

DEPARTMENT OF JUSTICE – TABLE OF CONTENTS

JUSTICE – GENERAL	
1.	Departmental Accomplishments
2.	Departmental Principles
3.	Funding for Justice Organizations
4.	National Action Plan to End Gender-Based Violence – Department of Justice Actions
5.	National Action Plan to End Gender-Based Violence (WGED, JUS)
6.	Substance Use Health Emergency Strategy
ACTS AND REGULATIONS	
10.	<i>Exemptions Act</i>
11.	<i>Public Utilities Act</i> Amendments
12.	<i>Public Utilities Act</i> Reg Changes for Our Clean Future
13.	SCAN Act Review
REGULATORY SERVICES	
20.	Coroner's Inquest
21.	Coroner's Service Building Construction
22.	Electricity Costs and Rate Reviews
23.	Yukon Utilities Board Remuneration

DEPARTMENT OF JUSTICE – TABLE OF CONTENTS

CORRECTIONS	
30.	Bail Reform – Repeat Violent Offenders
31.	Supervised Housing
32.	WCC: Designation as a Hospital/Facility
33.	WCC: Inmate Counts
34.	WCC: Inspection – Recommendations Implementation
35.	WCC: Programming
PUBLIC SAFETY	
40.	Community Safety Planning
41.	Cybersecurity
42.	Decriminalization of Opioids
43.	Downtown Whitehorse Community Safety and Violent Crime
44.	Firearms – Federal Changes and Buyback Program
RCMP / TERRITORIAL POLICING	
50.	Crime Rates
51.	Federal Policing – Funding
52.	Impaired Driving
53.	Policing Priorities
54.	RCMP Resources
55.	First Nations and Inuit Policing Program

DEPARTMENT OF JUSTICE – TABLE OF CONTENTS

RESTORATIVE JUSTICE	
60.	Community Wellness Court
61.	Domestic Violence Treatment Option Court
62.	Restorative Justice
VICTIM SERVICES	
70.	Child and Youth Victim Services (formerly Project Lynx)
71.	FILU – Family Information Liaison Unit
72.	Inter-Community Transportation for Victims
73.	SART – Expansion of Services (JUS, WGED)
INDIGENOUS JUSTICE ISSUES	
80.	AJA Negotiations
81.	Community Safety Officers
82.	Gladue Report Writing
83.	Government of Canada’s Indigenous Justice Strategy
84.	Land-Based Healing
85.	MMIWG2S+ People Strategy (WGED, JUS)
86.	UNDRIP (ECO, JUS)

DEPARTMENT OF JUSTICE – TABLE OF CONTENTS

HUMAN RIGHTS	
90.	International Human Rights
91.	Systemic Racism and Justice
92.	Yukon Human Rights Commission Funding
LAND TITLES	
100.	Metes and Bounds
101.	Registration of First Nations Settlement Land
102.	Yukon Land Titles Registry
LEGAL SERVICES	
110.	Funding for Legal Aid
111.	Outside Counsel Costs – Government-Wide
CORPORATE NOTES	
A.	2023-24 Supplementary Overview (FIN-HPW)
B.	Budget Highlights (FIN)
C.	Carbon Pricing (ENV-FIN)
D.	Housing Issues (YHC)
E.	Our Clean Future (ENV)
F.	Truth and Reconciliation Commission (ECO)
G.	Inflation and Affordability (FIN)

Session Briefing Note

Spring 2024

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, enhanced policies, and legislative reform.
- 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 on the status and prioritization of initiatives.

Background:

Modernizing Yukon laws

- With the *Missing Persons Regulation* now enacted, the *Missing Persons Act*, which received assent in 2017, came into force in October 2023.

Session Briefing Note

Spring 2024

Departmental Accomplishments

Justice

- Recently enacted legislation for which the Department of Justice is responsible includes:
 - *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 (YG) 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 program provides up to \$200,000 to each Yukon First Nation to support community safety planning and implementation of priorities identified during the planning process.
- There is \$700,000 earmarked for Community Safety Planning funding in fiscal year 2023-24.
- Kluane First Nation (KFN) and Vuntut Gwitchin First Nation (VGFN) have applied this fiscal year.
- YG has provided funding to support KFN and VGFN's Community Safety Planning (CSP) process.
- First Nation of Na-Cho Nyäk Dun, Liard First Nation, Ross River Dena Council, Little Salmon/Carmacks First Nation, Tr'ondëk Hwëch'in and Champagne and Aishihik First Nations (CAFN) have also expressed an interest in accessing the CSP funding.
- Many of these First Nations will also be working with Canada's Aboriginal Community Safety Planning Initiative and YG to maximize funding amounts.

Session Briefing Note

Spring 2024

Departmental Accomplishments

Justice

- CAFN has secured funding from the Government of Canada (Canada) for community safety planning and are working with federal partners on their CSP.
- Once that process is complete, CAFN could seek a tripartite agreement with Canada and Yukon for implementation funds in 2024-25, which could see both jurisdictions provide funding for implementation of CSP Initiatives.
- Phase Two of the program will explore opportunities to expand community safety planning funding to municipalities.

Administration of Justice Agreement Negotiations

- YG 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.
- The Government of Yukon (YG) has been engaged in Administration of Justice Agreement implementation negotiations with Teslin Tlingit Council and Canada.
- Several other First Nations have expressed interest in entering into or recommencing Administration of Justice Agreement negotiations with YG and Canada.

Restorative Justice

- YG 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 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 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.

Session Briefing Note

Spring 2024

Departmental Accomplishments

Justice

- The Integrated Restorative Justice Unit engages with First Nations governments and stakeholders on adult and youth diversions and restorative justice.
- A commitment to increase restorative justice referrals/diversions from a one per cent baseline to five per cent was recommended by the Deputy Ministers of Justice for the Yukon and Manitoba for all jurisdictions going forward.

Expansion of Sexualized Assault Response Team (SART) services

- SART launched in Whitehorse in March 2020. SART continues to work to lower barriers and provide safe, wrap-around supports for victims of sexualized violence.
- After more than three years of intense collaborative work, Whitehorse SART agencies have signed the first SART protocol in the Yukon to make this network of services sustainable in Whitehorse.
- We are committed to expanding SART services to Yukon communities, and engagements to begin this process took place in summer of 2023 with First Nations governments, service providers and victims of sexualized violence.
- A What We Heard document has been shared with communities. This will help to expand services in a way that responds to communities' needs and priorities.

Supervised housing for justice-involved women – Connective

- The Government of Yukon has approved funding for a new community housing program that will provide 24/7 supervised housing and programming services for up to eight justice-involved women.
- On June 1, 2023, Connective officially opened the Women's Supervised Housing Program.
- This is the first program of its kind in the North where residents receive person-centred support and programming based on individual needs and goals.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Departmental Principles

Justice

Recommended response:

- There are five key principles that shape the work and guide the direction of the Department of Justice. These principles are:
 - reconciliation with Yukon First Nations;
 - working as a team;
 - identify and meet our clients' needs;
 - initiative and innovation; and
 - communication.
 - These principles support our commitment to continued excellence and success in the delivery of our programs and services.
 - These principles are a tool used to guide our work and carry out our mandate.
-

Context:

- The principles speak to how the department delivers upon its mandate.
-

Background:

- The following five guiding principles are used to direct the work of the Department of Justice:

Reconciliation with Yukon First Nations

- We commit to embracing the spirit of the Final Report of the Truth and Reconciliation Commission of Canada entitled *Honouring the Truth, Reconciling the Future*, by conducting ourselves in our day-to-day business in a manner that embodies the purpose of reconciliation with our First Nations members in Yukon.
- We recognize the importance of employee education on the history of First Nations peoples and encourage innovative thinking by all Department of Justice personnel in our ability to effect meaningful change towards true reconciliation.

Session Briefing Note

Spring 2024

Departmental Principles

Justice

Working as a team

- We value working together as a team within branches and the department as a whole, while respecting our individual roles in the administration of justice, to work as one entity to meet our collective objective of serving the public.
- We are mindful of the impact of our actions on the people around us both in proximity and in the larger department, and we strive to ensure that we exemplify the best of the department in our approach to our work.

Identify and meet our clients' needs

- Department of Justice personnel have a wide variety of responsibilities and an equally diverse clientele, internal and external to government.
- We are committed to ensuring that our clients know we work for them and that we treat them with empathy, inclusion, integrity, respect and professionalism.

Initiative and innovation

- Management will encourage department staff at all levels to think innovatively and to take the initiative to improve the work we do and services that we provide, allowing for positive change and creativity in the workplace.
- Management will encourage department personnel to reconsider our approach to the services we provide and adapt to the changing environment.

Communication

- We are committed to improving the way we communicate internally with one another and externally to the public to better perform as a team, share information and ideas with each other, and ensure that the public understands the work we do.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Funding for Justice Organizations

Justice

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, 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.

Session Briefing Note

Spring 2024

Funding for Justice Organizations

Justice

- Like the 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 funding programs for justice-related initiatives for the 2024-25 fiscal year, including:
 - \$41,508,154 to the RCMP (including for the *Territorial Police Service Agreement*, First Nations and Inuit Policing Program and 911 services);
 - \$3,257,450 to Legal Aid;
 - \$913,000 to the Yukon Human Rights Commission;
 - \$845,550 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;
 - \$175,000 to the Council of Yukon First Nations for the Gladue project;
 - \$1,734,000 for Community Safety Officer programs;
 - \$700,000 available to be allocated to Yukon First Nations through the Community Safety Planning funding program;
 - \$174,423 for the Yukon Review Board; and
 - \$10,000 to the Crime Stoppers Yukon Community Association.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 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 our communities.
- In July 2023, the governments of Yukon and Canada signed an agreement to advance the National Action Plan to End Gender-Based Violence. It allocates \$16.4 million over four years to 16 initiatives designed to prevent violence in the territory and support survivors.
- The Department of Justice will receive over \$6 million from 2023-27 for seven new initiatives that address 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 models of justice.
- Our government saw a need for a larger policy response to this issue to address the complex factors underlying violence, and the disproportionate impacts of violence on Indigenous women in the Yukon.
- The Department of Justice's initiatives complement the work led by the Women and Gender Equity Directorate and the Department of Health and Social Services, which focuses on boosting funding for non-profit service delivery partners.

Additional response:

- The Government of Yukon's commitments under the National Action Plan to End Gender-Based Violence are consistent with the intent and actions in Yukon's Strategy on Missing and Murdered Indigenous Women, Girls, and Two-spirit+ People.
- The actions funded through the National Action Plan will support work to address the strategy's priorities.

Session Briefing Note

Spring 2024

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

Justice

Context:

- We know that the prevalence of violence and rates of victimization in the Yukon are high compared to other parts of Canada and that it disproportionately impacts Indigenous women in the Yukon.
- Questions may be raised by organizations in the non-profit sector that are curious about progress on a review of the sector to inform future funding allocations.
- While people experience violence as individuals, their vulnerability to it varies based on their belonging to different social groups: First Nations, racialized groups, the queer community, the trans community, and other gender-nonconforming groups.

Background:

- The Department of Justice leads eight of YG's 16 initiatives in implementing the agreement. Seven are new initiatives, and work on SART is included as an existing Yukon contribution counting towards cost-matching funding under the agreement. A description of the intent and status of each initiative follows.
 1. *Media Literacy*: A coordinated suite of media literacy educational resources, awareness-building activities, and partnership actions to counteract the effects of misinformation that perpetuate disproportionate gender-based violence against 2SLGBTQIA+ people and racialized groups.
 - Current Status: Work is underway to recruit a project lead, contract services to develop a media literacy education module and plan the public awareness campaign.
 2. *Services for Children and Youth*: Implementation of multi-disciplinary responses for child and youth victims of or witnesses to crimes. This will coordinate services for families to address system-based revictimization and recurring trauma.
 - Current Status: Work has started on this initiative and a four-year work plan is being developed.
 3. *Expansion of Sexualized Assault Response Team (SART) Services*: A network of victim-centred response services exists in Whitehorse; this initiative is anticipated to broaden access to specialised services for victims in Yukon communities.
 - Current Status: A What We Heard document is being shared with key partners, stakeholders, and the public following engagement with First Nation governments, service providers and victims in the summer/fall of

Session Briefing Note

Spring 2024

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

Justice

2023. SART training has also been made available to community service providers.

4. *Transportation for Victims of Violence*: Information about inter-community transportation options and financial support is needed for victims of sexualized assault and intimate partner violence to be able to leave their community to access clinical, legal or other services.
 - Current Status: A working inventory of transportation options and resources has been compiled and will be shared with service providers. Additional funds have been added to the Victims of Crime Emergency Fund to support emergency and urgent travel.
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.
 - Current Status: A public tender is anticipated to be posted in spring 2024 to obtain appropriate expertise to begin advancing the work within the 2024-25 fiscal year.
6. *Criminal/Family Law System Navigator project*: Development of a pilot program to support victims of intimate partner violence of all genders who are navigating the criminal and family law systems to increase accessibility of the justice system and meet victims' needs.
 - Current Status: Substantive program development work will take place beginning in April 2024.
7. *Cultural Support for Justice-Involved People*: Make various resources and programs available to justice-involved people in facility- and community-based corrections to facilitate healing from trauma and successful reintegration into the community.
 - Current Status: Animal-assisted psychotherapy services have been retained, with trained dogs already debuting in correctional facilities. Facility-based corrections' pre-existing contract with the Council of Yukon First Nations was expanded and the new scope of work is in discussion. An existing journalling program was extended to community-based, justice-involved women.

Session Briefing Note

Spring 2024

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

Justice

8. *First Nations-led Responses to Crime*: A partnership model that supports community capacity building to respond to incidents of intimate partner violence in a culturally inclusive way. It begins by healing community leaders and reintroducing or reinvigorating traditional practices and knowledge, (parenting, sacred teachings, role of elders, and respect for Nations' traditional understanding of gender roles). This model builds capacity and sustainability by engaging all community members in the response to gender-based violence.
 - Current Status: Two cultural consultants have been contracted and are facilitating healing and engagement sessions in Old Crow. Similar sessions have been requested in Dawson City and are set to begin in April 2024.
- These initiatives were selected for funding based on their alignment with the objectives of the National Action Plan and the priorities identified in Yukon's Missing and Murdered Indigenous Women and Girls Two-spirit+ People Strategy.

Approved by:

Deputy Minister, Justice

Date approved

National Action Plan to End Gender-Based Violence

WGED, Justice

Recommended response:

- Bilateral negotiations on the National Action Plan to End Gender-Based Violence are complete and we have signed an agreement with Canada that includes funding for four years to address gender-based violence in the Yukon.
- We are actively working with our partners in the NGO sector, across Government of Yukon departments, and with the Government of Canada to enhance prevention and response efforts to end gender-based violence.
- We had a productive meeting with the Women's Coalition in April to create a shared vision on how we can work together to implement the National Action Plan in Yukon.
- As part of Yukon's implementation plan to end gender-based violence, the Government of Yukon is providing over [\\$3.6 million in two fiscal years \(2023-24 and 2024-25\)](#) in additional funding to 13 non-governmental organizations that are working to address gender-based violence in the Yukon. [We have created a flexible, streamlined funding process with multi-year agreements that allow the sector to enhance existing or create new initiatives.](#)

Additional response:

- Our goal is to invest in meaningful actions to address gender-based violence in the territory, and to support the important work of the non-profit sector organizations.
- Because the agreement with Canada was not signed until midway

National Action Plan to End Gender-Based Violence

WGED, Justice

through 2023, much of the funding allocated for Year 1 was not spent. Canada has authorized the carry-forward of just over \$600,000 in funding for NGOs and \$1.3 million for projects within WGED and Justice for 2024-25.

Context—this may be an issue because:

- In February 2023, the Yukon Women's Coalition asked for increased core funding for Yukon women's and 2SLGBTQIA+ organizations and a central role in funding prioritization and implementation decisions.
- An information session was held on July 27, 2023, with the NGO gender-based violence sector and WGED, HSS and Justice representatives. At the session, NGOs raised questions about the program review and engagement, including scope and intent of the program review.
- A joint news release, in partnership with Canada, announcing details of the bilateral funding agreement was released on November 20, 2023. The Yukon's implementation plan outlining specific actions is available online.
- The Women's Coalition sent a letter in February 2024 and March 2024 requesting a more substantive role in the development and implementation of Yukon's implementation plan.
- The Opposition and the third party have questioned whether the Yukon Women's Coalition was consulted in the development of the Yukon's implementation plan and whether the organizations that make up the Coalition would receive increases to their core funding.

Background:

- Yukon's agreement with Canada is for approximately \$4 million/year for four years beginning in 2023-24.
- The following 13 NGOs received funding as part of Yukon's Implementation Plan

National Action Plan to End Gender-Based Violence

WGED, Justice

to end gender-based violence for 2023-24 and 2024-25.

- Dawson Women's Shelter.
 - Women's Transition Home.
 - Help and Hope for Families.
 - Yukon Status of Women Council.
 - Les Essentielles.
 - Victoria Faulkner Women's Centre.
 - Queer Yukon Society.
 - Whitehorse Aboriginal Women's Circle.
 - Liard Aboriginal Women's Society
 - Yukon Aboriginal Women's Society
 - Yukon Women in Trades and Technology.
 - Skookum Jim Friendship Centre.
 - Yukon Anti-Poverty Coalition.
- Organizations that requested increases to core funding include the Yukon Status of Women Council, Les Essentielles, Victoria Faulkner Women's Centre, Whitehorse Aboriginal Women's Circle, Yukon Women in Trades and Technology, Yukon Women's Transition Home Society, Dawson Shelter Society and Help and Hope for Families Society.
- The amount of funding available to these organizations exceeds what was requested by the coalition in February 2023. In year 1, \$2,074,000 is available to the gender-equity seeking sector and \$1,950,000 is available in year 2.
- The letter from several members of the Yukon Women Coalition that was sent to Minister McLean in February 2023 was used to inform the allocation of project funds that will be available for the duration of the program review and stakeholder engagement.
- Yukon's implementation plan includes a program review and stakeholder engagement to ensure that all the gender-equity seeking organizations and Yukon First Nations in the territory can inform future decisions on where to focus efforts to end gender-based violence in the Yukon.
- Organizations that make up the Yukon Women's Coalition, the Coalition itself, as

National Action Plan to End Gender-Based Violence

WGED, Justice

well as other organizations that receive annual funding from the Women and Gender Equity Directorate can access project-funding for years one and two of the agreement.

