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Departmental Accomplishments

Justice

Recommended response:

- The Department of Justice continues to work diligently towards ensuring a responsive and culturally relevant justice system.
- Our government continues to move forward with important mandate items, including the Community Safety Planning Program for Yukon First Nations and expansion of services provided by the Sexualized Assault Response Team for communities across the Yukon.
- The Government of Yukon is committed to advancing the use of restorative justice practices across a wide array of functions beyond the criminal justice system, and continues to highlight the critical need for increased federal funding and continued improvements in policies and practices.
- The Department of Justice continues to work actively with partner departments, organizations and businesses to identify and implement community safety initiatives that can support downtown safety needs in Whitehorse.

Additional response:

- Our government is committed to continually improving the quality of life for Yukon citizens by fostering healthy and safe communities.
-

Context:

- Questions may be raised about the status and prioritization of initiatives.
-

Background:

Modernizing Yukon laws

- Recently enacted legislation for which the Department of Justice is responsible includes:
 - Exemptions Act (Spring 2024);
 - Miscellaneous Statute Law Amendment Act (Spring 2024);
-

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Departmental Accomplishments

Justice

- *Fiduciaries Access to Digital Assets Act* (Fall 2023);
- *Act to Amend the Victims of Crime Act* (Fall 2023);
- *Sovereign Statute Law Amendment Act* (Spring 2023);
- *An Act to amend the Legal Profession Act* (Spring 2022) and the *Second Act to amend the Legal Profession Act* (Fall 2022);
- *Technical Amendments Act* (Fall 2022);
- an *Act to amend the Safer Communities and Neighbourhoods Act* (Fall 2021 and Spring 2022);
- an *Act to amend the Territorial Court Judiciary Pension Plan Act* (Fall 2021);
- the *Act to amend the Land Titles Act, 2015* (Fall 2020); and
- the *Act of 2020 to amend the Condominium Act, 2015* (Fall 2020).

Community Safety Planning

- The Government of Yukon (Yukon) continues to prioritize support for safer and stronger communities across the territory and has approved funding to support First Nations in their safety planning projects.
- Phase one of the Community Safety Planning (CSP) program provides up to \$200,000 to each Yukon First Nation to support CSP and implementation of priorities identified during the planning process.
- Kluane First Nation (KFN) and Vuntut Gwitchin First Nation (VGFN) have received funding this fiscal to support their planning initiatives.
- In addition, we have received applications from Ross River Dena Council (RRDC) and Liard First Nation (LFN) and are working towards creating agreements with both.
- Phase two of the program will explore opportunities to expand CSP funding to municipalities, and work is underway to explore a safety and wellbeing planning process in Whitehorse as an action under the Downtown Whitehorse Safety Response Action Plan.

Administration of Justice Agreement Negotiations

- Yukon is committed to supporting Yukon First Nations' governments to exercise their authority and jurisdiction over the administration of justice as set out in Yukon First Nation Self-Government Agreements.
- In 2020, we implemented an updated approach to justice-related negotiations with Yukon First Nations governments, which is rooted in recognition of and respect for First Nation governments' jurisdiction, governance and legal principles.
- Yukon continues to be engaged in Administration of Justice Agreement (AJA) implementation negotiations with Teslin Tlingit Council and Canada.

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Departmental Accomplishments

Justice

- There has been increased First Nations interest in entering and/or recommencing AJA negotiations and arrangements with YG and Canada. Multiple tables have recently recommenced or are expected to recommence soon.

Restorative Justice

- Yukon is committed to supporting the growth of integrated community-based justice programming and advancing the use of restorative justice approaches and practices throughout the territory.
- In 2020, our government approved the creation of an Integrated Restorative Justice (IRJ) Unit to improve restorative justice service delivery, enhance adult/youth diversions, increase engagement with First Nations governments, and better support community-designed and community-led restorative justice initiatives.
- The IRJ Unit, currently in a pilot phase, has combined dedicated youth justice and adult justice resources to provide consistent program delivery across the Yukon.
- The IRJ Unit engages with First Nations governments and stakeholders on adult and youth diversions and restorative justice.
- A commitment to increase the use of restorative justice was recommended by the Deputy Ministers of Justice for Yukon and Manitoba and was accepted by all Deputy Ministers of Justice across Canada.

Expansion of Sexualized Assault Response Team (SART) services

- The Sexualized Assault Response Team, or SART, is a network of agencies that provide safe, comprehensive supports for victims of sexualized violence in Whitehorse.
- We are committed to expanding sexualized assault response services to Yukon communities. The departments of Justice, Health and Social Services, and the Women and Gender Equity Directorate are working closely with SART agencies to develop an action plan to support victims of sexualized assault in communities outside of Whitehorse.
- Engagement with First Nation and community service providers and victims of sexualized violence was completed in the fall of 2023. A What We Heard document has been shared with communities.
- The Government of Yukon is working in partnership with other SART service providers to analyze the findings and recommendations from the What We Heard document, analyze leading practices and approaches in other jurisdictions and to scope options and required resources to develop priorities for next steps on expansion.

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Departmental Accomplishments

Justice

RCMP funding increases

- The 2024–25 Mains Budget provided for an increase of \$1,724,000 to the RCMP budget under the Territorial Police Service Agreement (TPSA).
- That figure includes funding for 8.5 new positions in support of specialized units, general duty members and support staff.
- Through the TPSA, the cost of the operation of the territorial police service is cost-shared between the governments of Yukon and Canada at 70 per cent from Yukon and 30 per cent from Canada.
- The TPSA also includes a cost-shared capital asset management program called the Accommodations Program Charge, through which the RCMP and Yukon jointly decide on capital projects in a five-year cycle.
- The current Cycle Three budget of \$19.627M (territorial contributions) over five years is for the renovation of the detachment building in Old Crow and lifecycle investments to maintain the Yukon RCMP's entire infrastructure portfolio.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Recommended response:

- The Department of Justice funds the justice-related work of several community organizations and First Nations governments.
- The Department of Justice discusses funding levels with the respective organizations regularly and works with each organization to ensure accountability for funding used to deliver programs.

Additional response:

- The department does not automatically add a set amount for inflation adjustments. Instead, it discusses funding pressures with service provider partners throughout the year and can address them through one-time or ongoing funding increases.
- In July 2022, the governments of Canada and Yukon signed a new, five-year Access to Justice Services Agreement – the umbrella agreement that funds the Yukon’s Legal Aid, Yukon Public Legal Education Association, Gladue report writing and Indigenous Court Workers programs.

Context:

- Funding for organizations is of public interest.

Background:

- The Department of Justice works with the following organizations created or governed by statute: the RCMP, the Yukon Legal Services Society, the Yukon Utilities Board, the Yukon Review Board and the Yukon Human Rights Commission.
- The department also funds the Family Law Information Centre, the Indigenous Court Worker Program, Crime Stoppers, Supervised Community Housing, the Justice Wellness Centre and the Sexualized Assault Response Team.

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Funding for Justice Organizations

Justice

- Like statutory organizations, these organizations have funding agreements in place. They regularly discuss the appropriate level of funding required each year to meet program needs with the Department of Justice.
- The Department of Justice is providing over \$50 million to the following programs for justice-related initiatives for the 2024–25 fiscal year, including:
 - \$41,833,988 to the RCMP (including the Territorial Police Service Agreement, First Nations and Inuit Policing Program, 911 services car 867 funding);
 - \$3,257,450 to Legal Aid;
 - \$913,000 to the Yukon Human Rights Commission;
 - \$798,000 to Yukon First Nations for the Indigenous Court Worker Program;
 - \$808,000 to Connective for supervised community housing for men;
 - \$370,000 to Connective for supervised community housing for women;
 - \$307,000 to community justice projects;
 - \$270,000 to the Yukon Utilities Board;
 - \$222,775 to the Council of Yukon First Nations for the Gladue project;
 - \$1,734,000 for Community Safety Officer programs;
 - \$700,000 for allocation to Yukon First Nations through the Community Safety Planning funding program;
 - \$174,423 to the Yukon Review Board; and
 - \$10,000 to the Crime Stoppers Yukon Community Association.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

Session Briefing Note

Fall 2024

National Action Plan to End Gender-Based Violence – Department of Justice Actions

Justice

Recommended response:

- Gender-based violence is a critical concern for Yukoners and has far reaching impacts in every Yukon community.
- Our government sees the need for a broad-based response that addresses the complex factors underlying gender-based violence, as well as its disproportionate impact on Indigenous women.
- In July 2023, the governments of Yukon and Canada entered a four-year agreement to advance the National Action Plan to End Gender-Based Violence. The Government of Canada is providing \$16.4 million over four years to assist our government's efforts to prevent gender-based violence and support persons affected by it. Of that amount, the Department of Justice is expected to receive approximately \$6 million to deliver initiatives that will address gender-based violence from multiple angles.
- Our government is also matching the funds contributed by the Government of Canada. In particular, our investments in the Sexualized Assault Response Team, also known as SART, will fulfill part of our cost-matching obligations.

Additional response:

- The Government of Yukon's efforts are being led by the Department of Justice, the Women and Gender Equity Directorate, and the Department of Health and Social Services. We are working to ensure that our efforts to address gender-based violence are consistent with the intent, priorities and actions of the Missing and Murdered Indigenous Women, Girls, and Two-spirit+ People Strategy and Implementation Plan.

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Fall 2024

National Action Plan to End Gender-Based Violence – Department of Justice Actions

Justice

Context:

- The prevalence of gender-based violence and rates of victimization are significantly higher in the Yukon than in most Canadian jurisdictions, and Indigenous women are disproportionately affected.
- Addressing gender-based violence is a concern for Yukoners and non-profit organizations. The public has an interest in knowing how funding will be allocated over the remaining term of the agreement, as do interested non-profit organizations.

Background:

- Women, Indigenous people, racialized groups, the queer community, the trans community, and other gender-nonconforming groups are all particularly vulnerable to gender-based violence.
- Pursuant to a bilateral agreement with the Government of Canada (Canada), between 2023 and 2027, the Government of Yukon (Yukon) will receive \$16.4 million from Canada to support implementation of the National Action Plan to End Gender-Based Violence. Yukon is matching Canada's financial investments in the creation and implementation of the Sexualized Assault Response Team to fulfill part of Yukon's cost-matching obligation.
- The Department of Justice will receive approximately \$6 million of Canada's contribution. The funding will be used by the Department to deliver initiatives addressing gender-based violence from multiple angles, including prevention, breaking the cycle of violence in families, intervention, specialized care, court support, trauma healing for justice-involved Yukoners, and First Nations responses to gender-based violence.
- A sector-wide stakeholder engagement led by the Yukon Women's Coalition and supported by the Women and Gender Equity Directorate is underway. The engagement will identify gaps in gender-based violence programs and services, and to identify opportunities for improvement. The results of the engagement may lead to a reevaluation of the current allocation of funding between departments and across initiatives, and changes to the Department of Justice's current initiatives could follow.
- Current initiatives under the agreement led by the Department of Justice include:

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National Action Plan to End Gender-Based Violence – Department of Justice Actions

Justice

- 1. Media Literacy:** A coordinated suite of educational resources, awareness-building activities, and partnership actions to prevent and counteract the effects of misinformation that perpetuate disproportionate gender-based violence against women, Indigenous people, 2SLGBTQ+ people and racialized groups.
 - Status: A policy and project implementation analyst has been hired to lead this project, a workplan was developed, and scoping with internal and external partners is complete.
- 2. Services for Children and Youth:** Implementation of multi-disciplinary responses for child and youth victims of or witnesses to crimes. This initiative coordinates services for individuals and families to address system-based revictimization and recurring trauma.
 - Status: One full time equivalent has been assigned to coordinate services and support child and youth victims and their families navigating the courts, including making referrals to partner agencies. Testimonial aids and remote viewing of court proceedings are being provided. Training opportunities for partner agencies serving this demographic are available. Finally, Victim Services is working with the Department of Education to develop a victim support and safety planning process for student victims.
- 3. Expansion of Sexualized Assault Response Team (SART) Services:** A network of victim-centred response services exists in Whitehorse; this initiative will broaden access to specialised services for victims in Yukon communities.
 - Status: A 24/7 support line is available to all Yukoners. Access to 24/7 SART-trained physicians, accompaniment supports to police and medical care, and other coordinated services have been secured in Whitehorse. Training is being offered to SART partners and other service providers across the Yukon. Communications campaigns have been launched to increase public awareness of available services.
- 4. Transportation for Victims of Violence:** Inter-community transportation options and financial support is needed for victims of sexualized assault and intimate partner violence to be able to leave their home communities to access clinical, legal or other services.
 - Status: A working inventory of transportation options and resources has been compiled and shared with service providers. Five NGOs are providing

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National Action Plan to End Gender-Based Violence – Department of Justice Actions

Justice

low-barrier travel assistance to victims of gender-based violence to attend critical services and/or flee violence. Some transportation options for victims of gender-based violence are now available to individuals in all Yukon communities.

5. Integrated Case Assessment Teams for High-Risk Intimate Partner Violence

Cases: Development of a Yukon-specific collaborative approach to managing risk and preventing lethality in intimate partner violence cases.

- Status: A contract for the development of a Yukon-specific process for service coordination has been implemented pursuant to a public tender; substantive work is now underway.

6. Cultural Support for Justice-involved People: Makes various resources and programs available to justice-involved people in facility-based and community-based corrections to facilitate healing from trauma and successful reintegration into the community.

- Status: At the Whitehorse Correctional Centre, animal-assisted psychotherapy services have been retained, providing access to a therapist and trained dogs twice a week; a pre-existing contract with the Council of Yukon First Nations was expanded to provide a range of activities, including beading, smudging, moccasin and mitt making, and sharing circles with facilitators and elders. In the community-based corrections context, a journaling program for justice-involved women is now available.

7. First Nations-led Responses: A partnership model that supports community capacity building to respond to gender-based violence in a culturally inclusive way. It begins by healing community leaders and reinvigorating traditional practices and knowledge. This model builds capacity and sustainability over time by engaging all community members in the response to gender-based violence.

- Status: Two cultural consultants have been contracted and are facilitating healing and engagement sessions in Old Crow.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

National Action Plan to End Gender-Based Violence

WGED, Justice

Recommended response:

- In July 2023, the governments of Yukon and Canada signed a bilateral funding agreement to support the implementation of the National Action Plan to End Gender-Based Violence. Under the agreement, the Government of Canada is providing \$16.4 million to Yukon over four years to support implementation efforts in the territory.
- The Government of Yukon is matching the Government of Canada's financial contribution.
- Yukon's implementation work focuses on addressing the high prevalence of gender-based violence in the Yukon, improving social supports for Yukoners affected by gender-based violence, and supporting and partnering with non-profit organizations to further responses to gender-based violence and enhance prevention efforts.

Additional response:

- The Yukon's implementation plan includes initiatives addressing gender-based violence from multiple angles. The Women and Gender Equity Directorate, the Department of Justice, and the Department of Health and Social Services are each responsible for the development and delivery of specific initiatives in Yukon's implementation plan.
- The initiatives in the Yukon's implementation plan are consistent with the intent and priorities of Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People Strategy.
- As part of the Yukon's implementation plan, our government is providing over \$4.0 million in two fiscal years (2023-24 and 2024-25) to 13 non-

National Action Plan to End Gender-Based Violence

WGED, Justice

governmental organizations working to address gender-based violence in the territory.

- Because the agreement with Canada was not signed until July 2023, much of the funding allocated for Year 1 was not spent by March 31, 2024. According to the agreement, just over \$600,000 in funding for NGOs and \$1.4 million for projects within WGED and Justice was carried over to 2024-25 and expended by September 30, 2024.

Context:

- We know that the prevalence of gender-based violence and rates of victimization are significantly higher in the Yukon than in most Canadian jurisdictions, and that Indigenous women are disproportionately affected.
- While people experience violence as individuals, vulnerability to violence varies based on the individual belonging to different social groups: First Nations, racialized groups, the queer community, the trans community, and other gender-nonconforming groups.

Background:

National Action Plan to End Gender-Based Violence and Bilateral Agreement

- In January 2021, the federal, provincial, and territorial ministers responsible for the status of women endorsed the Joint Declaration for a Canada Free of Gender-Based Violence, which laid out the Framework for Joint Action, identifying the vision, goals, pillars and foundation for a ten-year national action plan.
- The five pillars of the National Action Plan to End Gender-Based Violence are:
 - support for survivors and their families;
 - prevention;
 - responsive justice system;
 - implementing Indigenous-led approaches; and
 - social infrastructure and enabling environment.

National Action Plan to End Gender-Based Violence

WGED, Justice

- The Government of Canada is contributing approximately \$4 million per year to support Yukon's initiatives to end gender-based violence.
- The implementation of the agreement is based on a 50-50 cost-share between Yukon and Canada. The arrangement recognizes funding currently provided by the Government of Yukon to several initiatives addressing gender-based violence, including SART, transition homes and funding provided to non-governmental organizations for preventing gender-biased violence and supporting those affected by it.
- Under the agreement, 25 per cent of the federal funding must be directed towards prevention of gender-based violence.
- Each jurisdiction's progress towards the objectives of the National Action Plan to End Gender-Based Violence will be made publicly available by Women and Gender Equality Canada.

Government of Yukon's Implementation Plan

- Federal funding to support the implementation of the initiatives in Yukon's implementation plan over the course of the agreement is allocated between departments as follows:
 - Department of Justice – \$6.7 million for initiatives addressing gender-based violence from multiple angles: prevention, breaking the cycle of violence in families, intervention, specialized care, court support, trauma healing for justice-involved Yukoners and First Nations' responses to gender-based violence.
 - Department of Health and Social Services – \$2.6 million to increase operational funding to transition homes.
 - Women and Gender Equity Directorate - \$7.1 million to enhance funding for existing community partners working to end gender-based violence in the territory through prevention and victim support. This amount includes \$1 million allocated for the coordination of the Yukon's implementation plan.

Session Briefing Note

**3 WGED
4 JUS
Fall 2024**

National Action Plan to End Gender-Based Violence

WGED, Justice

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|----------------------------|-------------------|
| Approved by: | |
| <u>Sierra van der Meer</u> | <u>2024-09-17</u> |
| Deputy Minister, WGED | Date approved |
| <u>Jeff Simons</u> | <u>2024-09-17</u> |
| A/Deputy Minister, Justice | Date approved |

Session Briefing Note

Fall 2024

Substance Use Health Emergency Strategy – Department of Justice Actions

Justice

Recommended response:

- The Government of Yukon is committed to implementing the Substance Use Health Emergency Strategy's actions to support health and safety in Yukon communities.
- We have expanded the capacity of the Mobile Crisis Response Team, also known as Car 867, to seven 10-hour shifts per week, to provide greater coverage during peak hours.
- Our government has created two positions in Community Corrections under this strategy. They will provide better outreach and clinical support for individuals struggling with substance use as they transition from the corrections system back to communities.
- We continue to provide support for Indigenous-led, community-based therapeutic courts and other restorative justice approaches that focus on healing and treatment alternatives for justice-involved clients struggling with substance use issues.
- In addition, the capacity of the Safer Communities and Neighbourhoods Unit has been increased to investigate and disrupt the distribution of toxic illicit drugs and organized crime occurring from a property in all Yukon communities.

Additional response:

- We appreciate the work of our partners: Blood Ties Four Directions, the Yukon Hospital Corporation, Connective, the RCMP, Yukon First Nations, and all levels of government developing and implementing the Substance Use Health Emergency Strategy.

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Substance Use Health Emergency Strategy – Department of Justice Actions

Justice

Context:

- The substance use health emergency receives significant attention in the legislature and in the media.
- On September 5, 2024, Kwanlin Dün First Nation issued a Substance Use Emergency Declaration based on the opioid crisis.
- The substance use health emergency has impacts across the territory but is experienced differently across communities. Each community therefore may have different priorities for which actions to pursue in their communities.
- Some communities are keenly interested in community safety and policing issues associated with the trafficking of illegal drugs.

Background:

- In August 2024, the coroner issued a press release indicating the number of illicit drug deaths had fallen. From January through August 2024, there were six drug-related fatalities. During the same period in 2023, there were 23 confirmed fatalities.
- In August 2023, in partnership with the Council of Yukon First Nations, the Government of Yukon released the Substance Use Health Emergency Strategy.
- The strategy provides a roadmap for how the Government of Yukon and its partners can reduce substance use-related harms in the territory and contains recommended short, immediate and long-term actions based on four areas of intervention: prevention; harm reduction; treatment and recovery support; and community safety and wellbeing.
- The desired outcomes of the strategy are:
 - to delay the age of initiation of substance use for individuals;
 - to minimize substance use across the individual's lifespan;
 - to keep people safe when using substances;
 - to reduce the harms of substance use; and
 - to improve the health, safety and wellbeing of Yukoners and communities.

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Fall 2024

Substance Use Health Emergency Strategy – Department of Justice Actions

Justice

- The Department of Justice oversees the fourth area: community safety and wellbeing. Ten of the 43 proposed actions are led by the Department of Justice.
 1. Provide funding to Yukon First Nations governments and local governments to increase understanding of community-specific and territory-wide community safety issues, needs, and priorities, and explore options for long-term solutions to implement identified priorities.
 2. Develop a short-term funding stream to support non-governmental organizations and community groups to implement their own responses to safety and wellbeing issues.
 3. Invest in preventing gender-based violence and improving services for victims of crime.
 4. Increase frontline support staffing and create more safe and sober housing options for individuals grappling with substance use issues when transitioning from the corrections system back into communities.
 5. Collaborate with First Nations governments to expand therapeutic courts and other restorative justice approaches in response to substance use-related treatment needs.
 6. Support effective and accountable enforcement and policing that is responsive to community needs while considering the Yukon's modern treaty environment.
 7. Expand the capacity of the Mobile Crisis Response Team (Car 867).
 8. Increase the Government of Yukon's capacity to investigate and for civil remedies to disrupt the distribution of toxic illicit drugs and organized crime in Yukon communities.
 9. Gather evidence and consider options for the enforcement of criminal law in the Yukon to allocate limited territorial policing resources to address violence most effectively in communities, the poisoning of illicit drugs sold to vulnerable people, and organized crime.
 10. Invest in supporting Yukon youth, families and communities.

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Substance Use Health Emergency Strategy – Department of Justice Actions

Justice

- The strategy incorporates or expands on existing Department of Justice initiatives, including the following.
 - Phase I of the Community Safety Planning Program launched in February 2023 and provides up to \$200,000 to each First Nation to develop a plan and implement community safety initiatives uniquely tailored to their communities. A proposed Phase II would expand the program to municipalities.
 - Prevention of gender-based violence and improvements in victims' services through the National Action Plan to End Gender-based Violence and the expansion of the Sexualized Assault Response Team (SART).
 - Engagement with First Nations on enforcement and policing matters in Administration of Justice Agreement negotiations and related tables.
 - Expanding therapeutic court programming to additional communities.
- The Strategy includes supporting "Car 867," a mobile crisis response team offering a range of services including mental health and suicide assessments.
- The Government of Yukon will collaborate with First Nations governments and provide support for Indigenous-led, community-based therapeutic courts and other restorative justice approaches that focus on healing and treatment alternatives for justice-involved clients struggling with substance use issues.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-17

Date approved

Session Briefing Note

Amendments to the *Land Titles Act, 2015* with respect to statutory covenants

Justice

Recommended response:

- The Government of Yukon **has tabled** an Act to amend the *Land Titles Act, 2015*.
- The proposed amendments to the *Land Titles Act, 2015* will provide a legal framework to register and enforce statutory covenants to help the Government of Yukon support affordable housing initiatives in the territory.
- The proposed amendments are targeted to ensure that the Government of Yukon's support, whether via funding and/or free or reduced-price land, is being used for affordable housing purposes in the long term.

Additional response:

- The proposed amendments to the *Land Titles Act, 2015* would create a specific statutory authority to place and enforce statutory covenants and avoid the current fragility of restrictive covenants under common law.
- The proposed amendments would go a long way towards ensuring that affordable housing built with support from the Government of Yukon remains affordable.

Context:

- With the cost of housing at record high levels, the lack of availability of affordable housing is a growing challenge in the Yukon.
- In recent years, for-profit entities, and non-profit organizations – such as the Northern Community Land Trust Society (NCLTS) – have sought money and land from the Government of Yukon to build affordable housing.
- Because of the limitations of common law restrictive covenants, and to ensure that “owned” housing built with the Government of Yukon’s support remains affordable, the proposed statutory changes are required.

Session Briefing Note

Amendments to the *Land Titles Act, 2015* with respect to statutory covenants

Justice

Background:

- Ideally, restrictive covenants bind current and future owners to certain conditions.
- However, restrictive covenants are not consistently enforced by the courts, making this approach unreliable.
- NCLTS has proposed a model whereby it would build a condominium development and proposes that the units would be kept permanently “affordable” using restrictive covenants.
- The proposed legislative framework is based on the BC model, especially BC’s Land Title Act section 219 and BC’s *Local Government Act* subsection 483(2), to resolve the issue of the registration and enforceability of covenants being applied for housing affordability purposes.
- Amendments to the *Land Titles Act, 2015* will enable the Government of Yukon, especially the Yukon Housing Corporation, to better address the significant housing pressures by ensuring that housing units developed and financed as affordable can be maintained as such.
- For the NCLTS project to proceed as planned, it is mandatory that the proposed amendments to the *Land Titles Act, 2015* be proclaimed during the fall 2024 session of the legislature.

Approved by:

Mark Radke

Deputy Minister, Justice

October 10, 2024

Date approved

Session Briefing Note

Exemptions Act Regulations

Fall 2024

Justice

Recommended response:

- The *Exemptions Act* defines what property is exempt from seizure during personal bankruptcy. The Act was last revised in 1954, and the exempted items and dollar values were 70 years out of date.
- The Bill to repeal and replace the Act was assented to during the Spring 2024 Legislative Assembly.
- The Department of Justice is committed to developing the regulations needed to bring the amended Act into force as quickly as possible, to ensure equitable treatment and protection for both debtors and creditors.

Additional response:

- The revised legislation allows for an annual automatic adjustment that is tied to the Consumer Price Index. The dollar values prescribed in the Act will automatically update, so that future Yukoners undergoing bankruptcy will be treated in a manner that more accurately reflects changing economic circumstances.
- The revised Act supports our way of life in the territory by introducing new exemptions for hunters and trappers, new motorized vehicle classes, and by expanding definitions of tools-of-the-trade for self-employed workers.
- The amended Act also includes revisions to the *Garnishee Act*, which regulates the garnishment of wages following a money judgement. The amended *Garnishee Act* and anticipated regulations will update monetary limits to better reflect modern economic standards.

Context:

- In September 2023, the Department of Justice (Court Services) received public complaints about unfairness and hardships encountered during bankruptcy proceedings stemming from the antiquated *Exemptions Act*.

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Exemptions Act Regulations

Justice

- Exemptions did not address common items such as vehicles, electronic devices, or financial instruments such as credit card debt, student loans or RRSP's.
- Related hardships were also identified related to the antiquated Garnishee Act.

Background:

- The template for amending the *Exemptions Act* is the Uniform Law Conference of Canada's *Civil Enforcement of Money Judgements Act*, which has been adopted in full by four provinces and, in part, by two territories and many provinces.
- The Uniform Act recommended placing all prescribed monetary values into regulations to allow for easier, more routine updating.
- The repeal and replacement of the *Exemptions Act* included minor but crucial amendments to the *Garnishee Act*.
 - The *Garnishee Act* had not been revised since the 1980s. The dollar values included in that Act were more than 40 years out of date.
 - Prior to amendment, s.22 addressing garnishment of wages implied that a family of three could live on \$1,000 per month in the Yukon.
 - The amendments revised minimum monthly allowances and harmonized the *Garnishee Act* with the *Exemptions Act*.
- Licensed Insolvency Trustees (LITs) are federally licensed financial advisors required to oversee bankruptcies in Canada.
- Targeted engagement with all LITs registered to work in the Yukon informed development of the anticipated regulations.
- A Child's Rights Impact Assessment was conducted to ensure the rights of the debtor's dependents were prioritized in the amended Acts.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Public Utilities Act Regulation Changes for Our Clean Future

Fall 2024

Justice

Recommended response:

- The Government of Yukon is working on changes to the *Public Utilities Act* and Regulations as part of implementing Our Clean Future, a strategy to address the climate crisis.
- These legislative changes support the overarching goals of reducing greenhouse gas emissions and increasing the supply of affordable, renewable energy in the Yukon.

Additional response:

- Changes to the Act and Regulations are being considered to better enable the Yukon Utilities Board to provide timely decisions on renewable energy projects and electricity rates being proposed by utilities.
- Changes to the Act and Regulations will support the important work of the Yukon Utilities Board and respect its role as the independent decision maker responsible for regulating electricity in the Yukon.

Context:

- The regulation of public utilities and climate change are matters of ongoing concern for Yukoners and are often subject to media attention in the territory.
- Our Clean Future action item E3 commits the Government of Yukon to “update the *Public Utilities Act* by 2025 to ensure an effective and efficient process for regulating electricity in Yukon.”
- In a decision released on October 18, 2022, the Yukon Utilities Board noted that it has no mandate in law to consider renewable energy requirements and called upon the Government of Yukon to provide guidance in legislation if it desires specific policy objectives to be supported by the Board.

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- In July 2021, the Board released its report on the Battery Energy Storage System project stating it did not have authority to consider renewable energy and climate action goals associated with the project. These aspects of the project correspond with goals identified in Our Clean Future.

Background:

The *Public Utilities Act* and the Yukon Utilities Board

- The Yukon Utilities Board (“the Board”) is an independent regulator of electricity that receives its mandate from the *Public Utilities Act*, its Regulations and Orders-in-Council. The Board’s responsibilities include, but are not limited to, the review of rate applications, plans for new projects and facilities, and energy supply contracts.
- In exercising these powers, the Board is currently limited to assessing the safety, reliability and affordability of electricity services to be provided, and issuing orders that are within the public interest.
- As the Yukon’s utilities regulator, the Board’s decisions can have significant impacts on all Yukoners, governments, businesses and other stakeholders.

Recent changes to the regulations to implement Our Clean Future

Certain actions in Our Clean Future require changes to Regulations under the *Public Utilities Act* to be implemented. In 2023 and 2024, this led to the creation of three new Regulations.

- A Regulation for electric vehicle charging stations was made to fulfil action item T7.
 - On January 25, 2024, the *Excluded Undertaking (Electric Vehicle Charging Stations) Regulation* [OIC 2024/20] came into effect. The new Regulation prescribes the sale of electricity by a First Nations government, municipality or private businesses from Level 2 and 3 electric vehicle charging stations as an “excluded undertaking”.
 - Without this exclusion anyone that is not a public utility would be unable to legally sell electricity in the form of vehicle charging within the territory.
- Two Regulations were made to help fulfil the goal that 93 per cent of electricity on the Yukon’s main grid will come from renewable sources.

