First Nation descent, does she have any statistics with regard to how many inmates are taking advantage of these programs? Are those programs always readily available? I'll wait for the minister's response to that.

**Hon. Ms. Horne:** What I can say is that we have the programming available, but as to the number of inmates who take them, or even a percentage, I don't have those figures here at the time. Back to the issue of the masks at the time of the fire, this is all part of the investigation procedure. I don't have these answers for you in this House, and it is still under investigation.

**Mr. Elias:** I will move on here. I would like to quote a report coming out of Corrections Canada, and I quote, "The mentally ill make up a growing proportion of Canada's prison population and many are receiving inadequate treatment, or none at all...Mentally ill prisoners are simply being warehoused. Prison staff often resort to isolating these inmates, in order to get them under control. Isolation is not treatment. This is an inhumane and unsafe way to address offenders with mental illness," says the report. It also goes on to say, "In 1998, according to Corrections Canada, 1,000 inmates out of a prison population of 14,000 were diagnosed with mental-health disorders. By 2004, that number had risen to 1,500 out of a prison population of 12,500". It goes on to say that "Corrections Canada is trying to address these issues, but...ultimately what is needed is funding to provide the health services inmates require. The prison system currently has only about half the acute psychiatric beds that are needed."

My question to the minister — and she alluded to this earlier — is that the present Whitehorse Correctional Centre is designated as a hospital. My question — is the new Whitehorse Correctional Centre going to be designated as a mental health facility?

**Hon. Ms. Horne:** We are aware of this report from the corrections investigator, but these figures are specific to the federal corrections and, with the new correctional centre, the

designation of a hospital will transfer to the new Whitehorse Correctional Centre facility when it opens.

**Mr. Elias:** The minister didn't answer the question. Is the new Whitehorse Correctional Centre going to be designated as a mental health facility? I know it's designated as a hospital, but is it going to be designated as a mental health facility?

The reason why I quoted from the Correctional Service Canada report was because those are the facts of the matter, all across the country, no matter what corrections facility we're dealing with. So is the new facility going to be prepared to deal with clients who have mental health issues?

**Hon. Ms. Horne:** The Whitehorse Correctional Centre has been designated as a mental health facility, or a hospital, which will transfer to the new Whitehorse Correctional Centre facility. It will be a mental health facility.

**Mr. Elias:** Does the present Whitehorse Correctional Centre have the ability to diagnose clients with mental health issues or cognitive disorders or FASD, whatever the case may be? Does it have the ability to do that and who does it?

**Hon. Ms. Horne:** The government does recognize that mental health issues affect our clients in the community and at WCC. Correctional clients may have short- or long-term mental health issues. Mental health services are available to all inmates at the correctional centre including remand and sentence if they wish to access this service.

Whitehorse Correctional Centre has the ability to manage inmates with mental health issues within its mental health room. This room is capable of holding three inmates in a bright and spacious area. Inmates are assessed by psychological and psychiatric professionals when referred by medical staff and/or case managers. A local psychiatrist attends weekly to treat male and female inmates referred by medical staff. Two full-time nurses with forensic mental health experience provide a range of care as well.

The department also employs a forensic clinician who attends the centre to assess and treat mental health clients. The new correctional centre design allows for a diverse population to live together with less tension. Some of the inmates who go in with mental health issues are referred by the Yukon Review Board.

**Some Hon. Member:** (Inaudible)

#### Quorum count

**Chair:** Ms. Taylor, on a point of order.

**Hon. Ms. Taylor:** Again, pursuant to 3(3) of the Standing Orders, there does not appear to be a sufficient quorum.

**Chair:** Order please. Pursuant to Standing Order 3(4), the Chair believes that there does not appear to be a quorum, so the Chair will ring the bells for four minutes.

#### Bells

**Chair:** Order please. It appears there is quorum.

We will now proceed with general debate. Mr. Elias?

**Mr. Elias:** I believe the minister had the floor but sure, I have lots more questions. My question was in regard to mental health issues. Does the minister have training available for

the corrections officers to deal with the mentally challenged clients who enter the Whitehorse Correctional Centre?