- Project funding is being provided to the organizations funded by WGED and increased operational funding to the transition homes funded by HSS for years one and two of the agreement. There is an understanding that WGED will work with stakeholders on a program review to understand funding priorities for the second half of the agreement (2025-27).
- Yukon's implementation plan includes 16 actions:
 - three are existing Government of Yukon initiatives including SART, the Prevention of Violence Against Aboriginal Women Fund and implementation of Yukon's MMIWG2S+ strategy;
 - 13 are new; and
 - six of the 16 actions are focused on prevention efforts (four new and two existing initiatives).
- Work on the following initiatives in Yukon's plan is ongoing:
 - Capacity Building within the gender-based violence Sector – transfer payment agreement with Yukon Women's Coalition.
 - Enhanced funding for existing partners – victim support.
 - Enhanced funding for existing partners – prevention.
 - Funding for women's transition homes.
- Work on the remaining initiatives is in progress and being led by the respective departments.
- Women and Gender Equality Canada, with input from the provinces and territories, have created an Expected Results Framework that makes up part of the agreement. This framework, and Yukon's agreement, are available online.
- The results of every jurisdiction's implementation plan will be made public in a cumulative annual report on national progress toward the objectives of the National Action Plan to End Gender-based Violence and the outcomes identified in the Expected Results Framework.

Session Briefing Note

3 WGED

5 JUS

Spring 2024

National Action Plan to End Gender-Based Violence

WGED, Justice

- Twenty-five per cent of federal funding must be directed towards gender-based violence prevention. Yukon's implementation plan has dedicated over 40 per cent of the funding to increasing prevention efforts.
- Officials from WGED, HSS, and JUS worked together to identify priorities from the National Action Plan that align with Yukon's priorities, including the 12 priorities in the Yukon's MMIWG2S+ Strategy.
- Contributions are based on a 50/50 cost share split that recognizes in-kind and existing contributions from provincial/territorial governments as part of their 50 per cent obligation.
- In 2021-22, engagement was held with Indigenous organizations across Canada on Pillar 4: Indigenous-led approaches. In Yukon, engagement was held with the Yukon Advisory Committee on MMIWG2S+.
- In January 2021, the FPT Ministers responsible for the Status of Women endorsed the Joint Declaration for a Canada Free of Gender-Based Violence, which included a common vision, principles, and goals for the National Action Plan (NAP).
- The vision of the National Action Plan is "a Canada free of gender-based violence. A Canada that supports victims, survivors, and their families, no matter where they live."
- The five pillars of the National Action Plan to end gender-based violence are:
 - support for survivors and their families;
 - prevention;
 - promotion of responsive legal and justice systems;
 - support for Indigenous-led approaches and informed responses; and
 - social infrastructure and enabling environments.

Approved by:

Deputy Minister, WGED

Date approved

Session Briefing Note

3 WGED

5 JUS

Spring 2024

National Action Plan to End Gender-Based Violence

WGED, Justice

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Substance Use Health Emergency Strategy

Justice

Recommended response:

- Substance use, drug toxicity and overdose-related deaths are devastating Yukon communities.
- Since declaring a substance use health emergency in 2022, the Government of Yukon has worked closely with First Nations governments and community groups to coordinate a response focusing on prevention, harm reduction, treatment, and community safety.
- The Substance Use Health Emergency Strategy contains 43 recommended actions to be led by the Department of Health and Social Services and the Department of Justice.

Additional response:

- The Strategy is adaptive: we will continually assess, regularly report on, and adjust our response to reflect changing circumstances and emerging needs to meet our long-term goals.

Context:

- The Strategy was launched publicly on August 23, 2023. The substance use health emergency is a continuous topic of conversation and receives significant attention in the legislature and in the media.
- Ninety-three Yukon residents have lost their lives to opioids between April 2016 and November 2023. A total of 23 substance-use related deaths occurred in 2023.
- One action focuses on decriminalization and potential future changes to criminal law enforcement related to drug use and possession. This is a polarizing issue that requires further research, analysis and consideration by all stakeholders involved.

Background:

- On January 20, 2022, the Government of Yukon declared a substance use health emergency.

Session Briefing Note

Spring 2024

Substance Use Health Emergency Strategy

Justice

- At the time, the Yukon had the highest per capita rate of opioid-related overdose deaths in the country.
- Yukon hospital emergency departments have reported a consistent rise in drug poisoning cases since 2016.
- According to the Health of Canadians Report 2023, Yukoners have the second highest rates of alcohol consumption, outpacing all other Canadian regions except the Northwest Territories in drinking and alcohol sales.
- The Strategy contains recommended immediate, short- 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 age of initiation of substance use;
 - to minimize substance use across the 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.
- The Department of Justice oversees the fourth area: community safety and wellbeing. Ten of these 43 proposed actions are led by the Department of Justice.
- The Strategy incorporates or expands on existing Department of Justice initiatives, including:
 - Phase I of the Community Safety Planning Program, which launched in February 2023 and provides up to \$200,000 to each First Nation for development and implementation of community safety initiatives uniquely designed to suit their citizens. A proposed Phase II would expand the program to municipalities in 2024.
 - 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).
 - Increased capacity to investigate and disrupt illicit drug supply and organized crime through the *Safer Communities and Neighbourhoods Act* (SCAN).
 - Discussions about policing capacity and arrangements to have law enforcement be more responsive to community priorities.

Session Briefing Note

Spring 2024

Substance Use Health Emergency Strategy

Justice

- 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.
- Two positions, created in Community Corrections under this Strategy, will provide better outreach and clinical support for individuals struggling with substance use when transitioning from the corrections system back to communities.
- The Strategy includes \$326,000 in additional support for “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:

Deputy Minister, Justice

Date approved

Session Briefing Note**Spring 2024*****Exemptions Act***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 are 70 years out of date.
- The Bill to repeal and replace the Act is part of our ongoing work to build and maintain modern and effective legislative frameworks.
- The Department of Justice is committed to developing subsequent regulations as quickly as possible, informed by targeted engagement, to ensure equitable treatment and protection for both debtors and creditors.

Additional response:

- The revised legislation allows for an annual automatic adjustment feature tied to the Consumer Price Index. The dollar values currently prescribed in the Act would automatically update, so that future Yukoners undergoing bankruptcy will be treated fairly with dollar figures that more accurately reflect changing economic circumstances.
- The revised Act considers our way of life in the territory, introducing new exemptions for hunters and trappers and expanding definitions of tools-of-the-trade for self-employed workers and new motorized vehicle classes.

Context:

- In September 2023, the Department of Justice (Court Services) received public complaints regarding significant unfairness and hardships in current bankruptcy proceedings stemming from the antiquated *Exemptions Act*.
- The current Act disproportionately benefits creditors by allowing few exemptions to debtors.
- The listed exemptions do not address common items such as vehicles, electronic devices or financial instruments such as credit card debt, student loans or RRSPs.

Session Briefing Note**Spring 2024*****Exemptions Act***

Justice

Background:

- The template for amending the Act is provided by 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 many provinces and both territories.
- The Uniform Act recommends placing all prescribed monetary values into regulations instead of the Act itself to allow for easier and more routine updating.
- The repeal and replacement of the *Exemptions Act* also includes minor but crucial amendments to the *Garnishee Act*.
 - The *Garnishee Act* has not been revised since the 1980s and the dollar values included in that Act are more than 40 years out of date.
 - S. 22 addressing garnishment of wages currently indicates that a family of four can live comfortably on \$1,000 per month in the Yukon.
 - The proposed amendments will revise the minimum monthly allowances and harmonize the *Garnishee Act* with the *Exemptions Act*.
- The maximum monetary value of exempted items varies widely among the territories and provinces. For example, Manitoba allows debtors to retain \$2,500 of the accrued value in their primary residences, while the NWT allows up to \$50,000.
- 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 will inform development of the regulations.
- According to Statistics Canada, bankruptcies in the Yukon rose 44 per cent in 2022, with 55 Yukoners declaring bankruptcy.
- In the Yukon, one in five bankruptcies involve a senior citizen with little opportunity to earn more income and limited options for affordable housing should they lose their home.
- A Child's Rights Impact Assessment was conducted to ensure the rights of the debtor's dependents were prioritized as the Act was amended.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Public Utilities Act Amendments

Spring 2024Justice

Recommended response:

- The Government of Yukon is reviewing the *Public Utilities Act* to identify amendments that will support a more efficient and modern process for regulating electricity in the territory.
- This review is a part of implementing Our Clean Future.

Additional response:

- Changes to the Act and Regulations are being considered that will better enable the Yukon Utilities Board to provide timely decisions on renewable energy projects and electricity rates being proposed by utilities.

Context:

- The review supports several key initiatives in Our Clean Future by allowing the Yukon Utilities Board to consider whether a project will contribute to the Yukon's supply of affordable, renewable energy, along with other factors, in decisions involving electricity rates and upcoming energy projects.

Background:

- The Yukon Utilities Board is an independent regulator of electricity that receives its mandate from the *Public Utilities Act*, its regulations and Orders-in-Council. This legislation gives the board authority to set rates that may be charged for electricity and to oversee capital expenditures of public utilities.
- 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.
- In July 2021, the board released its report on the Battery Energy Storage System (BESS) project, in which it stated that 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.

Session Briefing Note**Spring 2024*****Public Utilities Act Amendments***

Justice

- The board's concerns were restated in its October 2022 report on the Atlin Energy Purchase Agreement, in which it called upon the Government of Yukon to provide guidance in legislation if it desires specific policy objectives to be supported by the board.
- Specific Our Clean Future goals include:
 - a 30 per cent reduction in greenhouse gas emissions from 2010 levels;
 - that 93 per cent of electricity in the grid come from renewable sources;
 - that diesel generation be substituted with renewable alternatives; and
 - that the use of fossil fuels for electricity generation be reduced.

[Cross-reference: BN#12 – *Public Utilities Act Regulation Changes for Our Clean Future*]

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Public Utilities Act Regulation Changes for Our Clean Future

Spring 2024

Justice

Recommended response:

- The Government of Yukon is working on changes to Regulations under the *Public Utilities Act* as part of implementing Our Clean Future, a strategy to address the climate crisis.
- These legislative changes will 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 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:

- 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.
- 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.

Background:

- Certain actions in Our Clean Future require changes to Regulations under the *Public Utilities Act* in order to be implemented. These include:
 - the emergence of a private market for electric vehicle charging;
 - purchases of renewable electricity from the Atlin Hydro Expansion project and the Lower Post solar project; and
 - the creation of a renewable energy portfolio requirement.

Session Briefing Note

Spring 2024

Public Utilities Act Regulation Changes for Our Clean Future

Justice

- Although Our Clean Future assigns these items to the Department of Energy, Mines and Resources, the *Public Utilities Act* is administered by the Department of Justice.
- Work on these actions is being done in collaboration with both departments. In 2022 and 2023, this led to the creation of four new regulations. Research on further legislative changes is underway. These efforts have focused on four main issues:

1) A Regulation for electric vehicle charging stations

- 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, the *Public Utilities Act* would be a barrier to enterprise in this area because it requires anyone selling electricity in the territory to obtain a franchise and become a regulated public utility.
- Creation of this regulation fulfils Our Clean Future Action Item T7, which commits the Government of Yukon to draft legislation by 2024 that will enable private businesses and the Yukon’s public utilities to sell electricity for the purpose of electric vehicle charging.

2) Regulations for the purchase of electricity from the Atlin Hydro Expansion project and Lower Post Solar project

- Two Regulations [OIC 2023/143 and 2023/144] came into force on November 28, 2023. These new Regulations relate to two renewable energy projects located in British Columbia that intend to sell electricity to public utilities in the Yukon:
 - 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.

Session Briefing Note

Public Utilities Act Regulation Changes for Our Clean Future

Spring 2024

Justice

- Since neither of the project proponents are franchised as public utilities in the Yukon, the new Regulations were needed to enable them to sell electricity within the territory.
- These Regulations provide exemptions that are similar to those already in place for small scale renewable electricity generators under the *Independent Power Production and Microgeneration Regulations*.
- The Regulations contribute to the Government of Yukon's efforts to increase renewable electricity on the Yukon's main grid to 97 per cent by 2030 (action item E1) and on micro-grid in communities dependent on diesel for electricity generation.
- Although the new Regulations will prevent Tlingit Homeland Energy LP and Daylu Dena Council from being treated as public utilities, ATCO and Yukon Energy Corporation's purchases of electricity from these projects will still be subject to oversight by the Yukon Utilities Board.

3) Remuneration regulation for Yukon Utilities Board members

- In December 2022, the *Yukon Utilities Board Remuneration Regulation* [OIC 2022/211] came into force. This new Regulation sets out an updated 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.
- Creation of this Regulation is a step in the implementation of Our Clean Future action E3, which 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.

4) Implementation of a Renewable Energy 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 (BC, Nova Scotia, Alberta and

Session Briefing Note**Spring 2024*****Public Utilities Act Regulation
Changes for Our Clean Future***

Justice

New Brunswick) that have implemented a Renewable Energy Portfolio within their province.

- Implementation of a similar standard in the Yukon would require changes to the *Public Utilities Act* and Regulations.

[Cross-reference: BN# 11 – *Public Utilities Act Amendments*]

[Cross-reference: BN# 23 – Yukon Utilities Board - Remuneration]

Approved by:

Deputy Minister, Justice

Date approved

Recommended response:

- The *Safer Communities and Neighbourhoods Act* provides the authority to investigate and resolve complaints of specified activities habitually occurring on a property and adversely affecting the community or neighbourhood.
- The Government of Yukon is committed to completing a comprehensive review of the *Safer Communities and Neighbourhoods Act* by 2027.
- Work to support the review began last year, and we anticipate it will be complete it before 2027.
- The Government of Yukon is aware of the significance of this Act and wants to ensure both due diligence of process and adequate time for First Nations governments, communities, the public and other stakeholders to provide input into the review.

Context:

- The constitutionality of one provision in the Act was challenged in the Yukon Supreme Court in *Wright v Yukon* on November 6 to 10, 2023. The judge has reserved her decision.
- In spring 2022, the Legislative Assembly amended the *Safer Communities and Neighbourhoods (SCAN)* Act to include a mandatory review within five years and to table a report of the findings in the legislature.

Background:

- The SCAN Act enables members of the public to file a complaint with the SCAN Unit when there is suspicion that a specified activity is occurring habitually on a property, and it is negatively impacting a neighbourhood or community.
- The SCAN Unit can investigate specified uses of property, including:
 - the illegal sale of liquor and other contraventions of the *Liquor Act*;
 - trafficking of illegal drugs or the illegal distribution of cannabis;

Session Briefing Note

Spring 2024

SCAN Act Review

Justice

- prostitution and activities related to prostitution;
 - the sexual abuse or sexual 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).
- The SCAN Unit supports community safety and wellbeing by responding to the concerns of Yukoners and disrupting activities that adversely impact communities.
 - 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.
 - The use of civil remedies, rather than criminal, increases the public's access to justice by providing a confidential and timely means of seeking redress.
 - The SCAN Unit works closely with First Nations governments. Ten Yukon First Nations governments have protocol agreements in place with the SCAN Unit to facilitate communication, prevention and enforcement activities for the implementation of the legislation in their communities.
 - All SCAN Unit activities are initiated by a complaint, after which the SCAN Unit determines if the complaint can be substantiated. The SCAN Unit acts only on the basis of sufficient evidence.
 - Drug trafficking is the most common type of activity for which complaints are received and investigations are undertaken. Typically, issues are resolved by a warning. On rare occasions, properties are closed by either assisting a landlord with terminating a tenancy agreement or by applying to the court for a Community Safety Order.
 - The Department of Justice has assigned resources and personnel to support the comprehensive review. Current work includes research such as jurisdictional scanning and a case law review. The Department of Justice anticipates beginning engagement and consultation by summer 2024.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note**Spring 2024****Coroner's Inquest**Justice

Recommended response:

- The Chief Coroner appointed Michael Egilson of BC to preside over the inquest.
- The work carried out in this inquest is essential in our ongoing efforts to protect the most vulnerable among us and help ensure such tragedies are not repeated.
- The Government of Yukon will now begin to thoroughly assess the recommendations and will provide an update and a plan for implementing the actions that will be taken as a result.
- We reaffirm our resolve to address the broader issues of substance use and homelessness that contribute to such crises. We continue to work to enhance our health and social services systems to help prevent future harm and provide a network of support that upholds our community values of compassion and respect.

Additional response:

- The Government of Yukon expresses our deepest condolences to all the families and communities who continue to be impacted by these tragic deaths.

Context:

- A Coroner's inquest into four deaths that occurred at the Whitehorse Emergency Shelter began on April 8, 2024, and concluded on April 25, 2024 with the jury's final recommendations.
- The public will want to hear about Connective's progress towards the recommendations set out in the inquest report.

Session Briefing Note

Spring 2024

Coroner's Inquest

Justice

Background:

- All four individuals died while staying at the Whitehorse Emergency Shelter (the Shelter).
- At the time of the first two deaths, the Shelter was operated by the Government of Yukon.
- At the time of the other deaths, the Government of Yukon was still funding the shelter, but management and operations had been assumed by Connective Support Society.
- The Chief Coroner has made public statements linking the deaths to "toxic illicit drugs" and the media has treated these deaths as part of Yukon's Substance Use Health Emergency.
- A Coroner's inquest is a court of record, and the Presiding Coroner was a judge of a court of record. Procedures governing Coroner's inquests are detailed in the territory's Coroner's Act.
- The following parties were granted standing to participate in the inquest:
 - Department of Health and Social Services, Government of Yukon;
 - Connective Support Society;
 - Council of Yukon First Nations;
 - Vuntut Gwitchin First Nation;
 - Selkirk First Nation;
 - Little Salmon Carmacks First Nation; and
 - the family of Darla Skookum.
- Persons granted standing in an inquest were included in the inquest preparation processes and proceedings. They had the opportunity to examine and cross-examine witness evidence. Persons with standing could have requested to summon any witness to testify at the inquest.
- The coroner's service did not pay for travel, accommodation, or per diem costs for participants unless the coroner had summoned them.