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- OICs 2023/143 and 2023/144 came into force on November 28, 2023. The Regulations enable the purchase of electricity from vendors located in British Columbia:
 - Tlingit Homeland Energy Limited Partnership has finalized an agreement with Yukon Energy Corporation to provide electricity from the Atlin Hydroelectric Expansion Project beginning in 2025.
 - Daylu Dena Council intends to sell electricity from the Lower Post Solar Photovoltaic System Project to ATCO Electric Yukon, for use on the Watson Lake electrical grid.

Ongoing work on Our Clean Future action items

- The Department of Justice continues to review the *Public Utilities Act*, including the Board's responsibilities and the factors that the Board must consider when making decisions and recommendations. Work is currently focused on the following two areas that correspond to Our Clean Future action items.

Action item E1: the renewable portfolio standard

- Our Clean Future action E1 commits the Government of Yukon to develop legislation by 2023 that will require at least 93 per cent of the electricity generated on the Yukon Integrated System to come from renewable sources.
- This requirement, called the "Renewable Energy Portfolio," is similar to legislated requirements in other jurisdictions (British Columbia, Nova Scotia, Alberta and New Brunswick) that have implemented a Renewable Energy Portfolio within their provinces.
- Implementation of a similar standard in the Yukon would require changes to the *Public Utilities Act* and Regulations.

Action item E3: updates to the *Public Utilities Act*

- Our Clean Future action E3 commits the Government of Yukon to update the *Public Utilities Act* by 2025 to ensure an effective and efficient process for regulating electricity in the Yukon. A review of the legislation is underway to bring forward amendments that will fulfil this action item.
- As part of these efforts, in December 2022 the *Yukon Utilities Board Remuneration Regulation* [OIC 2022/211] came into force. This new Regulation sets out an updated

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Changes for Our Clean Future***

Justice

system of pay for board members that is comparable to similar decision-making boards in the Yukon and in Canada. The Regulation follows a comprehensive review of the system of pay for utilities regulators in the Yukon and in other Canadian jurisdictions.

- The review supports other initiatives in Our Clean Future by enabling the Yukon Utilities Board to provide decisions more quickly and allowing it to consider whether a project will contribute to the Yukon's supply of affordable, renewable energy in decisions involving upcoming energy projects.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

Recommended response:

- The Department of Justice, with the assistance of the Department of Highways and Public Works, has completed the work to move forward with the construction of a new facility for the Yukon Coroner's Service.
- The government has approved funding of \$14,862,226 for this facility, with the project completion planned for the winter of 2027.
- The current Yukon Coroner's Service morgue is in a repurposed building not originally designed to meet a morgue's standards.
- The project design includes the required amenities of a modern coroner's service, including:
 - proper ventilation and hard surfaces for routine sanitation and biohazard management;
 - better lighting and energy performance;
 - increased operational space and storage capacity, including office space for both the coroner and a deputy coroner; and
 - a supportive environment for families and loved ones for body identification.

Additional response:

- The design architects worked with a Yukon First Nation Elder consultant and Indigeneity design consultant to incorporate First Nations' traditions and offer culturally appropriate and supportive spaces for families.
- We are working closely with the Yukon Hospital Corporation to ensure our design aligns with their planning and future growth at the site, as the coroner's facility would be situated behind the hospital in Whitehorse.

Session Briefing Note**Fall 2024****Coroner's Service Building Construction**

Justice

Context:

- In 2020, the Government of Yukon authorized the expenditure of \$5.7 million for the design and development of a new Yukon Coroner's Service facility (excluding the land), although this was a placeholder cost before design work was done.

Background:

- In 2021, the new *Coroners Act and Regulations* came into force. The legislative changes followed consultation with Yukon First Nations, as well as engagement with coroners, the RCMP and medical practitioners.
- The new facility will allow for the operation of a modernized coroner's service for the Yukon. The construction of the facility is planned for on land located behind the Whitehorse General Hospital.
- The purpose-built building will co-locate the morgue and the Yukon Coroner's Service offices, allowing for more appropriate and modern posthumous services in the Yukon.
- The existing morgue is in a repurposed space that once served as a geological storage warehouse. The location is aging and does not meet program requirements. It is not equipped with proper ventilation, sanitization options, heating, drainage and lighting.
- The existing facility does not provide sufficient refrigeration space, proper examination space, office space or a respectful and culturally appropriate body viewing space.
- Modernization, along with forced growth, has resulted in a redesign of the service delivery model. A deputy coroner position has also been added to the organizational structure. This restructuring adds pressure on the existing facility.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Electricity Costs and Rate Reviews

Fall 2024

Justice

Recommended response:

- The rates charged for electricity are set by the Yukon Utilities Board, an independent regulator responsible for making decisions in the public interest.
- Decisions about the processes used for setting rates and making rate changes are currently within the board's jurisdiction to determine.
- The Government of Yukon respects the board's expertise and discretion in making these important decisions.

Additional response:

- The Government of Yukon will continue to support the Board in fulfilling its responsibility to make independent, evidence-based decisions that are consistent with national standards for utility regulation and reflect the interests of Yukoners.
- Anyone may make a complaint to the Board regarding a utility's rates, which could result in a review by the Board and an order for a remedy.

Context:

- In fall 2022, questions arose in the media and the Legislative Assembly regarding the system of rate setting and the Government of Yukon's ability to cause a utility to undertake a rate review.
- These questions corresponded with an application by ATCO to the Yukon Utilities Board (the Board) to rebate certain costs to consumers, and concerns from the public that ATCO was profiting beyond what should be permitted.

Background:

Yukon Energy Corporation 2023-24 General Rate Application

- Yukon Energy Corporation (YEC) filed the 2023–24 General Rate Application (GRA) on August 31, 2023. Public hearings in written and remote form were held between September 2023 and March 2024.

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Electricity Costs and Rate Reviews

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- On July 12, 2024, the Board issued its decision on YEC's 2023–24 GRA.
 - The Board approved a 10 per cent rate increase effective January 1, 2024, which resulted in a 6.3 per cent residential bill increase. However, this change was made when another charge came off bills, meaning the bill impact effective January 1, 2024, was zero.
 - The Board approved a second interim rate increase (Rider J), effective August 1, 2024, of 3.0 per cent. This replaced the Rider J1 which expired on the same day, meaning that there was no bill impact to customers.
- YEC claims that the request for increased rates was driven by four main factors: growing demand for electricity; the need to maintain and upgrade the Yukon's electricity system; to support the energy transition; and the rising cost of material and labour.

ATCO's 2023–24 General Rate Application

- ATCO's GRA for 2023–2024 was filed on July 7, 2023, and public hearings (in written form and by remote meetings) took place between September and December 2023.
- On May 31, 2024, the Board issued its decision on ATCO Electric Yukon's (ATCO) 2023–24 General Rate Application.
 - Final rates were approved on July 26, 2024, following compliance filings. ATCO states that a typical residential customer can expect to see an increase of 1.7 per cent effective September 1, 2024, and a further increase of 0.8 per cent effective September 1, 2025.
 - ATCO had applied for a 1.6 per cent decrease for 2023 and a 5.2 per cent increase for 2024.
 - Prior to this application, ATCO had not completed a GRA since 2017.
 - Excess revenues from that period will continue to be rebated through a rate rider (Rider R1) from September 1, 2024, to August 31, 2025.
- ATCO claimed that the increase was needed to cover higher capital and inflation costs.

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Electricity Costs and Rate Reviews

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ATCO's rate relief application

- On July 18, 2022, ATCO applied to the Board for approval to rebate excess revenue accumulating in certain regulated deferral accounts to residential and commercial customers (excluding industrial).
- Intervenors at the hearing presented evidence that ATCO's failure to request a GRA contributed to excess revenues beyond what was being proposed for rebate. The Board considered this evidence out of scope for the decision at hand.
- On November 7, 2022, the Board issued its decision that the excess revenue should be distributed back to customers but ordered that it should be distributed to all customer classes.
- The rebate was, and continues to be, issued through a rate rider (Rider R1) which was estimated to reduce residential bills by 3.4 per cent.

The system of rate setting in the Yukon

- Currently, the *Public Utilities Act* gives the Board exclusive authority to set or change the rates that utilities may charge and directs the Board to hold public hearings before changes to rates can be made.
- Utility companies (Yukon Energy Corporation and ATCO) must apply to the Board to increase rates through a General Rate Application or for specific, short-term adjustments.
- In determining the rates that the utility may charge, the Board must consider the costs and revenues of the utility. The rates must also include a reasonable return on investment, which is prescribed by the Board.
- The process used to review and change rates typically begins when the utility applies to the Board for a GRA. In this application, the utility requests approval of its proposed rate, based on its current and expected costs.
- GRAs are prompted by the utility's assessment that changes to its costs should be reflected in higher rates. There is no periodic requirement for GRAs in law.
- In a GRA, the utility's changing costs and revenues are accounted for and reviewed alongside changes in demand for electricity. The Board's role is to publicly review the utilities' forecasted costs and their proposed rate, then set a new rate based on costs that are incurred plus a reasonable rate of return.

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Electricity Costs and Rate Reviews

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- In doing this, it is the Board's responsibility to act in the public interest and ensure that electricity is affordable, safe, and reliable.
- Frequently, the Board allows adjustments to rates through surcharges, interim charges, "rate riders" and rebates. These are added to the rate that the Board allows the utility to charge, based on its costs and a reasonable return. Changes to rates over time may also be prescribed by the Board through a rate schedule.
- Utilities may recover shortfalls from previous years through rate riders. Alternatively, if revenues are above the amount needed to recover costs and a reasonable rate of return, a rate rider prescribing a rebate may be ordered by the Board.
- The rate setting process relies on forecasts of the utilities' costs. As the full cost to generate, transmit and distribute power gradually diverges from the forecasted cost due to environmental, economic, and other unpredictable factors, a review of the current and forecasted costs is needed to set a new, updated rate.
- The GRA process serves the public interest because the utilities' activities and costs are publicly scrutinized. The Board has the discretion not to allow certain expenses to be added to the rate base if they were not prudently incurred.
- The Yukon's regulatory system includes an alternative to a full-scale rate review. Any person may file a complaint about rates or rate changes, and subject to the Minister's approval, the Board may investigate the complaint and determine whether action should be taken by the Board.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Recommended response:

- On January 4, 2024, the Government of Canada's amendments to the *Criminal Code*'s bail provisions came into force through Bill C-48.
- These amendments aim to strengthen public safety by targeting repeat violent offenders and those accused of serious offences committed with firearms and other dangerous weapons.

Additional Response:

- Provisions that shift the burden to the accused to demonstrate that detention is unwarranted are called reverse onus. The amendments expand the reverse onus provision for certain firearms offences and for offences involving intimate partner violence.
- The matter of repeat violent offenders and the bail system involve many complex factors. Amendments to the *Criminal Code* are only one part of the solution.
- We will monitor the effectiveness and impacts of Bill C-48 within our jurisdiction as we remain mindful of the potential impacts of these measures on groups who are overrepresented in the justice system – Indigenous peoples, Black and other racialized people, and other marginalized groups.
- We will continue to partner with First Nations and Indigenous communities to explore forms of reintegration, after care, and support, based on individual needs and community culture.

Context:

- A news release was published after the ad hoc federal-provincial-territorial (FPT) Ministers meeting on March 10, 2023, announcing that FPT Ministers will continue to work together to explore both legislative and non-legislative options to address the bail system's treatment of repeat violent offenders.

- Recent cases of violent attacks by offenders out on bail include one in Ontario that resulted in the death of a police officer.
- Concerns have been raised about the release of violent offenders back into Yukon communities and the increased rate of organized crime.
- Following the direction of FPT Ministers, the Coordinating Committee of Senior FPT Officials – Criminal Justice Criminal Procedure Working Group has undertaken urgent work to examine the issue of repeat violent offending as it relates to bail.

Background:

- During the October 2022 meeting of FPT Ministers Responsible for Justice and Public Safety, Ministers discussed public concerns in several jurisdictions about repeat offending and random violent attacks against strangers.
- The concerns included reports of increases in violent offences, particularly cases involving the use of bladed weapons and bear spray in some jurisdictions.
- Ministers also identified the need to explore the root causes of crime, as well as shared commitments to reduce the overincarceration of Indigenous peoples, racialized people and those who are marginalized.
- On January 13, 2023, a letter from Canada’s Premiers was sent to the Prime Minister calling for urgent reforms to the bail system. The letter specifically called for changes to the *Criminal Code* that create a reverse onus at the bail stage for the offence of possession of a loaded prohibited or restricted firearm.
- The letter also suggests that a review of other firearms-related offences is warranted to determine whether they should also attract a reverse onus on bail.
- In March 2023, FPT Ministers of Justice and Public Safety discussed the bail system, particularly its treatment of repeat violent offenders. During this meeting, it was also agreed that non-legislative efforts by FPT governments could include improved data collection, policies, practices, training, bail support and enforcement programs.
- Other solutions include programs and funding available for broader public safety objectives such as combatting criminal use of firearms, gang violence, and preventing crime including gender-based violence and intimate partner violence.
- Options are being developed to identify reforms that will not have a disproportionate impact on Indigenous and other marginalized groups, while still addressing public concerns.

-
- The Government of Canada agreed to act as soon as possible to strengthen public safety through amendments to the *Criminal Code*, and on May 16, 2023, tabled Bill C-48 to target repeat violent offenders and serious offences committed with firearms and other dangerous weapons.
 - Through Bill C-48, the *Criminal Code* amendments also require courts to consider previous convictions involving violence, and to include in the record a statement that the safety and security of the community was considered and how the court determined whether the accused is Indigenous, or belongs to a vulnerable population, and if so, how the circumstances of the accused were considered.
 - Significant investments in poverty reduction, housing affordability and the continuum of care for substance use and mental health conditions hold the most promise to address root causes of crime. This requires collaboration between the justice, health, mental health, addictions and social services sectors across governments.
 - At the October 2023 Ministers of Justice and Public Safety meeting, Ministers agreed to continue working on enhancements to gather data about bail, and to monitor the effectiveness and impacts of Bill C-48 after it becomes law.
 - The Department of Justice is aware of the National Police Federation's recommendations on bail reform, which we are discussing with the Yukon RCMP.
 - The recommendations are being considered alongside input received from Yukon First Nations and others that are informing the work we are doing to advance improvements to the bail system in the Yukon.
 - On July 22, 2024, a follow-up letter from Canada's Premiers was sent to the Prime Minister expressing continued concerns regarding repeat violent offenders and threats to public safety and called for a thorough review of the implementation and application of Bill C-48.
 - Canada's Premiers also noted that their governments had implemented significant measures to address repeat and violent offending, including gender-based violence initiatives, in their respective jurisdictions.
 - During the Ministers of Justice and Public Safety meeting of October 16 to 18, 2024, Ministers acknowledged that despite the Bill C-48 amendments, significant concerns remain and acknowledged the need to consider additional legislative and non-legislative measures.

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Bail Reform – Repeat Violent Offenders

Justice

- The FPT Ministers agreed to continue monitoring the effectiveness of Bill C-48. The collection, analysis, and reporting of reliable data on bail are critical to supporting the administration of the bail systems and addressing public safety concerns.
- On October 28, 2024, the Ontario government published a media release urging the federal government to amend the *Criminal Code* to introduce concrete changes to tighten the bail system for repeat and violent offenders.
- The proposed changes would restore mandatory minimum sentences, remove bail availability, mandate a three-strike rule requiring pre-trial detention, bring back restrictions on who can get conditional sentences, require ankle monitors as a condition of bail, and remove credits that can be applied to sentences for time an accused spends in jail before trial for repeat and violent offenders.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Recommended response:

- Supervised housing is a key component of the criminal justice system that provides structured support for justice-involved individuals to assist with their reintegration back into the community.
- The women's supervised housing program is on pause while an evaluation is completed due to low subscription rates to the program, as only four individuals made use of the program during the pilot period.
- The evaluation of supervised housing programs will include the women and men's supervised housing programs, in response to the motion to evaluate all programs operated by Connective that was adopted unanimously during the Spring 2024 session of the Yukon Legislative Assembly.
- The evaluation will assess if the programs are effective and whether intended outcomes are being met.
- The evaluation is expected to be completed by February 28, 2025, and the results will inform decisions surrounding the future needs for men's and women's programs.

Additional response:

- While the women's supervised housing program is paused, women who are justice-involved will be supported by Corrections staff through referrals.
- Residents of the men's supervised housing program receive person-centred support and have access to programs based on their individual needs including, but not limited to:
 - criminogenic programming;
 - employment support and education;
 - Indigenous-focused programming;

- homelessness prevention programs;
- reintegration services;
- community living services;
- peer support;
- inclusive community drop-in centres; and
- food security support.

Context:

- In June 2023, Connective opened the Women’s Supervised Housing and Reintegration Program to provide services to justice-involved women in the territory.
- Supervised housing for justice-involved men has long been established in the territory.
- The supervised housing program for men operates in a separate area on the grounds of the Whitehorse Correctional Centre. Supervised housing programs have received significant public attention.
- On September 30, 2024, the Women’s Supervised Housing and Reintegration Program was paused to evaluate the structure and future need for such a program.
- The Department of Justice contracted MNP Consulting to complete the evaluation of the Supervised Housing and Reintegration programs.

Background:**The Men’s Program:**

- Supervised housing has been available for men in the Yukon since the mid-1980s. Through contract service providers, men have accessed housing programs and community supports as an alternative to custody, or as a tool to support discharge planning and community reintegration.
- Connective has been operating the Supervised Housing and Reintegration Program for justice-involved men since 2020.
- Since 2022, Connective has had an annual operating budget of \$807,632. Prior to this, the operating budget was \$550,000.

- Connective's facility for men has a maximum capacity of 40 beds.
- All residents are subject to conditions of release. The program provides 24-hour supervision to monitor and support the residents.
- From May 1, 2020, to November 11, 2024, Connective has provided services to 162 bail and probation clients and 17 federal parole clients.

The Women's Program:

- Historically, the Salvation Army provided beds for women. Since the Salvation Army discontinued this service, intermittent solutions have addressed this service gap. These have included attempts by the Elizabeth Fry Society to set up housing and the Department of Health and Social Services funding two beds in the home of a retired social worker.
- In August 2020, the Government of Yukon invited organizations to submit options for housing locations and program models.
- Some of the community partners and stakeholders engaged to date include Opportunities North (formally Challenge Disability Resource), the Council of Yukon First Nations, the Safe at Home Society, Connective, Yukon's Anti-Poverty Coalition and the Women's Transition Home.
- In January 2022, the Department of Justice received approval to proceed with the pilot implementation of a 24/7, supervised housing pilot program for women with a budget of \$561,833 per year.
- In April 2022, Connective identified funding shortfalls related to projected operating costs for the women's supervised housing program. Connective requested an increase of \$178,000 to support annual operating costs. To address this pressure, the Department of Justice requested and received funding increases in 2023–24, to a total annual operating budget of \$739,833.
- On February 22, 2023, the Government of Yukon officially announced that the Supervised Housing Program for Women would occupy the old Takhini Haven building at 25 University Drive in Whitehorse. The building is on the Whitehorse Correctional Centre property; however, it is separate and independently operated.

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Supervised Housing

Justice

- On June 1, 2023, Connective officially opened the Women's Supervised Housing and Reintegration Program. The program provided equivalent services to those available for men.
- From opening on June 1, 2023, until the decision to pause the program on August 23, 2024, there had been eight referrals accepted to the program, with seven admissions, for four unique individuals.
- Of the seven admissions to the program, there were five instances of being discharged from the program, one successful transition out of the program, and one transition out of the program that was supported by the Department of Justice relating to decision to pause the program.
- An individual is discharged from the program for reasons such as going unlawfully at large, or being returned to custody.
- Typically, there was one resident in the program at any given time; however, there were periods in which no residents were within the program.
- On August 23, 2024, the Department of Justice provided notification to Connective that the women's program would be paused, and the transfer payment agreement would lapse on September 30, 2024.
- At the time of the notification, there was one client in the program, and support was provided to transition this individual out of the program.
- The operating budget allocated for April through September 2024 was \$370,000.
- The Department of Justice contracted MNP Consulting to evaluate the programs in a manner that ensures justice-involved women are supported appropriately. This evaluation will also assess the men's Supervised Housing and Reintegration Program.
- The evaluation is separated into three phases:
 - phase one - initiating the evaluation;
 - phase two - gathering the findings; and
 - phase three - integrating and reporting on the findings.
- As of November 14, 2024, phase one is near completion.
- Phase one consisted of reviewing of preliminary documentation, development and finalization of the evaluation plan, and development of data collection tools.

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Supervised Housing

Justice

- Phase two is focused on engagement. The engagement will include past and current clients of both programs, Connective management and staff, Yukon government personnel, as well as other stakeholders. The engagement interview sessions will occur through December 2024 and be completed by January 2025.
- The final phase will involve the analysis of the findings, and the final Evaluation Report is expected to be provided by the end of February 2025.
- Results of the evaluation will be used to determine the next steps for the supervised housing program.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Recommended response:

- The Government of Yukon is committed to implementing the remaining recommendations from the 2018 Whitehorse Correctional Centre Inspection Report.
- The recommendations fall broadly into four main categories:
 - those related to mental wellness;
 - segregation practices;
 - programming and services for First Nations; and
 - Justice system initiatives.
- To date, 29 recommendations made in the Inspection Report have been completed, and work is currently underway towards completing and implementing 10 more recommendations.

Additional response:

- The inspection report provided valuable guidance on how we can work with our partners to increase confidence in facility operations and enhance the administration of justice in the territory.
- The Department of Justice continues to evaluate the delivery of programs and services within corrections by collaborating with:
 - Yukon First Nations governments;
 - the Council of Yukon First Nations;
 - other government departments; and
 - community-based non-governmental organizations.
- The Department of Justice has published the Implementation Working Group progress reports and matrix of recommendations on yukon.ca, which provide additional information on the status of implementing recommendations.

Context:

- *R. v Nehass* brought to light challenges associated with the treatment options for inmates with mental illnesses, as well as issues associated with the use of separate confinement and segregation for this vulnerable population.
 - The issuance of the 2018 Whitehorse Correctional Centre (WCC) Inspection Report garnered significant media coverage.
-

Background:

- On November 22, 2017, the Minister of Justice appointed David Loukidelis, Queen's Counsel, to inspect the policies and practices of WCC that involve, affect, or may impact the mental health of clients, including the use of separate confinement and segregation for clients with mental illnesses.
- Loukidelis presented the final report to the Department of Justice on May 15, 2018. The department provided its initial public response on August 15, 2018.
- The first action item for the Department of Justice was to create an Implementation Working Group to ensure effective and meaningful action on the recommendations.
- The Implementation Working Group was chaired by the Assistant Deputy Minister of Community Justice and Public Safety and included core representation from senior officials from Kwanlin Dün First Nation, the Council of Yukon First Nations, the departments of Justice and Health and Social Services and the Investigations and Standards Office.
- The Implementation Working Group provided six progress reports. The last Letter of Report was submitted in December 2020 and was accompanied by a Matrix of Recommendations and Responses that thoroughly outlined the status of actions to address each recommendation.
- In the last Letter of Report, the Chair of the Implementation Working Group deemed its work complete and recommended that continued oversight of efforts in correctional reform shift to the Community Advisory Board, given its ability to regularly provide independent advice and recommendations to the Minister of Justice.
- Of the 40 recommendations made in the Inspection Report, 12 were related to mental wellness. The Implementation Working Group determined that seven of those recommendations were complete, four were underway, and one was under consideration. The group considered recommendation 11 – which calls upon the

Government of Yukon to work toward establishing a new secure forensic unit at the Whitehorse General Hospital and removing WCC's statutory designation as a hospital – to be particularly complex in scope and in need of significant government consideration.

- Fourteen of the recommendations made in the Inspection Report are related to segregation practices. The Implementation Working Group determined that 13 of those recommendations were complete and work was currently underway towards completing and implementing the single outstanding recommendation in this category.
- Ten recommendations made in the Inspection Report centred on programming and services for First Nations clients. The Working Group determined that seven of these recommendations were complete and two were underway. The group noted that one recommendation in this category, namely recommendation 35, calls upon the Corrections Branch to cease charging clients for local or long-distance phone calls. This was not supported by the Working Group at the time.
 - Subsequently, during the COVID-19 pandemic, free 20-minute phone calls were provided daily to all inmates at WCC. Now, WCC has permanently implemented this recommendation.
- The final grouping of recommendations made in the Inspection Report focused on broader justice system initiatives. Of the four recommendations, the Implementation Working Group determined that one was complete and two were underway. The group noted recommendation 39 – which calls upon the government to undertake an expert assessment of the need for more residential treatment facilities – required broader consideration given that implementation would involve various partners from Justice, Health, and First Nations.
- In 2020, the Implementation Working Group, which provided input and supported the fulfilment of the Inspection Report's recommendations, recommended that the continued oversight shift to the Community Advisory Board.
- The Corrections Branch continues to make progress towards the recommendations of the Inspection Report.
- To date, notable improvements include:

- All WCC staff, including newly recruited auxiliary and on-call staff, have received, or are registered to complete the First Nations 101 course offered by Yukon University.
 - WCC has implemented a more robust suicide screening process on intake that includes a two-step review by correctional officers, followed by a Health Services review.
 - WCC is reviewing a contract for alcohol and drug use counselling to work with both remanded and sentenced clients.
 - Support through Narcotics Anonymous, is available for clients.
 - Free 20-minute phone calls, provided to each inmate daily, encourage contact with family and community contacts for supports.
 - WCC implemented a peer support team with support from the Canadian Mental Health Association – Yukon Division to support staff wellness.
 - The Corrections Act was updated to significantly improve the framework and oversight mechanisms for the use of segregation in the WCC.
 - A substantial amount of programming has been developed and is now being delivered, with specific programs for First Nations inmates (see note 34).
 - The amended Corrections Act includes a clause to require a review of the effectiveness of those provisions, which the Department of Justice anticipates completing by 2026.
- The 2018 inspection report provided important recommendations to inspire reforms within the corrections system in the Yukon. Significant improvements have been made within the last five years and future improvements within the corrections branch will be driven by factors other than the 2018 report.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Fall 2024

Whitehorse Correctional Centre: Inmate Counts

Justice

Recommended response:

- The Department of Justice is continuously working to use the principle of least restrictive measures and use incarceration as a last resort to ensure public safety.
- The Department of Justice is also working with Yukon First Nations governments and other partners to address the complex and systemic factors that contribute to the overrepresentation of First Nation persons throughout the criminal justice system.
- The Yukon has a low custodial population in comparison to other Canadian jurisdictions.
- Total admissions to Whitehorse Correctional Centre have fluctuated between 2009 and 2024. After reaching a high of 823 in the 2012–13 fiscal year, total annual admissions have been decreasing.

Additional response:

- The courts control the number of individuals remanded and sentenced. An admission is counted each time a person begins custody, so the same person may be counted multiple times in a year.
- As of September 7, there have been 193 admissions in 2024. Of this number, 139 self-reported as First Nations.

Context:

- In its final report, the Truth and Reconciliation Commission of Canada called upon federal, provincial and territorial governments to commit to eliminating the overrepresentation of Indigenous peoples in custody over the course of a decade.

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Fall 2024

Whitehorse Correctional Centre: Inmate Counts

Justice

Background:

- Many factors underlie and influence the rates of both crime and incarceration. Across Canada, crime rates have been declining over the last decade.
- Client admissions are a direct result of both policing decisions and court dispositions. The high proportion of individuals on remand in the Yukon is consistent with trends in other provinces and territories.
- Of the 193 admissions between January and September 7, 2024, 72 per cent (139 individuals) self-identified as First Nations.

Approved by:

Ian Davis

2024-09-12

A/Deputy Minister, Justice

Date approved

Session Briefing Note

Whitehorse Correctional Centre: Programming

Justice

Recommended response:

- The Whitehorse Correctional Centre offers programming to both remanded and sentenced clients, regardless of incarceration status. However, criminogenic programming is mandatory for all sentenced clients.
- Programming is available in four different areas:
 - criminogenic;
 - cultural and spiritual;
 - educational, vocational and health promotion; and
 - leisure, recreation and wellbeing.
- Programming is offered through:
 - facility-based program staff;
 - the First Nations liaison officers;
 - contracted service providers; and
 - professional partners.

Additional response:

- The Whitehorse Correctional Centre has a dedicated First Nations liaison officer whose work includes connecting clients with available cultural and spiritual supports.
- Cultural programming at the Whitehorse Correctional Centre includes opportunities for:
 - beading;
 - carving;
 - drumming;
 - fire ceremonies; and
 - talking circles.

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Whitehorse Correctional Centre: Programming

Justice

- The Whitehorse Correctional Centre also works to build relationships with Yukon First Nations to provide ongoing supports for offenders reintegrating into the community.

Context:

- The Department of Justice has been steadily increasing support for delivering culturally appropriate programming at the Whitehorse Correctional Centre (WCC).

Background:

- WCC's program plans for 2024–25 include:
 - continuing to deliver and expand all existing programming through in-house training of program staff and discussing programming options with our federal, provincial and territorial colleagues;
 - continuing to partner with Yukon University to provide educational or vocational programming options for our clients;
 - continuing cultural programming including 'Emphasizing First Nations Culture,' a contracted service for the provision of:
 - carving programs;
 - drumming;
 - fire ceremonies;
 - sweat lodges;
 - one-on-one healing dialogue; and
 - talking circles.
 - continuing targeted referrals to individuals' First Nations for ongoing community support and assistance;
 - providing individual spiritual and cultural support by the First Nations liaison officer and providing spiritual supports through partnerships with community spiritual leaders in multiple faiths, including:
 - First Nations' spirituality;
 - group church services;
 - individual clergy counselling;
 - one-on-one First Nations Elder and Knowledge Keeper counselling services; and

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Fall 2024

Whitehorse Correctional Centre: Programming

Justice

- bi-monthly health promotion programming on relevant topics provided by WCC's Health Services Team.
- In 2022–23, Substance Use Counselling was offered by the Aurora Wellness Group in response to referrals submitted through WCC's Case Management Team. The contract for substance use counselling is currently offered by Chad Nichol Psychological Services, providing the same services.
- Clients receiving physician-supervised Opioid Agonist Therapy (OAT) must attend substance use counselling as part of the OAT treatment program. WCC's Health Services Team refers all clients required to attend counselling to the contracted provider.
- In conjunction with the Department of Health and Social Services, WCC offers two, five-week intensive treatment sessions at the facility for substance use issues.
- Case managers may also refer inmates to the Forensic Complex Care Team (FCCT) for therapeutic programming as appropriate. FCCT's therapists conduct most of the therapeutic counselling and deliver most therapeutic programs.
- Therapeutic counselling may be individual or group-based, and often includes individual counselling for criminogenic needs (e.g., sexualized offending or intimate partner violence). Individual counselling is also available to address other mental health or substance use concerns.
- To support programming, WCC staff receive training in:
 - Respectful Relationships;
 - Substance Abuse Management;
 - 'Living without Violence'; and
 - Facilitation Skills and Substance Use Management (by the Justice Institute of British Columbia).