**Hon. Ms. Horne:** I just went over the staff that we have, the medical staff who are professionals in their training with mental health. Would the member opposite like me to go over that again?

**Mr. Elias:** The question is fairly simple about this new direct supervision model. The question was, does the minister provide training for the actual correctional officers who deal with clients with mental health issues at the Whitehorse Correctional Centre?

It's important to have those skills and abilities for consistency purposes and for relationship building, because people who have mental health issues, FASD or are impaired cognitively somehow, deserve and need to be treated and looked after differently. That's why I'm asking the question.

**Hon. Ms. Horne:** As I've repeated in my questioning quite often, the staff is very well-trained. The guards are thoroughly trained. As I've mentioned in this House before, we are the leaders in Canada in dealing with individuals with FASD. The staff is very highly trained in this. We've held conferences in Whitehorse that were unique to Canada. The staff is thoroughly trained in all areas of dealing with different types of inmates with mental health issues.

To get to specifics, we do have a psychiatrist, we do have the nurses, we have clinicians. Our offenders in Whitehorse Correctional Centre face a variety of mental health issues that must be addressed before they can move forward when they get out of Whitehorse Correctional Centre. The Department of Justice continues to develop expertise in assessing mental health issues so treatment can be offered in an appropriate manner to those who require it.

According to a research study completed in 2005, the prevalence of mental health symptoms in Whitehorse Correctional Centre is up to three times higher than in normal populations; therefore, we train the staff to handle inmates with mental health problems.

I would like to take a moment to outline some of the services that are available to offenders who require mental health services. I've gone over them before, but I will go over them again. Whitehorse Correctional Centre has the ability to manage inmates with mental health issues within its mental health room. This room is capable of holding three inmates in a bright and spacious area in a designated area of WCC.

The Whitehorse Correctional Centre continues to contract with a local psychiatrist to provide comprehensive psychiatric services to inmates. The psychiatrist attends weekly to treat male and female inmates referred by medical staff. We have two full-time nurses with forensic mental health experience who provide services to offenders, such as mental health assessments, counselling services, pre-release planning, consultation with other service providers to ensure that the offenders are able to access the necessary resources to help them on their path to wellness.

The department also employs a forensic clinician who attends the centre to assess and treat mental health clients.

Before being released back into the community, an integrated case management is used to do release planning. Release planning may include referrals to service providers and/or briefing probation officers where community supervision follows sentencing.

As indicated in the correctional redevelopment strategic plan, we take the needs of offenders very seriously when it comes to making sure they have the necessary resources to address their mental and physical well-being. As we move forward in the correctional redevelopment process, the department will continue to work in making sure our correctional system is better able to address the individual needs of offenders to the best of the system's ability.

I should also mention that from time to time there are other individuals who will be housed at the correctional centre under order of the Yukon Review Board. Review Board clients have access to all services, programming and recreational opportunities available. While I cannot comment on individual cases before the Yukon Review Board, I can walk the member opposite through the general terms of how the process works.

As members of this House are aware, the Yukon Review Board hears all matters where a court has found that an accused person is unfit to stand trial or that they are not criminally responsible by reason of mental disorder. Once an accused is deemed not criminally responsible because of mental defect, they are usually referred to the Yukon Review Board for disposition. The Yukon Review Board has 45 days from the date of the finding of not criminally responsible to convene a hearing. In the interim, individuals who are found not criminally responsible may be remanded to Whitehorse Correctional Centre or released to the community on conditions while awaiting their disposition.

A disposition can include an absolute discharge conditional disposition, where individuals reside in the community under conditions or a hospital order. Whitehorse General Hospital and Whitehorse Correctional Centre are designated hospitals in Yukon. In Yukon in 1993 and 1994, the Minister of Health and Social Services designated facilities under section 672.1 of the Criminal Code to serve as hospitals for the needs of the criminal justice system — the Whitehorse General Hospital, Mental Health Services and the Whitehorse Correctional Centre.