Shelter operations:

- From 2017 to early 2019, the Government of Yukon contracted with the Salvation Army to operate an emergency shelter in Whitehorse.

Session Briefing Note

Coroner's Inquest

Spring 2024Justice

- The Government of Yukon took over shelter operations in 2019 and adopted a low-barrier model that admitted clients while under the influence of alcohol or drugs.
- Connective Support Society assumed management and operation of the shelter on October 1, 2022. Connective also employs a low-barrier model.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note**Spring 2024****Coroner's Service Building Construction**Justice

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 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

Spring 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 coroners service for the Yukon. The construction of the facility is planned on Yukon Hospital Corporation land, behind the 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 been added to the organizational structure. Body transfer is now being provided by the Yukon Coroner's Service, which requires an additional vehicle. This restructuring adds pressure on the existing facility.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Electricity Costs and Rate Reviews

Spring 2024

Justice

Recommended response:

- The rates that utilities charge for electricity are set by the Yukon Utilities Board, which is an independent regulator responsible for making decisions that are 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:

- Public hearings for Yukon Energy Corporation's 2023-24 General Rate Application began in late September 2023 and are expected to be complete by April 2024. A board order on the application and reasons for the board's decision may be expected in late spring 2024.
- Public hearings for ATCO Electric Yukon's (ATCO) 2023-24 General Rate Application began in early September 2023 and concluded in late December 2023. A board order on the application and reasons for the board's decision may be expected in early spring 2024. The hearings have received media attention.
- Prior to this application, ATCO had not completed a General Rate Application since 2017.

Session Briefing Note

Electricity Costs and Rate Reviews

Spring 2024

Justice

- 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

- On August 31, 2023, Yukon Energy Corporation (YEC) filed a General Rate Application with the Board.
- This application includes a request to increase rates that would equate to an estimated 6.1 per cent increase for residential customers.
- The hearing began in September 2023 and is expected to conclude on March 29, 2024.

ATCO's 2023-24 General Rate Application

- On July 7, 2023, ATCO filed its 2023-24 General Rate Application with the Yukon Utilities Board. The application included a request to increase electricity rates that may be charged by approximately five per cent over 2023 levels to cover higher capital and inflation costs.
- The hearing concluded on December 20, 2023. The board may issue its decision and reasons at any time. The decision can be expected during the Spring 2024 Legislative Session.

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 General Rate Application contributed to excess revenues beyond what was being proposed for rebate. The Board considered this evidence out of scope for the decision at hand.

Session Briefing Note

Spring 2024

Electricity Costs and Rate Reviews

Justice

- 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 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 General Rate Application. In this application, the utility requests approval of its proposed rate, based on its current and expected costs.
- General Rate Applications are prompted by the utility's assessment that changes to its costs should be reflected in higher rates. There is no periodic requirement for General Rate Applications in law.
- In a General Rate Application, 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 reasonably incurred plus a reasonable rate of return.
- 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.

Session Briefing Note**Spring 2024****Electricity Costs and Rate Reviews**

Justice

- 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 rebate may be ordered by the Board.
- The rate setting process relies on forecasts of the utilities' costs. As the real 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 General Rate Application 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:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Spring 2024

Yukon Utilities Board – Remuneration

Justice

Recommended response:

- Compensation for Yukon Utilities Board members was increased due to the complexity and impact of the work completed by the Board.
- The Yukon Utilities Board makes decisions that affect Yukon's electricity users, businesses, the territorial government and Yukon First Nations governments.
- The Yukon Utilities Board is an independent regulator of electricity that has the authority to set rates that may be charged for electricity and oversee capital expenditures of public utilities.

Context:

- The Yukon Utilities Board (the Board) raised the matter of remuneration with the Government of Yukon in early 2021 and remained engaged until the new OIC took effect on December 8, 2022.
- The Chair expressed appreciation and support for the updated remuneration package.

Background:

- The Board is responsible for regulating electrical utilities in the Yukon. 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.
- As the Yukon's utilities regulator, the Board's decisions can have significant impacts on all Yukoners, governments, businesses and other stakeholders.
- It is the responsibility of the Board to examine the costs brought forward when the utility proposes to charge ratepayers. These costs are generally separated into three classes:
 1. the costs to the utility to run its operations and maintain its equipment, including costs for personnel and materials;
 2. the costs associated with the depreciation of all capital equipment and assets, as updated from time to time; and

Session Briefing Note**Spring 2024****Yukon Utilities Board – Remuneration**

Justice

3. the return on rate base, which includes the costs related to borrowing that portion of rate base financed with debt, plus the costs to provide a reasonable rate of return on that portion of rate base financed with equity.
- Board orders are reviewable by the Court of Appeal of Yukon.
 - Through Our Clean Future, the Department of Justice is reviewing the *Public Utilities Act*, including the Board's responsibilities and the factors that the Board must consider when making decisions and recommendations.

[Cross-reference: BN# 11 – *Public Utilities Act Amendments*]

[Cross-reference: BN# 12 – *Public Utilities Act Regulation Changes for Our Clean Future*]

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Bail Reform – Repeat Violent Offenders

Justice

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 serious offences committed with firearms and other dangerous weapons. They will do so by shifting the burden to the accused to demonstrate there is no reason warranting their detention. This is called reverse onus.
- The amendments expand the reverse onus provision for certain firearms and for offences involving intimate partner violence.

Additional Response:

- The matter of repeat violent offenders and the bail system involve many complex factors and 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, such as Indigenous peoples, Black and other racialized people and other marginalized groups.
- The solutions to repeat violent offending and random violent acts lie in addressing the root causes of crime, including:
 - improved access to mental health services;
 - substance use treatment; and
 - social supports such as supportive housing.
- We will continue to partner with First Nations and Indigenous communities to explore forms of reintegration, after care, and support, based on individual culture and community needs.

Session Briefing Note

Spring 2024

Bail Reform – Repeat Violent Offenders

Justice

Context:

- A communiqué was released 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.
- There have been recent cases of violent attacks by offenders out on bail, including one instance in Ontario that resulted in the death of a police officer.
- Concerns have been raised within the Yukon 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, in particular 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, and bail support and enforcement programs.

Session Briefing Note

Spring 2024

Bail Reform – Repeat Violent Offenders

Justice

- 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 take action 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 particular circumstances of the accused were considered.
- Significant investments in poverty reduction, housing affordability, and continuum of care for substance use and mental health conditions hold the most promise to address the 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 bail data 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.

Approved by:

Deputy Minister, Justice

Date approved

Recommended response:

- Supervised housing is a critical component of the criminal justice system, contributing to a safer and healthier Yukon.
- Our government supports non-custodial, supervised housing for men and women that enables justice-involved individuals to gradually reintegrate with, or remain supervised in, the community.
- The Women's Supervised Housing program opened in June 2023 and is the first program of its kind in the North.

Additional response:

- The Men's and Women's Supervised Housing programs each provide structured support in a home environment for individuals who are justice-involved.
- Residents of each program receive person-centred support and programming based on individual needs and goals 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.

Session Briefing Note

Spring 2024

Supervised Housing

Justice

Context:

- Supervised housing for justice-involved men is long established in the territory, but no equivalent service existed for women involved in the criminal justice system until recently.
 - Housing limitations within the Yukon create additional barriers for women involved in the criminal justice system.
 - The supervised housing program for men operates in a co-located, yet separate area of the Whitehorse Correctional Centre, and has received significant public attention.
-

Background:

The Men's Program:

- On December 23, 2019, the Government of Yukon received formal notification that the Salvation Army had decided to discontinue its supervised housing program in the territory. Service provision of the Yukon Adult Resource Centre (YARC) by the Salvation Army ended on April 30, 2020.
 - With no alternative program available in the Yukon, cessation of operations at YARC would have resulted in a critical gap in services for justice-involved individuals.
 - Connective has been operating the Supervised Housing and Reintegration Program for justice-involved men since 2020.
 - The initial budget allocation was carried forward from the previous arrangement with the Salvation Army that existed before the fiscal year 2019–20, providing \$550,000 annually.
 - In April 2022, Connective identified that the budget for the existing men's supervised housing program was insufficient to sustain operations.
 - Connective requested an increase of \$257,632 related to the men's facility. In the fall of 2022, this increase was approved resulting in an annual operating budget of \$807,632.
 - Connective's facility for men has a maximum capacity of 40 beds.
 - All residents are subject to general and specific conditions of release. Safety considerations for the community, staff members and residents are ensured by 24-hour staff who provide structure, monitoring and support.
-

Session Briefing Note

Spring 2024

Supervised Housing

Justice

- For the 2024-25 fiscal year, the annual operating budget will remain the same; the men's program will have an operating budget of \$807,632.
- From May 1, 2020, to March 1, 2024, Connective has provided services to 129 bail and probation clients and 14 federal parole clients.

The Women's Program:

- On June 1, 2023, Connective officially opened the Women's Supervised Housing and Reintegration Program. The program provides equivalent services to those available for men, in a separate location.
- The women's program is on the Whitehorse Correctional Centre property in the former Takhini Haven building; however, it is separate and independently operated.
- Yukon Community Corrections, the Justice Wellness Centre and the Whitehorse Correctional Centre continue to review their caseloads while working with clients to assist with referrals.
- 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.
- Historically, the Salvation Army also provided beds for women. Since the Salvation Army discontinued this service, intermittent solutions have filled this service gap. These have included attempts by the Elizabeth Fry Society to set up housing and 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), 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 implementation of a 24/7, supervised housing pilot program for women with a budget of \$561,833 per year.

Session Briefing Note**Spring 2024****Supervised Housing**

Justice

- In April 2022, Connective identified program funding shortfalls related to projected operating costs for the women's supervised housing programs. Connective requested an increase of \$178,000 to the annual operating cost. To address this pressure, the Department of Justice requested and received approval for funding increases for 2023–24.
- 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.
- Connective has four permanent staff members dedicated to the women's program: two full-time and two part-time.
- As of March 1, 2024, Connective has received 11 referrals; of those, four clients were accepted, two were denied, and five were withdrawn.
- The referral process generally takes five to seven business days but is dependent on the response of applicant references.
- For the period of April until September 2024, the operating budget for the women's program will be \$280,917.
- The Department of Justice will evaluate the women's program before the end of September 2024.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Designation as a Hospital/Facility

Justice

Recommended response:

- The Government of Yukon continues to explore alternatives that would facilitate removing the Whitehorse Correctional Centre's designation as a hospital without:
 - compromising client care;
 - decreasing institutional safety; or
 - increasing risk to the public.
- The Government of Yukon is committed to ensuring that individuals are housed:
 - humanely;
 - in the least restrictive conditions required to maintain public and institutional safety; and
 - in a way that meets their needs and current behaviours.

Additional response:

- The complex needs of individuals who require forensic care and the limited availability of crucial resources throughout the Yukon have historically presented challenges.
- The Whitehorse Correctional Centre's statutory designation as a hospital will be maintained to detain individuals found Not Criminally Responsible or Unfit for Trial, on a short-term basis.
- The Whitehorse Correctional Centre cannot house individuals who require forensic care for prolonged periods of time.
- Individuals who require such care are more appropriately placed in psychiatric facilities with medical professionals who specialize in forensic services.

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Designation as a Hospital/Facility

Justice

Context:

- The 2018 Whitehorse Correctional Centre (WCC) Inspection Report recommended that the Government of Yukon revoke the institution's designation as a hospital.
- The Third Party raised this issue during debate of the 2023-24 budget.

Background:

- On October 25, 1993, pursuant to section 672.1 of the *Criminal Code*, the Minister of Health and Social Services ordered that the following facilities be designated as hospitals for the custody, treatment or assessment of an accused in respect of whom an order, a disposition or a placement is made under the *Criminal Code*:
 - Whitehorse General Hospital (WGH);
 - Mental Health Services, Health Canada; and
 - WCC.
- WGH is designated to detain individuals found Not Criminally Responsible or Unfit for Trial pursuant to the *Criminal Code*. However, they have been reluctant to play this role due to a lack of operational resources when asked to detain such individuals. This leaves WCC as the only other adequate alternative within the territory.
- WCC provides all clients with medical and mental health assessments upon intake and makes referrals to the facility's Health Services team, the Forensic Complex Care Team within the Department of Health and Social Services, or contracted physicians.
- In April 2021, WCC established a contract with a dedicated psychiatrist to provide routine, on-site psychiatric services for clients. This contract replaced the previous billing arrangement with Health and Social Services.
- WCC contracted physicians, psychiatrist and case management staff work closely with community resources, the Forensic Complex Care Team and the Yukon Review Board to access appropriate services and maintain continuity of care for individuals that have complex mental health needs.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Inmate Counts

Justice

Recommended response:

- Continuous efforts are underway within the Department of Justice to operationalize the principle of least restrictive measures and use incarceration as a last resort while mitigating risks to 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 relatively low custodial population in comparison to other Canadian jurisdictions.
- Total admissions to Whitehorse Correctional Centre have fluctuated between 2009 and 2023. After reaching a high of 823 in the 2012–13 fiscal year, total annual admissions have generally 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 January 23, there have been 227 admissions so far in the 2023–24 fiscal year. Of the 227 admissions, 163 have been remanded, 59 have been sentenced and 5 have been admitted through the Yukon Review Board. Of the 227 admissions, 161 self-reported as First Nations.
- In the 2022–23 reporting year, there were 293 admissions, and 325 admissions in 2021–22.

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Inmate Counts

Justice

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.
-

Background:

- Many factors underlie and influence the rates of both crime and incarceration. Across Canada, crime rates have generally 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 227 admissions in the 2023–24 fiscal year, 72.5 per cent (161 individuals) self-identified as First Nations.
- Of the 293 admissions in the 2022–23 fiscal year, 45 per cent (133 individuals) self-identified as First Nations.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

WCC: Inspection – Recommendations Implementation

Justice

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 provides 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.

Session Briefing Note

Spring 2024

WCC: Inspection – Recommendations Implementation

Justice

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 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 of 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

**WCC: Inspection –
Recommendations Implementation**

Justice

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 justice, health, and First Nations partners.
- 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.

Session Briefing Note

Spring 2024

WCC: Inspection –

Justice

Recommendations Implementation

- 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 36).
 - 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 very important recommendations to inspire reforms within the corrections system in the Yukon. However, a lot of improvements have already been made within the last five years and much of the work of the corrections branch will continue to be driven by factors other than the 2018 report.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Programming

Justice

Recommended response:

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

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Programming

Justice

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 2023-24 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; 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; and
 - one-on-one First Nations Elder and Knowledge Keeper counselling services.
 - providing bi-monthly health promotion programming on relevant topics provided by WCC's Health Services Team.

Session Briefing Note

Spring 2024

Whitehorse Correctional Centre: Programming

Justice

- In 2022–23, Substance Use Counselling was offered by the Aurora Wellness Group in response to referrals submitted through WCC's Case Management Team. This contractor began seeing clients in November 2022. The substance abuse contract is currently in the procurement process.
- Clients receiving physician-supervised Opioid Agonist Therapy (OAT) are required to 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. sexual offending or spousal 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;
 - 'Living without Violence', and
 - Facilitation Skills and Substance Use Management (by the Justice Institute of British Columbia).

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Community Safety Planning

Spring 2024

Justice

Recommended response:

- The Government of Yukon continues to prioritize support for 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 Nations governments, and municipalities to support community safety and wellbeing processes and the implementation of associated initiatives.
- The Government of Yukon recognizes the unique nature of individual communities across the territory and understands that community safety and wellbeing plans and initiatives must be reflective of the individual needs of each community.

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 implementation of priorities identified during the planning process.
- 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.
- Phase Two of the program will explore expanding community safety and wellbeing options for municipalities and rural Yukon.

Session Briefing Note

Community Safety Planning

Spring 2024

Justice

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.
- 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.

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 an action 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 “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.

Session Briefing Note

Community Safety Planning

Spring 2024

Justice

Many expressed interests in accessing funding through the Community Safety Planning program.

- 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 Government of Yukon has signed two agreements under the Community Safety Planning program with Kluane First Nation and Vuntut Gwitchin First Nation.
- The Department of Justice continues to work with additional communities on their community safety related concerns.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Cybersecurity

Spring 2024

Justice

Recommended response:

- Cybersecurity is a concern in the Yukon, and the Government of Yukon is committed to enhancing our own capabilities while protecting Yukoners from growing cybersecurity challenges.
- The territory was among several jurisdictions that experienced a Dedicated Denial of Service attack in 2023. Nunavut, Saskatchewan, Manitoba and Prince Edward Island experienced similar outages.
- The Yukon attack targeted the Government of Yukon's website and several internal systems, resulting in a service disruption.
- Government IT teams responded to the initial attack. Both local and national RCMP cybersecurity resources were alerted and worked with government officials to end the attack, and services were restored later that day.

Additional response:

- In 2022, Yukon's RCMP received reports of 47 occurrences where technology was used to defraud or attempted to defraud an individual or a business.
- The Department of Justice continues to work with the RCMP and Public Safety Canada on strategies to enhance Canada's ability to combat cybercrime and enhance cybersecurity.
- We are committed to ongoing support and collaboration between local and national RCMP cybercrime services to combat this important issue.

Context:

- On September 14, 2023, the Government of Yukon experienced a Dedicated Denial of Service (DDoS) cyberattack targeting the government's website and several internal systems, including government wi-fi, email, internet-based phone services, Microsoft Teams, SharePoint and other cloud-based software.