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

Session Briefing Note

Repeat Offender Management

Fall 2024

Justice

Recommended response:

- The Department of Justice is exploring a repeat offender management approach intended to mitigate criminogenic risk factors, reduce recidivism and address the needs of repeat offenders.
- The approach will engage offenders in behaviour change processes that are necessary for them to stop the cycle of offending behaviour, while increasing support, monitoring and enforcement.
- Repeat offender management requires a multi-pronged approach through wraparound services and increased compliance monitoring.

Additional response:

- The Department of Justice has started preliminary conversations with related stakeholders to better understand programming needs, explore previous iterations of this concept, and understand the work currently done in this area.
- As these conversations unfold, the Department of Justice will continue to engage with stakeholders to bring forward programming to improve management of repeat offenders by spring 2025.

Context:

- The downtown business community and public are vocal about their frustration with criminal activity in the Yukon, notably activities that are impacting safety in downtown Whitehorse.
- The public has concerns that repeat offenders are being released back into the community frequently and are committing new offences.

Session Briefing Note

Repeat Offender Management

Fall 2024

Justice

Background:

- Repeat offender management is an integrated and evidence-based approach intended to reduce offending by those responsible for a disproportionate volume of crime in the community.
- A Prolific Offender Management (POM) program was piloted for three years in the Yukon, between 2010 and 2013.
- The program sought to engage offenders in the behaviour change processes necessary for them to stop reoffending, while increasing police attention to encourage engagement and contribute to a timely and robust response to increased levels of risk of reoffending.
- An independent review of the program was completed in 2014, and findings suggested there was a notable decrease in offending patterns of those who received POM support, compared to the waitlist control/comparison group, where there was little change over time.
- More than half of the POM clients responded positively to the POM program and reduced their offending.
- The POM program was overseen by the Public Safety and Investigations Branch until it transitioned to the Corrections Branch in 2017.
- Review of the records indicate the POM program continued until the fall of 2017; however, it is unclear whether the POM program operated in the same manner as it did during the pilot period.

Next steps:

- In looking to revitalize this program, the Department of Justice has initiated conversations with other jurisdictions to identify how repeat offenders are currently managed within their respective jurisdictions.
- The Department of Justice is also reviewing the records relating to the POM pilot to inform redevelopment of a repeat offender management program.
- The findings from the jurisdictional consultations, in conjunction with the findings from the review of the previously operated POM program, and consultation with Yukon stakeholders, will inform the development and implementation of the new repeat offender management program for the Yukon.

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Repeat Offender Management

Fall 2024

Justice

- The success of this program requires a collaborative approach involving stakeholders outside the Yukon government, such as the RCMP, Legal Aid and the Public Prosecution Service of Canada.
- The development of criteria for referral to the program will require Yukon stakeholder input, to ensure the concerns are being addressed and potential barriers to stakeholders participating in the program are mitigated.
- Ultimately, the Department of Justice will develop a proposal with relevant stakeholders, to ensure the roles and responsibilities of each stakeholder are attainable and agreeable.
- High levels of collaboration, information sharing, and robust case management are critical to success. As such, the Department of Justice is working to define roles and responsibilities that will include Corrections providing the historical and current law enforcement information to key stakeholders, in addition to providing the supervision and case management support, including bail verification. We are working with the RCMP to identify approaches to provide the enhanced monitoring of the individuals in the community, and with the Public Prosecution of Canada to use the program effectively.
- Upon agreement with stakeholders for the approach to program implementation, the department will pilot the new program.
- The department anticipates a pilot program to manage repeat offenders will be implemented by spring 2025, which will allow time for the necessary conversations and program design and development work.

Current Case Management Practices of Yukon Community Corrections:

- The Yukon Community Corrections (YCC) Branch provides supervision and support to adults on bail, or adults serving sentences in the community.
- All sentenced clients receive a Level of Service/Case Management Inventory, commonly known as a risk assessment, which informs the development of the individualized case plan.
- The level of supervision a probation officer provides to each client is determined on a case-by-case basis. Factors considered include the client's criminal history,

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Repeat Offender Management

Fall 2024

Justice

compliance with previous reporting directions on other orders, current charges, the type of order, and the identified risk level.

- The individualized case plan is created to identify the corrective measures needed to address the criminogenic risk/needs of the offender. This may include referrals to complete criminogenic programming offered through YCC. It may also include a referral to the in-house clinical counsellor, or referrals to additional supports such as those available through Mental Wellness and Substance Use Services.

Approved by:

Mark Radke

2024-11-20

Deputy Minister, Justice

Date approved

Session Briefing Note

Community Safety Planning

Justice

Recommended response:

- The Government of Yukon continues to prioritize safer and stronger communities across the territory through funding to support First Nations in their safety planning projects.
- We remain committed to ongoing collaboration with the Government of Canada, First Nation governments, and municipalities to support community safety and wellbeing planning processes, as well as the implementation of associated initiatives.
- Communities across the territory are all unique, and these planning processes and the priority initiatives identified through them must be reflective of the individual needs of each community and reflect the perspectives and the priorities of community members.

Additional response:

- Phase One of the Community Safety Planning program provides up to \$200,000 to each Yukon First Nation to support community safety planning and the implementation of priorities identified in the plans.
- The Community Safety Planning program launched in February 2023, and we continue to encourage interested parties to contact the Department of Justice with any questions or for support with applications to access this funding.
- A future expansion of the program will explore supporting community safety and well-being planning options for municipalities and rural Yukon.

Context:

- The Department of Justice has implemented Phase One of the Community Safety Planning funding program and is working with Yukon First Nations to develop and submit applications to access available funding.

Session Briefing Note

Community Safety Planning

Justice

- Yukon First Nations governments and municipalities have expressed interest in community safety planning and implementing community safety initiatives.
- The Minister of Justice's 2021 mandate letter directed the Minister to enhance the Community Safety Planning program to ensure consistent funding to community safety planning activities across the Yukon and investigate how this approach might apply to municipalities.
- Municipal governments and rural communities may have questions about the timing of previously committed-to plans to expand funding in a second phase of the Community Safety Planning program other than the work underway for Whitehorse.

Background:

- In 2017, the Yukon Forum Action Plan prioritized “working with identified First Nations and the Government of Canada to support the development of Community Safety Plans within the Public Safety Canada framework.”
- In December 2020, the Yukon Advisory Committee released *Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls, and Two-spirit People Strategy* (the Strategy).
- The Strategy includes actions to: “Conduct community-based safety assessments designed by communities to identify factors contributing to the ongoing perpetuation of violence and unsafe conditions in each community” and to “develop and implement Community Safety Plans that address these factors and conditions.”
- The Department of Justice issued a news release on March 14, 2022, announcing that Phase One of a Community Safety Planning funding program would make funds available in 2022. The release committed to providing up to \$200,000 for each First Nation for community safety planning or related implementation work.
- In April and May 2022, the Department of Justice reached out to Yukon First Nations for input on developing the Community Safety Planning program guidelines and to receive updates on their current safety planning.
- Feedback from Yukon First Nations indicated that each First Nation is in a different stage of community safety planning and implementation within their communities. Many expressed an interest in accessing funding through the Community Safety Planning program.

Session Briefing Note

Community Safety Planning

Justice

- Community safety planning processes were used at the Whitehorse Emergency Shelter to identify concerns of surrounding businesses, allied stakeholders, members of the public and shelter clients. Results of this process and subsequent recommendations were released in the House of Wolf and Associates' report, A Path Forward and Vink Consulting's report, Whitehorse Emergency Shelter Evaluation.

Government of Canada – Aboriginal Community Safety Planning Initiative:

- In 2010, Public Safety Canada created the Aboriginal Community Safety Planning Initiative to support Indigenous communities in developing tailored approaches to community safety that reflect their concerns, priorities, and unique circumstances, as well as funding for implementation.
- The Aboriginal Community Safety Planning Initiative also addresses the Government of Canada's commitment to focusing on the high numbers of missing and murdered Indigenous women, girls and two-spirit persons and enhance accessibility to restorative justice programming.
- The Department of Justice continues to engage with our federal partners on their Aboriginal Community Safety Planning Initiative and explore other funding opportunities that may be complementary to our safety programs to better support Yukon First Nations.

Agreements

- To date, the Department of Justice has funded safety planning projects for Kluane First Nation and Vuntut Gwitchin First Nation and is currently working with Liard First Nation and Ross River Dena Council on their respective funding agreements.
- The department expects to sign agreements with both Ross River Dena Council and Liard First Nation in fall 2024.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-17

Date approved

Session Briefing Note

Fall 2024

Crime Rates and Violent Crime

Justice

Recommended response:

- Our government recognizes that we must respond to crime through a balance of enforcement activities, supportive social programs, and prevention-based initiatives that address the underlying causes of crime.
- We will continue to work with our partners and invest in innovative community safety initiatives, restorative justice approaches, systemic reform for victims of sexualized assault, supportive housing initiatives, and supports for those with mental health difficulties and substance use challenges.

Additional response:

- We continue to invest significant resources in the Yukon's RCMP, including funding for specialized units that investigate homicides, drug trafficking and organized crime.
- The work done by these units is critical for our ability to address crime in all its forms across the territory.

Context:

- There are ongoing concerns from communities and the City of Whitehorse around organized crime and the trafficking of drugs and alcohol.
- In 2024, there was increased concern regarding property crime and safety, particularly in downtown Whitehorse.
- The low population of the territories typically results in more variable per capita rates appearing in crime statistics.

Background:

- Statistics Canada released its annual Police-reported crime statistics in Canada on July 25, 2024, featuring crime statistics about criminal activity reported to the police.
- Many provinces and territories recorded increases in the Crime Severity Index for the second consecutive year. Only New Brunswick, Nova Scotia, Manitoba and Alberta

recorded decreases. The Yukon experienced a two per cent increase, which was also the national average.

- In 2023, police in the Yukon reported 15 firearm-related violent crimes – an increase of seven incidents from 2022. The Yukon had the third highest rate of violent crimes per 100,000 population, following the Northwest Territories and Nunavut.
- Increased awareness of high-profile criminal acts, social movements, media reporting, recent changes to legislation, law enforcement policies and local procedures may influence public reporting practices.
- The homicide rates in the Northwest Territories (13.34 homicides per 100,000 population), the Yukon (8.89 per 100,000) and Nunavut (4.92 per 100,000) were above the national average for 2023.

Territorial highlights and trends (2023 compared with 2022)

- The Yukon's Crime Severity Index increased by 2.46 per cent, compared to a national increase of 2.15 per cent.
- The Yukon's Violent Crime Severity Index decreased by 2.24 per cent, compared to a national increase of 0.39 per cent.
- The Yukon's Non-Violent Crime Severity Index increased by 5.15 per cent, compared to a national increase of 3.11 per cent.
- The Yukon's Youth Crime Severity Index increased by 76.38 per cent, compared to a national increase of 6.63 per cent. This index includes both violent and non-violent crimes committed by youth.
- The Yukon's Youth Violent Crime Severity Index increased by 114.75 per cent, compared to a national increase of 3.59 per cent.
- The Yukon's Youth Non-Violent Crime Severity Index increased by 25.61 per cent, compared to a national increase of 12.97 per cent.

Drug-related offences (2023 compared with 2022)

- Offences relating to possession and trafficking of heroin and other opioids generally decreased in the Yukon in 2023. National rates also decreased, except for opioid trafficking increasing by 11.53 per cent.

-
- In total, the Yukon's drug-related offences decreased by 19.01 per cent in 2023, compared to a national decrease of 14.67 per cent.
 - The Yukon's drug-related offence rate for trafficking, production or distribution of cocaine decreased by 20.55 per cent in 2023 compared to 2022.
 - However, the total trafficking, production or distribution of other *Controlled Drugs and Substances Act* drugs decreased 22.58 per cent in 2023 compared to 2022, in the Yukon.

Property crime in Whitehorse (2023 compared with 2022)

- According to Statistics Canada's 2023 crime rate data, the Yukon's overall property crime rate increased by 13.23 per cent compared to 2022.
- Specifically, breaking and entering increased by 43.98 per cent and theft \$5,000 or under increased by 39.74 per cent.

National highlights and trends (2023 compared with 2022)

- The Violent Crime Severity Index remained virtually unchanged in 2023, following a 13 per cent cumulative increase over the previous two years. The Non-violent Crime Severity Index also increased in 2023 by three per cent but remained lower than before the start of the COVID-19 pandemic.
- Increases in property offences (fraud, shoplifting and motor vehicle theft), drug offences and child pornography drove the increase in the Non-Violent Crime Severity Index.
- Compared with 2022, the decrease in the Violent Crime Severity Index in 2023 included lower rates of homicide (-14 per cent) and sexual violations against children (-10 per cent). The Violent Crime Severity Index recorded higher rates of extortion (+35 per cent), robbery (+4 per cent), and assault committed with a weapon or causing bodily harm (+7 per cent).
- The number of police-reported hate crimes increased by 32 per cent in 2023. Hate crimes targeting religion or sexual orientation accounted for most of the increase, while those targeting a race or ethnicity saw a smaller increase.
- Gang-related homicides accounted for under a quarter of all homicides in 2023.

Session Briefing Note

Fall 2024

Crime Rates and Violent Crime

Justice

- The proportion of women who were killed by their spouse was approximately four times higher than the proportion of men.
- Police in Canada reported 778 homicides in 2023, 104 fewer than the year before. The homicide rate decreased 14 per cent from 2.27 homicides per 100,000 population in 2022 to 1.94 homicides per 100,000 population in 2023. This was the lowest rate since 2019. However, there were more homicides (+2) reported in the Yukon.
- Rates of homicide are higher among Indigenous people and racialized people.
- Police reported 193 Indigenous homicide victims in 2023, 35 fewer than in 2022.

Approved by:

Ian Davis

A/Deputy Minister, Justice

2024-09-11

Date approved

Recommended response:

- Criminal law addressing controlled drugs and substances is under the purview of the Government of Canada.
- Our government works with partners to address the substance use health emergency, including support for a range of harm reduction initiatives aimed at reducing overdose deaths and curbing the stigma around drug use.
- On August 23, 2023, the Government of Yukon officially launched the Substance Use Health Emergency Strategy with a commitment to gather evidence and carefully consider options to address drug toxicity, organized crime, and the violence in communities related to the illicit drug trade.

Additional response:

- The Government of Yukon continues to support prevention, harm reduction, and enforcement-based approaches to address illegal drug trafficking and the toxic drug supply.
- Our government works with federal, provincial and territorial working groups to identify current policies and practices related to simple possession. We are also considering the implications of alternatives to prosecution and sentencing.
- The Government of Yukon will continue to gather information and evidence from other areas grappling with drug toxicity and organized crime.
- Yukoners are acutely impacted by the presence of illicit drugs in our territory, and we are committed to addressing the substance use health emergency.

Session Briefing Note

Fall 2024

Decriminalization of Opioids

Justice

Context:

- The Government of Yukon declared a Substance Use Health Emergency on January 20, 2022.
- Decriminalization of drugs is a contentious issue for governments, agencies and the public; with some having strongly held views both for and against decriminalization.
- Yukon's Member of Parliament, Brendan Hanley, has publicly expressed support for decriminalizing simple possession of narcotic drugs and other controlled substances.

Background:

- Decriminalizing possession of some drugs removes the risk of criminal penalties for individual users but maintains penalties for suppliers and criminal traffickers. Individual users may face fines and warnings for designated activities.
- Legalization establishes a framework for the legal sale and possession of small quantities of some drugs for personal use through a regulated safe supply chain, like cannabis and alcohol.
- Different approaches will require various levels of support from all partners and stakeholders, especially the Government of Canada.
- In 2021, Yukon's Blood Ties Four Directions Centre, with support from the Canadian Drug Policy Coalition and Health Canada, facilitated a Yukon community dialogue about perspectives on drug policy and the overdose crisis, culminating in a public *Getting to Tomorrow* report. Themes included:
 - fear of police involvement, arrest, discrimination and racism in healthcare preventing people from calling 9-1-1 during an overdose;
 - stigma around drug use preventing people from seeking care and support;
 - criticisms of the *Safer Communities and Neighbourhoods Act*;
 - gaps in harm reduction and treatment services, especially in rural communities; and
 - impacts of housing insecurity on people who use drugs.
- Multiple law enforcement bodies, including the Canadian Association of Chiefs of Police, the British Columbia Association of Chiefs of Police, and the Yukon RCMP "M" Division, have expressed conditional support for possession-related drug

decriminalization, endorsing an “integrated approach” with appropriately resourced health-based services.

- The Chief Coroner of Yukon has advocated for decriminalization and for work to create a safe supply of drugs.

Yukon statistics

- According to Statistics Canada, there were 50 police-reported criminal incidents of possession of illicit drugs in the Yukon in 2023 and 146 police-reported incidents for drug trafficking, production or distribution.
- According to the 2023 Police-reported crime statistics, drug violations in the Yukon decreased by 21 percent: from 242 incidents in 2022 to 196 in 2023.
- Declines observed in drug offences, particularly drug possession, may be due to changes in police charging practices in response to the August 2020 guidelines issued by the Public Prosecution Service of Canada directing prosecutors to avoid prosecutions for simple possession offences under the *Controlled Drugs and Substances Act* (CDSA).
- Health Canada granted an exemption from the CDSA to the province of British Columbia until January 31, 2026.
- As of January 31, 2023, adults in British Columbia are no longer arrested or charged for possessing small amounts of drugs (such as 2.5 grams or less) for personal use. The drugs are also exempt from seizure.
- In April 2024, British Columbia sought an adjustment from Health Canada to recriminalize drug use in public places. In May 2024, the federal government approved British Columbia’s request.
- The illegal drugs covered by the exemption are:
 - opioids, such as heroin, morphine and fentanyl;
 - crack and powder cocaine;
 - methamphetamine; and
 - MDMA (ecstasy).
- Illegal drug use continues to be prohibited in places like shopping malls, bars and cafés.

Session Briefing Note

Fall 2024

Decriminalization of Opioids

Justice

- Adults are still prohibited from possessing illegal drugs on the premises of schools and licensed childcare facilities.
- The exemption does not apply to people under the age of 18, which means youth 17 years and younger who are found in possession of illegal drugs are subject to the federal *Youth Criminal Justice Act*.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

**Session Briefing Note
Downtown Whitehorse
Community Safety****Fall 2024**Justice
Yukon Housing Corporation

Recommended response:

- The Government of Yukon takes the safety of downtown residents and businesses seriously and is working to implement the actions of the Downtown Whitehorse Safety Response Action Plan.
- The Action Plan is a roadmap aimed at enhancing the safety, health and overall wellbeing of downtown Whitehorse.
- We are committed to working closely with partner agencies, Yukon First Nations, the RCMP, the City of Whitehorse and the community to determine a strategic way forward that includes both immediate and long-term actions.

Additional response:**Department of Justice**

- The Department of Justice is taking new actions that will be implemented in 2024-25 to address community safety concerns in Whitehorse, including:
 - Funding for two additional RCMP members to complement the current Whitehorse detachment;
 - Support for one additional investigator to the Safer Communities and Neighbourhoods (SCAN) Unit;
 - Development of a new funding program to support crime prevention initiatives for businesses, NGOs and organizations who have been impacted by crime; and
 - Funding for a Community Safety and Wellbeing Plan to be developed in partnership with the City of Whitehorse that brings together community perspectives and identifies key actions for safety and wellbeing.

**Session Briefing Note
Downtown Whitehorse
Community Safety****Fall 2024**Justice
Yukon Housing Corporation

- The Department of Justice will also be facilitating restorative justice circles at 405 Alexander, providing opportunities for healing, knowledge sharing, and constructive dialogue for those interacting with the shelter.
- These circles will help to establish a base for positive ongoing community relationships.

Yukon Housing Corporation

- Yukon Housing Corporation renovated **408 Alexander Street** so that the Safe at Home Society can operate a supportive housing program.
- The initiative will offer secure, supervised housing to Yukoners that focuses on enhancing the tenant experience and strengthening community wellbeing and safety.
- Yukon Housing and the Department of Health and Social Services partnered with Safe at Home Society to build and operate **The Hearth** to provide safe, supportive, permanent housing alongside services such as:
 - advocacy support;
 - crisis intervention;
 - cultural pursuits;
 - employment readiness;
 - eviction prevention;
 - food security;
 - healthcare access; and
 - harm reduction.
- Yukon Housing Corporation has supported this project through a total investment to date of \$12.9 million (which is approximately 30 per cent of the total \$42 million project cost). **(YHC TAB #17)**
 - This is a joint initiative involving federal, territorial and municipal governments.

**Session Briefing Note
Downtown Whitehorse
Community Safety****Fall 2024**Justice
Yukon Housing Corporation

- Yukon Housing Corporation’s five-year strategic plan, **Creating Home**, commits to significantly reducing homelessness by supporting the territory’s most vulnerable residents. Achieving this goal requires collective action and sustained investment to address the complex challenges that contribute to homelessness.

Context:

- In August 2024, the RCMP issued a news release indicating property crime has been on the rise in Whitehorse.
 - Concerns related to the Whitehorse Emergency Shelter have been shared with Members of the Legislative Assembly, the Chamber of Commerce, the media, the City of Whitehorse, Connective and law enforcement by business owners and individuals in the area demanding a response to the identified issues.
-

Background:

- During the first quarter of 2024, Whitehorse RCMP received about the same number of calls for service as they did last year; however, calls related to property crime increased.
- During that same quarter, over half of the total police calls for service occurred in the downtown area.

Downtown Whitehorse Safety Response Action Plan

- On May 25, 2023, businesses in the downtown core of Whitehorse signed a letter to the Premier expressing overwhelming frustration with alleged criminal activity taking place around the Whitehorse Emergency Shelter.
- On July 20, 2023, the Commanding Officer of RCMP “M” Division stated the RCMP will step up enforcement around the Shelter.
- On October 12, 2023, partners participated in a downtown community partners roundtable.
- Following several meetings, engagements and educational sessions involving government departments, organizations, businesses and the community, the Downtown Whitehorse Safety Response Action Plan was released on December 21, 2023.
- This plan is a commitment by the Government of Yukon and partners to address the safety concerns of downtown Whitehorse.

**Session Briefing Note
Downtown Whitehorse
Community Safety****Fall 2024**Justice
Yukon Housing Corporation

405 Alexander

- On October 1, 2022, Connective assumed responsibility for the operation and management of the shelter, in partnership with the Council of Yukon First Nations.
- Operating 24/7, the shelter maintains a minimum of three on-site staff. Services include a referral care clinic, Kwanlin Dün First Nation outreach clinic, mental wellness and substance use support, the Emergency Medical Services paramedic specialist program, and cultural activities facilitated by a Cultural Support Worker.
- Numerous inquiries have been raised as to the roles of the Government of Yukon and the RCMP in responding to the concerns of the community, businesses and the public regarding the shelter.
- In October 2023, Premier Pillai announced a commitment to address public safety concerns relating to 405 Alexander.

Gun and Gang Violence Action Fund

- The SCAN Unit has increased its investigational and analytical capacity through support from the federal Gun and Gang Violence Action Fund.
- These enhancements have increased the capacity of the SCAN Unit by three investigators and one crime prevention analyst so that the Unit can address the evolving nature of criminal activities reported in Yukon communities and neighbourhoods.
- Following the success of the initial Gun and Gang Violence Action Fund initiative, Public Safety Canada announced in May 2023 that they would invest an additional \$390 million over the next five years, funding provinces and territories to support a variety of initiatives, including law enforcement and prevention programs.
- The Government of Yukon's new five-year (2023-28) funding allocation under this program is \$3,998,194.
- This is an increase of \$1,747,459 from the previous funding agreement in 2018-23 (\$2,250,735).

Community Safety and Wellbeing Planning

- Community Safety Planning has been adopted by the Government of Yukon, and its scope has grown to encompass initiatives that also promote community wellness for priorities identified that are specific to each community.
- In February 2023, the Government of Yukon launched the Community Safety Planning Program. Phase One of the program provides to \$200,000 to Yukon First Nations

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governments, enabling them to develop and implement Community Safety and Wellbeing Plans.

- The Department of Justice and City of Whitehorse are exploring a Community Safety and Wellbeing Plan for the City of Whitehorse.
- The Department of Justice has reached out to the Canadian Centre for Safer Communities (CCSC) and to the Aboriginal Community Safety Planning Initiative (ACSPI) to discuss options for a Whitehorse Community Safety and Wellbeing Plan.
- Both the CCSC and the Aboriginal Community Safety Planning Initiative will support urban and rural municipalities, Indigenous communities, agencies, groups and individuals in their efforts to prevent crime and increase community safety in the communities and neighborhoods in which they work, live, learn and play.

408 Alexander Street

- Built in 1975, 408 Alexander Street is an 18-unit YHC owned and operated rent-geared-to income building.
- This building has been difficult for YHC to tenant in the last decade due to its proximity to the Whitehorse shelter, currently located at 405 Alexander Street.
 - Many Yukoners declined offers of tenancy due to safety and lifestyle concerns.
 - Amending how the building is operated aligns with the approach taken by YHC's recent launch of an expression of interest to attract an alternate operator.
- The goal is to address downtown safety concerns and increase the wellbeing of residents by repurposing the building as a 17-unit supportive housing facility for vulnerable people.
- The Safe at Home Society will begin operating the building later this fall by putting in place a supportive housing program that provides safe, stable housing for vulnerable Yukoners, reduces street-level disturbances, and enhances community safety.

The Hearth

- In February 2024, the Yukon government reaffirmed its commitment to reducing homelessness with a total investment of \$12.9 million for The Hearth, which includes:
 - \$1 million from the Housing Initiative Fund, allocated in the 2023-24 and 2024-25 budgets;

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- \$5 million through the Rapid Housing Initiative in 2021-22;
 - \$6 million from the 2024-25 budget; and
 - \$900,000 slated for 2025-26.
- The Hearth will enhance safety and well-being in Downtown Whitehorse by providing supportive housing for those most in need. This will contribute to a vibrant, safe and inclusive downtown. It is a key component of our Downtown Whitehorse Safety Response Action Plan.

| | |
|---|------------------------|
| Approved by: | |
| Jeff Simons | 2024-10-02 |
| _____ A/Deputy Minister, Justice | _____ Date approved |
| _____ President, Yukon Housing Corporation | _____ Date approved |

Session Briefing Note

Firearms

Recommended response:

- The federal government's Bill C-21 amends several acts, with changes focusing on organized crime; supporting violence prevention programs for youth; taking measures to combat gun-related domestic violence; and preventing self-harm.
- The Government of Yukon supports the rights of legal gun owners in the territory, while also supporting an approach to gun control that helps protect public safety.

Additional response:

- The program design for the federal Firearms Buyback Program is underway, including the development of a computerized processing system.
- The Government of Canada continues to engage with provinces, territories, municipalities, Indigenous communities, police forces and private sector partners on the most efficient and cost-effective options for the Firearms Buyback Program and is taking the time necessary to ensure the program prioritizes public safety.

Context:

- The Yukon will be closely monitoring the rollout of the Firearms Buyback Program as the Government of Yukon (Yukon) maintains that the program implementation should be entirely funded by Canada and not jeopardize front line policing.
- Yukon remains concerned about the increased risk of harm to our RCMP members where citizens are non-compliant.
- While many of the provisions of Bill C-21 have not been contentious, concerns heard in the Yukon relate to the impacts of the legislation on hunters and on the mandatory Firearms Buyback Program.

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Firearms

Background:

- Canada has engaged with the Yukon about potential changes to improve the delivery of firearms safety licensing and programming in the territories, including consideration of a northern Chief Firearms Officer program to oversee territorial firearms safety training and licensing.
- The Yukon has the highest per capita number of prohibited and restricted firearms licenses in Canada. Lawful firearm owners in the territory include hunters, trappers and people performing remote wilderness work.
- According to the 2020 Commissioner of Firearms Report, the total number of individual firearms licenses in the Yukon was 8,056 in 2020. Of those, 2,050 licenses were for restricted firearms and 143 were for prohibited firearms.
- On February 16, 2021, the federal government introduced Bill C-21. The Bill contains amendments to the *Criminal Code* and the *Firearms Act*, including new “red flag” and “yellow flag” laws to allow people to apply to a court for the removal of someone’s firearm if there is concern for personal safety, such as domestic violence or mental health issues.
- Emergency Prohibition Orders and Limitations on Access Orders (Red Flag Laws) have been in force beginning December 15, 2024. The License Suspension Regime (Yellow Flag Laws) is currently under development. Public Safety Canada is in the process of engaging with provinces and territories on the development of Bill C-21 harm reduction measures.
- Bill C-21 also aims to bolster border and law enforcement capacity, reduce the number of firearms in circulation, prevent crime, address root causes of violence and provide resources to help combat domestic violence involving firearms.
- Changes introduced by Bill C-21 include measures to combat gun-related organized crime; provisions allowing municipalities to ban handguns through bylaws; violence prevention programming; stronger border controls for firearm offences; stricter criminal penalties; and other technical amendments.
- During a Canada-led roundtable discussion, Yukoners indicated concerns that Bill C-21 could put lives of Indigenous hunters at risk in the Yukon by restricting certain types of firearms (e.g. semi-automatic rifles).

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Firearms

-
- Semi-automatic rifles are effective as a humane method to quickly dispatch animals, and as defense against wildlife such as polar bears, grizzly bears and wolves.
 - On May 1, 2023, the Government of Canada introduced revised proposed amendments to Bill C-21. The proposed amendments align with recommendations put forward in the March 2023 Final Report of the Mass Casualty Commission.
 - The Bill received royal assent on December 15, 2023.

Chief Firearms Officer

- In December 2023, federal Minister of Public Safety Dominic LeBlanc sent a letter to Premier Pillai indicating that he was interested in appointing a Chief Firearms Officer for the Yukon. BC currently provides this service to the Yukon.
- A Chief Firearms Officer is responsible for the administration of the *Firearms Act* in their region of jurisdiction. This includes support for required safety training and licensing.
- The Department of Justice is in discussions with officials from Public Safety Canada to understand the potential benefits of this role to the territory and under what circumstances the position would be appointed.
- Department officials met with the Government of Canada in Whitehorse on February 29, 2024, and both parties discussed the following.
 - Examining education improvements; increasing gender- and youth-specific, culturally relevant programming; improving accessibility of training courses; and general firearms safety awareness.
 - The program could be more effective if there were stronger coordination, where appropriate, between the federally appointed firearms officer(s), the local RCMP “M” Division and the Department of Justice.
 - The program would need to be tailored to the unique needs of the North for it to be effective for the Yukon. It will need to consider support for online and paper applications in remote communities.
- In April 2024, the Canadian Firearms Program produced a Northern Services Review report, following the February consultation with the Government of Yukon, law enforcement and community members. No significant deficiencies were identified in the program's operation. The following recommendations were noted:
 - increased delivery of the Canadian Firearms Safety Course;

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- firearm application processing support;
- enhanced communication with clients;
- increased visibility with communities, partners, and stakeholders; and
- increased local staffing, including one northern Director to operate as Chief Firearms Officer across all territories.