The main responsibility for carrying out the Review Board disposition lies with Mental Health Services, which also oversee the development of a plan for treatment. The Whitehorse Correctional Centre is a secure facility, unlike the Whitehorse General Hospital, and is therefore sometimes preferred as the hospital of choice in the Yukon for the mentally disordered accused, depending on the case.

Most mental health patients who are under a Yukon Review Board disposition either travel to Outside facilities or are managed in the community after a brief stay at either the Whitehorse General Hospital or the Whitehorse Correctional Centre, or both. Using the Whitehorse Correctional Centre as a longer term care facility is relatively rare in Yukon and is done in consultation with the parties involved, including the client, doctors, lawyers and Mental Health Services. This process may

also include family members and representatives of the client's respective First Nation, if applicable.

A person may also be transferred to a psychiatric hospital elsewhere in Canada to obtain services, if that is deemed to be the best option for them. The Whitehorse Correctional Centre employs its three-bed medical dorm, a qualified psychiatrist on contract, access to a psychologist, a physician and counsellors to assist in carrying out the requirements of Yukon Review Board dispositions.

Whitehorse Correctional Centre also arranges for access to relevant community-based programming, including alcohol and drug services, educational programs — such as those offered through Yukon College — specific support services and community involvement, specific to each person's need.

As I'm sure you can see, the Department of Justice takes the provision of mental health services for all clients at the correctional centre seriously and ensures that the best possible services are provided for them.

**Mr. Elias:** I thank the minister for that response. I'll move on now. The next question is with regard to the victim services branch. I think it was last year around this time when there were some changes made to the victim services branch.

I believe it was in August of this year that there was a victims of crime strategy released. Can the minister provide an update to the House with regard to how the changes that were made in the victims services branch are working out, and with regard to the implementation of the victims of crime strategy that was released four months ago?

**Hon. Ms. Horne:** This is a very timely question, and it's an issue that we are very involved with right now. We are committed to ensuring that the needs of victims and their families are fully supported in times of crises. We have shown this commitment in the past, and continue to show this commitment through plans for our future in Yukon.

As many of you are well aware, this summer our government announced a new victims of crime strategy. Confirming a strategy to address the needs of victims is a key action item identified in the correctional redevelopment strategic plan. During the consultations on corrections, we heard that not only did we need to develop programming and services that better meet the needs of offenders, but there was also still work to be done to address the needs of victims in a way that accords with the changes being made to the corrections system, and in accordance with the Canadian statement of basic principles of justice for victims of crime.

A strategy has been developed to address the needs of victims and enhance our responses to victims, families and communities. The *Victims of Crime Strategy* was developed in collaboration with other government departments, First Nations and community agencies. The strategy reflects the discussions that took place at "Moving Forward Together", a focus on victims of crime conference held in March 2008.

This strategy confirms many of the current programming areas and will allow us to strengthen other areas. Community groups, First Nations and women's groups have nominated representatives to the implementation advisory committee that

will assist in the implementation of the strategy. The first meeting of this group took place this past October.

Representatives from several First Nations, Yukon Health and Social Services and Women's Directorate, Yukon Aboriginal Women's Council, Fetal Alcohol Syndrome Society Yukon, the RCMP, the Crown and Kaushee's Place attended this meeting. Other organizations forwarded their regrets.

The ongoing input from these groups will ensure that the strategy remains responsive to the communities and individuals it serves. As part of the strategy, the development of a new Victims of Crime Act was announced. This act will codify the rights and services victims may receive from the Department of Justice.

A legislative advisory committee has been established for the development of the legislation. I'm pleased to report that the representatives on this committee include the Council of Yukon First Nations, Yukon Aboriginal Women's Council, FASSY, RCMP, the Crown, the Victoria Faulkner Women's Centre and Kaushee's Place. Already this group has provided valuable input into an act and we have now been able to take a draft act out for public consultation.

We are very eager to hear from the public so we can ensure that the new Victims of Crime Act reflects the wishes of Yukoners. Already, consultation meetings with First Nations are being scheduled for fall and winter of 2009. The government is committed to asserting the rights of victims in the criminal justice system and to addressing their needs.