Session Briefing Note

Cybersecurity

Spring 2024

Justice

Background:

- The Government of Yukon is working with its federal, provincial, and territorial counterparts and the Canadian Centre for Cyber Security to assess how best to keep Yukoners' data secure in a digital world with proliferating cyber risks and increasing frequency of these types of attacks.
- Federally, Bill C-26, An Act Respecting Cyber Security, amending the *Telecommunications Act* and making consequential amendments to other Acts, is under consideration in the House of Commons Standing Committee on Public Safety and National Security.
- It proposes changes that, if implemented, will improve the security of telecommunications systems in Canada and protect systems deemed critical for public safety and national security.
- The RCMP established a National Cybercrime Coordination Unit to work in coordination with police forces and partners across Canada to combat cybercrime and reduce its overall impact on Canadians.
- In the Yukon, cybercrime investigations are managed by the Federal Investigations Unit of the RCMP, who work closely with national headquarters.
- Dedicated Denial of Service Attacks send abnormally high levels of traffic to networks to overwhelm systems. The Department of Highways and Public Works conducted a post-incident review to identify what was learned and it is introducing new cybersecurity measures to reduce the impact of future attacks.
- The Government of Yukon has taken additional steps to fortify its security infrastructure, including implementation of multi-factor authentication requirements, password expiration, productivity patches on a more frequent basis, phishing prevention and awareness training for staff.
- In addition, various applications, software and system upgrades, and defender protections have been implemented to strengthen YG's networks.
- The more personal, business and financial data that are available online, and the more ways Canadians connect to the world online, the more information is at risk from security threats.
- According to Statistics Canada, 27,829 cyber violations were reported domestically in 2017. In 2022, that number nearly tripled to 74,073 reports.

Session Briefing Note

Cybersecurity

Spring 2024

Justice

- In 2024, personal data, privacy, information security, cybersecurity and public records are increasingly large issues within our public safety mandate.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Spring 2024

Decriminalization of Opioids

Justice

Recommended response:

- Criminal law addressing controlled drugs and substances is under the purview of the Government of Canada.
- Our government has been working 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 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 violence in communities due to the illicit drug trade.
- The Government of Yukon is monitoring the effectiveness of British Columbia's program and gathering information and evidence from other jurisdictions that are grappling with drug toxicity and organized crime.

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 in the territory.
- Our government has been working with the federal, provincial, territorial working group on simple possession to identify current policies and practices, and to consider the implications of potential alternatives to prosecution and sentencing.
- Yukoners are acutely impacted by the presence of illicit drugs in our territory, and we are committed to continuing our work to address the substance use health emergency.

Session Briefing Note

Spring 2024

Decriminalization of Opioids

Justice

Context:

- YG 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.

Background:

- Decriminalizing possession of some drugs removes the risk of criminal penalties for individual users but maintains penalties for suppliers and criminal traffickers.
- 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 similar to cannabis and alcohol.
- Under a decriminalization regime, possession of drugs for personal use remains illegal. Instead of criminal sanctions, non-criminal responses such as fines and warnings may be applicable for designated activities.
- Different approaches will require different levels of support from all partners and stakeholders, especially the Government of Canada.
- In 2021, the Yukon's Blood Ties Four Directions Centre, with support from the Canadian Drug Policy Coalition and Health Canada, facilitated a Yukon community dialogue about experiences and 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 and policies on people who use drugs.
- In February 2022, the Government of Yukon hosted the first phase of a Mental Wellness Summit to discuss the health emergency and actioned a second phase of the summit in the fall.
- The substance use emergency was a topic of discussion at the August 2022 inaugural Indigenous Community Safety Summit, held in Whitehorse.

Session Briefing Note

Spring 2024

Decriminalization of Opioids

Justice

- Yukon's Member of Parliament, Brendan Hanley, has publicly expressed support for decriminalizing simple possession of narcotic drugs and other controlled substances.
- 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 also 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 60 police-reported criminal incidents of possession of illicit drugs in the Yukon in 2021 and 211 police-reported incidents for drug trafficking.
- According to the 2022 Police-reported crime statistics in Canada, drug offences decreased by 17 percent from 62,416 incidents in 2021 to 52,857 in 2022 across Canada.
- Declines observed in drug offences, particularly drug possession, may be due to changes in police charging practices in response to:
 - 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), and/or
 - the anticipated introduction of Health Canada's exemption from the CDSA for the province of British Columbia for the personal possession of small amounts of certain illegal drugs, that came into effect on January 31, 2023.

Federal legislation and jurisdictional exemptions

- On June 1, 2022, Bill C-216, An Act to amend the *Controlled Drugs and Substances Act* and to enact the *Expungement of Certain Drug-related Convictions Act* and the *National Strategy on Substance Use Act*, failed second reading
 - Bill C-216 sought to rescind a provision of the *Controlled Drugs and Substances Act* that makes it an offence to possess specified substances.
 - On June 1, 2022, the House of Commons voted to reject Bill C-216.

Session Briefing Note

Spring 2024

Decriminalization of Opioids

Justice

British Columbia

- Health Canada has granted an exemption from the *Controlled Drugs and Substances Act* 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.
- 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.
- 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:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note**Spring 2024****Downtown Whitehorse Community
Safety and Violent Crime**

Justice

Recommended response:

- The landscape of crime and public safety is changing across the country, and the Yukon is not immune. We are acting on a variety of levels to contend with this complex reality.
- The Government of Yukon recognizes the safety concerns raised by community members and businesses surrounding 405 Alexander and downtown safety in Whitehorse.
- We take the safety of downtown residents seriously.
- The departments of Justice and Health and Social Services will coordinate the government's response to commitments identified in the Whitehorse Downtown Safety Action Plan released in December 2023.
- We are working closely with partner agencies, Yukon First Nations, the RCMP, the City of Whitehorse and the community on a strategic way forward including both immediate and long-term actions.

Additional response:

- Our government values the work of the RCMP and supports their efforts to help address the rise in violent crime across the territory as well as the enhanced law enforcement efforts around the shelter in response to community concerns.
- An action within the Downtown Safety Action Plan commits our government to develop a city-wide Community Safety and Wellbeing Plan.
- This Community Safety and Wellbeing Plan will complement the Yukon Substance Use Health Emergency Strategy and create a framework to explore new innovative initiatives.

Session Briefing Note

Spring 2024

Downtown Whitehorse Community Safety and Violent Crime

Justice

Context:

- There have been multiple recent instances of violent crime, public safety concerns and related media coverage.
- Concerns related to the shelter have been shared with Members of the Legislative Assembly, the Chamber of Commerce, 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:

Violent Crime Incidents

- In 2023, the RCMP responded to multiple violent incidents in Whitehorse.
- These incidents included assault; breaking and entering; events involving firearms and other weapons; sexual assault involving vulnerable persons; and the laying of first-degree murder charges.
- The same year saw multiple incidents of violence throughout the territory, including a double homicide in Mayo and other firearms-involved crimes.

Downtown Whitehorse

- 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 Whitehorse Emergency 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 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 concerns of downtown Whitehorse.

Session Briefing Note

Spring 2024

Downtown Whitehorse Community Safety and Violent Crime

Justice

405 Alexander

- Numerous inquiries have arisen regarding 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 so that Yukoners and visitors can feel safe in Whitehorse.
- 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.

Gun and Gang Violence Action Fund

- The Safer Communities and Neighbourhoods (SCAN) Unit has increased its investigational and analytical capacity through 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, which was \$2,250,735.

Session Briefing Note**Spring 2024****Downtown Whitehorse Community
Safety and Violent Crime**

Justice

Community Safety and Wellbeing Planning

- Community Safety Planning was introduced to the territory by Public Safety Canada through presentations to representatives from Government of Yukon and Yukon First Nations in the fall of 2018. As this process has been adopted by the Government of Yukon, its scope has grown to encompass initiatives that also promote community wellness.
- Since 2023, the government of Yukon has been providing up to \$200,000 to interested Yukon First Nations governments, enabling them to develop and implement Community Safety and Wellbeing Plans.
- Phase Two of the program is under development, which will enable municipalities to apply to the Government of Yukon for funding to support their Community Safety and Wellbeing Plans.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Firearms – Federal Changes and Buyback Program

Spring 2024Justice

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.
- Canadians are concerned about gun violence and the Government of Canada has reaffirmed its commitment to protect Canadians by making communities safer for everyone.
- 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:

- While we have yet to hear Canada's final plans related to the Buyback Program, our government will be closely monitoring this program's rollout to ensure that implementation does not adversely impact frontline policing.
- We have made it clear that the Government of Canada will need to ensure that federal resources are provided to administer the Buyback Program.
- We are also aware that Public Safety Canada is reviewing the firearms officer program, which supports firearm safety in the territory. We are open to discussing with Canada the benefits this may have for Yukoners, including the possibility of having a Chief Firearms Officer located in the territory. Officials from the Department of Justice have met with Canada to discuss the program and we look forward to hearing about possible next steps later this year.

Session Briefing Note

Firearms – Federal Changes and Buyback Program

Spring 2024

Justice

Context:

- Bill C-21 and the Government of Yukon's position on it have been the focus of frequent questions that are rooted in concerns about potential impacts to law-abiding firearms owners in the Yukon.
- While most provisions in Bill C-21 have not been contentious, concerns heard in the Yukon relate to the Buyback Program and the impacts on hunters. Canada has not announced a final plan for the buyback rollout. The amnesty period for newly banned firearms has been extended to October 30, 2025.
- Canada is engaging Yukoners about potential changes to improve the delivery of firearms safety licensing and programming in the territories, including the potential creation of a Chief Firearms Officer program to oversee territorial safety training and licensing. This federally led engagement may create expectations that Yukoners will be able to provide input on issues that are outside its scope, such as the planned Buyback Program.
- 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.

Background:

- 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.
- Bill C-21 also aims to bolster border and law enforcement capacity, reduce the number of firearms in circulation, stop crime before it starts, 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.

Session Briefing Note

Firearms – Federal Changes and Buyback Program

Spring 2024

Justice

- On January 19, 2023, the Yukon's Member of Parliament (MP) Brendan Hanley and then federal Minister of Public Safety Marco Mendicino hosted a roundtable in the Yukon to discuss Bill C-21 and proposed amendments which have since been withdrawn.
- Discussions at the roundtable included concerns that Bill C-21 could put lives of Indigenous hunters at risk in the Yukon by restricting certain types of firearms.
- Unlike single-shot or repeating firearms that require shooters to manually reload or re-cock the firearm before firing again, semi-automatic rifles automatically advance a new cartridge after each shot. Semi-automatics only fire once per trigger pull.
- Semi-automatic rifles are effective as a humane method to quickly dispatch animals, and as defense against polar bears, grizzly bears and wolves.
- Hunters encountering aggressive bears and wolves use their firearms to scare away dangerous animals and often do not have time to reload their firearms.
- On January 20, 2023, Premier Ranj Pillai issued a statement on Bill C-21 that supported MP Hanley's efforts to advocate for the interests of Yukoners, and his stance that the Yukon did not support Bill C-21 in the form presented for discussion.
- 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 passed third reading in the House of Commons on May 18, 2023, and its second reading in the Senate on June 21, 2023. It 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.

Session Briefing Note

Firearms – Federal Changes and Buyback Program

Spring 2024

Justice

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- The Department of Justice is in discussions with officials from Public Safety Canada to understand the 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 governments discussed the following.
 - The focus of the review is on examining improvements on education; increasing gender- and youth- specific, as well as 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) and the local “M” Division and 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, and will need to consider support for online as well as paper applications in remote communities.
 - The Government of Canada will consider improvements to their program based on input from engagement in the three territories, and the Department of Justice expects further discussions after their engagement has concluded.

Buyback Program

- In 2022, the Government of Canada banned more than 1,500 models and variants of assault-style firearms. The federal government is finalizing a Buyback Program to safely remove the now prohibited firearms from communities.
- 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.
- The firearms ban includes an amnesty period followed by a mandatory Buyback Program for the newly banned models.
- The amnesty period has been extended to October 30, 2025, to ensure affected firearm owners and businesses continue to be protected from criminal liability for unlawful possession while they come into compliance with the law.

Session Briefing Note

Firearms – Federal Changes and Buyback Program

Spring 2024

Justice

- The Buyback Program involves two phases: Phase 1- Buyback for Businesses and Industry; and Phase 2- Buyback for Individual Firearm Owners.
- The Buyback Program is currently in phase 1. 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);
 - 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.
- Firearm owners will need to confirm intent to participate, disposal choice and the compensation amount for assault-style firearms using a Buyback Portal.
- Program design for the Firearms Buyback Program is underway, including the development of a computer-aided processing system.
- The mandatory buyback component is a departure from past Canadian firearm regulation changes, in which *grandfather clauses* allowed firearms owners to keep previously legal firearms already in their possession.
- Once the Buyback Program is completed, the Government of Canada will create a report on the firearms collected, processed, destroyed and what payments were issued.
- 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 made firearms (commonly known as *ghost guns*).
- Privately made firearms are printed using a 3D printer and gun blueprints, which can be downloaded online and assembled within hours at 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 online without a firearms license.

Session Briefing Note

Firearms – Federal Changes and Buyback Program

Spring 2024

Justice

- The Government of Yukon is currently doing its due diligence by:
 - researching the social, political and criminal aspects of ghost guns;
 - keeping up to date on media and social media discussions of these guns;
 - keeping up to date with federal/provincial/territorial colleagues; and
 - following world and domestic news about illegal firearms.

Statistics:

- The rate of violent *Criminal Code* firearm offences has increased in Canada for the eighth consecutive year (rising four per cent in 2022), while non-violent firearm offences remain stable.
- Of the 342 firearm-related homicides in 2022, 63 per cent were committed with a handgun, and 23 per cent were committed with a rifle or shotgun. In the remaining 14 per cent of cases, the firearm type was unknown or of another type.

Approved by:

Deputy Minister, Justice_____
Date approved

Session Briefing Note

Spring 2024

Crime Rates

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 to 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.
- 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 around organized crime and the trafficking of drugs and alcohol.
- In 2023, there were multiple high-profile instances of violent crime both in Whitehorse and in communities.
- The low population in the territories typically result in more variable per capita rates.

Background:

- Statistics Canada released its annual Police-reported crime statistics in Canada, 2022, on July 27, 2023, which publishes crime statistics on criminal activity that has been reported to the police.

Session Briefing Note

Spring 2024

Crime Rates

Justice

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- Many provinces and territories recorded increases in the Crime Severity Index for the second consecutive year. New Brunswick, Nunavut, and the Yukon recorded decreases.
 - In 2022, police in Yukon reported 33 firearm-related violent crimes – an increase of two incidents from 2021. Yukon had the fourth highest rate of firearms-related and violent crimes per 100,000 population, following the Northwest Territories, Nunavut, and Saskatchewan.
 - Increased awareness of high-profile criminal acts, social movements, media reporting and recent changes to legislation, law enforcement policies and local procedures may influence public reporting practices.
 - The homicide rates in the Northwest Territories (6.58 homicides per 100,000 population), the Yukon (4.57 per 100,000) and Nunavut (2.47 per 100,000) were above the national average in 2022.

Territorial highlights and trends

- The Yukon's adult Crime Severity Index decreased by 4.85 per cent, compared to a national increase of 4.61 per cent.
- The Yukon's adult Violent Crime Severity Index decreased by 2.82 per cent, compared to a national increase of 4.61 per cent.
- The Yukon's adult Non-Violent Crime Severity Index decreased by 5.96 per cent, compared to a national increase of 4.08 per cent.
- The Yukon's youth Crime Severity Index decreased by 16.65 per cent, compared to a national increase of 20.62 per cent. This index includes both violent and non-violent crimes committed by youth.
- The Yukon's youth Violent Crime Severity Index decreased by 16.02 per cent, compared to a national increase of 27.36 per cent.
- The Yukon's youth Non-Violent Crime Severity Index decreased by 17.38 per cent, compared to a national increase of 8.58 per cent.

Drug-related offences

- Offences relating to possession and trafficking of heroin and other opioids generally decreased in the Yukon in 2021, compared to a national increase of 13 per cent.

Session Briefing Note

Spring 2024

Crime Rates

Justice

- In total, the Yukon's drug-related offences decreased by 7.89 per cent in 2021, compared to a national decrease of 8.93 per cent.
- The Yukon's drug-related offence rate for possession of cocaine increased 16.2 per cent in 2022 compared to 2021.
- However, the total possession of other *Controlled Drugs and Substances Act* drugs decreased 1.23 per cent in 2022 compared to 2021, in the Yukon.

Property crime in Whitehorse

- According to Statistics Canada's 2022 crime rate data, the Yukon's overall property crime rate decreased by 0.09 per cent compared to 2021.
- Specifically:
 - breaking and entering decreased by 1.23 per cent;
 - theft over \$5,000 increased by 3.47 per cent; and
 - theft \$5,000 or under decreased by 3.18 per cent.

National highlights and trends

- The Violent Crime Severity Index rose in 2022 to 97.7, reaching its highest point since 2007. The Non-violent Crime Severity Index also increased in 2022 to 70.9 but remained lower than before the start of the COVID-19 pandemic.
- Increases in breaking and entering, robbery and other types of theft drove the relatively large increase in some metropolitan census areas.
- The Violent Crime Severity Index rose 5 per cent in 2022, following a 6 per cent increase the previous year. Compared with 2021, the increase in the Violent Crime Severity Index in 2022 included higher rates of robbery (+15 per cent), extortion (+39 per cent), homicide (+8 per cent) and level 1 sexual assault (+3 per cent).
- The number of police-reported hate crimes increased 7 per cent in 2022. Hate crimes targeting race or ethnicity and sexual orientation were up, while those targeting a religion were down.
- Gang-related homicides continued to account for about one quarter of all homicides.
- The proportion of women who were killed by their spouse or intimate partner was approximately 11 times higher than the proportion of men.
- The national homicide rate increased for the fourth consecutive year.

Session Briefing Note

Spring 2024

Crime Rates

Justice

- Police reported 874 homicides in 2022, 78 more than the year before. The homicide rate increased 8 per cent from 2.08 homicides per 100,000 population in 2021 to 2.25 homicides per 100,000 population in 2022. This was the highest rate since 1992.
- Rates of homicide are higher among Indigenous people and racialized people.
- Police reported 225 Indigenous homicide victims in 2022, 32 more than in 2021.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Federal Policing – Funding

Spring 2024

Justice

Recommended response:

- The focus of the federal policing transformation is to re-dedicate federal RCMP resources to strategic criminal threats that exist in national and international environments such as transborder drug trafficking and organized crime.
- The Government of Yukon raised concerns that the federal policing transformation may impact the Yukon and has asked the Government of Canada to reaffirm its commitment to a strong federal policing presence.
- The Yukon Government, “M” Division RCMP, and the new Pacific Region Command will be 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.
- We were pleased that two previously frozen federally funded positions at the RCMP “M” Division’s Federal Investigations Unit will be reinstated as part of this transition, bringing its complement up to 11 officers.
- We are grateful that National Headquarters heard our concerns, made adjustments, and is working with us through this transition.