Firearms Buyback Program

- The federal government is finalizing a Firearms Buyback Program to safely remove the now prohibited firearms from communities.
- The firearms ban includes an amnesty period followed by a mandatory Firearms Buyback Program for the newly banned models. The amnesty period has been extended to October 30, 2025.
- The Firearms Buyback Program involves two phases: Phase 1- Buyback for Businesses and Industry; and Phase 2- Buyback for Individual Firearm Owners.
- The Department of Justice met with officials from Public Safety in September 2024 to better understand the prospective timeline of the buyback program.
- The Firearms Buyback Program will be entering Phase 1 in the fall, followed by Phase 2 in spring 2025.
- Businesses must ensure that now-prohibited firearms are stored per their classification. Firearms must:
 - be made inoperable by means of a secure locking device (e.g., a trigger lock); and
 - be in a locked display case or cabinet and not be displayed in a window.
- The buyback process is expected to involve four steps: notification; collection; transportation and storage; and destruction.
- In keeping with its core policing mandate, the RCMP will be the agency responsible for leading the collection of these assault-style firearms in the Yukon.
- Yukon's position is that all RCMP resources supporting the delivery of this program must be funded exclusively by the federal government.

Privately made firearms:

- The Government of Yukon strongly supports measures to counter the manufacturing and use of privately constructed firearms (commonly known as ghost guns).
- Privately constructed firearms are printed using a 3D printer using gun blueprints, which can be downloaded online. They can be printed and assembled within hours at

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a low cost. The receiver portion of the firearm can be printed and will not have a serial number, and the remaining firearm parts can be purchased at gun stores or via online sites without a firearms license.

Statistics:

- In 2022, slightly less than three per cent of police-reported violent crimes in Canada (nearly 14,000 violent crimes) involved a firearm, an increase of 8.9 per cent from 2021.
- In 2022, police reported 874 homicides, 342 of which were committed with a firearm. This was 44 more homicides committed with a firearm than in 2021, and 208 more homicides committed with a firearm than in 2013.

Approved by:

Jeff Simons

2024-10-02

A/Deputy Minister, Justice

Date approved

Recommended response:

- Alcohol- and drug-impaired driving in the Yukon are public health and safety issues that we must address collectively.
- The number of impaired driving incidents in the Yukon has been declining over the last several years, from 845 incidents in 2019 to approximately 555 incidents between January and November 2023.
- Since the legalization of cannabis in 2018, the Department of Justice has been working closely with Public Safety Canada and the RCMP to identify enforcement issues related to drug-impaired driving and to increase the RCMP's enforcement capacity, which includes having the right equipment, testing methodology and training.
- The RCMP's "M" Division has six approved drug screening devices. Federal funding has supported the purchase of these devices and training for officers to use them.

Additional response:

- In 2019, the Government of Canada entered into a funding agreement to provide the Government of Yukon with over two million dollars to:
 - enhance training;
 - build law enforcement capacity; and
 - improve data collection to deter drug-impaired driving.
- This funding goes until March 2025.

Context:

- Police-reported impaired driving incidents in the Yukon are significantly higher than the Canadian average.
- Public Safety Canada has confirmed that the Building and Enhancing Law Enforcement Capacity funding agreement will be sunseting on March 31, 2025. It is not known if it will be renewed in future.

Background:

- The Yukon has the third highest rate of impaired driving in Canada, with some of the least restrictive sanctions.
- Impaired driving in the Yukon has decreased since 2019. There were:
 - approximately 555 impaired driving incidents in 2023 (Jan to Nov);
 - 539 in 2022;
 - 615 in 2021;
 - 786 in 2020; and
 - 845 in 2019.
- In the Yukon, an Act to Amend the Motor Vehicles Act received royal assent in December 2021 to address traffic safety issues including fines, territorial rules around impaired driving, road user safety and enforcement technology.
- In December 2022, the Attorney General of Canada broadened the classes of persons considered qualified technicians to enable law enforcement personnel in the Yukon to have any person who is qualified, registered or licensed to collect blood without a physician's order.
- Qualified technicians include a registered nurse or nurse practitioner; a medical laboratory technologist or medical laboratory assistant; a medical laboratory technician; phlebotomist; combined laboratory and X-ray technician or technologist; or paramedic.

Trained law enforcement

- "M" Division has 71 officers trained in Basic Impaired Driving Detection, and 34 officers (as of February 2024) are trained in the use of Standardized Field Sobriety Tests.
- Five of those 34 officers have also completed the Drug Recognition Expert certification and are working as Drug Recognition Experts.
- Eleven "M" Division officers are trained to use oral fluid screening devices to test for Tetrahydrocannabinol, or THC, the component of cannabis linked to impairment.
- There are 45 approved alcohol screening devices and six approved drug screening devices throughout the territory.

Roadside surveys

- Roadside surveys are used to determine the prevalence of alcohol and drug use among a random selection of drivers from the traffic flow and provide an estimate of the extent to which the general driving population is impaired.
- Roadside surveys were conducted in five jurisdictions before the legalization of cannabis in 2018 (British Columbia, the Yukon, the Northwest Territories, Manitoba and Ontario), which provided a baseline in these jurisdictions.
- The Yukon then completed a roadside survey in July 2022, covering both commercial and non-commercial vehicles.
- In July 2024, the Yukon completed a third roadside survey, covering both commercial and non-commercial vehicles. The results are being processed, and we are expected to receive a report by December 2024.

Approved by:

Ian Davis

A/Deputy Minister, Justice

2024-09-11

Date approved

Session Briefing Note

Fall 2024

ASIRT Report on November 2022 Incident

Justice

Recommended response:

- In September 2024, the Government of Yukon received the Alberta Serious Incident Response Team, or ASIRT, report following an investigation on an officer-involved shooting that took place in November 2022.
- ASIRT found that the RCMP response to this incident was proportionate and reasonable.
- The Government of Yukon and the RCMP are fully supportive of the independent process of ASIRT reviews and respect their thorough and comprehensive investigations.

Additional response:

- The Alberta Serious Incident Response Team conducts external investigations of serious allegations, incidents and misconduct pursuant to a memorandum of understanding with the Government of Yukon, the Government of Alberta and the RCMP.

Context:

- On September 19, 2024, the Alberta Serious Incident Response Team released a report on the officer-involved shooting on November 24, 2022, in Whitehorse.
- The release of the report may prompt questions around Bill C-21, the buyback program and firearm violence, in general.

Background:

- On November 24, 2022, the affected person attended the Air North hangar at the Whitehorse Airport. He obtained access to a secure area by following an employee. The affected person had a rifle. He proceeded to fire this weapon, point it at himself, point it at other people and utter threats to other people. These actions resulted in multiple 911 calls.

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ASIRT Report on November 2022 Incident

Justice

- People that had direct interactions with the affected person made efforts to calm him down, keep him away from other employees or make sure other employees knew what was happening so they could safely evacuate.
- Several RCMP officers responded to the hangar. They promptly engaged the affected person by giving him repeated directions to stop walking towards the officers and to drop the weapon. The affected person told the officers to shoot him and did not comply with their directions.
- One officer fired their carbine resulting in injuries to the affected person.
- First aid was immediately provided by the officers and the affected person was taken to hospital via ambulance where he died of his injuries.
- ASIRT was directed to investigate this officer-involved shooting. There were several civilian witnesses, witness officers, a scene investigation and video of the incident giving ASIRT enough information to conclude that the subject officer and all other officers on scene had been lawfully placed and acting correctly in the execution of their duties.
- ASIRT does not determine what might have been done differently or issue recommendations to prevent similar incidents. They focus on whether an officer's response is:
 - proportionate to the threat of death or harm to themselves or anyone under their protection; and
 - reasonable and necessary in specific situations.
- ASIRT concluded that the subject officer responded proportionately to the threat posed to him and other officers. They found that the affected person presented a lethal threat to the officers and no other use of force options were reasonable in this circumstance.

Approved by:

| | |
|---|-----------------------------------|
| Jeff Simons <hr/> A/Deputy Minister, Justice | 2024-10-01 <hr/> Date approved |
|---|-----------------------------------|

Session Briefing Note

Fall 2024

Safer Communities and Neighbourhoods (SCAN)

Justice

Recommended response

- The SCAN Unit supports community safety by responding to the concerns of Yukoners and disrupting specified activities, including:
 - drug trafficking and illegal alcohol sales;
 - activities related to prostitution;
 - illegal possession of prohibited, restricted or stolen firearms;
 - organized crime; and
 - the sexualized abuse or sexualized exploitation of a child.
- Safe communities and neighbourhoods are important to the health and vitality of our territory. The SCAN Unit will continue its work to keep our neighbourhoods and communities safer and disrupt illegal activity.
- In implementing the legislation, the SCAN Unit considers the unique needs of vulnerable persons and makes referrals to support agencies when there is a need for protection or assistance.

Additional response:

- On September 5, 2024, the Yukon Supreme Court found that Section 3(2) of the SCAN Act was unconstitutional.
- The government will not be seeking to appeal the decision. We are reviewing the court's decision in detail, and it will inform our ongoing review of the SCAN Act.
- That section allowed a landlord of a property that is subject to a substantiated complaint to terminate a tenancy or lease agreement with five days' notice with the support of the SCAN Unit.
- The Government of Yukon voluntarily stopped using this section of the Act four years ago, and landlords choosing to evict tenants for reasons relating to SCAN investigations have instead been required to use the system set out in the *Residential Landlord and Tenant Act*.

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Safer Communities and Neighbourhoods (SCAN)

Justice

Context—this may be an issue because:

- Several media articles were released following the *Wright v Yukon Charter Challenge* decision, including an article that stated some non-governmental organizations were pleased with the court decision, stating the SCAN Unit “was not creating safety”. One article also incorrectly indicated SCAN has not done any evictions since 2020.
 - Department of Justice staff have heard that some members of the public believe the SCAN Unit is no longer operational.
-

Background:

- The SCAN Unit responds to complaints from Yukoners about specified activities on properties that are having adverse effects on their communities and neighbourhoods.
 - The SCAN Act defines the types of activity the SCAN Unit can investigate as a “specified use” of property. Specified uses include:
 - the illegal sale of liquor and other contraventions of the *Liquor Act*;
 - contraventions of the *Controlled Drugs and Substances Act* (Canada), the *Cannabis Act* (Canada) and the *Cannabis Control and Regulation Act* (Yukon) and the use or consumption of intoxicants;
 - activities related to prostitution;
 - the sexualized abuse or sexualized exploitation of a child (added in 2021);
 - the possession or storage of prohibited, restricted or stolen firearms, explosives, or other restricted weapons in contravention of the *Firearms Act*, the *Explosives Act*, and other laws (added in 2021); and
 - organized crime (added in 2021).
 - If a SCAN complainant indicates that a specified activity is taking place at or originating from a property, the SCAN Unit will investigate and consider whether the specified activity is habitual in nature and adversely affecting the community.
 - The SCAN Unit may take action to resolve a complaint, including:
 - giving a conversational warning, which allows investigators to identify any vulnerable persons and educate and connect persons at the property with supports through partnering agencies;
 - sending a formal warning letter or written agreement directing the occupants to cease illegal activities;
-

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Safer Communities and Neighbourhoods (SCAN)

Justice

- serving an eviction notice on behalf of the landlord under the *Residential Landlord and Tenant Act* (RLTA); or
 - applying to the Supreme Court of Yukon for a Community Safety Order, which may include provisions to terminate leases, close a property for up to 90 days, or any other provisions that the court considers necessary.
- In the spring 2022 sitting, the Legislative Assembly added a clause to the *Safer Communities and Neighbourhoods Act* requiring the Government of Yukon to complete a comprehensive review of the Act within five years, and to table a report of the review's findings in the Legislative Assembly.
- Current work on the review of the Act includes identifying key issues and drafting an engagement plan to ensure key stakeholders and all Yukoners have an opportunity to provide input. The Department of Justice anticipates beginning engagement and consultation by spring 2025.
- The constitutionality of one provision in the Act, section 3(2), was challenged in *Wright v Yukon*. A hearing was held November 6 to 10, 2023, and the decision was released on September 5, 2024.
- The court found that section 3(2) was not discriminatory towards Indigenous people, as alleged, but concluded that it was unconstitutional and that it engaged the petitioner's security of the person interest under section 7 of the Charter of Rights and Freedoms.
- The court found that section 3(2) of the Act allows people to be evicted without sufficient procedural safeguards; results in the eviction of residents who are not necessarily alleged to have been engaged in the specified acts; and impacts people who get evicted on short notice in a disproportionately harsh manner.
- The SCAN Unit voluntarily stopped using section 3(2) of the SCAN Act four years ago and has not done any evictions under that section since 2020.
- Landlords choosing to evict tenants for reasons relating to SCAN investigations are now required to provide a 14-day eviction notice under the RLTA. This ensures that both tenants and landlords have access to adjudication under the RLTA and satisfies the issues of procedural fairness identified by the court.

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Safer Communities and Neighbourhoods (SCAN)

Justice

- The SCAN Unit has signed communication protocols with 10 Yukon First Nations governments to facilitate communication, prevention, and enforcement activities for the implementation of the legislation in their communities.
- The SCAN Unit has received over 1,500 complaints since 2006, including 139 complaints in 2023.
- In 2023, the SCAN Unit made 144 referrals to various support agencies and partners.
- In the first eight months of 2024 (January 1 to August 31), the SCAN Unit received 125 complaints. The following tables provide data on SCAN actions back to 2016.

| Status | Action | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|----------------------|--|------|------|------|------|------|------|------|------|
| Concluded Case Files | Conversation Warning | 7 | 7 | 6 | 28 | 5 | 31 | 19 | 25 |
| | Formal Written Warning | 2 | 3 | 6 | 3 | 1 | 2 | 0 | 1 |
| | Landlord Eviction under RLTA* | 0 | 0 | 1 | 0 | 0 | 5 | 7 | 8 |
| | Landlord Eviction under SCAN (s. 3(2) 5-day notice)* | 4 | 5 | 2 | 6 | 4 | 0 | 0 | 0 |
| | Community Safety Order | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 |
| | Other** | 39 | 53 | 18 | 52 | 17 | 46 | 67 | 74 |

*All evictions after December 2020 were initiated by the landlord through the RLTA.

**"Other" includes: activity ceased; consultation only - no action required; insufficient evidence; referral to another agency; assisted RCMP action; unfounded.

| Year | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|-----------------------------------|------|------|------|------|------|------|------|------|
| # of SCAN 5-day evictions s. 3(2) | 4 | 5 | 2 | 6 | 4 | 0 | 0 | 0 |
| Extensions* | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 0 |

* In all cases, when an extension was requested, it was granted by the Director.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-10-01

Date Approved

Session Briefing Note

Federal Policing Transformation

Fall 2024

Justice

Recommended response:

- On April 1, 2024, the new Federal Policing Transformation Strategy was implemented. Federal RCMP members assigned to the Yukon now report to the Pacific Regional Commander for British Columbia and the Yukon.
- The focus of the federal policing transformation was to re-dedicate federal RCMP resources to national and international criminal threats such as transborder drug trafficking, organized crime and cybercrime.
- The Government of Yukon raised concerns that the federal policing transformation may adversely impact the Yukon and asked the Government of Canada to reaffirm its commitment to a strong federal policing presence.
- The Yukon government, RCMP “M” Division and the new Pacific Region Command are working collaboratively on an operational model that will allow for better information sharing, a stronger policing presence and a way forward to support this transition.

Additional response:

- While we continue to support the Federal Policing Transformation Strategy, the Yukon government continues to advocate for Yukon's needs and the RCMP’s capacity at the local level.
- We see policing in the Yukon as benefiting from a unified approach. We look forward to an ongoing strategic partnership with local and national RCMP resources in our efforts to prevent crime within the territory.

Context:

- The federal policing transition has been underway since 2018 and has reduced the number of federally funded personnel deployed to the territory.
- Territorial funding for police is already under significant pressure due to new collective bargaining agreements, infrastructure investments, national initiatives and mandated policy changes.

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Federal Policing Transformation

Fall 2024

Justice

Background:

- Federal policing now focuses on three priorities: national security; transnational and serious organized crime; and cybercrime.
- The transformation is meant to modernize federal policing and improve the RCMP's response to the increasing complexity of crime.
- In fall of 2023, the Yukon Deputy Minister of Justice, Assistant Deputy Minister of Community Justice and Public Safety, and Yukon officials met with the Deputy Commissioner of Federal Policing to share concerns around the federal transformation.
- The Government of Yukon communicated their concerns that the federal transformation could reduce cooperation between RCMP teams, decrease information sharing and increase separation between police units working in the territory.
- Since 2018, when the RCMP first announced that the federal policing mandate would shift from conducting investigations to intelligence gathering, the Yukon raised concerns around resourcing, the proposed new reporting structure and the shift in responsibility for investigating crimes at a regional level.
- This included the concern that responding to crimes that were previously investigated by federally funded positions will increasingly fall to contract police officers that are 70 per cent funded by the Government of Yukon.
- In the Yukon, the Northwest Territories and Nunavut, Federal Investigation Units have historically been assigned responsibility for investigations related to interprovincial crime and major enterprise offences.
- Unlike the First Nations and Inuit Policing Program and the Territorial Police Service Agreement, which are cost-shared with Canada, federal policing in the Yukon is 100 percent funded by the Government of Canada and is not subject to an agreement with the Government of Yukon.

Approved by:

Jeff Simons

ADeputy Minister, Justice

2024-10-01

Date approved

Recommended response:

- The federal First Nations and Inuit Policing Program supports law enforcement and community safety in First Nations communities.
- Our government has worked with the Government of Canada to secure increased funding for several initiatives under this program, including funding for six additional RCMP resources to support Yukon First Nations communities and funding for Yukon First Nations' Community Safety Officer programs.
- Along with other provinces and territories, the Government of Yukon is participating in Public Safety Canada's engagement regarding the development of federal legislation to recognize First Nations' self-administered police services as an essential service.

Additional response:

- We are committed to supporting Yukon First Nations' needs and interests related to policing and community safety.
- Along with Public Safety Canada, we continue to work with First Nation government partners and the RCMP to understand resource needs and effectively implement this program across the Yukon.

Context:

- On March 19, 2024, the Auditor General of Canada (AG) released an evaluation of the First Nations and Inuit Policing Program (FNIPP), which reiterated longstanding issues with the program. In response, the Government of Canada (Canada) acknowledged the issues and committed to work collaboratively to address them.
- In the 2024–25 budget, the Government of Yukon (Yukon) secured additional, cost-shared funding from Canada to provide for six enhanced community policing RCMP members under Community Tripartite Agreements (CTAs) for Yukon First Nation communities, as well as funding to engage with First Nations on FNIPP-related matters. Yukon is working with Canada and the RCMP to staff these positions.

Background:**Government of Canada's First Nations and Inuit Policing Program**

- Since 1991, Canada has provided opportunities to cost-share funding with provinces and territories for policing First Nations and Inuit communities through the FNIPP. Canada pays 52 per cent of the costs, and 48 per cent is paid by provinces and territories (PTs). The program is intended to:
 - ensure First Nations governments enjoy their right to personal security and public safety;
 - support responsible, accountable policing in First Nations communities; and
 - promote policing partnerships with First Nations governments based on trust, mutual respect and participation in decision-making.
- The FNIPP provides funding for the following.
 - “Self-administered” police service agreements where a First Nation or Inuit police service is authorized or established through legislation by a province or territory, like a Police Act. Such enabling legislation does not exist in the Yukon.
 - CTAs between Canada, Yukon and First Nations governments to enable the redeployment of RCMP resources to First Nation communities.
- The Yukon currently has 19 FNIPP officers that provide enhanced community policing for Yukon First Nations communities and is adding six new officers this fiscal year.
- In the last few years, the FNIPP has also provided some funding for alternative police services such as Community Safety Officers (CSOs). Four Yukon First Nations' CSO programs now receive funding through FNIPP.

Federal Budget 2021 Investments in the FNIPP

- The 2021 federal budget contained new funding to stabilize and enhance the FNIPP: \$540 million over the subsequent five years, with \$127 million ongoing.
- Public Safety Canada engaged with provinces and territories to develop a principles-based methodology to guide Canada's allocation of new FNIPP investments.
- Funding for CSOs has been increased through the FNIPP as part of a national, three-year pilot project beginning in 2023–24. Since that time, Yukon secured additional, cost-shared funding from Canada for two additional CSO programs, which brings the total number of programs being funded to four.

Yukon's Community Tripartite Agreements

- Yukon currently has 11 signed CTAs with Yukon First Nations governments, which fund 25 FNIPP officers in communities. The final signature on Kluane First Nation's CTA occurred in November 2024. Three First Nations do not have CTAs:
 - Ta'an Kwäch'än Council is in the initial stages of discussion,
 - Teslin Tlingit Council have not signed a CTA, and
 - Selkirk First Nation (SFN) terminated their CTA effective March 31, 2024.
- Under a CTA, First Nation signatories and their local RCMP detachment formalize both parties' expectations, desired working relationships and community policing priorities through co-developed Letters of Expectation.
- On March 5 and 6, 2024, Yukon, in partnership with Public Safety Canada, hosted a CTA-focused meeting to discuss the new CTA approach in the Yukon which focused on the current CTA approach, future CTA service delivery and resource allocation.
- Representatives of eight Yukon First Nations governments attended and provided feedback on how CTAs are working and provided suggestions for improvement.
- Themes of the discussions included the need for more RCMP accountability; separation between services under the Territorial Police Service Agreement and the FNIPP; and retention and recruitment of RCMP officers.

Federal Legislation for First Nation Police Services

- In 2020, Canada committed to co-develop, in partnership with First Nations, legislation that recognizes FN self-administered policing as an essential service.
- Canada has identified the Assembly of First Nations (AFN) as their official co-development partner and has limited the role of provinces and territories to providing jurisdictional input at federal-provincial-territorial (FPT) meetings.
- In 2022, Canada held engagement sessions with First Nations governments, organizations and citizens, as well as PTs.
- The AFN Yukon Region conducted a survey related to First Nations policing to inform developing the legislation. They published findings and recommendations in 2022.
- Canada developed a policy framework for the federal legislation and the co-development process which envisioned federal legislation that will govern Canada's conduct and financial contributions for First Nation self-administered police services;

Session Briefing Note**Fall 2024****First Nations and Inuit Policing Program**

Justice

recognizes the significant role First Nations play in the provision of policing in their communities; and complements provincial and territorial policing legislation.

- The AFN disagreed with the scope of the federal mandate for the legislation because it did not allow for the full recognition of First Nation jurisdiction over policing.
- On July 10, 2024, at the AFN's Annual General Assembly, First Nations' Chiefs adopted a resolution calling for Canada to recognize First Nations authority and jurisdiction over policing.
- Canada, in partnership with PTs, the First Nations Chiefs of Police Association and the First Nation Police Governance Council, has finalized a policy document to inform drafting instructions for the legislation.
- On March 7, 2024, Canada hosted an in-person engagement session in Whitehorse, the last of 10 in-person sessions nationally. Yukon officials attended as observers.

Auditor General 2024 Report on the First Nations and Inuit Policing Program

- The AG report identified areas of improvement for the FNIPP, including issues related to fiscal management, documentation, partnerships, performance measurement and a need to update Canada's 1996 policy guiding the FNIPP.
- The AG recommended that the RCMP implement mechanisms that ensure the program is achieving results as intended. Both Canada and the RCMP have agreed with the AG's recommendations.
- In response, Canada developed a draft Management Action Plan to jurisdictions, detailing its approach to addressing the AG's recommendations. Canada also circulated draft policy and terms & conditions in response to the AG's recommendations.
- Yukon is working with Canada to provide feedback on these drafts and will continue through FPT conversations to ensure Yukon's and Yukon First Nations' interests are considered.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-21

Date approved

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Policing Priorities

Justice

Recommended response:

- Each year, the Yukon Police Council works to collect community perspectives and provide recommendations to the Minister of Justice who sets the policing priorities biennially.
- The Yukon Police Council is a citizen advisory council on policing in the Yukon whose focus is to promote ongoing dialogue to foster a positive relationship between Yukoners, the Yukon RCMP, and the Department of Justice.
- The current policing priorities for 2023-25 are:
 - strengthening relationships and increasing public trust;
 - enhancing policing targeted at toxic illicit drugs and serious crime; and;
 - policing with First Nations.

Additional response:

- This year, the Yukon Police Council is holding meetings in Watson Lake, Carcross, Teslin, and Whitehorse and will be seeking to engage with First Nations, local business communities and the public.
- As the Minister of Justice, I look forward to receiving recommendations from the Yukon Police Council.

Context:

- The Council held an engagement session with the Whitehorse business community in March of this year in recognition of the complex issues impacting safety in the downtown core.
- The Whitehorse City Council met this September and proposed the addition of property crime, traffic laws, and enforcement to the policing priorities.
- On September 27, the Yukon RCMP published a news release explaining their own engagement practices for setting detachment-level priorities.

Background:

- The role of the Minister of Justice in establishing the policing priorities for the Yukon is set out in the Territorial Police Service Agreement (TPSA) with the Government of Canada.
- The Yukon Police Council (Council) was formed in 2012 following recommendations in the Sharing Common Ground: Review of Yukon's Police Force final report of 2010.
- The Council is an independent citizen advisory body that promotes ongoing dialogue to foster positive relationships between Yukoners, the RCMP and the Department of Justice.
- The Council visits several communities annually to meet with First Nations governments, stakeholder groups, RCMP community detachments and Yukoners. The Council uses the feedback from these community meetings to advise the Minister on policing issues affecting people in the Yukon.
- The Council engaged with diverse community groups across the Yukon, including stakeholders and the public. Elements and recurring themes from those engagements and feedback received by the Department of Justice were incorporated into the 2023–25 policing priorities.
- Collaborative work continues with partners to address the Substance Use Health Emergency in the territory. This involves supporting community safety planning initiatives, working towards violence reduction, and strengthening relationships with Yukon First Nations and municipalities.
- The Minister of Justice provided the current policing priorities to the Commanding Officer of the RCMP's "M" Division in February 2024, outlining directions on the unique policing needs of the territory.
- The Department of Justice also works towards the implementation of policing priorities through other mechanisms, including:
 - administering federal funding to address emerging issues; and
 - administering agreements with Yukon First Nations and the Government of Canada for First Nations policing.
- The RCMP provides the Government of Yukon and the Council with quarterly updates on policing and activities that address territorial policing priorities. The RCMP also provides the Government of Yukon with an annual report each July.

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Policing Priorities

Justice

- In 2023, the Council travelled to Old Crow to engage with the community and has confirmed plans to engage with the Whitehorse community in 2024.
- On March 27, 2024, the Council met in Whitehorse to discuss the TPSA RCMP Quarterly Report and Complaints Report.
- The Council comprises a Chair and six citizens appointed by the Minister of Justice for a three-year term. The Council includes members from Whitehorse and the communities, with a minimum of three members appointed based on recommendations from Yukon First Nations.
- In recent years, RCMP “M” Division has also conducted their own public engagement to set priorities at the detachment level. In Whitehorse, the top three priorities identified and incorporated into the Whitehorse Detachment Action Plan are illicit drug use, property crime and traffic enforcement.

Approved by:

Jeff Simons

2024-10-01

A/Deputy Minister, Justice

Date approved

Recommended response:

- Our government funds policing through investments in the First Nations and Inuit Policing Program and the Territorial Police Service Agreement with the Government of Canada for the RCMP.
- In the 2024–25 budget, the Government of Yukon provided an increase of \$1.724 million to the Territorial Police Service Agreement budget to support responsive policing services.
- This increase supported eight-and-a-half positions: seven-and-a-half new RCMP members and one public service employee, with additional funding for operational equipment.
- In addition, the Government of Yukon has increased the First Nations and Inuit Policing Program complement by six RCMP members to provide enhanced policing services to Yukon First Nations.
- This will increase the First Nations and Inuit Policing portfolio to 25 RCMP members dedicated to policing for Yukon First Nations communities.
- To better address safety concerns in Whitehorse, we have also provided new funding this year for two additional RCMP members for the Whitehorse Detachment.

Additional response:

- The Territorial Police Service Agreement also includes a cost-shared capital asset management program called the Accommodations Program Charge, through which the RCMP and the Government of Yukon jointly decide on capital projects in a five-year cycle.

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RCMP Resources

Justice

Context:

- There has been significant public interest in the resource levels required to support effective and responsive policing with concerns about downtown safety in Whitehorse and increased crime experienced by businesses.
- Due to the sparse population and vast geography, maintaining a responsive policing presence across the territory requires more officers per capita than in the provinces.

Background:

- The RCMP increase in 2024–25 provided for the following total number of RCMP Regular Members (i.e., officers) assigned to the territory as follows.

| Resource allocation | Fiscal year 2024–25 |
|---|---------------------|
| Territorial Police Service Agreement | 123 |
| First Nations and Inuit Policing Program | 25 |
| Total Regular Members across both programs | 148 |

- Since 2018-19 the Yukon government has provided the following increases to the total RCMP budget (inclusive of the TPSA/FNIPP/and Capital):

| Year | Increased amount | Increased percentage | Budget |
|---------|------------------|----------------------|--------------|
| 2024-25 | \$2,159,834 | 5.53% | \$41,209,998 |
| 2023-24 | \$3,518,085 | 9.88% | \$39,050,154 |
| 2022-23 | \$3,067,361 | 9.43% | \$35,611,428 |
| 2021-22 | \$3,070,067 | 10.42% | \$32,544,067 |
| 2020-21 | \$176,000 | 0.60% | \$29,474,000 |
| 2019-20 | \$109,000 | 0.37% | \$29,298,000 |
| 2018-19 | \$2,867,000 | 10.89% | \$29,189,000 |

- In 2023-24, the Yukon government provided eight-and-a-half positions under the TPSA, and six positions under the FNIPP, totalling 14.5 new positions.
- According to the latest Police Personnel and Expenditures in Canada (2023) report, the Yukon has the third highest police per capita ratio in Canada, with a police strength of 325 officers per 100,000 population. Only the Northwest Territories and Nunavut have higher police-per-capita ratios.

Federal Investigations Unit (FIU)

- The federally funded FIU supplements territorial policing resources and is tasked with federal policing priorities, including drug investigations, enforcement of federal laws, protective policing, commercial crime investigations, integrated border enforcement, and intelligence functions.
- See note 50 for further information on federal policing and the status of discussions with Canada on federal policing transformation and resourcing.

Additional resources for opioid response

- In 2019, "M" Division created the Crime Reduction Unit (CRU) to address specific issues in the Yukon, such as drug trafficking, property theft, and organized crime.
- In 2023, two temporary positions were added through the Substance Use Health Emergency Strategy for Car 867 to operate daily from 8 am to nearly 11 pm.

Capital – The APC Process

- Under the Territorial Police Service Agreement, the RCMP manages capital assets through an Accommodations Program Charge (APC) arrangement that includes detachment construction and renovations ("Major Capital"), building repairs and upgrades ("Minor Capital"), and the maintenance of living quarters. The APC is structured in five-year cycles.

Previous cycles:

- No new detachments were constructed in Cycle One.
- Cycle Two included three major projects: the renovation of the Ross River detachment building and two new detachment buildings in Carcross and Faro.