The act covers victims of all offences or alleged offences. A victim is defined as one who has suffered harm resulting from an action or omission that forms the basis of an offence. The definition identifies five kinds of harm: bodily injury, mental injury, emotional trauma, economic loss, and deprivation of property. The rights laid out in the act already underlie much of the current practices in our courts and in associated programs and services for victims, but are not supported by legislation as a right.

This legislation will give victims a higher degree of certainty. The regulations set out in detail which agency is responsible for observing the rights in the act. This will ensure that victims are offered the services to which they are entitled. We have also created a new branch that combines the work of the department in the areas of victim services, community justice, community capacity enhancement and crime prevention.

The director of victim services and community justice is given new duties, which now include: monitoring how rights are being observed, considering victims' concerns in new and existing programs, and conducting research into victims' issues.

This reorganization allows for increased communication between these program areas and a stronger focus on supporting communities to address community safety issues. In order to ensure victims receive the best possible service, the offices have been moved so victims now use a separate entrance from offenders and are the only clientele permitted in that area of the building. A number of additional safety measures have also been installed, such as a secure door into the victim services unit, monitored access to the victim services unit and a mirror

in the stairwell hall that allows users to see if there is anyone else in the stairwell.

In addition, a security camera and electronically-monitored access to the unit have been installed. As the minister responsible for both Justice and the Women's Directorate, I am very pleased there is increasing communication and coordination between the victim services unit and the Women's Directorate.

**Mr. Elias:** Can the minister say that again? No, I'm just joking. Thank you, very much, Mr. Chair. Thank you to the minister for that response. She did mention the Victims of Crime Act that is under consultation and the end of consultation is scheduled to be complete at the end of the month, I think.

Can the minister give the House some insight as to how the consultations are going? Is she receiving a lot of submissions, and who are the submissions by? Are they from organizations, other levels of government, self-governing First Nations, individual Yukoners? I had a specific question from a couple of Yukoners, with regard to the Victims of Crime Act. I admit I haven't read the draft yet. The question was, in Alberta, they have victims of crime legislation that recognizes compensation to be given to victims of serious crime. I was just wondering if that's in the act. Could the minister provide an update? I realize we're running out of time in the day here, but how the consultation going? Has she received many submissions, and if so, from who? Does the draft Victims of Crime Act has the specific section that recognizes compensation — whatever kind of compensation — to victims of serious crime? Thank you.

**Hon. Ms. Horne:** The consultations on the Victims of Crime Act — we expect them to wind up at the end of January 2010. We just completed a two-day workshop and it was very well-attended and it was very productive.

What our Victims of Crime Act does is focus on providing services to victims. As I said, the types of victims covered under the act are bodily injury, mental injury, emotional trauma, economic loss and deprivation of property. The rights laid out in the act already underline much current practice in our courts and associated programs and services for victims. Again, we are not supported by legislation as a right, and this legislation will give the victims a higher degree of certainty.

The regulations set out in detail which agency is responsible for observing the rights in the act. This will ensure the victims are offered the services to which they are entitled. The director of victim services is given new duties that now include monitoring how rights are being observed, considering victims' concerns in new and existing programs, and conducting research into victims' issues.

I would just like to repeat that this victims of crime act focuses on providing services to victims.

**Mr. Elias:** In going through the violence prevention unit on the minister's website, I came across some information on the statistics on spousal abuse. They were on the Justice website. There were findings from March 1994. I would like to read some of them into the record today: "A national survey in Canada found that one in four women have been assaulted by a current or previous intimate partner. Three-quarters of these women had also been emotionally abused." The next bullet



says: “Women with a disability or a disabling health problem were at greater risk of being abused. The rate of wife assault for women aged 18 to 24 is four times the national average. Twenty-one percent of women abused by a marital partner were assaulted during pregnancy. Forty-four percent of these women said the abuse began during pregnancy. Children witness violence against their mothers in almost 40 percent of cases. In a majority of violent episodes, the abuse of alcohol was a factor. One-third of women who were assaulted feared for their lives at some point during the abusive relationship. Almost one-half of cases resulted in physical injury to the woman. Eighty-five percent of women who had been assaulted said they experienced negative emotional effects like anger, fear, becoming less trusting, lowered self-esteem.”