Additional response:

- We continue to support the federal policing transformation while advocating for the 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.

Session Briefing Note

Federal Policing – Funding

Spring 2024

Justice

Context:

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

Background:

- On March 28, 2024, the Government of Yukon received official correspondence from the Deputy Commissioner of Federal policing regarding the Federal Transformation explaining the upcoming changes.
- Starting on April 1, 2024, the Federal RCMP in Yukon will now report to the Pacific Regional Commander, who oversees British Columbia and the Yukon.
- Efforts to fill the positions are currently underway.
- The Deputy Minister of Justice, the ADM of Community Justice and Public Safety, and the senior leaders of the RCMP's "M" Division met with Deputy Commissioner Flynn and Deputy Commissioner Larkin in November 2023.
- Yukon government officials communicated their concerns that the federal transformation could result in distinct silos, reduced information sharing and increased separation between policing services delivered in the territory.
- The information was well received, and the Department of Justice is anticipating further communication from the RCMP about the next steps for federal transformation.
- After the federal government announced changes to its policing strategy in 2018, the Yukon lost three federally funded positions. This was followed by the reduction of another federal position in 2022–23.
- Unlike the First Nations and Inuit Policing Program and the Territorial Police Service Agreement (TPSA), 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.
- Since 2018, when the RCMP first announced that the federal policing mandate would shift from conducting investigations to intelligence gathering, the Yukon raised

Session Briefing Note

Federal Policing – Funding

Spring 2024Justice

concerns around resourcing, the proposed new reporting structure, and the shift in responsibility for investigating crimes that impact the Yukon at a regional level.

- This included the concern that investigating crimes that were previously investigated by federally funded positions will increasingly fall to contract police officers that are 70 percent funded by the Government of Yukon.
- In the Yukon, the Northwest Territories and Nunavut, Federal Investigation Units (FIUs) have historically been assigned responsibility for investigations related to interprovincial crime and major enterprise offences.
- In August 2018, RCMP Deputy Commissioner Gilles Michaud visited the Yukon and the Northwest Territories to announce changes to the federal policing mandate in the North. He did not address concerns about the resulting reductions to federal policing resources assigned to the territories.
- In October 2018, the Ministers of Justice for the Yukon, the Northwest Territories and Nunavut sent a pan-territorial letter that proposed the addition of a sub-activity to the federal policing budget line for a new program called Northern Federal Policing Enforcement and Sovereignty.
- The letter requested that this program be discussed as an avenue to increase federal policing funding. The federal government has not responded.
- On January 24, 2019, the RCMP “M” Division Commanding Officer informed members of the Legislative Assembly that the readjusted budget allocation for the Federal Investigation Unit was \$1,791,000 – a 12.4 percent decrease from the previous year’s budget of \$2,045,000.
- The budget reductions to the Federal Investigation Unit for 2019–20 resulted in three of the 12 positions in the Federal Investigation Unit remaining unstaffed.
- Federal funding for a further position was withdrawn in 2022–23. As a direct consequence, the RCMP’s “M” Division has requested further increases to their funding and staffing levels under the TPSA.
- Going forward, the transformation will result in a realignment of federal police under a national governance model designed to better align resources to address emerging threats.
- Federal policing will now focus on three priorities: national security, transnational and serious organized crime and cybercrime.

Session Briefing Note

Federal Policing – Funding

Spring 2024

Justice

- The transformation is meant to modernize federal policing and improve the RCMP's response to the increasing complexity of crime.
- In 2023, the RCMP announced a new pilot to modernize recruitment. The Federal Policing Recruit Development Program (RDP) will augment resource capacity and address staffing pressures.
- The federal policing transformation is targeted for completion on March 31, 2024.

Gun and Gang Violence Action Fund

- In 2019, the governments of Canada and Yukon announced \$2,250,735 in federal funding to address gun and gang violence in the territory over five years.
- In May 2023, Canada announced a \$3,998,194 investment in the Yukon over five years through the extension of the Gun and Gang Violence Action Fund.
- The Gun and Gang Violence Action Fund has been extended to 2027–28. We currently have four positions funded under that agreement.
- As this is federal funding, it cannot be used to fund federal organizations such as the RCMP.
- While this funding has supported the territory's broader approach to combating organized criminal activity, the Government of Yukon remains concerned about the effect of decreased federal police resources.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Impaired Driving

Justice

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 539 incidents in 2022.
- Statistics for 2023 are expected to be made available by Statistics Canada in the fall of 2024.
- 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 that includes equipment requirements, 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 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.

Session Briefing Note

Spring 2024

Impaired Driving

Justice

- Public Safety Canada is currently determining if funding will be available, under the Drug Impaired Driving contribution agreement, beyond 2025. This decision has not yet been made.

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 declined steadily since 2019. There were:
 - 539 impaired driving incidents in 2022;
 - 615 in 2021;
 - 786 in 2020; and
 - 845 in 2019.
- In the Yukon, the 539 impaired driving incidents accounted for 81.4 per cent of the territory's *Criminal Code* traffic violations in 2022.
- Of the 539 incidents in 2022,
 - 428 involved only alcohol,
 - 39 incidents involved only drugs,
 - 59 incidents involved a mixture of both alcohol and drugs, and
 - the remaining 13 incidents were for unspecified impairment.
- Statistics Canada's analysis suggests that the COVID-19 pandemic resulted in fewer people leaving their homes. The police also devoted more resources to impaired driving offences. This led to a decline in impaired driving incidents.
- 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.
- The Government of Yukon and the governments of the Northwest Territories and Nunavut are in the unique position of requiring the Attorney General of Canada to approve designations for "Qualified Technicians" for the purposes of collecting blood samples under section 320.4(b) of the *Criminal Code*.
- 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 order.

Session Briefing Note

Spring 2024

Impaired Driving

Justice

- 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.

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 (British Columbia, the Yukon, the Northwest Territories, Manitoba, and Ontario), which provided a baseline in these jurisdictions.
- In 2021, Yukon RCMP and Highway and Public Works enforcement officers conducted “Operation Corridor”, using the Commercial Vehicle Safety Alliance (CVSA) road check to assess the vehicles and drivers of more than 50 commercial vehicles.
- Operation Corridor detected a 40 per cent violation rate in relation to compliance with federal and provincial/territorial regulations, including vehicle safety and operator safety considerations (such as impaired driving).
- The Yukon most recently conducted a roadside survey in the summer of 2022, targeting both commercial and non-commercial vehicles.
- The next roadside survey in the Yukon is anticipated in the 2024–25 fiscal year.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Policing Priorities

Justice

Recommended response:

- The Minister of Justice is responsible for setting the policing priorities for the Yukon RCMP.
- Each year, the Yukon Police Council works to collect community perspectives and provide recommendations to the Minister of Justice to inform policing priorities.
- The 2023–24 policing priorities are:
 - strengthening relationships and increasing public trust;
 - enhancing policing targeted at toxic illicit drugs and serious crime; and
 - policing with First Nations.
- Starting in 2023, the Yukon Police Council is providing recommendations to the Minister of Justice biennially to allow for increased engagement, and to provide the RCMP sufficient time to meet the policing priorities.
- The Yukon Police Council will next provide recommendations to the Minister of Justice to inform the policing priorities for 2025–27. The 2023–24 priorities will remain through 2024–25.
- The Council is scheduling an engagement session with the Whitehorse business community in recognition of the complex issues impacting safety in the downtown core.

Additional response:

- The Council's recommendations are considered when setting policing priorities, as they reflect annual engagement processes to identify policing needs of Yukoners, communities, and First Nations.
- The Department of Justice monitors trends in criminal activity and continues to engage with the RCMP on progress towards the goals set through the territory's policing priorities.

Session Briefing Note

Spring 2024

Policing Priorities

Justice

Context:

- There were questions in the Fall 2023 sitting of the Legislative Assembly about the extent to which the established priorities address the concerns of Whitehorse area businesses, and whether the priorities would be amended.

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 (the 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 council that promotes ongoing dialogue to foster positive relationships between Yukoners, the Yukon's 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 2022–23 policing priorities were:
 - enhance policing targeted at the opioid and hard drug crisis;
 - increase public trust;
 - enhance prevention, investigation and enforcement activities related to violence against women, girls and the LGBTQ2S+ population;
 - strengthen relationships with First Nations and First Nations governments and continue to implement First Nations policing activities; and
 - strengthen relationships with communities and partners and continue to implement community policing initiatives.
- In the beginning of 2022, the RCMP's Whitehorse detachment conducted a public survey to inform priorities at the detachment level.
- The RCMP's 2022 online survey had 253 respondents. Drug-related offences were the most identified priority (51 per cent of respondents).

Session Briefing Note

Spring 2024

Policing Priorities

Justice

- 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, are incorporated into the 2023–24 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 2023–24 policing priorities to the Commanding Officer of the RCMP's "M" Division in June 2023, outlining direction 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 activities and progress toward meeting the territorial policing priorities. The RCMP also provides the Government of Yukon with an annual report each July.
- 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.
- The Council is comprised of 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 Yukon First Nations' recommendations.

Approved by:

Deputy Minister, Justice

Date approved

Recommended response:

- Our government funds police resources through investments in the First Nations and Inuit Policing Program, and through the Territorial Police Service Agreement with the RCMP.
- In the 2024–25 budget, the Government of Yukon is proposing an increase of \$1.724 million to the Territorial Police Service Agreement budget to support responsive policing services.
- This increase will support seven-and-a-half new RCMP members, one public service employee and funding for equipment.
- In addition, the Government of Yukon plans to increase the First Nations and Inuit Policing Program complement by six RCMP members. This will mean 25 RCMP members dedicated to First Nations communities funded through the First Nations and Inuit Policing Program.

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.

Context:

- There has been significant public interest in the resource levels required to support effective and responsive policing. 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.

Session Briefing Note

Spring 2024

RCMP Resources

Justice

Background:

- The proposed increase this year will bring the total number of RCMP Regular Members (i.e., officers) assigned to the territory as follows.

Resource allocation	Proposed 24/25
Territorial Police Service Agreement	121
First Nations and Inuit Policing Program	25
Total Regular Members across both programs	146

- \$1,422 K of the funding for this year is for human resources which includes:
 - the Plain Clothes Unit Commander;
 - members for the Whitehorse Detachment General Duty Constables;
 - members for the Emergency Response Team (ERT);
 - a .5 member for the Crime Reduction Unit; and
 - one Public Service Employee.
- In 24/25 the proposed increase to First Nation and Inuit Policing Program will increase the number of members from, 19 to 25 RMs to provide community policing services in First Nations communities.
- According to the latest Police Personnel and Expenditures in Canada (2022) report, the Yukon has the third highest police per capita ratio in Canada, with a police strength of 320 officers per 100,000 population (136.5 officers in total). Only the Northwest Territories and Nunavut have higher police-per-capita ratios.

Federal Investigation Unit (FIU)

- The federally funded Federal Investigation Unit 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.

Session Briefing Note

Spring 2024

RCMP Resources

Justice

- See note 51 for further information on federal policing funding and the current 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 to the RCMP complement through the Substance Use Health Emergency Strategy for Car 867,

Capital – The APC Process

- Under Article 12 of 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 entire infrastructure portfolio.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note**Spring 2024****First Nations and Inuit Policing Program**Justice

Recommended response:

- The federal First Nations and Inuit Policing Program supports law enforcement and community safety in First Nations and Inuit communities.
- Our government has worked with the Government of Canada to secure more funding for several initiatives under this program, including funding for six additional RCMP resources, subject to appropriation, 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 released an evaluation of the First Nations and Inuit Policing Program which reiterated longstanding issues with the program. In a statement in response, the Government of Canada acknowledged issues with the program and committed to collaborative work to address them.
- In this year's budget, the Government of Yukon has secured additional, cost-shared funding from the Government of Canada for Yukon First Nation Community Safety Officer programs and to provide six enhanced community policing RCMP members for Yukon First Nation communities.

Session Briefing Note

Spring 2024

First Nations and Inuit Policing Program

Justice

- On March 5 and 6, 2024, Canada and Yukon hosted a meeting with Yukon First Nations about Community Tripartite Agreement (CTA) renewals.
- Canada held an engagement session for Yukon First Nations in Whitehorse on March 7, 2024, regarding its future federal legislation for First Nations stand-alone/self-administered police services as essential services.

Background:

Government of Canada's First Nations and Inuit Policing Program (FNIPP)

- Since 1991, the Government of Canada (Canada) has provided opportunities to cost-share funding with provinces and territories for policing First Nations and Inuit communities through the FNIPP. The program is intended to:
 - ensure First Nations enjoy their right to personal security and public safety;
 - support responsible, accountable policing in First Nations communities; and
 - promote policing partnerships with First Nations 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 Yukon.
 - CTAs between Canada, the Government of Yukon (YG), and First Nations to enable the redeployment of RCMP resources to First Nation communities to enhance community policing.
- The Yukon currently has 19 FNIPP officers.
- 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' Community Safety Officer (CSO) programs now receive funding through FNIPP.
- FNIPP funding is cost-shared between Yukon (48 per cent) and Canada (52 per cent).

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 funding allocation for Canada's new FNIPP investments.

Session Briefing Note

Spring 2024

First Nations and Inuit Policing Program

Justice

- YG has secured FNIPP funding for six new officers under Community Tripartite Agreements, additional Yukon First Nations' CSO programs, as well as funding to engage with First Nations about FNIPP-related matters.
- Funding for CSOs is available as part of a national, three-year pilot project beginning in 2023-24.
- Separate from federal Budget 2021 investments, Yukon received two additional FNIPP officers under a dedicated "Northern Expansion" initiative to extend the program to new communities.

The Yukon's Community Tripartite Agreements (CTAs)

- YG currently has 11 signed CTAs with Yukon First Nations, which fund 19 FNIPP officers throughout the territory. Four First Nations do not currently have CTAs: Teslin Tlingit Council, Kluane First Nation, Ta'an Kwäch'än Council, and Selkirk First Nation. Selkirk First Nation had provided notice one year ago to terminate their CTA: this has taken effect as of April 1, 2024.
- Under a CTA, First Nation signatories and their local RCMP detachment are meant to formalize both parties' expectations, desired working relationships and community policing priorities through co-developed Letters of Expectation.
- Letters of Expectation give partnered First Nations greater input and participation on how their communities are served and policed by the RCMP. Eight of the 11 Yukon CTAs have a signed Letter of Expectation.
- As of 2023-24, Canada has committed annual funding for Community Consultative Groups to assist First Nations to administer their CTAs and to support a formal mechanism for communities and the RCMP to regularly engage and collaborate on policing needs and priorities.
- The Government of Yukon, in partnership with Public Safety Canada, hosted a CTA focused meeting on March 5 and 6, 2024, in advance of CTA renewals under revised templates.
- The meetings provided an overview of the FNIPP-CTA program including Letters of Expectations and Community Consultative Groups; acknowledging there will be some flexibility in CTA language to be discussed further during renewals; resource

Session Briefing Note

Spring 2024

First Nations and Inuit Policing Program

Justice

allocation methodology (subject to appropriation) methodology; and crime prevention programming presentation by Public Safety Canada.

- On March 5 and 6, 2024, eight Yukon First Nations representatives attended the CTA meetings.
- The two-day CTA discussions focused on the current CTA approach, future CTA service delivery, and resource allocation methodology for six additional CTA resources, subject to appropriation.
- Yukon First Nations provided feedback on how CTAs are working well in their communities, as well as challenges, and provided suggestions on how they may be improved.
- Themes of the discussions included the need for more RCMP accountability; separation between services under the Territorial Police Service Agreement (TPSA) and the FNIPP; and retention and recruitment of RCMP officers.
- YG will follow up with Yukon First Nations who were not in attendance to receive their input.

Federal Legislation for First Nation Police Services

- In 2020, Canada committed to co-develop, in partnership with First Nations, a legislative framework that recognizes First Nation stand-alone/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.
- YG provided substantial input during the development of the shared FPT principles that Canada was using in its process with AFN and continues to represent Yukon's interests during FPT engagements related to the specifics of this legislation.
- In 2022, Canada held engagement sessions with First Nations governments, organizations, and citizens as well as provinces and territories to inform the co-development of its legislation.
- In September 2022, Canada released a What We Heard report, which informed its discussions with the AFN, the First Nations Chiefs of Police Association and the First Nations Police Governance Council.

Session Briefing Note

Spring 2024

First Nations and Inuit Policing Program

Justice

- The AFN Yukon Region conducted a survey related to First Nations policing to inform the development of the legislation. They released their findings and recommendations report in 2022.
- Canada developed a policy framework for the federal legislation as part of the co-development process which envisions federal legislation that will govern Canada's conduct and financial contributions for First Nation self-administered/standalone police services; recognize the important role First Nations play in the provision of policing in their communities; and complement provincial and territorial policing legislation and regulations.
- 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. However, in December 2023, the AFN's newly elected Chief indicated this legislation was a priority for the AFN and was supportive of Canada's approach.
- Canada, in partnership with provinces, territories, the First Nations Chiefs of Police Association and the First Nation Police Governance Council, has been working on a draft document to inform drafting instructions for the legislation.
- Canada has retained the Indigenous Leadership Development Institute Inc. (ILDI) to conduct engagement with First Nations governments, police services and organizations nationally on Canada's proposed elements to inform the First Nations police services legislation in February and March 2024.
- On March 7, 2024, Canada hosted a regional in-person engagement session in Whitehorse, the last of ten in-person engagement sessions nationally on its proposed legislation regarding funding for First Nation self-administered police services. YG officials attended as observers.
- YG will continue to participate in national conversations on this matter to ensure that Yukon's interests are considered.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Community Wellness Court

Spring 2024

Justice

Recommended response:

- The Yukon Community Wellness Court has received funding from Canada to expand therapeutic courts to Yukon communities.
- Consultation is underway to support alternative justice models with Yukon First Nations governments and is supported by the therapeutic court Legal Sub-Committee.
- Each Community Wellness Court program will be developed to address the individual needs of the community and citizens it serves.

Additional response:

- The Justice Wellness Centre has received funding to expand therapeutic courts in several communities and includes funding to hire resources in the Centre to provide treatment services for court participants.
- Consultation meetings continue with Tr'ondëk Hwëch'in, Vuntut Gwitchin First Nation and Carcross/Tagish First Nation. Healing workshops continue to be offered in Yukon communities.