Cycle Three of the APC

- The current Cycle Three budget of \$19.627M (territorial contributions) over five years is for the renovation of the detachment building in Old Crow and lifecycle investments to maintain the Yukon RCMP's infrastructure portfolio.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-10-02

Date approved

Recommended response:

- The Government of Yukon is committed to supporting the growth of integrated and community-based justice programming and advancing the use of restorative justice practices throughout the territory.
- In 2020, the Government of Yukon approved the creation of an Integrated Restorative Justice Unit to:
 - improve restorative justice service delivery;
 - enhance adult and youth diversions;
 - increase engagement with First Nations governments; and
 - better support community-designed and community-led restorative justice initiatives.
- The Integrated Restorative Justice Unit, currently in a pilot phase, has combined dedicated youth justice and adult justice resources to provide consistent program delivery across the Yukon.

Additional response:

- The Integrated Restorative Justice Unit leads engagements with First Nations governments and stakeholders about adult and youth diversions and restorative justice.
- This initiative allows the Government of Yukon to support existing restorative justice services and practices as we continue to work in partnership with Yukon First Nations governments through the Yukon Forum and other working groups. The Government of Yukon continues to work with First Nations governments, the Government of Canada, the RCMP and other territories and provinces to share best practices and to increase the use of restorative justice nationally.

Context:

- In 2018, federal-provincial-territorial (FPT) Ministers Responsible for Justice and Public Safety announced their commitment to the goal of a five per cent increase in the use of restorative justice, where possible, by 2021.
- The 2023 Mandate Letter to the Minister of Justice speaks to implementing the principles of restorative justice to:
 - better inform service delivery;
 - support community-designed and community-led initiatives; and
 - increase engagement with First Nations governments.
- In spring 2024 meetings of FPT Deputy Ministers (DMs) of Justice, Yukon and Manitoba DMs co-presented on restorative justice and advocated for an increase to restorative justice practices across Canada.

Background:

- In July 2020, the Integrated Restorative Justice (IRJ) Unit was created as a two-year pilot project. This strategy combined existing youth diversion and restorative justice resources within the departments of Justice and Health and Social Services.
- On October 27, 2021, the Adult Pre- and Post-charge Diversion Protocol for federal offences was signed, providing a pathway for the pilot to accept pre- and post-charge referrals for adults.
- In January 2023, the IRJ Unit pilot project was extended until March 2025.
- These resources are now amalgamated within the Community Justice and Public Safety Division at the Department of Justice.
- The IRJ Unit has improved the Government of Yukon's delivery of diversion and restorative justice services. The departments of Justice and Health and Social Services have aligned priorities to provide a continuum of services to youth and adults to offer a consistent, one-government approach.
- One of the initiatives under the IRJ Unit is to establish formal pre- and post-charge diversion programs for youth and adults with a goal of increasing the use of diversion and restorative justice practices throughout the territory.

- Section 10 of the *Youth Criminal Justice Act* and Section 717 of the *Criminal Code* require that Alternative Measures/Extrajudicial Sanctions be authorized by the Attorney General or the Attorney General delegate or authorized by a person designated by the Lieutenant Governor in Council of a province.
- The Government of Yukon has signed a diversion agreement authorizing formal pre- and post-charge referrals for federal offences for adults that streamlines diversion referrals. The IRJ Unit is now working on a similar agreement for youth.
- The Chief Federal Prosecutor, Public Prosecution Service of Canada Yukon Region, as a delegate of the Attorney General of Canada, recognized the Yukon Adult Diversion Program, allowing the IRJ Unit to accept pre- and post-charge referrals into their program for adults.
- The work of the IRJ Unit is expected to contribute to a decrease in the rate of victimization, crime and incarceration in the Yukon by addressing the harm caused by crime and by holding offenders responsible.
- This work contributes to the Government of Yukon's work to reduce the overrepresentation of Indigenous people in the criminal justice system.
- The Government of Yukon continues to work with the Government of Canada, Yukon First Nations governments and Yukon communities on a range of community-based Indigenous justice projects and restorative reintegration efforts.
- The Government of Yukon's Department of Justice funds and supports eight Community Justice Workers and 12 Indigenous Court Workers. Some individuals hold both positions within their home community.
- The level of community justice services available in different communities depends on the capacity and the priorities of that community. Services are developed and implemented through collaborative work with Yukon First Nations, in response to their priorities.
- The roles and responsibilities of Community Justice Workers and Indigenous Court Workers are also community specific. They are responsible for establishing community-based justice processes designed to meet community needs by:
 - promoting community healing;
 - facilitating restorative justice approaches at a community level;
 - developing positive relationships with the community;

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Restorative Justice

Justice

- educating the community about existing justice alternatives;
 - demonstrating accountability to the community about justice matters; and
 - establishing a proactive approach to healing with long-term community wellness.
- The Government of Yukon is committed to advancing restorative justice practices and building capacity in communities with key partners that include First Nations governments, the Council of Yukon First Nations, the RCMP, Territorial Court, Therapeutic Courts, Corrections and the Government of Canada (Crown-Indigenous Relations and Northern Affairs Canada, Public Prosecution Service of Canada and Correctional Service of Canada).
 - Other work within the Department of Justice to advance the principles of restorative justice includes work to expand therapeutic court models (see Briefing Note 61).
 - Yukon Forum commitments include support for restorative justice, the development of First Nations justice programs and participation in FPT initiatives.
 - In December 2023, at the Deputy Ministers FPT meetings, Yukon and Manitoba spoke to the need to recommit to the use of restorative justice across Canada.
 - All the Deputy Ministers agreed and the FPT working group will continue to work on the next steps to move this process forward.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Therapeutic Courts

Fall 2024

Justice

Recommended response:

- The Justice Wellness Centre received funding from the Government of Canada to expand therapeutic courts into Yukon communities and to re-develop the intimate partner violence programming it offers to address complex client needs.
- The revised intimate partner violence curriculum is being developed by a consultant with extensive experience with alternative court models and in Indigenous communities. A first draft is expected in fall 2024.
- Consultation with Yukon First Nations governments is taking place to ensure that adjustments to the therapeutic court program meet the needs and interests of individual communities. This work is supported by the therapeutic court Legal Sub-Committee.

Additional response:

- To date, the Justice Wellness Centre has met with Tr'onðëk Hwëch'in, Vuntut Gwitchin First Nation and Carcross/Tagish First Nation to discuss potential support for therapeutic court work in Dawson City, Old Crow and Carcross.
- The intimate partner violence curriculum re-development will include multiple community partners, Justice Wellness Centre staff and a community-based cultural consultant, with a view to ensuring culturally integrated programming, strong partnerships with First Nations and capacity-building within Yukon communities.
- The Justice Wellness Centre is developing a therapeutic court evaluation framework to guide a five-year evaluation process beginning in 2024.

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Therapeutic Courts

Fall 2024

Justice

Context:

- There are two therapeutic courts within the Territorial Court of Yukon – the Community Wellness Court (CWC) and the Domestic Violence Treatment Option (DVTO). The clients of both courts are supported by staff in the Justice Wellness Centre (JWC).
- Treatment-based support is a component of many alternative justice models and sentencing outcomes support community dispositions and discharges while reducing recidivism rates.

Background:

- The Watson Lake partnership with Dena Keh has received notable recognition for integrating Indigenous-led programming into therapeutic court models, increasing community capacity to respond to crime, and developing a year-round program for participants.
- JWC assisted in the development of the Dena Keh community justice program delivered by Liard First Nation and continues to work closely with that Indigenous-led program.
- The Government of Yukon is committed to advancing alternative justice models and building sustainable and resourced community programs. Indigenous programs such as traditional parenting, on-the-land healing, after care services and culturally integrated services remain a priority for therapeutic court clients.
- The JWC partners with Thay K'i Anint'i, Mental Wellness Substance Use Services, the Integrated Restorative Justice Unit and other local agencies to develop a wrap-around service model for our clients.
- In addition to consultant services, the federal money is being used to increase JWC staffing levels with two clinical counsellors, a case manager, an Indigenous peer support worker and a cultural consultant.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Child and Youth Victim Services

Fall 2024

Justice

Recommended response:

- The Department of Justice, through Victim Services, is committed to providing specialized and age-appropriate services for children and youth who have experienced crime.
- Victim Services provides justice-focused supports and works with other agencies to provide coordinated services to victims and families.
- The team focuses on incorporating national best practices for Child and Youth Advocacy Centres into responses for child and youth victims and their families, including child-focused interview and testimony spaces, victim supports, culturally sensitive service provision, and increased organizational capacity building through training initiatives.

Additional response:

- Victim Services continues to work with the RCMP, Public Prosecution Service of Canada, the Department of Education, and other partners to support child and youth victims of crime.

Context:

- The issue of a multi-disciplinary team and integrated service system for children and youth may be raised in the context of responding to child sexualized and physical abuse.

Background:

- From 2014 to 2020, Victim Services worked to develop Project Lynx, a jointly administered and jointly led service for child and youth victims of crime based on national best practices for Child and Youth Advocacy Centres (CYAC).

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Child and Youth Victim Services

Fall 2024

Justice

- National best practices include:
 - multidisciplinary teams responding in a coordinated manner;
 - child-focused settings for service and interviews;
 - culturally sensitive and inclusive services;
 - forensic interviewing;
 - victim advocacy and support services;
 - medical evaluation and treatment;
 - mental health evaluation and treatment;
 - case reviews coordinated through a multidisciplinary team;
 - case tracking; and
 - organizational capacity and development.
- This work focuses on building a collaborative multidisciplinary team of professionals working together to provide an integrated service system and support for child and youth victims and witnesses, and their families.
- A critical component of the CYAC model is a physical location that is publicly accessible, identifiable and co-locates staff from many or all partner agencies.
- For Project Lynx, however, the decision was made to implement a virtual model, with the intent of eventually securing space for the multidisciplinary team.
- The Victim Services Branch worked to lead Project Lynx as a multi-agency, coordinated service on behalf of the partner agencies. This included drafting procedures; hosting joint training; advocating for integrated service change in Access to Information and Protection of Privacy legislation; engaging with multiple other CYACs in mentorship and training roles; holding several facilitated discussions; conducting meetings; and sharing of evaluation recommendations for better coordination.
- However, it has become clear that there are multiple, significant challenges with applying this model such as: not having identifiable shared space; differing partner agency mandates and resources; unique training needs; and navigation of territorial and national privacy legislation.
- Using the many lessons learned, Victim Services has modified the approach to a justice-led and justice-focused service for child and youth victims of crime, while continuing to coordinate support services for victims and families with all previous Lynx partner agencies and working with partners on an improved service model.

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Child and Youth Victim Services

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Justice

- Partners that Victim Services often works with in support of an individual or family include:
 - RCMP, including the Specialized Response Unit;
 - Public Prosecution Service of Canada;
 - Council of Yukon First Nations;
 - First Nation governments and service providers;
 - Child, Youth and Family Treatment Team;
 - Family and Children's Services;
 - Department of Education or individual schools; and
 - Court Services.
- Victim Services and the Department of Justice are working with the Department of Highways and Public Works to complete soundproofing of new specialized spaces that will support children and youth to attend police interviews or testify from developmentally appropriate and comfortable spaces located at the Victim Services office in Whitehorse. This is anticipated to be complete by the end of 2024.
- Funding for the Child and Youth Victims of Crime Initiative, including the coordinator's position, comes primarily from the Victims Fund through the Policy Centre for Victim Issues, Justice Canada.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Recommended response:

- The Family Information Liaison Unit provides coordinated supports for family members of missing and murdered Indigenous women, girls and two-spirit+ people to access information related to their loved one's case.
- Providing supports for families remains a key component of the Government of Yukon's work to implement Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy.
- The Family Information Liaison Unit Coordinator works with partner agencies to coordinate support for families including information gathering, systems navigation and outreach.

Additional response:

- The Family Information Liaison Unit is in the Victim Services Branch, which provides continuity of services and support to families dealing with current court matters. This ensures that the team has administrative services and additional support to draw upon.
- The Family Information Liaison Unit is funded by the Government of Canada. The current funding agreement is in place until March 31, 2025, to assess the unit's capacity, mandate and direction.

Context:

- The Family Information Liaison Unit (FILU) currently has a staffing vacancy, and there may be questions about its capacity to provide services. Other Victim Services workers are currently incorporating FILU matters into their caseloads to off-set this staffing challenge.

Background:

- On August 3, 2016, Canada announced the independent National Inquiry into Missing and Murdered Indigenous Women and Girls. At the same time, Canada announced that funding would be available for the creation of Family Information Liaison Units through each provincial and territorial government.
- Victim Services sought advice related to the development of the Yukon's FILU from the families of missing and murdered Indigenous women and girls, the Women and Gender Equity Directorate, the Executive Council Office, other areas of the Department of Justice, Indigenous women's organizations, Kwanlin Dün First Nation, the Council of Yukon First Nations, the Yukon RCMP, the Association of Yukon Communities and the Yukon Women's Coalition.
- Canada has provided \$285,000 per year to the Yukon, starting in 2017–18, in two to three-year increments.
- On May 29, 2023, Canada announced that \$37.3 million over five years would be provided to provinces and territories. In addition, \$7.75 million will be available annually, on an ongoing basis, to "ensure that the critical services provided by FILUs to families of all missing and murdered Indigenous people, including men and boys, continue to be available for as long as they are needed, and enable FILUs to expand their operations to address gaps in service delivery and remain responsive to the needs of Indigenous communities."
- Canada has indicated that it will provide this funding through five-year agreements starting in 2025–26. Until that time, FILU programs will receive some additional funding and can complete strategic planning to be ready for a new five-year agreement in 2025–26.
- This will provide the Yukon with time to analyze capacity, workload, funding needs and policy direction in terms of expanding the mandate for Yukon's FILU to support families of men and boys.
- Canada has indicated that allowing funding to include support for families of missing and murdered Indigenous men and boys will allow each jurisdiction to make decisions about the mandate and capacity of their FILU. This increase in mandate was not prescriptive.

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FILU – Family Information Liaison Unit

Justice

- Canada also announced:
 - Community Support and Healing for Families Initiative: \$20 million over five years and \$4.15 million on an ongoing annual basis to ensure that all families of missing and murdered Indigenous people, including men and boys, have access to Indigenous-led, community-based supports to assist them with their grief and in their healing journey.
 - Access to Indigenous-led victim services and supports: \$38.6 million over five years and \$8.45 million on an ongoing annual basis to support a wide range of Indigenous-led and co-developed activities to support and assist Indigenous victims of crime and survivors of violence across Canada.
 - Canada announced a third stream of funding, to support Indigenous-led services to victims of crime. A call for proposals has been issued, with an October 2024 deadline. It is not known if any Yukon First Nations or First Nation organizations will apply to this funding.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

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**72 JUS
25 HSS
Fall 2024**

Inter-Community Transportation for Victims of Crime

Justice, HSS

Recommended response

- The Government of Yukon recognizes that victims of gender-based violence in rural communities may need to travel from their community to access services or to seek safety from a perpetrator.
- The Government of Yukon has lowered barriers for inter-community transportation for rural victims of sexualized assault, intimate partner violence and anti-2SLGBTQ+ violence, with funding through the National Action Plan to End Gender-Based Violence.
- Travel assistance for victims of gender-based violence includes support to leave a violent situation or to access time-sensitive clinical, legal or support services in another community.
- Victim Services is working with non-governmental organizations to provide victims with low-barrier financial support to seek safety from a perpetrator, access services, and return to their community when they are ready.

Additional response:

- A campaign to increase awareness of these new transportation supports and how to access them was launched this fall.
- An inventory of transportation resources will be made available for service providers.
- The Government of Yukon continues to explore flexible options with community partners to address the differing needs and remaining barriers for inter-community transportation for victims of gender-based violence.

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Fall 2024**

Inter-Community Transportation for Victims of Crime

Justice, HSS

Context:

- Safe transportation is included in recommendations in several recent reports and commitments on improving services and safety for Yukoners, including the What We Heard report on Expansion of SART services in Rural Communities.
- The 2023 Confidence and Supply Agreement (CASA) includes a commitment to continue to work with Yukon First Nations, communities, and local businesses to develop low-cost transportation options for people travelling throughout the Yukon.

Background:

- Transportation options for victims of gender-based violence in Yukon communities are limited. There are few public transportation options and limited, confidential, 24/7 methods of receiving support to flee a community.
- Each victim will have access to different resources. Some may have access to a private vehicle or public transportation, while others do not have access to any means of transportation.
- Each victim will have unique needs. For example, providing consistent travel options to attend scheduled meetings with lawyers or medical appointments is a distinct need. Requiring immediate transportation to escape the threat of violence and seek safety at a women's shelter or access one of Yukon's hospitals to get a Sexualized Assault Evidence Kit performed is an urgent need.
- An inventory of transportation services for each community is complete, and information on travel programs for victims of gender-based violence will soon be available on yukon.ca.
- In addition to making travel assistance available through non-governmental organizations, the Department of Justice has increased the Victims of Crime Emergency Fund by \$10,000 per year for the next three years for emergency travel assistance for victims of crime, through the National Action Plan to end Gender-Based Violence.
- In addition, the department has put in place five contracts with Council of Yukon First Nations, Queer Yukon, Yukon Women's Transition Home, Dawson Women's Shelter,

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Inter-Community Transportation for Victims of Crime

Justice, HSS

and Help and Hope for Families for travel assistance for victims of gender-based violence who have their own means of travel but require additional resources to access time-sensitive services in another community.

Opportunities:

- Funding for the Yukon from the National Action Plan to End Gender-Based Violence includes multi-year funding of \$300,000 per year until 2026-27 to address transportation barriers for rural victims of gender-based violence. Recommendations for transportation between Yukon communities appear in recent reports and agreements, including:
 - The Substance Use Health Emergency Strategy, action item three in the Fourth Area of Growth: Community Safety and Wellbeing: Invest in preventing gender-based violence and improving services for victims of crime by expanding services to rural Yukon communities, including transportation to and from communities.
 - Yukon's MMIWG2S+ Strategy action item 2.8: Create safe and affordable transportation and communication options to and between Yukon communities.
 - Putting People First Recommendation 2.9: Working in partnership with First Nations and municipal governments, provide safe and alternative driving services between rural communities and Whitehorse.
 - Aging in Place Action Plan recommended action 3.5: Develop partnerships with First Nations governments and the private sector to increase transportation options within and between communities.
 - CASA 2023 Commitment: Continue to work with Yukon First Nations, communities, and local businesses to develop low-cost transportation options for people travelling throughout the Yukon.

SART:

- The Sexualized Assault Response Team (SART) is a network of partner agencies including the Government of Yukon's Women and Gender Equity Directorate, the Department of Justice, the Department of Health and Social Services, the RCMP, the Public Prosecution Service of Canada, the Yukon Hospital Corporation and the Yukon Women's Transition Home.

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Inter-Community Transportation for Victims of Crime

Justice, HSS

- This Team provides coordinated services and supports to victims of sexualized assault.
- Currently the key components of SART include the following.
 - A 24-hour, confidential, toll-free support line is available for all victims of sexualized assault, including those living in communities.
 - Victim support workers are available during weekday business hours and all hours during the weekend in Whitehorse.
 - On-call physicians specially trained to support victims of sexualized assault are available at Whitehorse General Hospital.
 - Mental Wellness and Substance Use Services offers rapid access counselling to all Yukoners, including those living in communities, and priority access to the Child, Youth and Family Treatment Team for children under the age of 13.
- The Department of Health and Social Services has a SART Clinical Coordinator who works in partnership with the Department of Justice's SART Victim Support Coordinator to ensure there is continuity of care and wrap-around services for victims of sexualized violence.
- Mental Wellness and Substance Use Services has staff across various programs who provide wrap-around supports and services to all Yukoners. The SART Clinical Coordinator works closely with Mental Wellness and Substance Use Services to connect victims of sexualized assault with the resources and supports they need.
- Services are also available through Victim Services, community health centres and hospitals, First Nations governments, the RCMP and women's shelters or safe houses where available.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Matt King

Deputy Minister, HSS

2024-11-19

Date approved

Recommended response:

- The Sexualized Assault Response Team (SART) is a network of agencies coordinating services to provide comprehensive care and support to victims of sexualized violence.
- One component of SART is providing support as requested by the victim to accompany them when attending medical and legal services.
- Initially, the weekend component of this service was delivered by SART-designated staff at Victim Services. However, a review of the service identified operational constraints and, as a result, an agreement was reached with the Yukon Women’s Transition Home, as an existing SART partner, to formally take over accompaniment service.

Additional response:

- The Government of Yukon has coordinated with key stakeholders and implemented appropriate human resource actions for involved personnel, in compliance with its legal obligations.
- The Government of Yukon remains committed to providing trauma-informed, client-led services and ensuring the availability of accompaniment services for victims of sexualized violence when seeking medical care and reporting to police.
- This change in service delivery agency does not affect Government of Yukon’s commitment to victims of sexualized violence nor the expansion of SART services to rural communities.
- The Yukon Women’s Transition Home is a key SART partner that manages the 24/7 Sexualized Assault Support Line for all genders. Offering accompaniment services will provide seamless support for individuals accessing the support line.

Session Briefing Note**Fall 2024****SART – Accompaniment Service**

Justice

Context:

- This issue may be raised in the context of concern for affected employees or impacts to current clients being served, with questions about the Government of Yukon's response and steps.
- Questions may be raised about the government's commitment to expansion of SART services to rural communities

Background:

- SART uses a victim-centred approach that coordinates services. One SART service is accompaniment for victims to enhance access and support to those services.
- Since 2020, the portion of the SART focusing on weekend accompaniment was undertaken by Yukon government SART support workers.
- The decision to start with weekends was to test service demands and identify a long-term sustainable model that would support weekend and potentially 24/7 service.
- The staffing model for SART weekend accompaniment is complex, and service sustainability is challenged by infrequent use, high costs and an inability to achieve 24/7 coverage.
- Yukon government has collaborated with key stakeholders and implemented appropriate human resource options for involved personnel in compliance with its legal obligations under the Collective Agreement.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Session Briefing Note

JUS 74
WGED 16
HSS 38
Fall 2024

Expansion of SART Services

Justice, WGED,
HSS

Recommended response:

- The Sexualized Assault Response Team, or SART, is a network of agencies that provide safe, comprehensive supports for victims of sexualized violence in Whitehorse.
- We are committed to expanding sexualized assault response services to Yukon communities. The departments of Justice, Health and Social Services, and the Women and Gender Equity Directorate are working closely with SART agencies to develop an action plan to support victims of sexualized assault in communities outside of Whitehorse.
- The Government of Yukon is working in partnership with other SART service providers to analyze the findings and recommendations from the What We Heard document in conjunction with leading practices and approaches in other jurisdictions, and to scope options and required resources to develop priorities for next steps on expansion.

Additional response:

- We are making progress in several areas including:
 - enhancing public communication to increase understanding of sexualized violence and awareness of existing services to support victims, such as the 24/7 toll-free support line and priority access to counselling through the Mental Wellness and Substance Use community hubs;
 - providing travel assistance for victims of gender-based violence; and
 - extending SART training to community service providers.

Session Briefing Note

JUS 74
WGED 16
HSS 38
Fall 2024

Expansion of SART Services

Justice, WGED,
HSS

Context:

- Both the 2021 and 2023 mandate letters include a commitment to expand the services of the Yukon's SART to Yukon communities beyond Whitehorse.
 - There are strong connections and cross-over priorities with the Substance Use Health Emergency Strategy, Missing and Murdered Indigenous Women, Girls and Two Spirit Plus People Strategy, and the National Action Plan to end Gender-Based Violence.
 - The 2023 Confidence and Supply Agreement includes a commitment to develop a low-cost transportation option for people travelling throughout the Yukon.
-

Background:

- Engagement with First Nations governments, rural service providers and victims occurred in the summer and fall 2023. The What We Heard report was shared with key partners, stakeholders, and the public in spring 2024. The engagement included participants from each community with 244 people reached through interviews, sharing circles and online engagement.
 - Work is already underway in many areas to improve services to victims, including:
 - developing an updated website and a refreshed communication campaign to create awareness of available services for communities,
 - cross-agency training for front-line workers in communities outside Whitehorse;
 - bolstering transportation options for victims who need to access services outside their communities; and
 - Available services also include Victim Services, community health centres and hospitals, First Nations governments, the RCMP and women's shelters or safe houses where available.
 - Additional priorities will be compiled into a more comprehensive list with recommendations based on a full analysis.
-

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Expansion of SART Services

Justice, WGED,
HSS

Whitehorse SART

- SART in Whitehorse was officially launched March 6, 2020, and is based on the core principles of:
 - victim's choice;
 - dignity and respect;
 - preventing system re-traumatization;
 - cultural safety; and
 - access, equity and inclusion.
- Current Whitehorse SART member agencies include:
 - Department of Health and Social Services, Department of Justice and Women and Gender Equity Directorate;
 - Public Prosecution Service of Canada;
 - RCMP "M" Division;
 - Yukon Hospital Corporation; and
 - Yukon Women's Transition Home.
- Whitehorse SART agencies' responses to victims are guided by the Whitehorse SART protocol. The protocol is the first of its kind in Yukon and endeavors to make the network of services sustainable in Whitehorse.
- The Whitehorse SART protocol has been signed by the partner agencies and is available on sartyukon.ca. Educational materials about the protocol for front-line workers have been developed and are also available on sartyukon.ca.

SART – General information

- There are three main components of SART: victim support, legal/criminal justice services and medical services. Services are available for victims of all genders, ages and sexual orientations.
- Coordination of existing medical and victim services is supported by two Government of Yukon positions: the SART Victim Support Coordinator and the SART Clinical

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Justice, WGED,
HSS

Coordinator. They work in partnership to ensure there is continuity of care and a team-based, integrated approach for victims of sexualized violence.

- Available services include a 24/7 support line, accompaniments to the hospital and RCMP, 24/7 on-call physicians at Whitehorse General Hospital (WGH) and rapid access to counselling through Mental Wellness and Substance Use Services Hubs.
- The RCMP Sexual Assault Investigations Review Committee is led by the Yukon RCMP in line with national direction. Government of Yukon representatives take part in case reviews of sexualized assault investigations, through this committee.

Forensic Care

- SART is currently providing comprehensive forensic care in Whitehorse.
- In the Yukon, there are three options for care at health care facilities:
 - medical care (available in all communities);
 - forensic care with a sexual assault evidence kit (SAEK) sent to RCMP (available at WGH); and
 - forensic care “on ice” where the SAEK is stored at the hospital to give time to the victim to decide about reporting to the RCMP (available at WGH).
- Forensic care involves a forensic examination, which may include the completion of a sexual assault evidence kit, toxicology kit, and the writing of a forensic report for the purpose of collecting evidence or information which may be used in court.
- Specialized SART services, such as pediatric care, are also available at WGH. All community health centres continue to offer standardized clinic-based care to support victims. This ensures that individuals seeking medical care in the aftermath of such an assault have access to the services they need, right in their community.
- For those victims who choose forensic care as part of their journey through the criminal justice system, there is transportation support to assist them.
- Ongoing efforts are focused on evaluating how to expand access to SART services to all Yukoners, wherever they may reside.

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Expansion of SART Services

Justice, WGED,
HSS

- Although forensic care is not available in community health centres, this does not diminish the commitment to providing comprehensive care and support to victims. The ongoing project to expand SART services across the Yukon aims for every individual to have the support they need in times of crisis.

Training

- Annual cross-agency training is provided for SART agencies and is available to any Yukon service providers who may receive disclosure of sexualized violence.
- Annual priorities are set through the SART training framework and often include topics such as:
 - cultural safety and awareness training for SART agencies and partners;
 - documentation for counsellors working with victims of sexualized violence training;
 - training on responding to specific populations, such as 2SLGBTQIA+ victims and child and youth victims;
 - a victim's path through the criminal justice system training; and
 - Sexual Assault Law.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-10-01

Date approved

Sierra van der Meer

Deputy Minister, WGED

October 1, 2024

Date approved

Matt King

Deputy Minister, HSS

October 2, 2024

Date approved

Session Briefing Note

Fall 2024

Victim Services Office Break-in

Justice

Recommended response:

- On March 18, 2024, the Department of Justice issued public notification that a break-in had occurred at the Whitehorse Victim Services Office, sometime between the evening of March 15 and the morning of March 16.
- The public notification was issued, as required under the *Access to Information and Protection of Privacy Act*, to ensure that all individuals who have received service from Victim Services were made aware of the break-in in a timely manner.
- The Department of Justice takes this matter very seriously and has implemented changes to improve the security of the building and the safety of victim records.

Additional response:

- The public notification identified that personal information of victims of crime may have been accessed during the break-in. It also outlined the steps being taken by the Department of Justice to respond.
- Departmental staff conducted an inventory of paper records. Cases with the highest risk of potential harm to clients were prioritized.
- Where Victim Services identified concerns about the integrity of personal information, or if there was reason to believe the information may have been seen by the intruder during the break-in, efforts were made to notify those clients directly.
- Many records at Victim Services are contained in an electronic database, including client case notes. An audit of the database confirmed that it was not accessed, nor were other electronic files.
- Charges have been laid, and a conviction has been entered on this matter. However, I will not comment further about the sentencing of the offender.

Session Briefing Note**Fall 2024****Victim Services Office Break-in**

Justice

Context:

- There may be questions regarding the criminal proceedings or the steps the department has taken to prevent future break-ins.

Background:

- The public notification urged clients who were concerned about their own files to contact Victim Services to discuss the specifics of their file with Victim Services staff. These notifications also provided information about how to file a complaint, as required by the *Access to Information and Protection of Privacy Act*.
- Following the break-in, the office was closed for a week to allow staff to conduct a proper assessment. Victim Services workers continued to provide support services to clients while the office was closed.
- All client information stored at the office was reviewed to identify potential security concerns. Another public notification was issued on March 21, 2024.
- Stolen cell phones were disabled remotely using the security software installed on the phones.
- New phones, intended to be given out to clients, were also stolen during the break-in. However, they did not contain any personal information.
- Since March 2024, several physical security improvements have been made to the Victim Services office space.
- In response to the break-in, the Information and Privacy Commissioner has made recommendations aimed at reducing risk to affected individuals and preventing similar incidents in the future.
- The Minister accepted those recommendations, which the department has implemented within the required time.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Session Briefing Note

Fall 2024

Administration of Justice Agreement Negotiations

Justice

Recommended response:

- The Government of Yukon is committed to supporting Yukon First Nations governments to exercise their authority and jurisdiction over the administration of justice as set out in Yukon First Nation Self-Government Agreements.
- We believe that administration of justice powers are fundamental to self-government.
- Our government's approach to justice-related negotiations is based on our recognition of and respect for First Nations governments' jurisdiction, governance and legal principles.
- This approach provides opportunities for collaboration and partnership, and it promotes incremental and capacity-building initiatives for justice-related matters.

Additional response:

- The Government of Yukon is flexible about addressing First Nations governments' interests related to the administration of justice and other justice-related matters.
- We remain committed to working with Yukon First Nations governments and the Government of Canada to negotiate and implement Administration of Justice Agreements.