This is a national survey that is on the Department of Justice website under the family violence prevention unit.

I guess the question to the minister is with regard to the specific topic of spousal abuse, I found new and current statistics; however, they were buried deep in a national report that was made in 2006. So there is up-to-date information on national spousal abuse.

I guess one of the questions is this: does the minister have any of these statistics particularly pertaining to the Yukon? I would suggest that she update her website with the new statistics that I’m pretty sure are out there.

**Hon. Ms. Horne:** As I have said in this House before, violence against women is an issue that resonates with me very deeply on a personal level. I think the main issue of violence against women is linked to gender inequality. Men and women do not have equal access to safety and security in our society. Women’s experiences of fear and violence are a barrier to women achieving social, political, and economic equality in society.

Today we marked a memorial for the massacre in Montreal. This is an issue that resonates with so many people across Canada. We have women’s groups who are working toward ending violence toward women. It’s not only just talking about it; it’s taking it into our daily lives. The statistics are not always accurate.

Many of the incidents of violence against women are not reported because of their fear of further violence. Women are held back in their careers. The health of the families of our children — our future — are in jeopardy because we allow violence to continue. We must, in every step of our daily lives, stop violence against women. Let us work together. Let’s attend the memorial on Saturday for the massacre of the women in Montreal — only because they were women were they slaughtered.

Before I get carried away, I’ll tell you what we are doing in our government. The Women’s Directorate recognizes that, in order to decrease incidents of violence against women and girls, the government must make progress in breaking down the key barriers that influence women’s vulnerability. That means we are working on enhancing women’s housing security. We have the complex going up in Riverdale. We have 32 units going up to protect our women, their children — so they will be in a safe environment to raise their families with support.

I am pleased to report that that building is on budget and on target. Actually, it is under budget. The government continues to demonstrate commitment and leadership in advancing women’s equality. More specifically, violence prevention is a large focus of the Women’s Directorate, which includes a variety of activities in the areas of responsive affordable housing options, innovative Yukon-relevant violence prevention, public education campaigns and materials, research and training initiatives on women and substance abuse, funding for grassroots family equality initiatives.

The Women’s Directorate helps fund grassroots activities that recognize the National Day of Remembrance and Action on Violence Against Women, which is today — or we recognize it today. Last year the Women’s Directorate sponsored Kwanlin Dun First Nation’s school and general audience show called *Voices of Men*.

December is a high risk time for increased violence against women and children. As part of its mandate to increase public awareness about violence against women, the Women’s Directorate organizes the annual Bare Essentials campaign, and please get your donations in — these go to a very worthy cause to women in the shelters who have to flee their homes of violence. Get your donations in now.

Watch your neighbours, watch your communities to make sure our women are safe — that our children are safe. Don’t let them suffer any further.

Mr. Chair, seeing the time, I move that we report progress.

**Chair:** It has been moved by Ms. Horne that Committee of the Whole report progress.

*Motion agreed to*

**Hon. Ms. Taylor:** I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Ms. Taylor that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

May the House have a report from the Chair of Committee of the Whole?

#### **Chair’s report**

**Mr. Nordick:** Committee of the Whole has adopted Committee of the Whole Motion No. 16 and also Committee of the Whole has considered Bill No. 17, entitled *Second Appropriation Act, 2009-10*, and directed me to report progress.

**Speaker:** You have heard the report of the Chair of Committee of the Whole. Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

*The House adjourned at 5:30 p.m.*

**The following document was filed December 3, 2009:**

09-1-131

Climate change action by Government of Canada: letter (dated December 3, 2009) to the Right Hon. Stephen Harper, Prime Minister of Canada, from Yukon politicians, signed by Todd Hardy, Leader, Third Party. (Hardy)