Context—this may be an issue because:

- The Justice Wellness Centre's expansion of programming continues to be a priority, and ongoing workshops and meetings are taking place with interested communities.
- The Watson Lake model (albeit a Domestic Violence Court) 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.
- The Watson Lake development team has presented the therapeutic court model at the 2023 Council of Yukon First Nations, Justice our Way Conference and the National Association of Justice and Treatment Professionals Virtual Conference.

Session Briefing Note

Community Wellness Court

Spring 2024

Justice

Background:

- In support of expanding alternative justice models, the Justice Wellness Centre provides treatment-based support to all participants. Sentencing outcomes for this court continue to support community dispositions and discharges while reducing recidivism rates.
- The Community Wellness Court expansion project is part of a larger therapeutic court evaluation framework being developed. An evaluation framework and subsequent data framework will be implemented in 2024, with a formal evaluation anticipated in fiscal year 2029-30.
- The Government of Yukon is committed to advancing alternative justice models and building sustainable and resourced community programs.
- The Justice Wellness Centre will continue to partner with First Nation governments to advance Indigenous-led programs and support alternative justice models by providing resources for ongoing development and implementation.
- The Justice Wellness Centre continues to partner with Mental Wellness Substance Use Services, Integrated Restorative Justice, and other local agencies to develop a wrap-around service model for our clients.
- Indigenous programs such as traditional parenting, on-the-land healing, after care services and culturally integrated services remain a priority for therapeutic court clients.

Approved by:

 Deputy Minister, Justice

 Date approved

Session Briefing Note**Spring 2024****Domestic Violence Treatment Option Court**

Justice

Recommended response:

- In 2021, the Justice Wellness Centre obtained funding from Canada to redevelop intimate partner violence programming, offered through Yukon's Domestic Violence Treatment Option Court to address the increased complex client needs seen in current referrals.
- Consultants from the Four Worlds Centre for Development Learning have completed a cross-jurisdictional scan of the current Domestic Violence Court and treatment planning teams, as well as a literature and curriculum evaluation review of treatment modalities used to treat offenders.
- This research will be used to develop an updated curriculum responsive to the evolving needs of clients.

Additional response:

- The planning team for the Domestic Violence Treatment Option Court re-development project consists of multiple community partners, Justice Wellness Centre staff, and a Cultural Consultant.
- This team will spearhead the treatment program development and implementation process and ensure culturally integrated programming through partnership with First Nation governments.
- Community capacity building remains at the forefront of Therapeutic Court expansion.

Context:

- The Yukon has disproportionately high rates of intimate partner violence.
- A 2011 evaluation of the Domestic Violence Treatment Option (DVTO) Court showed its success in decreasing recidivism rates of program participants.

Session Briefing Note**Spring 2024****Domestic Violence Treatment Option Court**

Justice

- Building on this, DVTO has obtained federal funding to update its programming to better serve clients. Improvements to programming will be implemented beginning in 2024-25, and a comprehensive evaluation will be completed in 2029-30.

Background:

- The DVTO Court is offered in Whitehorse since 2000 and Watson Lake since 2021.
- An increasing number of clients referred to the DVTO Court present with complex needs or co-occurring disorders, including an increase in illicit drug use such as opioids and clients with significant mental health issues.
- To address these needs, the Justice Wellness Centre has secured funding from Canada to increase staffing levels, including two clinical counsellors, an Indigenous peer support worker with lived experience, a research analyst, a program development consultant, and a cultural consultant.
- The program redevelopment project is expected to provide psychotherapeutic services and Indigenous programming to clients with offences related to intimate partner violence. Services will be improved for clients with mental health issues and/or substance use disorders.
- The DVTO Court works with community partners to provide augmented treatment services such as trauma programming, peer-led support services, First Nation traditional parenting, and the Seven Sacred Teachings, as well as specialized health and psychiatric care. These services ensure clients are accessing comprehensive treatment to interrupt violent behaviours and reduce violence in relationships.
- The Watson Lake program has shown encouraging outcomes with the implementation of several culturally relevant programs, community and Elder participation in program delivery, and significant community engagement.
- Future expansion of this court program to additional communities will be dependent upon available funding.

Approved by:

 Deputy Minister, Justice

 Date approved

Recommended response:

- The Government of Yukon is committed to supporting the growth of integrated, 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.
- The Integrated Restorative Justice Unit leads engagements with First Nations governments and stakeholders about adult and youth diversions and restorative justice.

Additional response:

- 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.

Session Briefing Note

Spring 2024

Restorative Justice

Justice

Context:

- In 2018, FPT Ministers Responsible for Justice and Public Safety publicly 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.

Background:

- 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 July 2020, the 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.
- In January 2023, the Integrated Restorative Justice (IRJ) Unit pilot project was extended until March 2025.
- These resources are now amalgamated at the Department of Justice within the Community Justice and Public Safety Division in 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 and apply 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.

Session Briefing Note

Spring 2024

Restorative Justice

Justice

- 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.
- Principally, 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. Generally, 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;
 - 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.

Session Briefing Note

Spring 2024**Restorative Justice**

Justice

- 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 Notes 60 and 61).
- Yukon Forum commitments include support for restorative justice, the development of First Nations justice programs and participation in federal-provincial-territorial (FPT) initiatives.
- In December 2023, at the Deputy Ministers FPT meetings, the Yukon and Manitoba spoke to the need to recommit to advancing 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:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Spring 2024

Child and Youth Victim Services (formerly Project Lynx)

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 linked and coordinated services for 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 children 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:

- Since January 2014, 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).

Session Briefing Note

Spring 2024

Child and Youth Victim Services (formerly Project Lynx)

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 focused 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.
- Original and founding members of Project Lynx included the following:
 - Department of Justice
 - Victim Services (as the coordinator); and
 - Court Services.
 - Department of Health and Social Services
 - Child Abuse Treatment Services now known as Child, Youth, Family Treatment services; and
 - Family and Children's Services.
 - RCMP - including the Specialized Response Unit
 - Public Prosecution Service of Canada
 - Council of Yukon First Nations.
- 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 begin with 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

Session Briefing Note

Spring 2024

Child and Youth Victim Services (formerly Project Lynx)

Justice

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.
- Victim Services and the Department of Justice are working with 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.
- Funding for the Child and Youth Victims of Crime Initiative, including the coordinator's position, comes primarily from the Victim's Fund through the Policy Centre for Victims Issues, Justice Canada.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

FILU – Family Information Liaison Unit

Justice

Recommended response:

- The Family Information Liaison Unit provides centralized, 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 an important 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, outreach and training.

Additional response:

- The Family Information Liaison Unit is situated within the Victim Services Branch, which provides continuity of services and supports for families who are dealing with current court matters and ensures that the team has additional administrative and service supports to draw upon.
- The Family Information Liaison Unit is funded by the Government of Canada. The current funding agreement is renewed until March 31, 2025, to allow time to assess the capacity, mandate, and direction of the unit.

Context:

- Funding from the Government of Canada (Canada) was set to expire March 31, 2023. While funding has been extended, Canada's announcement to extend services for missing and murdered Indigenous men may leave questions about the mandate of the Family Information Liaison Unit (FILU) in the Yukon in relation to services.

Session Briefing Note

Spring 2024

FILU – Family Information Liaison Unit

Justice

- FILU currently has a staffing vacancy, and questions about the capacity to provide service may be raised. Other Victim Services workers are currently incorporating FILU matters into their caseload to support 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, Executive Council Office, 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 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 and \$7.75 million annually on an ongoing basis would be provided to provinces and territories 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, the 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 incorporating the expanded mandate for the Yukon's FILU to support families of men and boys.
- Canada has indicated that opening the funding to include support for families of missing and murdered Indigenous men and boys would allow each jurisdiction to

Session Briefing Note**Spring 2024****FILU – Family Information Liaison Unit**

Justice

make decisions about the mandate and capacity of their FILU. This increase in mandate was not prescriptive.

- Canada also announced:
 - Community Support and Healing for Families Initiative: \$20 million over five years and \$4.15 million annually on an ongoing 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 victims services and supports: \$38.6 million over five years and \$8.45 million annually on an ongoing 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 for which terms and conditions are not yet laid out. The federal/provincial/territorial Working Group on Victims of Crime, of which the Government of Yukon's Director of Victim Services is a member, will continue to receive updates and additional information on this stream of funding.

Approved by:

 Deputy Minister, Justice

 Date approved

Session Briefing Note

Spring 2024

Inter-Community Transportation for Victims

Justice

Recommended response

- The Government of Yukon recognizes that victims of sexualized and/or intimate partner violence in rural communities may need to leave their community to access services and seek safety from a perpetrator.
- The Government of Yukon is working to provide preliminary solutions for inter-community transportation for victims of sexualized assault and intimate partner violence, who are accessing non-urgent and time-sensitive clinical, legal or support services in Whitehorse, Dawson City, and Watson Lake.
- This includes an inventory of transportation resources to share with service providers, an increase to the Victims of Crime Emergency Fund; supporting two non-governmental organizations to provide travel assistance to victims; and exploring options with our Sexualized Assault Response Team partners to tailor existing travel assistance programs to meet the needs of victims of gender-based violence.

Additional response:

- The Sexualized Assault Response Team and its partners are working to identify flexible and creative options that will meet the differing needs of individual victims and communities.

Context:

- Engagement on the expansion of the Sexualized Assault Response Team (SART) services was conducted over the summer of 2023, and issues of transportation for victims were raised.
- The Confidence and Supply Agreement (CASA) 2023 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.

Session Briefing Note

Spring 2024

Inter-Community Transportation for Victims

Justice

Background:

- Transportation options for victims of intimate partner violence and sexualized violence in Yukon communities are limited. There are few publicly available transportation options and limited, confidential, 24/7 methods of fleeing a community.
- Each victim will have different needs and access to resources. The Government of Yukon and SART partners are exploring options to better tailor the supports and services provided to victims of sexualized assault in the communities. Work has begun on finding solutions that will be flexible and effective.
- For example, providing consistent travel options to attend scheduled meetings with lawyers, regular counselling sessions or medical appointments is a distinct need. Requiring immediate transportation to escape the threat of violence and seeking safety at a women's shelter or other temporary accommodation away from a perpetrator is an urgent need.
- An inventory of transportation programs services for each community is complete, and an information sheet on travel programs for victims of sexualized violence and intimate partner violence is in development.
- The Department of Justice has also increased the Victims of Crime Emergency Fund by \$10,000 per year for the next four years through the National Action Plan to end Gender-Based Violence.
- In addition, the Department has put in place two contracts- with the Women's Transition Home 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 SART services in another community.

Opportunities:

- Government of Yukon SART members are participating in an inter-departmental initiative to develop low-cost transportation options for people travelling throughout the Yukon, focused on the distinct need for urgent travel options for victims of sexualized violence.
- Funding for Yukon from the National Action Plan to end Gender-Based Violence includes multi-year funding to address transportation barriers for victims of gender-based violence.

Session Briefing Note

Spring 2024

Inter-Community Transportation for Victims

Justice

- Safe transportation is recommended in recent reports and commitments on improving services and safety for Yukoners, including:
 - Substance Use Health Emergency Strategy, action item 3 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.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Expansion of SART Services

Spring 2024

Justice, WGED

Recommended response:

- The Sexualized Assault Response Team, or SART, continues to work to lower barriers and provide safe, wrap-around supports for victims of sexualized violence in Whitehorse.
- We are committed to expanding Sexualized Assault Response Team, or SART, services to Yukon communities. Engagements to initiate this process took place in the summer and fall of 2023.
- Working with First Nations governments, Indigenous women's organizations, rural service providers and victims of sexualized violence, the engagements identified the level of awareness of existing services, available resources, what is working well, barriers and challenges to accessing supports, and options to better support victims.
- A What We Heard document has been shared with key partners, stakeholders, and the public. Over the next several months the Departments of Justice, Health and Social Services and Women and Gender Equity Directorate will work with its partners to analyze the findings and develop an action plan to collaboratively support victims of sexualized assault and expand resources in communities outside of Whitehorse.

Additional response:

- The Government of Yukon is working in partnership with other SART service providers to analyze the findings and recommendations, draft a list of priorities and required resources, and develop next steps to proceed with expansion.
- Work is already underway in many areas to improve services to victims, including:

Session Briefing Note

Expansion of SART Services

Spring 2024

Justice, WGED

- 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;
 - cross-agency training for front-line workers in communities outside Whitehorse; and
 - bolstering transportation options for victims who need to access services outside their communities.
- Additional priorities will be compiled into a more comprehensive list with recommendations based on a full analysis.
- 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.

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 Murdered and Indigenous Women, Girls and Two Spirit Plus People Strategy, and Yukon's plans in relation to 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.
- A public awareness campaign on SART and sexualized violence ran for three months from January 1st to the end of March 2024.

Background:

Session Briefing Note

Expansion of SART Services

Spring 2024

Justice, WGED

- Engagement with First Nations governments, rural service providers and victims occurred in the summer and fall 2023. The initial findings from the engagement with First Nations governments and services providers were reviewed with communities in November 2023 to ensure completeness of the report prior to finalization.
- Engagement was conducted by:
 - Rumsey Consulting, who led the engagement with First Nations governments,
 - Indigenous women's organizations and service providers; and
 - Ipsos and Sisco, who led the engagement with victims of sexualized violence.
 - Rumsey Consulting combined the results of the two engagements into a final What We Heard document.

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:
 - Government of Yukon 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

Session Briefing Note

Expansion of SART Services

Spring 2024

Justice, WGED

- 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 Coordinator. They work in partnership to ensure there is continuity of care and wrap-around services for victims of sexualized violence.
- Available services include a 24/7 support line, weekend and weekday victim support workers, 24/7 on-call physicians at Whitehorse General Hospital and rapid access to counselling through Mental Wellness and Substance Use Services Hubs.
- While the Yukon Advocate Case Review project was not implemented, the RCMP Sexual Assault Investigations Review Committee is currently being 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

- Different jurisdictions across Canada may have differing definitions of 'forensic care' based on the services they provide. In the Yukon there are three options for care when someone presents to a health care facility: medical care (available in all communities), forensic care, and forensic care with a sexual assault evidence kit (SAEK).
- 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.
- Forensic care, including sexual assault evidence kits, is available at Yukon Hospitals in Whitehorse, Dawson City, and Watson Lake. Specialized SART services, such as pediatric care, are currently only available at Whitehorse General Hospital. This is due to the need for specialized training and legal protocols.
- The clarification to provide forensic kits only at Yukon hospitals does not signal a reduction in care for victims of sexualized assault. 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.

Session Briefing Note

Expansion of SART Services

Spring 2024

Justice, WGED

- For those victims who opt for forensic care as part of their journey through the criminal justice system, there is transportation support in place to assist them in accessing these services. Forensic care is available primarily in Whitehorse, and ongoing efforts are focused on evaluating how to expand access to SART services to all Yukoners, wherever they may reside.
- Although forensic care is not available directly 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

- The Sexualized Assault Response Team (SART) undertook cross agency training in fall and winter 2023. This training included the following.
 - Cultural safety and awareness training for SART agencies and partners.
 - Documentation for counsellors working with victims of sexualized violence training.
 - Responding to online sexualized violence training.
 - Responding to 2SLGBTQIA+ victims training.
 - A victim's path through the criminal justice system training.
- Over the past 12 months, we have been providing additional training opportunities to service providers. These opportunities included the following.
 - Responding to Children and Youth training – approximately 140 participants across the Yukon attended.
 - Cultural Safety Training – approximately 100 participants across the Yukon attended one of four sessions.
 - Violence and Language training – 80 participants attended in Whitehorse.

Approved by:

Deputy Minister, Justice

Date approved

Deputy Minister, WGED

Date approved

Session Briefing Note

Spring 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 set out in Yukon First Nation Self-Government Agreements.
- We believe that administration of justice powers are fundamental to self-government.
- In 2020, we implemented an updated approach to justice-related negotiations with Yukon First Nations governments that is rooted in 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:

- We want to be open and flexible to address 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:

- The Government of Yukon (YG) has been engaged in Administration of Justice Agreement (AJA) implementation negotiations with Teslin Tlingit Council (TTC) and the Government of Canada (Canada).

Session Briefing Note

Spring 2024

Administration of Justice Agreement Negotiations

Justice

- In February 2024, Tr'ondëk Hwëch'in (TH), YG and Canada recommenced AJA negotiations.
- Several other First Nations have expressed interest in entering and/or recommencing AJA negotiations with YG and Canada.

Background:

- AJAs address how a Yukon First Nation with an SGA will exercise its authority for the administration, enforcement and adjudication of First Nation laws.
- Section 13.6.1 of each Yukon First Nation SGA commits the parties to negotiate with a view to concluding an AJA.
- YG's Department of Justice is the corporate lead for AJA negotiations.
- The only AJA in the Yukon was signed by the TTC, YG and Canada in 2011. Several Yukon First Nations with SGAs have begun, and then stepped back from, AJA negotiations.
- Other First Nations governments that have completed AJA Framework Agreements include 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 YG and Canada, as provided for in SGAs. These agreements extend YG's obligations to prosecute, adjudicate and provide for any term of imprisonment for violations of First Nation laws until an AJA has been reached.

Status of AJA implementation and related negotiations

Teslin Tlingit Council

- The 2011 TTC AJA Implementation Plan provides funding for TTC's Peacemaker Court but left the implementation of other AJA matters to future negotiations.
- In March 2020 and 2021 respectively, two agreements were signed related to the implementation of the TTC AJA:
 - a bilateral agreement with TTC on how YG will implement Transitional Measures provisions of the TTC AJA; and
 - a trilateral agreement with TTC and Canada on enforcement implementation.

Session Briefing Note

Spring 2024

Administration of Justice Agreement Negotiations

Justice

- The final aspect of TTC AJA implementation matters being negotiated is TTC's corrections and community services model.

Kwanlin Dün First Nation

- KDFN has publicly stated that it needs a comprehensive justice system that is community-based and provides for culturally appropriate institutions and processes in the areas of courts, enforcement and corrections. KDFN has also stated that a Kwanlin Dün Court will involve a commitment to restorative and Indigenous justice.
- KDFN's proposed AJA model contemplates significant changes to the Yukon's existing justice system to address their interests.
- Until the AJA negotiations were paused by KDFN in August 2021, discussions were focused primarily on KDFN's proposed court model.