Context:

- There has been increased First Nations interest in entering into and/or recommencing Administration of Justice Agreement (AJA) negotiations with the Government of Yukon (Yukon) and the Government of Canada (Canada).

**Administration of Justice Agreement
Negotiations**

Justice

Background:

- AJAs address how a Yukon First Nation with a Self-Government Agreement (SGA) will exercise its authority for the administration, enforcement and adjudication of its laws.
- Section 13.6.1 of each Yukon First Nation SGA commits the parties to negotiate with a view to concluding an AJA.
- Yukon's Department of Justice is the corporate lead for AJA negotiations.
- The only AJA in the Yukon was signed by the Teslin Tlingit Council (TTC), Yukon and Canada in 2011. Several Yukon First Nations with SGAs have begun, and then stepped back from, AJA negotiations.
- Other First Nations governments that currently have AJA Framework Agreements in place include Kwanlin Dün First Nation (KDFN), Champagne and Aishihik First Nations (CAFN), Kluane First Nation (KFN) and Vuntut Gwitchin First Nation (VGFN).
- Six Yukon First Nations governments have Interim justice provisions extension agreements with Yukon and Canada, as provided for in SGAs. These agreements address Yukon's obligations to prosecute, adjudicate and provide for any term of imprisonment for violations of First Nation laws until an AJA has been reached.

Teslin Tlingit Council (TTC)

- The 2011 TTC AJA Implementation Plan provides funding for TTC's Peacemaker Court but left the implementation of other AJA matters to future negotiations.
- An AJA Implementation Plan Amendment Agreement on enforcement was signed in 2021.
- The final aspect of TTC AJA implementation matters to be negotiated is TTC's corrections and community services model.

Kwanlin Dün First Nation (KDFN)

- AJA negotiations were paused by KDFN in August 2021.
- Negotiations had been primarily focused on KDFN's proposed First Nation court model.

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Administration of Justice Agreement Negotiations

Justice

Tr'ondëk Hwëch'in (TH)

- In December 2023, TH, Yukon and Canada recommenced AJA negotiations.

Vuntut Gwitchin First Nation (VGFN)

- In May 2024, VGFN provided formal notice of its interest to recommence AJA negotiations. AJA negotiations were previously paused by VGFN in July 2020.
- Yukon and VGFN agreed to two AJA-related priorities in a government-to-government accord on shared priorities signed in July 2024.

Selkirk First Nation (SFN)

- In 2023, SFN approached Yukon and Canada to explore arrangements under the SFN SGA regarding enforcement-related matters.
- Discussions have been intermittent since fall 2023.

New and Incremental Cost Negotiations with Canada

- Yukon is currently exploring arrangements with Canada regarding the reimbursement of new and incremental costs pursuant to Yukon First Nation SGAs.
- This addresses costs Yukon incurs to meet its obligations in the interim justice provision period where Yukon prosecutes, adjudicates and provides for any term of imprisonment for violations of First Nation laws until an AJA is reached.

Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Session Briefing Note

Community Safety Officers

Fall 2024

Justice

Recommended response:

- Community safety initiatives, such as the Community Safety Officer programs developed by Kwanlin Dün First Nation and other Yukon First Nations governments, have been successful in improving citizens' feelings of safety in their respective communities.
- Recognizing the value and importance of Community Safety Officer programs, our government has increased the number of First Nation-designed and led programs receiving funding.
- The Government of Yukon and the Government of Canada now provide cost-shared funding to four First Nation Community Safety Officer programs.

Additional response:

- The Government of Yukon is committed to working with First Nations governments and the Government of Canada to support community-designed and led initiatives like Community Safety Officer programs.
- We recognize the value and impact that these programs have in keeping their communities safe.

Context:

- There have been numerous requests from Yukon First Nations governments for funding for their Community Safety Officer (CSO) programs. Funding provided to date has been ad hoc.
- In summer 2023, the Government of Canada (Canada) issued a national call for proposals to access cost-shared funding through the First Nations and Inuit Policing Program (FNIPP) for established CSO programs. Two Yukon First Nations governments were eligible to apply for this funding.
- Some First Nations governments may question why funding for CSO programs is not available through the community safety planning program.

Session Briefing Note

Community Safety Officers

Fall 2024

Justice

Background:

- In the Yukon, CSO programs are led, designed and implemented by Yukon First Nations governments. The Government of Yukon (Yukon) currently has no role outside of contributing funding, cost-shared at a ratio of 48 per cent YG to 52 per cent Canada through the federal FNIPP.
- Four Yukon First Nations are operating CSO programs to address community safety matters and complement existing law enforcement: Kwanlin Dün First Nation (KDFN), Selkirk First Nation (SFN), Teslin Tlingit Council (TTC) and Carcross/Tagish First Nation (C/TFN).

Federal Commitment to Fund Community Safety Officer programs

- There is no permanent source of funding for CSO programs in Canada. The 2021 federal budget contained substantial new funding commitments to stabilize and enhance the FNIPP, including \$540 million over the next five years. Of that, \$127 million in ongoing funding is earmarked for First Nation community safety initiatives, including CSO programs.
- As part of the 2021 federal budget investments, Canada established a three-year, proposal-driven funding envelope available for CSO pilot programs starting in 2023–24.
- This pilot will inform Canada's approach to future CSO funding, although it is unclear whether an evaluation of the pilot will be undertaken by Canada as originally planned.
- Canada is co-developing legislation with the Assembly of First Nations that recognizes stand-alone/self-administered First Nations policing services as essential services. The focus of the federal legislation is core policing services, not alternative services such as CSO programs.

Kwanlin Dün First Nation

- KDFN designed a CSO pilot program to address its community safety concerns. Yukon was the sole funder for KDFN's CSO pilot program from 2016 to 2019.
- In 2019, Yukon and Canada agreed to cost share funding for KDFN under the FNIPP to extend the pilot for two years, allowing KDFN to conduct a program evaluation. That evaluation found the program to be a successful, culturally responsive community service that has led to positive outcomes.
- Since 2021, Yukon and Canada have provided cost-shared funding for KDFN's CSO program on an annual basis.
- KDFN's CSO program is well known nationally and internationally and continues to receive media attention and interest from other communities wanting to establish a similar program.

Session Briefing Note

Community Safety Officers

Fall 2024

Justice

Selkirk First Nation

- SFN established its CSO program in 2019.
- In March 2020, Yukon provided SFN with a small amount of funding to purchase equipment for its CSO program but did not provide any further funding.
- In December 2021, after consistent requests from Yukon, Canada agreed to cost-share funding for SFN's CSO program until March 31, 2023, and has since agreed to cost-shared funding in 2023-24 and 2024-25.

Teslin Tlingit Council

- TTC established its CSO program in 2021.
- TTC has sought ongoing funding for its CSO program through implementation negotiations of its Administration of Justice Agreement.
- In fall 2021, TTC also requested funding for its CSO program as part of social impact funding for the Nisutlin Bay Bridge Replacement Project. At that time, Yukon was not in a position to provide funding as part of the bilateral agreement.
- TTC submitted a successful proposal to the FNIPP pilot funding project in September 2023. Canada and YG are working to implement a funding agreement for 2024–25.

Carcross/Tagish First Nation

- In January 2022, C/TFN established a CSO program on a part-time basis. This program has shifted to a “Community Safety and Wellness” program and is expanding to four full-time and two part-time positions in 2024–25.
- C/TFN submitted a successful proposal to the FNIPP pilot funding project in August 2023. Canada and YG are working to implement a funding agreement for 2024–25.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Fall 2024

Gladue Report Writing

Justice

Recommended response:

- Gladue reports provide the courts with important background information about Indigenous offenders. Information about the effects of residential schools, systemic discrimination, and economic and social disadvantages may be provided to inform sentencing.
- The governments of Canada and Yukon continue to support Gladue report writing through the Access to Justice Funding Agreement. The Gladue Report Writing program is administered by the Council of Yukon First Nations and is carried out by trained Yukon First Nation Gladue writers.
- In 2023–24, writers completed 17 Gladue reports that were submitted to the courts for consideration. So far, in fiscal year 2024–25, three reports have been submitted and four are currently in progress.

Additional response:

- A joint management committee provides oversight to the Gladue Report Writing project. It comprises the Council of Yukon First Nations, the Public Prosecution Service of Canada, Kwanlin Dün First Nation, the Yukon Legal Services Society and the Government of Yukon.

Context:

- The Government of Canada has committed to funding the Gladue Report Writing Project until March 2027 through the Access to Justice Funding Agreement – the umbrella agreement that covers Yukon’s Legal Aid, Yukon Public Legal Education Association and Indigenous Court Workers.
- The 2024–25 budget for Gladue report writing has been increased by \$47,775 to \$222,775.

Session Briefing Note

Fall 2024

Gladue Report Writing

Justice

Background:

- Yukon First Nations make up about 22 per cent of the Yukon’s overall population, and they are significantly overrepresented in the criminal justice system.
- The high rate of incarceration of Indigenous peoples has been linked to systemic discrimination and attitudes based on racial or cultural prejudice, as well as economic and social disadvantage, substance use, intergenerational loss, violence and trauma.
- In the 1999 decision in *R. v. Gladue*, the Supreme Court of Canada referred to Indigenous overrepresentation as “the tip of the iceberg.”
- Gladue reports support Indigenous accused (adults and youth), the judiciary and justice personnel in applying the sentencing principles for Indigenous offenders set out in section 718.2(e) of the *Criminal Code* and section 38(2)(d) of the *Youth Criminal Justice Act*. The principles outline:
 - that all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of Indigenous offenders;
 - the unique systemic or background factors that may have played a part in bringing the Indigenous offender before the courts; and
 - the types of sentencing procedures and sanctions that may be appropriate in the circumstances of the offender because of their Indigenous heritage or connection.
- Initially, report writers had to be Yukon First Nations. In November 2018, eligibility was expanded and the Council of Yukon First Nations (CYFN) and the Gladue Management Committee received applications from all First Nations, Inuit, and Métis peoples.
- Training sessions for Gladue Report writers are held annually. Recent program improvements include a Gladue Report writer mentoring program and a report writing template.
- In 2023–24, CYFN reported that it received 19 applications to the training program.

Approved by:

Mark Radke

2024-11-20

Deputy Minister, Justice

Date approved

Session Briefing Note

Fall 2024

Government of Canada's Indigenous Justice Strategy

Justice

Recommended response:

- The Government of Yukon is committed to working with the Government of Canada, provinces, territories, and Indigenous partners on the development of the federal Indigenous Justice Strategy.
- This strategy is intended to address systemic racism and the overrepresentation of Indigenous peoples in the justice system.
- We have an opportunity to work together to make meaningful progress and address the overrepresentation of Indigenous people in the criminal justice system.

Additional response:

- The overrepresentation of Indigenous people in the Yukon's justice system is driven by complex factors, including systemic racism.
- Some of these factors are common across Canada, while some manifest differently in the unique context of the North.
- It is important for the Government of Yukon that the Indigenous Justice Strategy is responsive to the unique needs of Indigenous individuals and communities in the Yukon.

Context:

- The Council of Yukon First Nations was awarded funding from the Government of Canada (Canada) to engage with Yukon First Nations on ideas and proposals to inform the development of a federal Indigenous Justice Strategy and provide a report with input on the strategy by June 30, 2024.
- Many reports, inquiries and commissions in recent decades have called for action to address the ongoing overrepresentation of Indigenous people in the justice system.

Session Briefing Note

Fall 2024

Government of Canada's Indigenous Justice Strategy

Justice

Background:

- In January 2021, the federal Minister of Justice, with support from other federal departments, was mandated to develop an Indigenous Justice Strategy (IJS) to address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system.
- The federal IJS is being developed in consultation and cooperation with Indigenous, provincial and territorial partners.

Pre-engagement Discussions

- Beginning in the summer of 2021, Justice Canada held pre-engagement discussions with national Indigenous organizations to develop the vision, scope, key priorities and engagement approach.
- Canada heard that the issues currently important to Indigenous people include:
 - developing more restorative justice processes;
 - addressing enforcement of Indigenous bylaws and laws;
 - increasing and better supporting opportunities for diversion; and
 - revitalizing Indigenous legal systems and support for communities to reclaim jurisdiction over the administration of justice.
- Based on this information, federal engagement is focused on two broad themes:
 - supporting Indigenous justice systems; and
 - reforming the criminal justice system to reduce systemic discrimination and the overrepresentation of Indigenous people.

Engagement Process

- Canada undertook two streams of engagement: one directed by Indigenous organizations, and the other directed by Justice Canada.
- Justice Canada has provided funding for 38 Indigenous-led engagement processes. The Council of Yukon First Nations and the Inuvialuit Regional Corporation received funding to lead targeted engagement.
- Kūwiingu-Néewul Engagement Services was contracted to lead Justice Canada's engagement processes on the IJS. This includes regional and distinctions based (First Nation, Inuit and Métis) dialogue sessions with Indigenous partners, stakeholders,

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Government of Canada's Indigenous Justice Strategy

Justice

justice practitioners, provincial and territorial representatives, and other federal government departments.

- In person federal engagement sessions took place in Whitehorse on December 7, 2023, with virtual sessions on December 15, 2023.

Outcome of engagement

- Justice Canada has released three What We Learned reports summarizing the outcomes of the Justice Canada-led engagements:
 - What We Learned: Wave 1 - Justice Canada-led engagement on the IJS (November 2022 to March 2023);
 - What We Learned: Wave 2 - Justice Canada-led engagement on the IJS (April to December 2023); and
 - People with Lived Experience – What We Learned: Wave 2 - Justice Canada-led engagement (August 2023 – March 2024).
- It is uncertain whether a report summarizing the Indigenous-led engagements will be released.

Justice Canada's Next Steps

- To inform the IJS, Justice Canada has begun a Wave 3 engagement process and is engaged with First Nations, Métis and Indigenous people; provinces and territories; and the public on a draft IJS Key Elements Consultation Draft (IJS Consultation Draft).
- Canada is currently engaged with the following national Indigenous organizations: the Assembly of First Nations, Inuit Tapiriit Kanatami, the Métis National Council and the Manitoba Métis Federation, as well as modern treaty self-governing partners the Cree Nation Government and the Dól̓nə́ Got'̓nə́ Government to co-develop the distinctions-based elements of the IJS.
- Justice Canada is coordinating input from provinces and territories on the Consultation Draft through the federal-provincial-territorial (FPT) Aboriginal Justice Working Group. The Department of Justice represents the Government of Yukon on this working group.
- Results of the Wave 3 validation, consultation and co-development process will inform the final federal IJS framework.

Session Briefing Note

Fall 2024

Government of Canada's Indigenous Justice Strategy

Justice

- An update on the IJS framework was provided at the FPT meeting of Ministers responsible for Justice and Public Safety in October 2024.
- Justice Canada expects to finalize the IJS in December 2024.

Approved by:

Mark Radke

2024-11-20

Deputy Minister, Justice

Date approved

Session Briefing Note

Land-Based Healing

Fall 2024

Justice

Recommended response:

- The Government of Yukon recognizes that land-based healing is an important practice for Yukon First Nations and is foundational to their vision and approach to both health and justice.
- Supporting First Nations-led land-based healing initiatives is a priority for our government.
- In November 2023, the Government of Yukon established a Land-Based Healing Fund of \$9 million for Yukon First Nations governments and organizations to support healing and wellness initiatives that are connected to traditional practices on the land.
- The Land-Based Healing Fund is available until March 31, 2026 and is administered by the Council of Yukon First Nations.
- Self-governing Yukon First Nations also have an opportunity to address their land-based healing interests in Administration of Justice Agreement negotiations with the Government of Yukon and the Government of Canada.

Additional response:

- The Government of Yukon is committed to working closely with Yukon First Nations and the Government of Canada to determine how best to support land-based healing models.

Context:

- Land-based healing is an interest of Yukon First Nations, particularly considering the ongoing Substance Use Health Emergency.
- Currently, there is no standardized definition for what is meant by land-based healing, nor a scope for matters that may fall under First Nations' land-based healing interests. Land-based healing interests are unique to each First Nation.

Background:

- The Yukon government (Yukon) has supported land-based healing facilities and programs in the territory since the 2000s. From 2009 until recently, Yukon's support and funding for land-based healing and programming has been ad hoc in nature and has been provided primarily to Kwanlin Dün First Nation's Jackson Lake Healing Camp.
- Long-term sustainable funding for land-based healing programming and infrastructure is available to self-governing Yukon First Nations through Administration of Justice Agreements negotiated pursuant to section 13.6 of Yukon First Nation Self-Government Agreements.
- Matters that support land-based healing initiatives involve the work of the departments of Health and Social Services, Justice, Executive Council Office, the Women and Gender Equity Directorate, and potentially others.

Government of Yukon's health-related support for land-based healing

- Land-based healing is a valuable tool to improve mental wellness in the Yukon.
- The Substance Use Health Emergency Strategy outlines opportunities for Yukon to work with Yukon First Nations to expand support for land-based healing initiatives, including aftercare and a land-based healing treatment centre.
- The Land-Based Healing Fund fulfills one of the 14 initial actions under this strategy. It provides up to \$200,000 annually for eligible Yukon First Nations-led land-based healing projects focused on the healing of trauma, grief and loss through traditional land-based practices.
- The Land-Based Healing Fund initiative aligns with other key Yukon strategies including the Putting People First report and the Missing and Murdered Indigenous Women and Girls and Two-Spirit+ People Strategy, and it is part of a culturally responsive approach to support diverse land-based activities, including cultural camps and traditional environmental knowledge programs.
- Yukon is working with the Council of Yukon First Nations and the Government of Canada to support the construction and operation of a Yukon First Nations-led treatment centre. The parties signed a Letter of Intent in December 2023.

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Land-Based Healing

Justice

- In 2024-25, Yukon will provide \$400,000 to Kwanlin Dün First Nation for the Jackson Lake land-based healing program. Through the Working Together federal funding, Yukon will receive approximately \$4.35M from the Government of Canada for the Land-Based Healing Program.
- Yukon has supported various programs and camps, including:
 - Kwanlin Dün First Nation's Jackson Lake land-based healing camp;
 - Fetal Alcohol Spectrum Society Yukon's family camp;
 - the Hives for Watson Lake partnership with Liard First Nation;
 - Tr'ondëk Hwëch'in's youth camp for the Roots of Hope initiative;
 - the Nelson Project's cultural learning camp; and
 - the Strengthening Family Connections camp.

Government of Yukon's justice related support for land-based healing

- Nationally, Indigenous people have had longstanding interest in land-based healing options as part of the mainstream justice system's programs and services.
- Land-based healing is also a key component of many Yukon First Nations' vision for justice-related programs and services in their community, including supports for people reintegrating into communities after involvement in the corrections system.
- Several Yukon First Nations have requested funding to develop and implement their own distinct land-based healing programming and/or facilities.
- Self-governing Yukon First Nations can access long-term, sustainable funding for land-based healing initiatives through Administration of Justice Agreements.
- As part of the implementation of a negotiated Administration of Justice Agreement, the Government of Canada has committed significant one-time and ongoing investments for a permanent, year-round land-based healing camp. If an agreement is reached, this may set a precedent for land-based healing programming and infrastructure in the territory.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-17

Date approved

Session Briefing Note

Land-Based Healing

Fall 2024

Justice

Recommended response:

- The Government of Yukon recognizes that land-based healing is an important practice for Yukon First Nations and is foundational to their vision and approach to both health and justice.
- Supporting First Nations-led land-based healing initiatives is a priority for our government.
- In November 2023, the Government of Yukon established a Land-Based Healing Fund of \$9 million for Yukon First Nations governments and organizations to support healing and wellness initiatives that are connected to traditional practices on the land.
- The Land-Based Healing Fund is available until March 31, 2026 and is administered by the Council of Yukon First Nations.
- Self-governing Yukon First Nations also have an opportunity to address their land-based healing interests in Administration of Justice Agreement negotiations with the Government of Yukon and the Government of Canada.

Additional response:

- The Government of Yukon is committed to working closely with Yukon First Nations and the Government of Canada to determine how best to support land-based healing models.

Context:

- Land-based healing is an interest of Yukon First Nations, particularly considering the ongoing Substance Use Health Emergency.
- Currently, there is no standardized definition for what is meant by land-based healing, nor a scope for matters that may fall under First Nations' land-based healing interests. Land-based healing interests are unique to each First Nation.

Background:

- The Yukon government (Yukon) has supported land-based healing facilities and programs in the territory since the 2000s. From 2009 until recently, Yukon's support and funding for land-based healing and programming has been ad hoc in nature and has been provided primarily to Kwanlin Dün First Nation's Jackson Lake Healing Camp.
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Justice

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Approved by:

Mark Radke

Deputy Minister, Justice

2024-11-20

Date approved

Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People Strategy

Women and Gender
Equity Directorate

Recommended response:

- The Government of Yukon is steadfastly committed to addressing the crisis of missing and murdered Indigenous women, girls and Two-Spirit+ people.
- Our government is now taking action on many items that align with the implementation plan for *Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ Strategy*.
- This is a 15-year, whole-of-Yukon strategy, led by the Yukon Advisory Committee on MMIWG2S+. Not only does it involve many Government of Yukon departments, it also involves many organizational partners – all working together to implement actions that are intended to work together to create systemic change. Our partners include:
 - Yukon First Nations governments;
 - The Government of Canada;
 - the RCMP;
 - Yukon municipalities; and
 - Indigenous women's organizations.
- To advance the Yukon's MMIWG2S+ Strategy and 15-year implementation plan, all Yukon partners will need to work together to provide leadership, prioritize the work, and allocate resources.

Additional response:

- We recognize the value of the work delivered by the Yukon Advisory Committee and acknowledge their dedication and commitment in production of the strategy, priority actions items document, and implementation plan.

Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People Strategy

Women and Gender
Equity Directorate

- Now that work on MMIWG2S+ has moved from planning into implementation, the advisory committee is evolving to better support the areas of current work: implementation and accountability.
- WGED is currently working with the Yukon Advisory Committee to plan the third annual accountability forum for October 28-30, 2024.
- The 2023–24 annual report – providing information on all partners' actions during the first year of the implementation plan – will be released to coincide with the forum.
- This year, our government has allocated the following to support the Yukon's MMIWGS2+ strategy:
 - \$217,000 for the annual accountability forum on MMIWG2S+ and technical gathering(s) for partners and contributors to the strategy,
 - \$63,000 for the Yukon Advisory Committee to continue their important work; and
 - \$347,000 for the Indigenous Women's Equality fund.
- In addition, many of the initiatives in Yukon's bilateral agreement with Canada under the National Action Plan to End Gender-Based Violence are consistent with the Yukon's MMIWG2S+ Strategy.

Context—this may be an issue because:

- The Government of Yukon, along with federal, municipal and First Nation government leaders, committed to act on *Changing the Story to Upholding Dignity and Justice: Yukon's MMIWG2S+ Strategy* in December 2020. The implementation plan was released in June of 2023, which proposes the leads for the identified action items and milestones.
- While there is alignment between some of the priorities of Yukon's

Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People Strategy

Women and Gender
Equity Directorate

implementation plan under the National Action Plan to End Gender-Based Violence and Yukon's MMIWG2S+ strategy, there is no new dedicated federal or territorial funding to support implementation of Yukon's MMIWG2S+ strategy.

- As a Yukon-wide strategy, a multi-partner approach with shared commitment to implementation and dedicated financial resources across partners will be needed.

Background:

- The Yukon Advisory Committee on MMIWG2S+ (YAC) was created in 2015 and includes representatives of the Government of Yukon (YG), Yukon First Nations governments, three Indigenous women's organizations in the Yukon, 2SLGBTQIA+ Yukoners and an Elder.
- The Yukon Advisory Committee on MMIWG2S+ worked closely with Yukon First Nations, Yukon Indigenous women's groups and family representatives to finalize *Changing the Story to Upholding Dignity and Justice: Yukon's MMIWG2S+ Strategy*.
- The Yukon's MMIWG2S+ Strategy includes outlines 32 actions (31 in the original strategy and one added subsequently) under four pathways to guide action in response to *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*. The four pathways include:
 - 1) Strengthening Connections and Supports.
 - 2) Community Safety and Justice.
 - 3) Economic Independence and Education.
 - 4) Community Action and Accountability.
- Input from Yukon First Nations governments on the first draft of the implementation framework was sought through the Yukon Forum, Council for Yukon First Nations Health Commission, Justice Commission and Yukon First Nations Education Commission.
- The Yukon Advisory Committee completed and released the implementation plan on June 6, 2023. A technical meeting of partners and contributors was also held on June 7, 2023, at the Haa Shagóon Hídi in Carcross.
- YG hosted a second accountability forum for families from October 16 to 18,

Yukon’s Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People Strategy

Women and Gender
Equity Directorate

2023, bringing together families and survivors with partners and contributors. A third day was added, with a focus on family and survivors, allowing time to hear and honour their stories.

- At the accountability forum in October 2023, our government shared that we would work with partner organizations to prepare an annual tracking report for 2023. The annual tracking report relies on voluntary submissions from partners and will remain an evergreen document. It is anticipated that, with time, the report becomes more complete, as partners see how their work is related to MMIWG2S+ and submit information as part of the accountability commitments.

Approved by:

Sierra van der Meer

Deputy Minister, WGED

September 10, 2024

Date Approved

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

Recommended response:

- Our government has extended an invitation to the leaders of Yukon First Nations to begin discussions on the United Nations Declaration on the Rights of Indigenous Peoples and its potential application in the Yukon.
- We need to consider how the Declaration would interact with Yukon's legislation, the Final and Self-Government Agreements, and other commitments and ongoing discussions with Indigenous governments.
- Reconciliation is a key and ongoing priority for our government.
- We are guided on our path of reconciliation by the foundational document *Together Today for Our Children Tomorrow*, which set out a vision for reconciliation and Indigenous self-determination in the territory.

Additional Response:

- Our approach to reconciliation is characterized by:
 - implementing modern treaties and upholding our obligations to Yukon First Nations, the Tetlit Gwich'in, and the Inuvialuit;
 - negotiating agreements related to Yukon First Nations' self-governance, such as those involving the administration of justice;
 - negotiating enduring agreements with First Nations without treaties;
 - advancing joint priorities at the Yukon Forum; and
 - collaborating with Indigenous governments on key legislative initiatives, such as the development of the new minerals legislation.

Context—this may be an issue because:

- The Governments of Canada (Canada), British Columbia (BC) and the Northwest Territories (NWT) have affirmed in legislation that the United Nations Declaration on the Rights of Indigenous Peoples (the "Declaration") applies to their laws. There may be interest in whether the Government of Yukon (YG) will enact similar legislation.
- The 2023 Confidence and Supply Agreement seeks "consent from Yukon First

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

Nation Chiefs to initiate a discussion with the Premier and the Leader of the Yukon NDP on [the Declaration]”. The Chiefs asked for the NDP Leader to approach them separately and deferred consent on a discussion.

Background:

- The Declaration was adopted by the United Nations in 2007 and endorsed by Canada in 2016. It is a non-binding guidance document that speaks to the individual and collective rights of Indigenous peoples and considers their specific cultural, language, identity, religion, health, education, economic and social circumstances.
- Canada brought into force the *United Nations Declaration on the Rights of Indigenous Peoples Act* in 2021 and released an action plan for federal implementation of the Act in 2023. The federal Act provides for joint priority-setting between Canada and Indigenous Peoples; it does not enact any of the 46 Articles of the Declaration into Canadian law, nor bind the provinces and territories.
- Although the topic has been raised at multiple Yukon Forum meetings, there has been no consensus to prioritize working jointly on a Yukon approach to the Declaration.
- YG has made related commitments with respect to the Truth and Reconciliation Commission’s Calls to Action and *Changing the Story to Upholding Dignity and Justice: Yukon’s Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy*, both of which reference the Declaration.

| | |
|--|---------------|
| Approved by: | |
| Justin Ferbey | 2024 09 09 |
| _____ Deputy Minister, Executive Council Office | _____ Date |
| Jeff Simons | 2024-09-05 |
| _____ A/Deputy Minister, Department of Justice | _____ Date |

Session Briefing Note

International Human Rights

Fall 2024

Justice

Recommended response:

- The Government of Yukon participates on the Pan-Canadian Continuing Committee of Officials on Human Rights and the Senior Committee of Officials on Human Rights.
- Our government is reviewing legislation, policy and practices as they relate to Canada's potential accession to two additional human rights instruments:
 - the United Nations International Convention for the Protection of All Persons from Enforced Disappearance; and
 - the Organization of American States Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women.

Additional response:

- We are also considering the Government of Canada's support for the United Nations Declaration on the Rights of Indigenous People, and what that might mean for the unique Land Claims context in the Yukon and our own work towards reconciliation.

Context:

- A meeting of the Federal-Provincial-Territorial (FPT) Ministers Responsible for Human Rights took place in June 2023.
- The Senior Officials Committee on Human Rights (SOCHR) began implementing its engagement strategy and protocol in 2020.
- Federal officials within the Continuing Committee of Officials on Human Rights (CCOHR) meet periodically with Canadian human rights commissions, civil society organizations and national Indigenous organizations.

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International Human Rights

Fall 2024

Justice

Background:

- Reporting on international human rights is coordinated through the FPT CCOHR.
- The following seven conventions have a reporting cycle of three or four years:
 - Convention on the Rights of Persons with Disabilities;
 - International Covenant on Economic, Social and Cultural Rights;
 - Convention on the Rights of the Child;
 - International Covenant on Civil and Political Rights;
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - Convention on the Elimination of All Forms of Discrimination Against Women; and
 - International Convention on the Elimination of All Forms of Racial Discrimination.
- When the United Nations committee responsible for the convention has reviewed Canada's reports, they issue "Concluding Observations," which offer both commendations and recommendations. This committee also reports on progress in implementing previous recommendations.
- In August 2018, the Government of Yukon provided formal support for Canada's accession to the Optional Protocol to the Convention on the Rights of Persons with Disabilities; however, the process for accession to this Protocol is currently on hold.
- At the 2023 FPT meetings of the Ministers Responsible for Human Rights, Ministers reaffirmed their 2017 commitment to strengthen intergovernmental collaboration to implement Canada's international human rights obligations and increase public dialogue on human rights by:
 - continuing the Forum of Ministers on Human Rights, which will meet every two years to share information, discuss matters related to Canada's international human rights obligations and give direction to the SOCHR and the CCOHR on the fulfillment of Canada's human rights obligations;
 - endorsing the protocol for follow-up to recommendations from international human rights bodies and the engagement strategy on Canada's International Human Rights Reporting Process; and
 - enhancing public knowledge and awareness and facilitating information sharing among FPTs through appropriate mechanisms.

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International Human Rights

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Justice

- Notably, there is also the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which speaks to the individual and collective rights of Indigenous Peoples, considering their specific cultural, language, identity, religion, health, education, economic and social circumstances (see BN#86).
- UNDRIP was fully endorsed by Canada in 2016.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Systemic Racism and Justice

Fall 2024

Justice

Recommended response:

- The Government of Yukon recognizes that systemic racism is a reality for Indigenous and racialized peoples in the Yukon, and supports efforts to dismantle systemic racism within the structures of government, including the justice system.
- Our government has a responsibility to protect and promote the human rights of the Yukon's increasingly diverse landscape of communities and cultures.
- Dismantling systemic racism requires collective, ongoing commitment, education and action from our government and all our partners.