Tr'ondëk Hwëch'in

- In December 2023, TH, YG and Canada met and agreed to recommence AJA negotiations in February 2024.
- These negotiations are anticipated to focus on a broad range of administration of justice matters including the courts, enforcement, and corrections.

Vuntut Gwitchin First Nation

- Preliminary AJA negotiations with VGFN resumed in 2018. In July 2020, VGFN paused AJA negotiations.
- In 2023, VGFN advised YG of its interest to recommence AJA negotiations.

Selkirk First Nation

- In 2023, Selkirk First Nation (SFN) approached YG and Canada to explore arrangements under the SFN SGA regarding enforcement-related matters.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Community Safety Officers

Spring 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.
- The Government of Yukon is committed to working with First Nations governments and the Government of Canada to support community-designed and community-led initiatives like Community Safety Officer programs.
- Recognizing the value and importance of Community Safety Officer programs, our government has increased the number of First Nation-led and designed 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:

- We recognize the value and impact that First Nation Community Safety Officer programs have in keeping their communities safe.

Context:

- There have been requests from Yukon First Nations governments for funding for their Community Safety Officer programs.
- 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 Community Safety Officer (CSO) programs. Two Yukon First Nations governments were eligible to apply for this funding.
- Some First Nations governments may question why funding for Community Safety Officer programs is not available through the community safety planning program.

Session Briefing Note

Community Safety Officers

Spring 2024

Justice

Background:

- In the Yukon, Community Safety Officer programs are led, designed and implemented by Yukon First Nations governments. The Government of Yukon (YG) currently has no role outside of contributing funding, cost-shared with Canada.
- Four Yukon First Nations are operating CSO programs to address community safety issues 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).
- YG has supported KDFN's CSO program since 2016. Since 2019, YG has cost-shared that funding with Canada.
- In 2021–22, YG secured a commitment from Canada to cost-share funding for SFN's CSO program.
- In 2023–24, Canada issued a call for proposals for funding for established First Nation CSO programs nationally as part of a federal pilot project. Two Yukon First Nations governments submitted successful proposals and are approved to receive funding for three years: C/TFN and TTC.
- CSO funding in the Yukon is cost-shared with Canada on a 48/52 per cent basis respectively through the federal FNIPP funding envelope.

Federal Commitment to Fund Community Safety Officer programs

- There is no permanent source of funding for CSO programs in Canada. However, in recent years, Canada has begun to provide funding for some CSO programs through the federal FNIPP.
- The 2021 federal budget contained substantial new funding 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 and expanding initiatives that may be funded, including CSO programs.
- As part of the 2021 federal budget investments, Canada established a three-year funding envelope available for CSO pilot programs starting in 2023–24 which was proposal driven.
- The learning from this pilot will inform Canada's approach to future CSO funding.

Session Briefing Note

Community Safety Officers

Spring 2024

Justice

- 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 police service delivery services such as CSO programs.

Kwanlin Dün First Nation

- KDFN designed a CSO pilot program to address its community safety concerns. YG provided funding for KDFN's CSO pilot program from 2016 to 2019.
- In 2019, YG and Canada agreed to cost share funding for KDFN under the FNIPP in order to extend the pilot for two years to allow KDFN to conduct a program evaluation, which found the program to be a successful, culturally responsive community service that has led to positive outcomes.
- Since 2021, YG 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.

Selkirk First Nation

- SFN established its CSO program in 2019.
- In March 2020, YG 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 YG, Canada agreed to cost-share funding for SFN's CSO program until March 31, 2023, and has since agreed to cost-share funding in 2023-24.

Teslin Tlingit Council

- TTC established its CSO program in 2021.
- Despite persistent YG efforts, Canada did not agree to fund TTC's CSO program through the FPT FNIPP Federal Budget 2021 stage one allocations.
- TTC submitted a successful proposal to the FNIPP pilot funding project in September 2023 and will receive cost-share funding from YG and Canada until 2025–26.

Carcross/Tagish First Nation

Session Briefing Note

Community Safety Officers

Spring 2024

Justice

- In January 2022, C/TFN established a CSO program on a part-time basis and has since expanded to full-time.
- C/TFN submitted a successful proposal to the FNIPP pilot funding project in August 2023 and will receive cost-share funding from YG and Canada until 2025-26.

Approved by:_____
Deputy Minister, Justice_____
Date approved

Session Briefing Note

Spring 2024

Gladue Report Writing

Justice

Recommended response:

- Gladue reports provide the courts with important background information on Indigenous offenders. Information about the effects of residential schools, systemic discrimination, and economic and social disadvantages is 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 2022–23, 102 Gladue reports were completed.

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.
- In 2024–25, the budget for Gladue report writing will be \$222,775, an increase of \$47,775.

Background:

- Yukon First Nations make up about 23 per cent of the Yukon’s overall population, and they are significantly overrepresented in the criminal justice system.

Session Briefing Note

Spring 2024

Gladue Report Writing

Justice

- 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 include:
 - 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 particular 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, there was a prerequisite that report writers had to be Yukon First Nations. In November 2018, eligibility was expanded and CYFN and the Gladue Management Committee received applications from all First Nation, Inuit and Métis peoples.
- Gladue Report Writer training sessions are held annually. Recent program improvements include a Gladue mentoring program and a report writing template.
- In 2023–24, CYFN reported that it received 19 applications to the training program.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Government of Canada's Indigenous Justice Strategy

Justice

Recommended response:

- The Government of Yukon is committed to working with Justice Canada, provinces and 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 a shared responsibility to take steps to address the overrepresentation of Indigenous people in the criminal justice system and collaborative work is necessary to make meaningful progress.

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, and some are manifested quite differently in the unique context of the North.
- The Government of Yukon is committed to working with Canada and Yukon First Nations to ensure that the Indigenous Justice Strategy is sensitive and responsive to the unique needs of Indigenous individuals and communities in the territory.

Context:

- The Council of Yukon First Nations has been awarded funding from the Government of Canada (Canada) to lead an engagement process with Yukon First Nations 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 longstanding overrepresentation of Indigenous people in the justice system.

Session Briefing Note

Spring 2024

Government of Canada's Indigenous Justice Strategy

Justice

- Recent examples include the Truth and Reconciliation Commission's Calls to Action and Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Background:

- In January 2021, the federal Minister of Justice, with support from other federal departments, was mandated to develop an Indigenous Justice Strategy to address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system.
- The federal Indigenous Justice Strategy is being developed in consultation and cooperation with Indigenous, provincial, and territorial partners.
- Beginning in the summer of 2021, Justice Canada held pre-engagement discussions with national Indigenous organizations to develop a vision, scope, key priorities, and an engagement approach.
- Canada heard that the issues currently important to Indigenous people include:
 - developing more restorative justice processes;
 - addressing enforcement of Indigenous by-laws and laws;
 - increased and better supported 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.
- There are two streams of engagement processes: those directed by Indigenous organizations and those 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 have received funding to lead targeted engagement.
- Kūwiingu-Néewul Engagement Services (KES) has been contracted to lead Justice Canada's engagement processes on the Indigenous Justice Strategy. This includes

Session Briefing Note

Spring 2024

Government of Canada's Indigenous Justice Strategy

Justice

regional and distinctions-based (First Nation, Inuit, Métis) dialogue sessions with Indigenous partners, stakeholders, justice practitioners, provincial and territorial representatives, and other federal government departments.

- Canada is coordinating input from provinces and territories on the Indigenous Justice Strategy through the federal, provincial, territorial Aboriginal Justice Working Group. The Department of Justice represents the Government of Yukon on this working group.
- The final federal engagement sessions took place in Whitehorse in-person on December 7, 2023, and virtually for the Yukon on December 15, 2023.
- In terms of next steps, Justice Canada anticipates that by winter 2024:
 - a What We Heard report will be finalized presenting the outcomes of Indigenous-led and Justice Canada-led engagements; and
 - a draft Indigenous Justice Strategy will be developed for distribution to interested communities for validation and, where necessary, further engagement.
- Justice Canada expects to release the Indigenous Justice Strategy in spring 2024.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Land-Based Healing

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.
- Support for First Nations-led land-based healing is a priority for our government. We are committed to working collaboratively with our Indigenous partners towards the development of sustainable long-term arrangements that meet the needs of First Nations communities.
- The new Substance Use Health Emergency Strategy commits the Government of Yukon to support land-based healing models that include culturally appropriate, Indigenous-led treatment options.

Additional response:

- In November 2023, the Government of Yukon established a Land-Based Healing Fund of \$9 million for Yukon First Nations governments and Yukon First Nations-led organizations. It is aimed at enhancing healing and wellness by connecting 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.
- The Government of Yukon is committed to engaging with Yukon First Nations and the Government of Canada in determining how best to support land-based healing models.

Context:

- The Government of Yukon (YG) does not have a standardized definition/terminology for what is meant by land-based healing, nor the scope of matters that may fall under First Nations' land-based healing interests.
- Prior to the establishment of the Land-Based Healing Fund, funding provided by YG to Yukon First Nations for land-based healing initiatives has been ad hoc in nature.

Session Briefing Note

Spring 2024

Land-Based Healing

Justice

- Currently, land-based programming funded by YG is primarily supported through the Department of Health and Social Services.
- Long-term sustainable funding for land-based healing programs and services 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.

Background:

Government of Yukon funding support for land-based healing

- YG has supported land-based healing facilities and programs in the territory since the 2000s.
- Since 2009, support and funding for land-based healing and programming has been predominantly provided to Kwanlin Dün First Nation's Jackson Lake Healing Camp.
- Many Yukon First Nations have requested funding for developing and implementing their own unique models of land-based healing programming and/or facilities.

Government of Yukon commitments to support land-based healing

- Commitments to support Yukon First Nation interests in land-based healing, treatment, cultural programming, and/or facilities are included in the following:
 - Minister McPhee's 2023 mandate letter related to Health and Social Services;
 - the 2023 Confidence and Supply Agreement;
 - YG's Putting People First report;
 - Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy; and
 - the Substance Use Health Emergency Strategy.
- Administration of Justice Agreement negotiations with self-governing Yukon First Nations and the Government of Canada provide an opportunity for self-governing Yukon First Nations to access long-term predictable funding for their land-based healing programs, services and facilities.
- In July 2023, the Government of Yukon approved \$9 million over three years in funding for Land-Based Healing Fund for Yukon First Nations governments and First Nations-led organizations.

Session Briefing Note

Spring 2024

Land-Based Healing

Justice

- The funding program was developed and launched in November.
- This initiative is being administered by the Council of Yukon First Nations and allows for funding of projects of up to \$200,000 annually to support Yukon First Nations in identifying their land-based healing and programming needs and to develop solutions with respect to justice and wellbeing for their communities.

Government of Canada's commitments to support land-based healing

- As part of 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. This may set a precedent for the territory for land-based healing programming and infrastructure.

Approved by:_____
Deputy Minister, Justice_____
Date approved

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

Spring 2024

WGED, Justice

Recommended response:

- The Government of Yukon is committed to addressing the crisis of missing and murdered Indigenous women, girls and Two- spirit+ people. We are approaching this work in the spirit of decolonization and in partnership with Yukon First Nations and Indigenous women's organizations.
- With the release of the Implementation Plan to accompany *Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ Strategy*, significant accomplishments in the mandate of the Yukon Advisory Committee on MMIWG2S+ have been achieved.
- As the work within the MMIWG2S+ Strategy moves from planning to implementation, the Yukon Advisory Committee and the Yukon government are working to adapt the existing structures to focus on implementing the actions and milestones proposed, while remaining accountable to families and survivors.
- To advance the Yukon's MMIWG2S+ Strategy and 15-year Implementation Plan, all Yukon partners will need to provide leadership, prioritization, budget and resources. These partners include:
 - Government of Yukon;
 - First Nations governments;
 - Government of Canada;
 - RCMP;
 - municipalities; and
 - Indigenous women's organizations.
- The Yukon government has been reviewing the Yukon Advisory Committee's Implementation Plan that was released on June 6, 2023.

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

Spring 2024

WGED, Justice

- We are identifying current work underway, remaining gaps and determining leads on Yukon government objectives. We look forward to working with our partners to explore the objectives of the Implementation Plan.
- The Government of Yukon is committed to supporting the next stages of this work and have dedicated two full-time positions within the Women and Gender Equity Directorate to support this work.
- This year, the following has been allocated 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.

Additional response:

- Like the Yukon's MMIWG2S+ Strategy, the Implementation Plan is a whole-of-Yukon plan and covers a 15-year period, from 2023-38.
- The Yukon Advisory Committee, with the support of the Government of Yukon, hosted a second Accountability Forum in October 2023 and brought families and survivors together with partners and contributors.
- Work is underway on the 2023–24 Annual Report for the Yukon Advisory Committee to be released in 2024.
- We appreciate the work of the Yukon Advisory Committee and acknowledge their dedication and commitment in producing the strategy, Priority Actions document and Implementation Plan.

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

Spring 2024

WGED, Justice

Context—this may be an issue because:

- The National Action Plan on MMIWG was released June 3, 2021. National media coverage and stakeholders have focused on the need for urgent action.
 - 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. An associated implementation plan was released in June 2023, which proposes leads for several action items and milestones.
 - While there is alignment between some of the priorities of Yukon's Implementation Plan under the National Action Plan to End Gender-Based Violence and Yukon's MMIWG2S+ Strategy, there is no dedicated Yukon government fund to support the 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*, released on December 10, 2020, in a ceremony at the Kwanlin Dün Cultural Centre.
- YG's MMIWG2S+ Strategy outlines 31 actions 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*.
 - Strengthening Connections and Supports.
 - Community Safety and Justice.
 - Economic Independence and Education.
 - Community Action and Accountability.

Session Briefing Note

2 WGED

85 JUS

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

Spring 2024

WGED, Justice

- Input from Yukon First Nations on the first draft of the Implementation Framework was sought through the Yukon Forum, Council of Yukon First Nations Health Commission, Justice Commission, and 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, 2023, bringing together families and survivors with partners and contributors.
- A third day was added to the 2023 Accountability Forum, with a focus on family and survivors, allowing more time to hear and appreciate their stories. There was also an emphasis on learning from best practices. To incorporate this important feedback, the Government increased the 2022–23 budget for the Accountability Forum to \$217,000, an increase of \$67,000.
- The Women and Gender Equity Directorate co-chairs the ADM Committee on Truth and Reconciliation with Aboriginal Relations, which, among other items, is mandated to provide leadership and coordination to YG's contribution to the implementation of the MMIWG2S+ Strategy.

Approved by:

Deputy Minister, WGED

Date approved

Deputy Minister, Justice

Date approved

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

Recommended response:

- The ongoing process of reconciliation remains a key priority for the Government of Yukon.
- We are guided in that work by principles set out in *Together Today for Our Children Tomorrow*, the Truth and Reconciliation Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples, among others.
- Our approach to reconciliation is characterized by:
 - the implementation of modern treaties with Yukon First Nations, the Tetlit Gwich'in and the Inuvialuit;
 - the negotiation of enduring agreements with non-Treaty First Nations;
 - the advancement of joint priorities at the Yukon Forum; and
 - collaboration with Indigenous governments on key pieces of legislation, including the new mining legislation currently being developed.

Additional Response:

- The Declaration recognizes the important role of treaties in strengthening relationships between Indigenous, territorial, and federal governments and the need to consider the unique context of each jurisdiction.
- In the Yukon, this means we must look at the Declaration in the context of our modern treaties.
- Our government will build on the good work already underway and draw from the Declaration and other sources to support and strengthen reconciliation efforts in the Yukon.
- An invitation has been extended to the leaders of Yukon First Nations to begin discussions on the Declaration and its potential application in the Yukon.
- A broad engagement process involving Yukon and transboundary Indigenous governments would need to take place before a Yukon

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

[approach to the Declaration could be determined.](#)

- The Government of Yukon continues to engage with the Government of Canada on its implementation of the Action Plan for the federal legislation on the Declaration, recognizing that each jurisdiction has its own approach to reconciliation and the Declaration.

Context—this may be an issue because:

- Questions about the Yukon government's (YG) intentions with respect to the implementation of the Declaration in Yukon have arisen in various contexts, including at the Yukon Forum and in discussions and correspondence with some Yukon First Nations and the Inuvialuit.
- The governments of Canada (Canada), British Columbia (BC) and the Northwest Territories (GNWT) have affirmed in legislation that the United Nations Declaration on the Rights of Indigenous Peoples (the "Declaration") applies to their laws. The newly elected government in Manitoba has also committed to examining how it could implement the Declaration.
- CASA 2023 seeks "consent from Yukon First Nation Chiefs to initiate a discussion with the Premier and the Leader of the Yukon NDP on [the Declaration]."

Background:

- The Declaration, adopted by the UN General Assembly in 2007 and fully endorsed by Canada in 2016, speaks to the individual and collective rights of Indigenous Peoples, taking into account their specific cultural, language, identity, religion, health, education, economic and social circumstances.
- The Declaration is an international set of standards that emphasizes Indigenous Peoples' right to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions, and to pursue self-determined development in keeping with Indigenous needs and aspirations. It is supported by 151 countries.
- The Declaration was designed as a guiding document rather than a specific legal instrument and may not be directly compatible with or easily implemented in Canadian or Yukon law.

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

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- Jurisprudence on the Declaration is currently in its infancy and it will take time to get clarity from the courts about how the Declaration works with Canadian law. Relevant decisions to date include the following:
 - On September 26, 2023, the Supreme Court of British Columbia ruled in *Gitxaala v. British Columbia* that BC's Declaration implementation legislation "does not implement [the Declaration] into the domestic law of BC" and "does not create justiciable rights".
 - On November 1, 2023, the Québec Superior Court ruled in *R. v. Montour* that the Declaration "has the weight of a binding international [legal] instrument" in the constitutional interpretation of section 35(1). The court also stated that it is "not convinced by the reference to the UNDRIP as the direct source of Aboriginal rights" and that "the Applicants have not clearly pleaded or shown that the rights contained in the UNDRIP are directly enforceable under Canadian law".