Additional response:

- Inequalities in education, healthcare outcomes, income distribution, food security and overrepresentation in the criminal justice system are indicators that systemic barriers and structural racism continue to exist in the Yukon.
- The Government of Yukon commends the Government of Canada for its commitment to combat all forms of racism through the implementation of Building a Foundation for Change: Canada's Anti-Racism Strategy 2019-2022 and other national initiatives.

Context:

- In its final report, the Truth and Reconciliation Commission of Canada called upon federal, provincial and territorial governments to commit to eliminating the overrepresentation of Indigenous peoples in custody over the course of a decade.
- In August 2024, 72 per cent of individuals incarcerated in the Whitehorse Correctional Centre self-identified as First Nations, whereas Indigenous peoples make up approximately 22 per cent of the Yukon population.

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Systemic Racism and Justice

Fall 2024

Justice

Background:

- Racism is a belief that race is a fundamental determinant of traits and capacities and that racial differences result in an inherent superiority of a particular race.
- “Systemic racism” is about rules, practices or systems that perpetuate unequal access to resources, opportunities and power along racial lines, with or without the presence of racist attitudes, among the people enforcing those rules, practices and systems.
- Systemic racism is the operationalization of racism when it is embedded into a system, perpetuated by policies and made prevalent by socialized behaviours that impact racially marginalized peoples negatively.
- Justice-related systemic racism issues in Canada include the overrepresentation of Black and Indigenous individuals involved with the criminal justice system; the under- and over-policing of Indigenous and racialized communities; and the overrepresentation of Black and Indigenous individuals in correctional systems.
- In the 2021 Census, 22.3 per cent Yukon’s citizens identified as Indigenous, and 12.8 per cent as belonging to a visible minority.
- In June 2023, an implementation plan for Yukon’s Missing and Murdered Indigenous Women, Girls, and Two-spirit+ (MMIWG2S+) People Strategy was released by the Yukon Advisory Committee. This strategy seeks to address systemic racism and has many implications for the Government of Yukon’s approach to justice-related matters.
- In January 2024, the RCMP launched a race-based data collection project in selected locations, including Whitehorse. Under this pilot, RCMP members will be collecting data based on “officer perception of race and Indigenous identity” to better understand the experiences of Indigenous, Black and other racialized individuals during their interactions with RCMP frontline officers.

Departmental efforts to address systemic racism

- The Government of Yukon does not currently have a whole-of-government approach to address systemic racism and structural barriers.
- The Department of Justice is supporting or leading multiple initiatives to improve the relationship between the justice system and Indigenous and racialized Yukoners, including:

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Systemic Racism and Justice

Justice

- the Gladue Report writing service, administered by the Council of Yukon First Nations, to provide a mechanism for the courts to consider the unique circumstances of Indigenous peoples in sentencing decisions (see tab #82);
 - ongoing negotiation of Administration of Justice Agreements with self-governing Yukon First Nations to support the exercise of First Nation government authority and authority over administration of justice matters (see tab #80);
 - the Integrated Restorative Justice Unit pilot project to improve the Yukon government's restorative justice service delivery, increase engagement with First Nations governments and better support community-designed and community-led restorative justice initiatives (see tab #60);
 - community-led justice initiatives that provide culturally relevant programs and services;
 - therapeutic courts (see tab #61); and
 - the Family Information Liaison Unit (see tab #71) and partnership with the Yukon Aboriginal Women's Council to provide support for family members of MMIWG2S+ people.
- Other Yukon government initiatives, such as Breaking Trail Together, target aspects of the larger issue of systemic racism in the Yukon by aiming to achieve a representative number of Indigenous individuals employed by the public service.

Government of Canada efforts to address systemic racism

- Through Building a Foundation for Change: Canada's Anti-Racism Strategy 2019-2022, the Government of Canada established the Federal Anti-Racism Secretariat and sought to take immediate steps to nationally combat racism and discrimination.
- The Secretariat leads and supports anti-racism initiatives in the federal government and develops further areas for action through engagement with communities, Indigenous peoples, stakeholders, and provincial-territorial partners, including examining the impacts of policies, programs and laws.
- The Secretariat planned to release a national anti-racism action plan in late 2022 and proposed creating an Anti-Racism Ministers Action Table. These initiatives are pending.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

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Fall 2024

Yukon Human Rights Commission Funding

Justice

Recommended response:

- The Yukon Human Rights Commission fulfills an important mandate to address complaints, conduct research and provide education to advance human rights in the Yukon.
- The Department of Justice is working closely with the Commission to address funding pressures, and remains committed to providing the Commission with the resources needed to fulfill its vital mandate.
- In this budget, the Government of Yukon increased the budget of the Yukon Human Rights Commission by \$255,000, increasing its core operating funding from \$658,000 to \$913,000.
- This represents a 39 per cent increase to support the Commission in its work.

Additional response:

- The Department of Justice has committed to supporting the Commission by implementing the recommendations identified through an Ombudsman investigation.

Context:

- The Commission was recently the subject of an Ombudsman investigation into serious delays in processing human rights complaints.

Background:

- The Commission gets its mandate from the *Yukon Human Rights Act*, and its operating budget is managed by the Department of Justice.
- In June 2024, the Yukon Ombudsman produced an investigation report about the Yukon Human Rights Commission (the Commission), which concluded that aspects of the Commission's practices, administration and governing legislation lead to unfairness.

- The Ombudsman’s report included three recommendations for the Department of Justice.
- The Department accepted two recommendations that changed the *Human Rights Act*:
 - to increase the maximum number of Commissioners by two, and
 - to make certain amendments to the Act and regulations that will provide clarity and fill gaps in the legislation.
- The Department could not accept the Ombudsman’s third recommendation that oversight of the Commission’s funding be transferred to the Legislative Assembly. The Department cannot mandate that change.
- However, the Department has committed to supporting the Commission financially to introduce comprehensive case management software.
- The Department has further committed to supporting the Commission’s transition to a more stable telephone system and a Commission-wide upgrade of their computer operating systems and business applications.
- Commission and Department of Justice officials have been in communication since January 2024 to discuss the financial pressures that affect the Commission and its legislated mandate to:
 - promote education and research designed to eliminate discrimination;
 - promote a settlement of complaints in accordance with the objectives of the Act by agreement of all parties;
 - direct complaints that are not settled by agreement to adjudication; and
 - conduct education and research on the principle of equal pay for work of equal value in the private sector.
- The total contribution amount flowing to the Commission has fluctuated over the years as it includes a component for the core operating budget as well as time-limited funding to advance specific projects.

Funding History

- 2016–17 - Yukon Contribution Agreement totalled \$677,972.
- 2017–18 - Yukon Contribution Agreement totalled \$817,000.
- 2018–19 - Yukon Contribution Agreement totalled \$803,000.
- 2019–20 - Yukon Contribution Agreement totalled \$646,000.

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Yukon Human Rights Commission Funding

Justice

- 2020–21 - Yukon Contribution Agreement totalled \$733,000.
- 2021–22 - Yukon Contribution Agreement totalled \$708,000.
- 2022–23 - Yukon Contribution Agreement totalled \$658,000.
- 2023–24 - Yukon Contribution Agreement totalled \$808,000.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

Recommended response:

- The Yukon's *Land Titles Act, 2015* and Canada's *Lands Surveys Act* and Regulations ensure that national survey standards are followed, giving certainty to owners about property boundaries.
- Metes and bounds descriptions and remainder parcels pose risks to the land titles system because they have resulted in misalignment between title records and survey records.
- To remedy the situation and ensure reliability between survey and title records, the *Land Titles Act, 2015* allows the Registrar of Land Titles to require the landowner to register a plan of survey or explanatory plan to eliminate remainders and metes and bounds descriptions.

Additional response:

- It is in the public's interest and landowners' interests to apply consistent unchanging standards for locating and identifying boundaries.
- Misunderstandings about property boundaries can have expensive and frustrating consequences for property owners.
- A survey plan enables the reader to ascertain:
 - the size and shape of the property;
 - the location of rights of ways and easements; and
 - the location and description of physical monuments or markers that have been placed to mark boundaries.
- Property owners will benefit from the certainty provided by a new survey plan. As a result, the question of how to distribute the costs of a new survey must be settled between the property owners.
- The Registrar has no authority to determine who should pay for the cost of a new survey plan.

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Fall 2024

Metes and Bounds

Justice

Context:

- Three lawyers and one property owner have contacted the Registrar to express concerns about requirements of sections 83 and 84 of the *Land Titles Act, 2015*, as they believe that requiring a new survey will impose thousands of dollars of survey costs on property owners. Since July 2022, no additional concerns have been raised by property owners or lawyers that have not been resolved.
- The application of sections 83 and 84 has been flexible since the *Land Titles Act, 2015* came into force. The Registrar continues to review each situation on a case-by-case basis because the circumstances that created the metes and bounds or remainder parcel are not the same in all cases.

Background:

- The system of metes and bounds was used to describe land based on directions of and distances between physical features, such as natural boundaries and monuments, including references to adjoining parcels of land.
- The descriptions in metes and bounds can be inconsistent or erroneous, especially when the landscape has changed.
- The system of metes and bounds has been relinquished by most governments in favour of the rectangular survey, which does not face the same challenges.
- Before the *Land Titles Act, 2015* came into force, it was possible to register a transfer for part of a parcel of land without registering a survey plan. Certificates of Title were then issued for parcels of land that are less than a whole parcel (called “remainders”), or that are described by metes and bounds (e.g., “the easterly 20 feet of Lot 4”).
- The result was that Certificates of Title were issued for two or more partial parcels, although the land was shown as a whole parcel on the survey plan.
- The method of subdivision by transfer led to inconsistency in the description of property boundaries.
- During the title conversion process the Land Titles Office identified approximately 495 active titles for both remainder parcels and metes and bounds parcels.
- The Land Titles Modernization Working Group, whose members included practising real estate lawyers, along with representatives of private surveyors, the Surveyor

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Fall 2024

Metes and Bounds

Justice

General Branch and municipal and territorial planning and subdivision officials, considered the issues at length before the *Land Titles Act, 2015* was drafted.

- The *Land Titles Act, 2015* (s. 83 and 84) gives the Registrar the authority to require the owner to register an explanatory plan or a plan of survey, eliminating the old legal description and creating a new legal description that complies with survey standards.
- To create a survey plan of separate part parcels, surveys of adjoining lots are also likely to be necessary because a field survey will have to be completed to place monuments in the ground. Some remainder parcels may be rectified using an explanatory plan, which is created using measurements and monuments from survey plans that are already registered in the Land Titles Office.
- Survey costs are considered part of the costs of property ownership like the cost of insurance premiums, property taxes, real estate commission and lawyer's fees.
- A person affected by sections 83 or 84 of the *Land Titles Act, 2015* may have to come to an agreement with the buyer about completing a survey and paying the cost. Where different people own parts of a parcel, the survey costs may be divided between the owners.
- The assurance fund cannot be used to fund survey costs. However, the fund is available to compensate people who have been deprived of an interest in land.

Approved by:

Jeff Simons

2024-09-05

A/Deputy Minister, Justice

Date approved

Session Briefing Note

Yukon Land Titles Modernization

Fall 2024

Justice

Recommended response:

- In 2012, the Yukon Land Titles Modernization Project began improving business processes, policies and legislation governing land titles.
- The project continues to enhance the quality of service to meet national standards while maintaining the Land Titles Office's current high level of accuracy and certainty in title.
- The current focus is to complete document conversion, including creating an electronic record of titles and parcel history to improve our services.
- The next phase will include research on the appropriate tools to mitigate the risks of fraud for online submissions.

Additional response:

- The first two phases of the project are complete. So far, the project has:
 - carried through all registration functions required by the *Land Titles Act, 2015* and *Condominium Act, 2015*;
 - decreased the average time for registration and processing of documents from nine weeks to five to seven business days;
 - developed a process and prescribed forms to enable Yukon First Nations governments to register Category A or Category B Settlement Land in the Land Titles Office;
 - completed the conversion of all active titles from paper form to electronic data;
 - compiled title history for 65 per cent of active titles; and
 - opened the customer portal for the public to do online searches.

Session Briefing Note

Yukon Land Titles Modernization

Fall 2024

Justice

Context:

- The Land Titles Modernization Project has had an active Stakeholder Advisory Committee which favours the advancement of this project.

Background:

- The project has been guided by a Stakeholder Advisory Committee comprised of representatives from the Whitehorse Chamber of Commerce, the Real Property Bar, the Association of Canada Lands Surveyors, the Surveyor General of Canada – Yukon Branch, the Association of Yukon Communities, several Government of Yukon departments, First Nations governments and many other members.
- After a negotiated Request for Proposals, a 20-year Master Services Agreement was awarded to Information Services Corporation (ISC) in 2017 to build, implement and maintain the electronic registry.
- The Yukon Land Titles Registry system is now operational. Land Titles Office staff enter data into the system from paper forms submitted by customers.
- Public access to online searches has been available since December 1, 2021.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Recommended response:

- We recognize the importance of predictable funding to ensure the continued operational stability and accessibility of legal aid as a vital service for low-income Yukoners to increase access to justice.
- Funding for the Yukon Legal Services Society provides a stable core budget for its regular operations.
- The budget for 2024–25 has allocated \$3,257,820 in core funding, which includes \$580,000 in time-limited funding to support a new legal aid clinic.

Additional response:

- The Government of Yukon recognizes the critical importance of services provided by the Society to Yukoners and remains committed to ensuring the Society has sufficient resources to discharge its mandate.

Context:

- The amount of legal aid funding contributed by the Government of Yukon is a topic of continued public interest.
- The Department of Justice routinely receives inquiries and complaints about the income thresholds for availability of legal aid.

Background:

- The Yukon Legal Services Society provides legal aid services in the Yukon under the authority of the *Legal Services Society Act*. A board of directors appointed by the Minister of Justice governs the Society.
- The Act allows the Society to provide eligible Yukoners with legal services in certain types of criminal, civil and family law proceedings.
- The Society also provides poverty law services, such as advice and representation regarding the Canada Pension Plan, Employment Insurance or Income Assistance.

Session Briefing Note

Fall 2024

Funding for Legal Aid

Justice

- The Yukon Legal Services Society has four Whitehorse-based clinics with a total staff of 19: 11 lawyers, seven support staff and an executive director.
- When staff lawyers are unable to provide client representation due to legal conflicts of interest, private lawyers are retained at a set rate to control costs.
- In 2023–24, the total core funding for legal aid was \$3,288,000.
- In 2024–25, the total core funding for the Yukon Legal Services Society is \$3,257,820:
 - the Government of Yukon will pay 68 per cent of the core funding, or \$2,207,229.
 - the Government of Canada's contribution is 32 per cent, or \$1,050,591.
- Additional funding from the Government of Yukon in 2024–25 included up to \$100,000 to cover conflict cases, \$100,000 for a database project and \$100,000 for Community Wellness Court proceedings.
- Pursuant to the new five-year Access to Justice Agreement with the Government of Canada, the federal contributions to core funding will decrease annually, as shown below:

| 2022–23 | 2023–24 | 2024–25 | 2025–26 | 2026–27 |
|-------------|-------------|-------------|-------------|-------------|
| \$1,356,163 | \$1,616,465 | \$1,050,591 | \$1,036,252 | \$1,020,412 |

- When costs exceed core budget allocations, the Department of Justice provides additional funding up to an annually agreed-upon cap of \$100,000, pursuant to the Conflict Case Agreement.
- As of August 8, 2024, Yukon Legal Services Society has requisitioned \$12,793 of that, which represents 13 per cent of the total approved amount for the 2024–25 fiscal year.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Session Briefing Note

Independent Prosecution Unit

Fall 2024

Justice

Recommended response:

- The recently established Independent Prosecution Unit is part of a two-year pilot project to implement a modern prosecution structure with the necessary degree of professional independence within the Department of Justice.
- Our system of justice and public expectations require that prosecutors conduct their cases professionally – free from any actual or perceived improper influence.
- Over the last number of years, most provinces and territories have implemented some form of independent prosecution agency to meet these needs.

Additional response:

- The Unit currently has two experienced, full-time prosecutors, a dedicated paralegal, and is led by a part-time Acting Chief Prosecutor who reports to the Deputy Attorney General.
- Initiating the new Unit involved re-deploying existing department resources and transferring the prosecution workload previously spread amongst many different lawyers to the specialized Unit.
- A key objective of this pilot project is to identify whether additional resources or structures will be necessary to attain the level of prosecutorial independence required by modern standards.

Context:

- The Yukon has been able to rely on the individual skill and professionalism of Justice counsel to guard against political or improper influence and controversy.
- The need to add structural guarantees of prosecutorial independence to those provided by individual lawyers has been highlighted nationally and by some provinces.

Session Briefing Note

Independent Prosecution Unit

Fall 2024

Justice

Background:

- Prosecution work is specialized, and distinct from other areas of practice. In the last number of years, even “routine” prosecutions have become more complex.
- Having a dedicated prosecution unit and a designated Chief Prosecutor ensures that the work is comprehensively managed; policies and procedures are established that meet the Crown's professional obligations, including conflict issues; and that the work being done is to a high standard.
- Previously, legal counsel at Legal Services Branch (LSB) in the Litigation Group and Natural Resources and Environmental Law Group (NREL) handled territorial prosecutions in a "mixed model". These counsel within LSB would conduct territorial prosecutions while also providing legal advice to various Yukon government departments.
- Acting both as prosecutors and as advisors to the Executive branch of the government creates potentially conflicting dual roles for the Territorial Crown – with the risk of compromising prosecutorial independence, which is not only a professional obligation but a constitutional principle. This brings prosecutorial discretion too close to the Executive branch of government.
- Frequently, counsel advising government are ethically obliged to declare themselves in a conflict of interest when prosecutions are initiated in matters where they have provided advice to the involved government entity. This results in having to reassign matters, impacting workloads for other counsel; or occasionally necessitates having to retain outside counsel with attendant extra costs.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Recommended response:

- All legal services to the Government of Yukon are provided through the Department of Justice by an in-house legal team, which contracts with outside counsel as needed.
- The total projected contract commitments for outside counsel for the 2024–25 fiscal year are \$2,166,435.
- As of August 6, 2024, actual expenditures for the 2024–25 fiscal year totalled \$344,328.
- Total expenditures for the 2023–24 fiscal year were \$1,760,948.

Additional response:

- Typically, outside counsel costs are incurred to retain specialized expertise or to secure legal representation, when necessary, in litigation occurring outside of the Yukon, and to avoid potential conflicts of interest if work were to be assigned to in-house counsel.

Context:

- The amount the Government of Yukon spends on hiring outside counsel is a subject of public interest.

Background:

- “Outside counsel” refers to private bar lawyers hired on contract by the Department of Justice to provide legal services for the Government of Yukon, often in consultation with a client department, from which the costs are recovered. All contracts for outside counsel are set up through the Legal Services Branch.
- Typical reasons for retaining outside counsel include:
 - the situation is urgent and the requirements to deal with the matter exceed available resources within the Legal Services Branch;
 - the matter is so large or important that Legal Services would not be able to provide these services while continuing to meet the needs of other clients;

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Fall 2024

Outside Counsel Costs – Government-Wide

Justice

- the work requires expertise unavailable within Legal Services;
 - the use of a Legal Services Branch lawyer may cause a conflict of interest;
 - using outside counsel is more cost-effective than using the Legal Services Branch;
 - representation of the Government of Yukon is needed in a legal action started and conducted outside of the Yukon; or
 - special circumstances exist that require a particular lawyer or law firm.
- By department, total projected contract commitments for outside counsel for the 2024–25 fiscal year are \$2,166,434.55 and are as follows:
 - Health and Social Services: \$552,199.70;
 - Justice: \$349,998.38;
 - Energy, Mines and Resource \$295,704.64;
 - Public Service Commission: \$272,048.80;
 - Highways and Public Works: \$229,825.80;
 - Economic Development: \$198,330.68;
 - Community Services: \$132,499.51;
 - Executive Council Office: \$100,827.04; and
 - Finance: \$35,000.00.
 - Total projected contract commitments each fiscal year are generally higher than actual costs.

Approved by:

Jeff Simons

A/Deputy Minister, Justice

2024-09-05

Date approved

Recommended response:

- Yukoners continue to face challenges across the housing continuum, which include:
 - Homelessness and a lack of access to housing with services;
 - A lack of affordable rental supply; and
 - High house prices and mortgage rates.
- Exceptionally high building costs and high borrowing costs due to interest rates are creating significant challenges for both Yukon Housing Corporation and partners.
- The corporation's five-year strategic plan, Creating Home, will help transform affordable housing service delivery through the adoption of a more client-centred and collaborative approach that integrates support and leads to better outcomes for Yukoners.

Additional response:

- Across governments, we are working with stakeholders to develop new land parcels, increase housing stock while also responding to the findings of the 2022 Office of the Auditor General Report on Housing.
- We continue to advance projects that provide new housing to meet Yukoners' needs.

Context:

- The combination of high rental costs, limited affordable housing options and difficulties in securing mortgages, continues to be a challenge for many Yukoners.

Background:

General housing information in the Yukon

Homelessness

- At least 197 people were experiencing homelessness in the 2023 Whitehorse Point-in-Time Count. This included: 58% men; 38 % female; 4% other.

Rental housing

- According to the Census 2021, within the renter population in Whitehorse:

- 22.7% of households live in unaffordable housing;¹
- 17.9% live in unsuitable housing; and
- 10.5% live in inadequate housing.

Rents and vacancy rate, Yukon (YBS)

| | October 2022 | April 2023 | October 2023 | April 2024 |
|--------------------------|------------------------------|----------------------------|------------------------------|----------------------------|
| Median rent (all types) | \$1,300 | \$1,325 | \$1,350 | \$1,420 |
| Vacancy rate (all types) | 1.9% | 2.2% | 1.8% | 1.8% |

Housing construction

- Labour shortages contribute to higher construction costs and are leading to lower residential construction output.²

Residential building construction, Yukon (YBS)

| | January-June 2023 | January-June 2024 |
|-------------------------------|-----------------------------------|-----------------------------------|
| # residential permits issued* | 518 | 329 (-35% decrease) |
| \$ value of new permits* | \$59.4 million | \$47.6 million (-20% decrease) |

*In addition to new dwelling units, residential permits include renovations, garages, and additions. The totals do not include permits issued for plumbing or stoves.

House prices

- Yukon Bureau of Statistics reports that there were 84 real estate transactions recorded in Whitehorse in the first quarter of 2024 – a decrease of 35 compared to the first quarter of 2023 (119).
- While average prices for single-detached homes in Q1-2024 had fallen relative to Q1-2022 and Q1-2023, condo prices for Q1-2024 had increased 13% since Q1-2023.

Average House Prices, Whitehorse (YBS)

| Residence type | Whitehorse Average House Prices | | |
|-----------------------|---------------------------------|-------------------------|----------|
| | 2023 Q1 | 2024 Q1 | % Change |
| Single-detached house | \$635,000 | \$629,500 | -0.9% |
| Condominium | \$403,800 | \$456,400 | 13.0% |

¹ Housing costs are considered “unaffordable” when they exceed 30% of household income.

² Northern Housing Report, 2023

Yukon Housing Corporation Approach to Address Housing Issues

Creating Home – YHC’s new strategic plan

- Creating Home draws on a recognized framework intended to re-design and transform health care delivery, called the Quadruple Aim, and adapts it to housing.
- This innovative approach to housing delivery will lead to better outcomes by:
 - Improving the client and provider experiences;
 - Strengthening community wellbeing; and
 - Contributing to a sustainable future.
- Creating Home represents a significant shift in how Yukon Housing Corporation operates and delivers housing services.

Capital builds recently completed by YHC or partners:

- Since 2022, 10 YHC-led projects have been completed, creating a total of 77 new residential units; and
- 8 major partnership projects have been completed through the Housing Initiatives Fund, creating over 276 new units.

YHC projects completed 2022-2024

| YHC Project | Construction Start Date | Construction Completion Date | Number of Units |
|--|-------------------------|------------------------------|-----------------|
| 401 Jeckell Street, Whitehorse | May 2020 | December 2022 | 47 |
| RHI affordable triplex, Whitehorse | June 2021 | June 2022 | 3 |
| RHI affordable triplex, Watson Lake | June 2021 | March 2022 | 3 |
| RHI affordable triplex, Mayo | June 2021 | March 2022 | 3 |
| Accessible duplex, Mayo | July 2022 | June 2023 | 2 |
| Accessible duplex, Carmacks | August 2022 | July 2023 | 2 |
| RRDC staff trailer, Ross River | June 2023 | December 2023 | 3 |
| 10-plex*, Old Crow (*Asset owned by HPW and managed by YHC) | Summer 2021 | January 2024 | 10 |
| Accessible duplex, Faro | Summer 2023 | Spring 2024 | 2 |
| Affordable duplex, Dawson City | August 2022 | June 2024 | 2 |
| Total units completed (YHC projects): | | | 77 |

Major partnership projects completed 2022-2024

| Project (Lead) | Construction Completion Date | Number of Units |
|---|------------------------------|-----------------|
| Bringing Citizens Home, Whitehorse (Champagne and Aishihik FN) | Summer 2022 | 20 |
| Cornerstone multi-use building, Whitehorse (Opportunities Yukon) | July 2022 | 53 |
| Normandy Living seniors supportive residence, Whitehorse (KBC) | December 2022 | 84 |
| Boreal Commons apartments, Whitehorse (536754 Yukon Inc) | January 2023 | 87 |
| Affordable modular housing, Mayo (Na-Cho Nyäk Dun FN) | March 2023 | 8 |
| Jéje Zho 12-bed men's shelter, Dawson City (Tr'ondëk Hwëch'in FN) | July 2023 | 8 |
| VGFN elders complex, Old Crow (Vuntut Gwitchin FN) | January 2024 | 9 |
| VGFN mobile homes, Old Crow (Vuntut Gwitchin FN) | March 2024 | 7 |
| Total units completed (major partnerships): | | 276 |

Underway or upcoming housing capital projects for YHC and partners

YHC – Underway (113 units):

- 10-unit Supported Living Residence in Watson Lake
- 34-unit residential building with 8 accessible units in Dawson (former Korbo Apartments)
- 45-unit residential building, which includes 9 accessible units in Whitehorse (former Ryder Apartments)
- 6 staff units across three duplexes in Burwash Landing
- 18 two-bedroom units – purchase of 190 Olive May Way in Whitehorse

YHC – Upcoming (37+ units):

| Community housing | Staff housing |
|---|---|
| <ul style="list-style-type: none"> • 10 units in Mayo • 6-plex in Teslin • 6-plex in Carcross • 6-plex Haines Junction • Accessible triplex in Whitehorse • Accessible duplex in Ross River | <ul style="list-style-type: none"> • Accessible duplex in Destruction Bay • Accessible duplex in Pelly Crossing |

Major partnership projects underway (299 units):

| Project | Anticipated Start Date | Anticipated Completion Date | Number of Units |
|--|------------------------|-----------------------------|-----------------|
| Safe at Home Society's permanent supportive housing project "The Hearth" | March 2024 | Spring 2026 | 67 |
| Safe at Home Society's temporary housing project at 408 Alexander | May 2024 | October 2024 | 17 |
| DDDC's affordable rental project "Winter Crossing" | Spring 2024 | Spring 2026 | 105 |
| Northern Community Land Trust Society's "Project 1096" | June 2024 | December 2025 | 32 |
| HIF-7 funding recipients | Spring 2024 | Fall 2026 | 78 |
| Total units | | | 299 |

Rent subsidy programs to make life more affordable for renters and seniors

- July 2023, the corporation acquired an additional 16 units for lease from Normandy, for a total of 26 units to lease to clients through its rent supplement program.
- Since 2020, the corporation has supported over 300 households pay rent through the Canada-Yukon Housing Benefit. As of September 2024, 170 clients are receiving monthly support.

Support for homeowners

- March 8, the corporation announced the Canada-Yukon Housing Benefit Homeowner Stream for homeowners in severe core housing need³ with annual household incomes under \$100,000:
 - Clients received a one-time payment of \$1,000.00 for Whitehorse homeowners and \$1,500.00 for homeowners living outside of Whitehorse.
- June 2023, the Yukon government launched an \$8.25 million flood recovery program for residents and businesses affected by flooding in the Klondike Valley.
- April 2023, Yukon Housing Corporation launched the expanded Yukon Home Ownership Program to provide qualified households with mortgages to build or buy their homes across the territory, including Whitehorse.
- The program was recently discontinued due to low uptake and the corporation is currently exploring alternative program options to support homeownership.

³ Severe core housing need is spending 50% or more of a household's income on shelter costs.

- In 2020, Yukon Housing Corporation launched the revised Home Repair Program to support low to moderate-income Yukon homeowners to remain in their homes and age in place by providing funding to address mobility requirements, repairs or core housing needs.

| Support for new residential land development | |
|--|---|
| September 2024 | <p>As part of the Government of Yukon's ongoing commitment to increase land and housing availability and support business growth, new residential and industrial lots were released in partnership with municipalities and Yukon First Nations.</p> <ul style="list-style-type: none"> ○ seven residential lots in Haines Junction, Mayo and Watson Lake; and ○ three industrial lots in Teslin and Haines Junction <p>This was the sixth lot release this year and is a direct result of the Government of Yukon's historic investment in land development. Through the lotteries and tenders process, the Government of Yukon has released 685 lots across the territory since 2021 and is on track to release over 1,000 lots by 2026 (TAB #59).</p> |
| August 2024 | <p>As part of its efforts to work in collaboration with municipalities and Yukon First Nations governments to address housing and business space needs across the territory, the Government of Yukon released 33 new residential lots across the Yukon.</p> <ul style="list-style-type: none"> ○ Twelve lots were made available in Carmacks and Faro ○ 21 country residential lots were made available in the Lone Tree subdivision north of Teslin. |
| June 2023 | Government of Yukon partnered with the Government of Canada and the City of Dawson to develop four new residential lots in Dawson. |
| February 2023 | 120 lots, including single family, multi-family and townhouse lots in Whistle Bend made available through public lottery. |
| March 2023 | Government of Yukon partnered with Liard First Nation on developing 43 new residential lots on Frances Avenue in Watson Lake. |
| March 2023 | 74 residential lots in Logan, Mayo and in Whitehorse's Whistle Bend made available through public lottery. |
| November 2022 | Signed a loan agreement with Kwanlin Dün First Nation's arm's-length development corporation, Chu Níkwän Limited Partnership, for a new |

| | |
|--|---|
| | residential land development project at Copper Ridge West in Whitehorse, the first large-scale residential land development on settlement land in the Yukon. An amended loan agreement was signed August 2023 with Chu Níkwän for the same development. |
|--|---|

25-09-24
Date approved

Session Briefing Note

Our Clean Future Implementation

Environment and Energy,
Mines and Resources

Recommended response:

- We recognize the urgency of the climate emergency and launched Our Clean Future in September 2020 to map our route forward.
- The Government of Yukon continues to make significant progress on implementing Our Clean Future.
- In 2023, we announced the addition of 42 new actions to help us reach our climate goals, which brings the total number of climate actions to 178.
- These new actions are a product of the important work of the Yukon Climate Leadership Council, the Yukon Youth Panel on Climate Change, Navius Research and the findings in the Climate Risk Assessment report.
- We continue to track our progress on goals, targets and actions. Information on our progress was most recently published in [November in the 2023 Our Clean Future Annual Report](#) and on the Our Clean Future website.
- Since releasing Our Clean Future in 2020, the Government of Yukon has completed [68](#) Our Clean Future actions, [105](#) are in progress or ongoing and [5](#) have not yet been started.

Additional response:

- As we continue to address climate change, it is important for us to look back on our progress as we diligently work towards our objectives.
- Under Our Clean Future, the government is focused on ensuring the Yukon is highly resilient to climate change impacts by 2030. ([See ENV BN #21](#))

Session Briefing Note

Our Clean Future Implementation

Environment and Energy,
Mines and Resources

- This year, we:
 - Completed flood maps for the Southern Lakes region, [Teslin](#) and Carmacks. Flood hazard mapping for Old Crow and the City of Dawson and the Klondike Valley are expected to be completed in 2025. [A flood hazard mapping study for Mayo is also underway and will be completed in 2026.](#)
 - Worked with municipalities and First Nations governments to finalize the Community Wildfire Protection Plans in Faro, Haines Junction, Teslin, the [City of Dawson and Whitehorse](#). [Plans for Beaver Creek, Mayo, Old Crow, Watson Lake, Destruction Bay and Burwash Landing are underway.](#)
 - Advanced climate change preparedness by initiating development of a permafrost monitoring system for key public buildings, and guidelines to address climate hazards in major infrastructure projects.
 - Established a geohazard mapping program to understand risks from climate change to the Yukon's transportation corridors.
 - Completed flood risk mapping for all transportation corridors in the Yukon.
- We are committed to efforts to reduce greenhouse gas emissions and we support Yukoners in the transition to cleaner transportation options and energy efficient homes and buildings.
- This year, we:
 - Began providing rebates for medium-duty electric vehicles.
 - Passed an electric vehicle charging station regulation under the *Public Utilities Act* to allow First Nation governments, private

Session Briefing Note

Our Clean Future Implementation

Environment and Energy,
Mines and Resources

businesses and municipalities to sell electricity through electric vehicle charging stations.

- Installed electric vehicle chargers in every road-accessible community in the Yukon, enabling zero-emissions travel throughout the territory. 19 fast charging stations are now operational throughout the territory, [and one new Level 2 charger in Swift River.](#) (See EMR BN #30)
- Since 2020, we have provided rebates for 518 energy efficient new homes, exceeding our 2030 target of 500.

Third response:

- Existing actions put us on track to reduce the Yukon's emissions by 30 per cent by 2030. However, there is still significant work required to meet our target reduction of 45 per cent by 2030.
- [One of the major drivers of emissions is population – more people means more cars on the road and more homes to heat.](#)
- [However, as the population of the Yukon continues to grow, we aren't seeing the rate of emissions increase that we would expect.](#)
- [We are seeing lower emissions per Yukoner than we saw in 2010.](#)
- [This is a promising sign that the emissions intensity of everyday life for Yukoners may be starting to decrease.](#)
- We [passed](#) legislation to set a target of a 45 per cent reduction in mining sector emissions per unit of production by 2035.
- We will continue to build on Our Clean Future as we learn more and implement new actions. This will be reflected in future annual reports.

Session Briefing Note
Our Clean Future
Implementation

Environment and Energy,
Mines and Resources

- We will continue to find opportunities to reach our targets as we work with experts, stakeholders and partner governments across the territory and beyond.

Context — this may be an issue because:

- Climate change and the government's progress in delivering on Our Clean Future commitments is of interest to Yukoners.

Background:

- Our Clean Future was released on September 14, 2020, and now has 178 actions, of which 136 are original actions and 42 are new actions. These actions seek to reduce greenhouse gas emissions and support the Yukon to be highly resilient to the impacts of climate change by 2030.
- The Government of Yukon reports annually on progress for the implementation of Our Clean Future. Four Annual Reports have been published to date, with the latest report released on [November 12, 2024](#) (capturing 2023 data).
- The Our Clean Future website was launched in December 2023, which shows the government's commitments and successes towards fighting climate change.

Approved by:

Dennis Berry

November 19, 2024

Deputy Minister, Environment

Date approved

Paul Moore

November 13, 2024

Deputy Minister, Energy, Mines and Resources

Date approved

Session Briefing Note

Supplementary Overview (Corporate Note)

Recommended response:

- The 2024-25 Supplementary Estimates No. 1 forecasts an overall gross increase of \$150.1 million in O&M spending, with an offsetting increase of \$20.7 million in recoveries. The net increase in new O&M spending is forecast at \$129.4 million.
- Capital spending for Supplementary Estimates No. 1 reflects a slight overall gross decrease of \$299,000 in spending and a \$4.2 million decrease in recoveries, resulting in a net increase in spending of \$3.9 million. These adjustments are mainly the result of updated cashflow forecasts for various projects.
- Revenues are projected to decrease by \$8.8 million, primarily due to a revenue forecast update from Canada which revised the projection for Corporate Income Tax downward by \$6.7 million as well as a reduction in royalty payments from Victoria Gold of \$2.5 million. This is partially offset by a \$350,000 increase for driver licenses due to recently increased fees.
- The Yukon government continues to maintain a surplus. As part of the 2024-25 Main Estimates, the Yukon government budgeted for a \$50 million contingency to address emergency pressures. \$50 million of the contingency has been applied towards the pressures identified in the Supplementary Estimates No. 1.
- The use of the contingency fund allows the government to present a revised surplus of \$75.4 million as part of these Supplementary Estimates. Changes in the Supplementary Estimates result in a revised year-end net debt of \$530.4 million

Session Briefing Note
Supplementary Overview
(Corporate Note)

Additional response:

- The Supplementary Estimates reflect an O&M increase mainly for:
 - \$50 million for payments to the Receiver for environmental protection work at the Eagle Gold Mine;
 - \$34 million for pressures in Insured Health reflecting support for the wellbeing of Yukoners;
 - \$21 million for wildland firefighting costs in response to the significant fire season experienced in the territory and which helped ensure the safety of Yukoners; and
 - \$10 million for various Yukon Hospital Corporation funding requirements including the added O&M costs of converting ten beds at the Thompson Centre for Acute Care use.
- For the Supplementary Estimates, updates to the 2024-25 Capital Plan have resulted in a decreased allocation of \$299,000. Notable changes include:
 - \$1.9 million towards the completion of the Mental Wellness Unit at Whitehorse General Hospital;
 - \$1.9 million for long-term and acute care bed optimization at Whistle Bend Place and Whitehorse General Hospital;
 - Decrease of \$3.2 million due to cash flow revisions for the construction of the school in Burwash Landing;
 - Decrease of \$600 thousand for the creation of new campsites aligning costs with the revised project timeline.

Session Briefing Note

Supplementary Overview (Corporate Note)

- There is an increase of 46.6 in FTEs (Full Time Equivalents) for Supplementary Estimates No. 1. These are primarily to hire new long-term care staff in support of additional care beds at Whistle Bend Place, for the Aging with Dignity initiative and new FTEs for schools including teachers, clerical and custodial staff.
- There is also an increase in FTEs related to a transfer in the Capital Planning Office from Highways and Public Works capital budget to Finance in the O&M budget.

Corporate approach to fiscal sustainability:

- We continue to work to ensure that government spending is allocated in a way that meets key priorities and long-term goals.
- To meet these priorities, departments continue to follow established processes to ensure that funding is distributed efficiently and effectively across public services and programs.
- This means regular financial scrutiny is applied to decision-making and that new requests for funding are approved in a financially sustainable way, while continuing to provide the services that Yukoners expect.
- This coordinated approach to funding ensures that government can respond to new and evolving challenges, while managing resources responsibly.

Session Briefing Note
Supplementary Overview
(Corporate Note)

Context—this may be an issue because:

- The 2024-25 Second Appropriation Act is tabled in the fall session and will be the subject of debate.

Background:

- Supplementary Estimates are used annually by a government to account for unforeseen spending at the time of tabling the annual Budget. It is common to have one or two spending updates throughout the fiscal year.
- They are tabled during the fall and spring sessions, debated and voted on in the legislature and provide departments with increased spending authority for O&M and Capital for the current fiscal year.

Approved by:

Jessica Schultz

September 19, 2024

Deputy Minister, Finance

Date approved

Truth and Reconciliation Commission – Update on Calls to Action

Executive Council
Office

Recommended response:

- Reconciliation is an ongoing process and a shared responsibility of all governments and individuals in the Yukon.
- Our government is deeply committed to advancing reconciliation through collaboration and partnership with Indigenous governments and groups.
- We continue to share our progress toward addressing the Truth and Reconciliation Commission's Calls to Action, most recently through a progress report and Pathways magazine both released in Fall 2023.
- The magazine and report provided an update on the actions being taken across the Yukon government and in collaboration with First Nation governments and groups in areas including child welfare, health, education and justice.

Additional response:

- The Government of Yukon and Yukon First Nation governments are leaders in demonstrating a collaborative approach to reconciliation.
- While there is still work to do, targeted investments are resulting in meaningful change and creating better programs and services for all Yukoners.
- We will continue our collaborative work to implement and report on the Calls to Action, including through work on the Yukon Forum joint priorities and by implementing the *Putting People First* recommendations.

Context—this may be an issue because:

- The 2023 mandate letters include a commitment to fulfill the Truth and Reconciliation Commission's (TRC's) Calls to Action.
- The 2023 Confidence and Supply Agreement includes a commitment to working with Yukon First Nations to continue to implement the recommendations of the Truth and Reconciliation Commission through targeted investments.

**Truth and Reconciliation Commission
– Update on Calls to Action**

Executive Council
Office

Background:

- The TRC report *Honouring the Truth, Reconciling for the Future* was released in 2015 and contains 94 Calls to Action on redressing the harms resulting from Residential Schools and creating better relations between the federal, provincial and territorial governments and Indigenous Peoples. There are 32 Calls to Action that relate directly to YG.
- The Government of Yukon and Yukon First Nations (YFNs) collaborated on addressing the Calls to Action under the 2017 Yukon Forum Joint Priority Action Plan and through other reconciliation initiatives, such as supporting the important work of the YFN-led Yukon Residential Schools and Missing Children Project.
- The Government of Yukon has taken additional steps to address the Calls to Action, including:
 - establishing the position of Assistant Deputy Minister of First Nations Initiatives at the Department of Education, signing an agreement to establish a YFN School Board and entering into education agreements with all YFNs (speaks to Calls 7 and 10 directed to the federal government);
 - supporting Indigenous athletes and the North American Indigenous Games (Call 88);
 - implementing the YFN Procurement Policy (relates to Call 92) and the Representative Public Service Plan: *Breaking Trail Together* (relates to Call 7);
 - working with YFNs and Yukon Indigenous women’s groups to implement the Yukon’s *Missing and Murdered Indigenous Women, Girls and 2-Spirit+ People Strategy* (MMIWG2S+ Strategy) (relates to Call 41);
 - participating at the Trilateral Table on the Wellbeing of YFN Children and Families to address gaps for culturally appropriate parenting programs (Call 5); and
 - receiving input from YFNs on Health and Social Services programming through the Mental Health Advisory Committee (relates to Call 19).

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| Approved by: | |
| Justin Ferbey | 2024 08 20 |
| _____ | _____ |
| Deputy Minister, Executive Council Office | Date |

Session Briefing Note

Inflation and Affordability (Corporate Note)

Recommended response:

- Inflation has continued to improve in recent months, but Yukon households continue to see their budgets stretched by elevated prices, with lower-income households often feeling the worst effects.
- The Government of Yukon continues to monitor inflation and its impact on Yukoners, so that we can take steps to ease the burden.
- As inflationary pressures continue to lessen, efforts to make life more affordable for Yukoners and to help industry are shifting from short-term assistance to measures with the potential to provide longer-term benefits, such as actions to improve home affordability.

Additional response:

- The Main Estimates for this year has continued to build on existing supports for Yukoners by making sure they can access essential services at prices they can afford.
- Budget 2024-25 included investments to advance affordable housing projects across the territory. From the Housing First Project in Watson Lake to the recently awarded replacement of the Ryder Apartments in Whitehorse, the Yukon government is taking action to build more affordable homes for Yukoners, especially those in vulnerable situations.

Session Briefing Note

Inflation and Affordability (Corporate Note)

- There is also over \$42 million in continued funding for early learning and childcare. This includes funding for the universal childcare program, which has reduced childcare fees to less than \$10 per day, on average.
- We are also making life more affordable and leading the nation with our Yukon-wide dental program, which has \$5.4 million in continued funding for 2024-25.
- To make sure that more people have the option of staying home when they are sick, the Temporary Paid Sick Leave was extended.
- We also extended the Interim Electrical Rebate, which provides welcome relief from power bills to Yukoners across the territory.
- In addition to items included in the 2024-25 Main Estimates, additional initiatives in many departments are continuing to assist Yukoners with the cost of living.
- The Department of Community Services, for example, is developing a program that will see free transit passes provided to non-governmental organizations, vulnerable populations and youth.
- The Department of Health and Social Services will also provide additional funding of \$777,000 for Safe at Home to provide temporary supportive housing at 408 Alexander Street.

Session Briefing Note

Inflation and Affordability (Corporate Note)

- These are just a few examples of the many programs and initiatives that continue to support Yukoners.

Third response

- The Government of Yukon has also remained responsive to higher inflation in recent years through its various grants and subsidies, which are indexed to inflation. These include:
 - Subsidies for medical travel
 - The Yukon Child Benefit
 - Social Assistance Payments
 - Student Financial Assistance
 - Seniors' benefits
 - The Pioneer Utility grant
 - The Comprehensive Municipal Grant Regulation
 - Residential rent caps
- The Yukon's minimum wage is also responsive to price changes, as its annual change is tied to inflation in the previous year.
- After growing 6.8 per cent in 2023, the minimum wage increased a further 4.9 per cent to \$17.59 per hour on April 1, 2024.
- The Yukon's minimum wage is the second highest wage in Canada, behind only Nunavut's minimum wage of \$19.00 per hour.

Session Briefing Note

Inflation and Affordability (Corporate Note)

- These increases also contribute towards the strong earnings growth we continue to see in the territory, where average weekly earnings grew 6.1 per cent over the first half of 2024. This is the strongest growth in the country.

Context—this may be an issue because:

- Inflation has fallen from historical highs, but Yukoners are still dealing with higher prices for a variety of goods and services following a lengthy period of elevated inflation.
- The moderation of inflationary pressures that began to take hold late last year has continued into 2024. Growth in the Whitehorse Consumer Price Index (CPI) has been much lower in every month in 2024, and inflation in recent months has been near or below the historic average of 2 per cent.

Background:

Inflation – Recent performance and outlook

- Following ten increases in the overnight rate since March 2022, the Bank of Canada has made three 25 basis point cuts in 2024, with the overnight rate dropping from 5.0 per cent to 4.25 per cent. Expectations of further rate cuts this year and in 2025, could further reduce pressure on shelter prices as mortgage rates decline.

Session Briefing Note

Inflation and Affordability (Corporate Note)

- Both locally and nationally, price pressures have lessened, and inflation continues to trend towards historic norms. The current outlook for the Whitehorse CPI reflects expectations of a return to 'normal' levels of inflation, with the inflation forecast of 2 per cent in 2024, much improved from 4.9 per cent in 2023 and 6.8 per cent in 2022. Beyond 2024, annual inflation is expected to remain at 2 per cent over the remainder of the five-year forecast.

PROGRAMS AND OTHER MEASURES THAT SUPPORT AFFORDABILITY

Five-Year Capital Plan projects supporting housing affordability (Yukon Housing Corporation)

- The **Old Crow 10-Plex Mixed-Use Housing** facility is complete and opened in April 2024.
- Construction of the **10-plex Housing First Project in Watson Lake** began in the summer of 2023. It is scheduled to be completed in the fall 2024.
- Construction of the **Faro and Dawson Duplex** projects started in summer 2023 and is now complete.
- Groundwork began at the old **Ryder Apartments in Whitehorse** in September 2024 and we are aiming for completion in spring 2026. When completed, the new complex is anticipated to deliver over 45 new units.

Universal Child Care Program (Education)

- Universal child care is available to all Yukon families using licensed child care spaces. The universal child care program has reduced fees to less than \$10 per day, on average, for families across the Yukon.

Session Briefing Note

Inflation and Affordability

(Corporate Note)

Dental Care program (Health and Social Services)

- The Yukon's Dental Program was launched in 2023 and provides \$1,300 per year in dental benefits to Yukoners without dental coverage. The program will cover dental treatments necessary to relieve pain and infection, prevent disease, treat cavities, and restore chewing and social function. It will also offer full coverage for preventive care, such as routine dental cleaning.

Paid sick leave program (Economic Development)

- On April 1, 2023, the Department of Economic Development launched the Paid Sick Leave Rebate. The program runs for two 12-month blocks:
 - April 1, 2023 to March 31, 2024; and
 - April 1, 2024 to March 31, 2025
- The Paid Sick Leave Rebate is a temporary program that offers up to 40 hours of paid sick leave to employees and self-employed Yukoners that earn less than the average private-sector wage of \$33.94/hour. The program includes all illnesses (and injuries not covered by any other Act, benefit, or program). The program is available to employees regardless of whether their employer offers paid sick leave, though employees must use all paid sick leave available to them through their employer before they are eligible for the Paid Sick Leave Rebate. The program is still in effect and will run until March 31, 2025.

Yukon Child Benefit (Health and Social Services and Finance)

- The Yukon Child Benefit provides monthly payments to modest and low-income households who have children under 18. The maximum benefit per child is now tied to inflation, effective the 2023–24 benefit year.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Yukon Seniors' Income Supplement (Health and Social Services)

- The Yukon Seniors' Income Supplement provides a monthly income supplement for eligible Yukoner senior's receiving Old Age Security (OAS) and the Guaranteed Income Supplement (GIS) from the federal government. This amount is adjusted for inflation in October, each year.

Inflation Relief Rebate and Interim Electrical Rebate (Yukon Development Corporation)

- The Inflation Relief Rebate, a \$50 rebate that was automatically applied to electrical customers' bills, was a temporary measure to address inflation. The Inflation Relief Rebate was most recently applied to all ATCO Electric Yukon and Yukon Energy bills for November and December 2023 and January 2024.
- The Interim Electrical Rebate continues to provide residential electrical customers with a maximum rebate of \$22.62 per month based on the electricity they consume, up to 1,000 kilowatt hours (up to \$271.44 per year). This affordability measure will continue until March 2025.

Social Assistance Review (Health and Social Services)

- Health and Social Services is undertaking a review of the Yukon's Social Assistance rates to inform options to improve the delivery of the program and ensure it is meeting the needs of program clients.
- While the review is underway, the department is providing a \$100 monthly increase to eligible Social Assistance recipients.

Out of Home Childcare Increases (Health and Social Services)

- To offset inflationary cost of living increases and provide sufficient financial resources to meet the needs of children placed in their care, Health and Social Services provided an ongoing 10 per cent increase to monthly payments to caregivers of children in out of home care in 2023-24, on top of the annual indexed increase.

Session Briefing Note

Inflation and Affordability

(Corporate Note)

- Combined, this amounted to a 16.46 per cent rate increase for community and extended family caregivers. The new rates are as follows:
 - o Whitehorse: \$46.86 per day
 - o Rural Communities: \$50.16 per day
 - o Old Crow: \$86.40 per day
- Rates are indexed annually to the Whitehorse Consumer Price Index, with an increase of 2.4% scheduled to take effect in October 2024.

Supportive Housing (Health and Social Services)

- \$777,000 for Safe at Home will go towards establishing temporary supportive housing at 408 Alexander Street.

Canada-Yukon Housing Benefit Rental Subsidy (Yukon Housing Corporation)

- The Canada-Yukon Housing Benefit offers a rental subsidy for low-to-moderate income renters.

Comprehensive Municipal Grant (Community Services)

- The Comprehensive Municipal Grant is how the Government of Yukon directly funds municipal governments. This core funding supplements municipal resources and pays for vital services, like the provision of fresh drinking water, the collection of solid waste and recycling, recreation programming and other services as required under the Municipal Act and other legislation.
- The high inflation seen in 2022 (6.8 per cent) increased the grant payments provided in April 2024. This resulted in a \$2.3 million increase for Yukon municipalities with overall contributions of over \$24.5 million for the 2024-25 fiscal year.

Session Briefing Note
Inflation and Affordability
(Corporate Note)

Energy retrofits and funding to improve efficiency and offset costs (Energy, Mines and Resources)

- Energy efficiency rebate programs are available for the transportation sector, renewable heating sector, and the construction sector focusing on high efficiency buildings.
- For existing homes, the Energy Branch offers the Good Energy rebate program for high performance heating systems and upgrades to thermal enclosures including insulation and windows, and high-performance new homes. Taking these measures will save homeowners money on their energy costs.
- Between January 1, 2018, and June 30, 2024, 286 high-performance retrofits to residential, commercial and institutional buildings have been completed across the territory.
- Innovative programs like the Better Buildings Program that offer up-front funding, combined with our Good Energy rebates, make energy retrofits more accessible and affordable for Yukoners.

Approved by:

Jessica Schultz

September 25, 2024

Deputy Minister
Department of Finance

Date Approved

Session Briefing Note**Fall 2024****Carbon Pricing
(Corporate Note)**Environment & Finance

Recommended response:

- Since its introduction in 2019, the Government of Yukon has been supportive of carbon pricing as a policy to help us reduce emissions and move toward our ambitious climate targets.
- We take a balanced approach to carbon pricing in the territory, one which considers the need to reduce emissions as well as the fair return of carbon pricing revenues to Yukoners.
- The Yukon's carbon rebate is revenue neutral. We are committed to both reducing carbon emissions in the territory and to returning all the federal government's revenues to Yukoners.
- Returning proceeds to individuals, municipal governments, Yukon First Nations, businesses, and mining operations is a critical part of our approach to carbon pricing in the Yukon.
- We are returning 100 per cent of the federal carbon levy to these five rebate groups who receive more, on average, than they pay in carbon pricing levies.

Additional response:

- The departments of Environment and Finance work together to coordinate with our federal counterparts to assess the implications of carbon pricing in the territory and to ensure the needs of the territory are recognized in national policy.
- This includes retaining control over how revenues are distributed back to Yukon individuals, municipal governments, Yukon First Nations and businesses.

Session Briefing Note**Fall 2024****Carbon Pricing
(Corporate Note)**Environment & Finance

- It also includes excluding the carbon price from electricity generation and aviation, in recognition of the unique constraints of our northern jurisdiction.

Third response:

- Carbon pricing is just one tool in our toolkit to address the climate emergency.
- We continue to implement Our Clean Future to reduce the Yukon's greenhouse gas emissions and, more broadly, to reduce the impact of the carbon levy on Yukoners.
- In December of last year, we announced 42 new actions under Our Clean Future as part of the third Our Clean Future annual report outlining the progress we have made on the strategy.
- Although we have made progress on many of our commitments, there is still significant work required to meet our target of reducing our emissions by 45 per cent by 2030.
- Ensuring that we utilize every policy lever at our disposal, including carbon pricing, is essential to meet our goals.
- Together, we are finding solutions to reduce our emissions while strengthening our economy and supporting our industry partners.

Context—this may be an issue because:

- Carbon pricing remains a highly sensitive topic across the country with many provinces and territories voicing their own perspective on how they would like to see this pricing mechanism handled moving forward.

Session Briefing Note**Fall 2024****Carbon Pricing
(Corporate Note)**Environment & Finance

- In October 2023, the federal government announced a temporary 3-year exemption for home-heating oil from the federal carbon price, with the intention of helping Atlantic Canada in particular.
 - While Atlantic Canada welcomed this change, the exemption has received considerable backlash. Most provincial governments (except for British Columbia) have called for extending the carbon price exemption to all home-heating fuels (including natural gas).
 - Critics also argued that the exemption undermines the credibility of the carbon tax and may weaken the incentives to switch to lower carbon heating options.
-

Background:

- The federal Draft Regulations Amending the Fuel Charge Regulations stipulate that all heating oil will be exempt from the fuel charge starting November 8, 2023, until April 2027.
- This means that light fuel oil consumption in all buildings, including residential, commercial, and institutional, will be exempt from the fuel charge.
- Nearly half (49.2% in 2022) of Yukon homes use oil-based heating.
- In Yukon, individuals, businesses, placer/quartz mining operations, Yukon First Nations governments and municipal governments are all eligible for a rebate for carbon pricing.
- Individuals who live outside of Whitehorse receive a remote supplement, which was recently increased from 10 to 20% (and is now in line with the federal remote supplement for backstop jurisdictions including Alberta, Manitoba, Ontario, and Saskatchewan).
- On September 12, 2024, British Columbia's Premier David Eby announced that if the federal government were to remove the carbon pricing backstop, then British Columbia would end the carbon levy in the province.
- British Columbia has had its own carbon pricing system in place since 2008.

Session Briefing Note

Carbon Pricing (Corporate Note)

- British Columbia and the Yukon were the remaining supporters of carbon pricing as a climate change policy, with all other provinces publicly opposing the federal system. In late 2023, the newly elected Premier of the Northwest Territories also called for an exemption from the federal carbon levy for the territory.
- To date, Canada has been firm on granting no exception to the backstop.

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| Approved by: | |
| Dennis Berry | October 2, 2024 |
| _____ | _____ |
| A/Deputy Minister of Environment | Date approved |
| | |
| Jessica Schultz | October 1, 2024 |
| _____ | _____ |
| Deputy Minister of Finance | Date approved |

Eagle Gold Mine - Impacts

ECO-FIN-EMR

Recommended response:

- The Government of Yukon recognizes the seriousness of the heap leach failure that occurred at the Eagle Gold mine on June 24 and is treating the response as a government priority that reflects the urgency of the situation.
- Our priorities are to ensure the health and wellbeing of Yukoners and to protect the environment.
- An Independent Review Board has been established to investigate the heap leach failure that occurred at the Eagle Gold mine. Three highly qualified experts are on the Independent Review Board. The objective of the investigation is to determine the causes of the heap leach facility failure.
- We are committed to working with the First Nation of Nacho Nyak Dun to develop remediation strategies for the failure. A joint team of technical experts hired by the Government of Yukon and the First Nation meet on a regular basis to inform our actions.
- For the most up to date information on the situation at Eagle Gold Mine and actions we are taking, you can visit Yukon.ca/victoria-gold-updates.

Additional responses:

- On August 14, 2024, PricewaterhouseCoopers Inc. was appointed by the court as Receiver of the assets and property of Victoria Gold Corp.

Eagle Gold Mine - Impacts

ECO-FIN-EMR

The Receiver is responsible for overseeing remediation of the heap leach failure and its environmental impacts, including compliance with territorial and federal orders.

- The Government of Yukon is committed to a thorough accounting of events leading up to the failure and the development of recommendations so that a similar event does not happen again in the Yukon.
- Once the causes of the failure are determined by the Independent Review Board, this information will inform the most appropriate subsequent steps and potential investigations, including consideration of a public inquiry.
- As of September 4, 2024, there are 27 liens against Victoria Gold worth over \$58.7 million.

Environmental and health impacts:

- The Department of Health and Social Services is monitoring impacts on human health. This includes ongoing review of any technical information and water sampling results, as well as situational reports, as they become available. Results from surface water samples taken show that the regulated drinking water system serving the area continues to meet the guidelines for drinking water quality.
- Water is sampled both at the site and downstream of Victoria Gold's Eagle Gold Mine. Water samples are collected regularly at select sites to monitor water quality. The results of the testing will let us know the

Eagle Gold Mine - Impacts

ECO-FIN-EMR

impacts and inform next steps.

- Technical experts from the Government of Yukon, the First Nation of Nacho Nyak Dun and the federal Department of Fisheries and Oceans are working closely together to monitor the fish and wildlife in the surrounding areas of the Eagle Gold Mine.

Economic and labour market impacts:

- Operations ceased at Eagle Gold Mine after the heap leach failure occurred. This situation has changed the outlook for mineral production in the Yukon and resulted in a notable downward revision in the medium-term outlook for the Yukon's real Gross Domestic Product (GDP). The 2024-25 Interim Fiscal and Economic Update released in early October includes the latest forecasts for real GDP.
- At the close of 2023, Victoria Gold had 471 direct hires and another 134 on contract.
- Of the more than 600 employed, the company reported that about 34 per cent were local, amounting to approximately 200 local workers. This represents about 0.8 per cent of the territorial labour force.
- Any possible negative impacts on the labour market are expected to be short-lived, as many displaced workers are likely to be reabsorbed into what is currently a tight labour market. The Yukon's unemployment rate is about half the national figure and the local job vacancy rate has been among the highest in the country throughout

Eagle Gold Mine - Impacts

ECO-FIN-EMR

2024.

- Monitoring of labour market data, such as the number of unemployed and the number of Employment Insurance claimants, for potential impacts of the mine closure is ongoing.
- As the Eagle Gold situation continues to unfold, we should have a better understanding if there may be longer-term impacts for the local economy.

Context — this may be an issue because:

- The June 24, 2024 heap leach failure at the Eagle Gold Mine affects the environmental and socio-economic wellbeing of Yukoners – from an environmental and business perspective.

Background:

- On June 24, 2024, a failure occurred at the heap leach facility of the Eagle Gold Mine operated by Victoria Gold Corporation.
- On July 30, 2024, the Premier provided remarks to the Council of Yukon First Nations' General Assembly on a variety of topics including mining and the incident at Eagle Gold Mine
- On August 5, 2024, the Premier provided a statement on mining activity in the Traditional Territory of First Nation of Nacho Nyak Dun.
- On August 14, 2024, the Government of Yukon with First Nation of Nacho Nyak Dun, submitted an application for receivership of Eagle Gold Mine.
- On August 16, 2024, the receivership was granted. It was appointed to PricewaterhouseCoopers. Implementing a receiver is an established process under federal bankruptcy legislation. Decision making and responsibility has

Eagle Gold Mine - Impacts

ECO-FIN-EMR

shifted from Victoria Gold to PricewaterhouseCoopers, with direction from the Yukon government.

- As of September 20, 2024, the Government of Yukon has done 10 technical briefings to continue to keep Yukoners informed with up-to-date information.
- The Yukon.ca website is updated on a regular basis along with weekly information bulletins to inform the public on the Victoria Gold heap leach failure's current situation.

Approved by:

Justin Ferbey

October 9, 2024

Deputy Minister, Executive Council Office

[Date approved]

Lauren Haney

October 9, 2024

Deputy Minister, Energy, Mines and Resources

[Date approved]

Jessica Schultz

October 9, 2024

Deputy Minister, Finance

[Date approved]