The Government of Canada and the Declaration

- In 2016, Canada committed to developing legislation to implement the Declaration. In April 2021, the First Nation of Nacho Nyak Dun and Champagne and Aishihik First Nations made submissions to the committee hearings on the federal bill requesting that the federal legislation be made to apply to the Yukon.
- On June 21, 2021, the federal *United Nations Declaration on the Rights of Indigenous Peoples Act* (the Act) came into force. It requires Canada to take all measures necessary to ensure that "the laws of Canada" are consistent with the Declaration.
- On June 21, 2023, Canada publicly released its Action Plan to implement the federal Act, which includes a chapter on "Indigenous Modern Treaty Partner Priorities". The plan was developed in consultation with Indigenous peoples.
- It is unclear how implementation of the federal Act and Action Plan may affect the Yukon. Potential implications include a shift in Canada's approach to treaty implementation and/or the amendment of federal laws relating to the Yukon such as the Yukon Act, the Yukon *Environmental and Socio-economic Assessment Act*, the Yukon *First Nations Land Claims Settlement Act* and the Yukon *First Nations Self-Government Act*.

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

The Yukon Context and YG's Commitments Related to the Declaration

- The Yukon Legislative Assembly passed a motion in 2014 supporting Canada's endorsement of the Declaration (when Canada's support was still qualified).
- In September 2021, the Deputy Minister's Review Committee established an Assistant Deputy Ministers' Committee on Truth and Reconciliation to consider YG's approach to the Declaration.
- In March 2023, YG sought consent from Yukon First Nation Chiefs to initiate a discussion on the Declaration with the Premier and the Leader of the NDP. The Chiefs asked for the Leader of the NDP to approach them separately and deferred on consenting to a discussion.
- YG has not committed to implement the Declaration but has made commitments related 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.
- Strategic Priority 1 of the *Yukon Mineral Development Strategy and Recommendations* is to establish a modern mineral resource management regime that aligns with treaties, Canada's Constitution Act, court-guided agreements, recommendations of the Truth and Reconciliation Commission, and the principles of reconciliation in the Declaration.

The Government of Northwest Territories and the Declaration

- On October 5, 2023, the Legislative Assembly of the Northwest Territories passed the *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act*. The Act, developed in partnership with Indigenous governments and organizations, formalizes the mechanisms to be used by the GNWT to ensure that future legislation and policies are consistent with the Declaration.
- The leaders of the GNWT and Indigenous governments and organizations have also signed a Memorandum of Understanding which commits the parties to work collaboratively and cooperatively to prepare and implement an action plan to achieve the objectives of the Declaration.

**United Nations Declaration on the
Rights of Indigenous Peoples**

Executive Council
Office / Justice

Approved by:	
<hr/>	<u>2024.03.01</u>
Deputy Minister, Executive Council Office	Date
<hr/>	<u>March 1, 2024</u>
Deputy Minister, Department of Justice	Date

Session Briefing Note

International Human Rights

Spring 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 fit with 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.

Session Briefing Note

International Human Rights

Spring 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 (OP-CRPD); 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 in order 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.

Session Briefing Note

International Human Rights

Spring 2024

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, taking into account their specific cultural, language, identity, religion, health, education, economic and social circumstances.
- UNDRIP was fully endorsed by Canada in 2016.

[Cross reference BN# 86 – UNDRIP]

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Systemic Racism and Justice

Spring 2024Justice

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 January 2024, 72.5 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.

Session Briefing Note

Systemic Racism and Justice

Spring 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 negatively impact racially marginalized peoples.
- 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, Yukon’s citizens identified as Indigenous, or as belonging to a visible minority, at 22.3 per cent and 12.8 per cent, respectively.
- 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 pilot 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 and communities in 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:
 - support for the Gladue Report writing service, administered by CYFN, to provide a mechanism for the courts to consider the unique circumstances of Indigenous peoples to inform sentencing decisions (see tab #82);

Session Briefing Note

Spring 2024

Systemic Racism and Justice

Justice

- 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);
 - establishment of 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 #62);
 - support of community-led justice initiatives that provide culturally relevant programs and services;
 - support to therapeutic courts (e.g. Community Wellness Court (see tab # 60) and Domestic Violence Treatment Option Court (see tab #61)); and
 - work through 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 YG 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; both initiatives are pending.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 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, we are increasing the budget of the Yukon Human Rights Commission by \$255,000, increasing its core operating funding from the Government of Yukon from \$658,000 to \$913,000.
- This represents a 39 per cent increase in its stable core operating budget from the Government of Yukon and will support the Commission in its work.

Additional response:

- In 2019, the Yukon Human Rights Commission received a five-year, \$2.6 million grant from Justice Canada to address workplace sexual harassment. That funding ends on March 31 of this year.
- The Government of Yukon's annual core contribution grant to the Commission has remained stable since 2020 because the federal funding provided the Commission with a total annual operating budget of approximately \$1.2 million.

Context:

- In a November 1, 2023 CBC interview, the Commission's acting director cited escalating numbers of complaints being filed as a significant financial pressure on the Commission and expressed concerns about the funding the Commission receives.
- The Commission is also the subject of an ongoing Ombudsman investigation relating to serious delays in processing human rights complaints.

Session Briefing Note

Spring 2024

Yukon Human Rights Commission Funding

Justice

Background:

- The Yukon Human Rights Commission and Department of Justice officials met in January 2024 to continue discussions on the financial pressures affecting the Commission and to discuss the state of the Commission's work to fulfill the following distinct aspects of its legislated mandate:
 - promote education and research designed to eliminate discrimination;
 - promote a settlement of complaints in accordance with the objects of the Act by agreement of all parties;
 - cause complaints which are not settled by agreement to be adjudicated; and
 - conduct education and research on the principle of equal pay for work of equal value in the private sector.
- The Commission gets its mandate from the *Yukon Human Rights Act*, and its operating budget is managed by the Department of Justice.
- The total contribution amount 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 over the years.

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.
- 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:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Metes and Bounds

Justice

Recommended response:

- The Yukon's *Land Titles Act* and the *Canada Lands Surveys Act* and Regulations include requirements to ensure that national survey standards are followed to give 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.

Session Briefing Note

Spring 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 which 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 the physical features of its geography, directions and distances, such as the 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. In times when society relied upon unpaved roads and trails, these features were used as human-made monuments for demarcation, and often changed location and direction.
 - The system of metes and bounds was widely used in England and North America for many centuries but was eventually 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 created confusion in the survey system and led to inconsistency in the description of property boundaries.
-

Session Briefing Note

Spring 2024

Metes and Bounds

Justice

- Although this has not been permitted for many years, the Land Titles Office (LTO) has identified (during the title conversion process underway in the Land Titles modernization project), that there are 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, Surveyor General Branch, municipal and territorial planning and subdivision officials, considered the issues at length before the *Land Titles Act, 2015* was drafted.
- The *Land Titles Act* (s. 83 and 84) provides authority to the Registrar to require that the owner 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 frequently costs of ownership of property in the same way that the cost of insurance premiums, property taxes, real estate commission, lawyer's fees, etc. are costs of ownership.
- A person affected by sections 83 or 84 of the *Land Titles Act, 2015* may have to come to an agreement with the buyer that a survey will be done, and the cost of the survey paid in advance or held in trust. In addition, where different people own parts of a parcel, the survey costs may be divided between the owners.
- People who obtained a title insurance policy when they purchased their property may be entitled to make a claim against that policy.
- 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:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Registration of First Nations Settlement Land

Justice

Recommended response:

- The Government of Yukon is committed to supporting First Nations governments who have an interest in using the Land Titles Office to register their Category A and Category B Settlement Land without affecting Aboriginal rights and title.
- The option to bring Settlement Land under the *Land Titles Act, 2015* and to use the Land Titles Office to register interests in Settlement Land remains at the discretion of a First Nations government.

Additional response:

- In order to facilitate this option, amendments were completed to the Self-Government Agreements of Kwanlin Dün First Nation, Kluane First Nation, Champagne and Aishihik First Nations and Carcross/Tagish First Nation.
- In June 2023, Ta'an Kwäch'än Council also completed these amendments to their Self-Government Agreement.

Context:

- Other Yukon First Nations governments may request amendments to their Self-Government Agreements to enable Settlement Land to be registered in accordance with the *Land Titles Act, 2015*.

Background:

- The *Land Titles Act, 2015* came into effect in June 2016.
- That Act enables eligible Yukon First Nations governments to bring their Settlement Land under the jurisdiction of the Act.

Session Briefing Note

Spring 2024

Registration of First Nations Settlement Land

Justice

- This allows interested First Nations governments to raise certificates of title to land in the Land Titles Office (LTO), and to use the structures of the LTO to register interests in their Settlement Land.
- Kwanlin Dün First Nation (KDFN) registered its first parcel of Category A Settlement Land in the LTO on September 28, 2018.
- Between November 2018 and March 2020, the Government of Yukon (YG) participated in a Land Titles Registry Working Group with Kluane First Nation (KFN), Champagne and Aishihik First Nations (CAFN), Carcross/Tagish First Nation (C/TFN) and Ta'an Kwäch'än Council (TKC).
- That work resulted in amendments to the *Land Titles Act, 2015*, the *Settlement Lands Regulation* and the Self-Government Agreements of KFN, CAFN and C/TFN.
- In fall 2022, TKC indicated its interest and passed a resolution to amend its Self-Government Agreement to allow Settlement Land to be registered in the LTO.
- YG (in May 2023) and the Government of Canada (in June 2023) approved amendments to the TKC's Self-Government Agreement.
- The amendments to the KFN, CAFN, C/TFN and TKC Self-Government Agreements largely mirror the amending provisions of the KDFN Self-Government Agreement in 2017. The amendments require that YG consult with these First Nations governments before: (1) amending the *Land Titles Act, 2015*; or (2) enacting any law of general application that may have an impact on rights or interests in Settlement Land registered in the LTO.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Yukon Land Titles Registry

Spring 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 so that it meets national standards while maintaining the Land Titles Office's current high level of accuracy and certainty in title.
- The current focus is to complete active title conversion and digitization to improve the effectiveness of our services.

Additional response:

- The first two phases of the project are complete. So far, the project has:
 - 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 100 per cent of active titles from paper form to electronic data and compiled title history for 65 per cent of active titles;
 - opened the customer portal to the public to do online searches, effective December 1, 2021; and
 - operationalized all registration functions required by the *Land Titles Act* and *Condominium Act*.
- The next phase of the project will include further scoping and research, to ensure appropriate tools to manage risks of fraud for online submissions.

Session Briefing Note

Yukon Land Titles Registry

Spring 2024Justice

Context:

- The Land Titles Modernization Project has had a very 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.
- 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:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Funding for Legal Aid

Justice

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 2023-24 has allocated \$3,288,000 in core funding, which includes \$550,784 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 court 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

Spring 2024

Funding for Legal Aid

Justice

- The Yukon Legal Services Society has four Whitehorse-based clinics and 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 2022-23, the total core funding for legal aid was \$2,948,000.00.
- In 2023-24, the total core funding for the Yukon Legal Services Society is \$3,288,000.
 - the Government of Yukon will pay 51 per cent of the core funding, or \$1,671,535.
 - the Government of Canada's contribution is 49 per cent, or \$1,616,465.
 - Canada has allocated \$550,784 of their 2023-24 core-funding contribution for the Society to support the new legal aid clinic.
 - Additional funding from the Government of Yukon in 2023-24 included up to \$150,000 to cover conflict cases, as well as \$35,000 for Community Wellness Court proceedings.
- Pursuant to the new five-year Access to Justice Agreement with 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 these costs exceed core budget allocations, the Department of Justice provides additional funding up to an annually agreed-upon cap of \$150,000, pursuant to the Conflict Case Agreement.
- As of January 19, 2024, Yukon Legal Services Society has requisitioned \$133,748 of that, which represents 89 per cent of the total approved amount for the 2023-24 fiscal year.

Approved by:

Deputy Minister, Justice

Date approved

Session Briefing Note

Spring 2024

Outside Counsel Costs – Government-Wide

Justice

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.
- As of January 15, 2024, actual expenditures for the 2023-24 fiscal year totalled \$1,223,151.
- Total expenditures for the 2022-23 fiscal year were \$1,170,040.

Additional response:

- Typically, outside counsel costs are incurred to retain specialized expertise, to secure legal representation when necessary in litigation occurring outside of the Yukon, and to avoid any 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 outside counsel contracts 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 or case 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;
 - the work requires expertise unavailable within Legal Services;
 - the use of a Legal Services Branch lawyer may cause a conflict of interest;

Session Briefing Note**Spring 2024****Outside Counsel Costs – Government-Wide****Justice**

- 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 2023–24 fiscal year are \$2,960,849.87 and are as follows:
 - Energy, Mines and Resources: \$683,390
 - Health and Social Services: \$618,983
 - Highways and Public Works: \$418,041
 - Public Service Commission: \$392,027
 - Justice: \$269,656
 - Education: \$222,017
 - Economic Development: \$197,457
 - Executive Council Office: \$92,275
 - Community Services: \$45,177
 - Yukon Housing Corporation: \$11,780
 - Environment: \$4,420
 - Yukon Development Corporation: \$3,000
 - Tourism and Culture: \$2,624
 - Total projected contract commitments each fiscal year are generally higher than actual costs.

Approved by:

 Deputy Minister, Justice

 Date approved

Session Briefing Note

Corporate Note – Fin/HPW 2023-24 Supplementary Overview

HPW TAB#1

FIN TAB#28

Spring 2024

Recommended response:

- The changes outlined in the Supplementary Estimates No. 2 highlight the government's commitment to supporting the health and wellbeing of Yukoners and communities. The government will continue to make important investments to support our healthcare system, enhance public safety, and provide needed infrastructure across the territory.
- The 2023-24 Supplementary Estimates No. 2 forecasts an overall net increase of \$32.1 million in spending. This includes:
 - A \$61.0 million increase in gross O&M spending, with an offsetting increase of \$29.4 million in recoveries, and
 - Other than a small transfer of \$143,000 in the Yukon Legislative Assembly, there is no change in overall gross capital spending, and a small decrease of \$397,000 in recoveries.
- Changes in the Supplementary Estimates result in a revised forecast surplus of \$1.7 million and year-end net debt of \$444.5 million.
- The ability to remain in a surplus position despite an increase in spending is largely owed to significant infrastructure investments:
 - Infrastructure investments, which are mostly tangible capital assets, impact net debt when they are realized. However, as they are anticipated to provide benefits over many years, their

Session Briefing Note

Corporate Note – Fin/HPW 2023-24 Supplementary Overview

HPW TAB#1

FIN TAB#28

Spring 2024

Embargoed until day of budget tabling

impact on the surplus/deficit position is recognized over their expected life.

O&M

- In O&M, the most significant increases are for programs and initiatives in the Department of Health and Social Services:
 - \$25.6 million is required for Insured Health Services for physician claims, hospital claims, pharmacare and medical travel.
 - More than \$12 million in O&M spending will increase funding for the Yukon Hospital Corporation for unanticipated costs, which are partially a result of a global shortage of health care providers and work done to retain our valuable nurses.
- Some other significant items in the supplementary estimates include:
 - \$6.7 million to sustain initiatives aimed at strengthening justice and community safety within our territory.
 - \$4.1 million to cover costs for new teachers, educational assistants, learning assistant teachers and mental health and wellness counsellors, as well as Yukon University and Governance increases.
- The 29.4 million increases in O&M recoveries are mostly comprised of a \$25 million recovery expected to be received for work completed and underway at the Minto Mine, this year.

Session Briefing Note

Corporate Note – Fin/HPW 2023-24 Supplementary Overview

HPW TAB#1

FIN TAB#28

Spring 2024

Embargoed until day of budget tabling

Capital

- In Capital, there is no significant change in overall expenditures, but there are increases in several projects which are offset by decreases in other areas:
 - Most of the increases are for the Dempster Fibre project, which will receive an additional \$18.4 million to support faster than anticipated progress during the year. This project will provide Yukoners with more reliable access to the internet as well as necessary redundancy.
 - There is also a \$14.6 million increase for the Nisutlin Bay Bridge Replacement project and a \$7.9 million increase for the Erik Nielsen Whitehorse International Airport taxiway improvements and main runway replacement.
 - Finally, a \$5.8 million increase is required for the Old Crow Health and Wellness Centre replacement and the Old Crow 10-unit mixed-use housing project.
- These increases are offset by a number of decreases in other capital projects to reflect revised timelines:
 - The most notable decrease is a \$21.3 million reduction for the Skagway Marine Service Platform project, which has been moved to 2025-26.

Session Briefing Note

Corporate Note – Fin/HPW 2023-24 Supplementary Overview

HPW TAB#1

FIN TAB#28

Spring 2024

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- There is also an \$8 million decrease in Northern Carve Out funding, which is being deferred to 2024-25.
- Delays in some of the community projects under the infrastructure development funding will also see an additional \$7.7 million decrease in capital.

Additional Response:

- Revenues for 2023-24 are expected to decrease by \$14.9 million, mainly to reflect lower forecasts for tobacco and corporate income tax revenues and quartz mining royalties.

Context—this may be an issue because:

- The 2023-24 Supplementary Estimates #2 is tabled in the spring session and will be the subject of debate.

Approved by:

Feb 29/24

Feb. 28, 2024

Deputy Minister, HPW

Approved

Session Briefing Note
Corporate Note – Budget Highlights

TAB# 27
Spring 2024
Finance

Recommended response:

- The Government of Yukon is committed to supporting Yukoners and communities while delivering strong, sustainable fiscal management.
- The Yukon's economy is returning to normal with inflation falling, tourism rebounding, and growth in wages leading to higher consumer spending.
- This budget will benefit all Yukoners by providing significant investments in health care, education, and housing, and will ensure that Yukoners have opportunities to thrive in a vibrant and sustainable economy:
 - An additional \$15.3 million in funding is included to support the operations of the Yukon Hospital Corporation and another \$30 million is directed towards our Insured Health services system.
 - \$4.4 million will help increase the number of educational support staff and wellness professionals in our schools and create a learning environment that is inclusive and responsive to the diverse needs of our students.
 - \$101 million in capital is dedicated for land development, housing, education and health care.
 - This year's budget also delivers on our commitment to environmental stewardship, demonstrated through more than \$55 million allocated to support existing and new actions identified in *Our Clean Future*.

Session Briefing Note**Spring 2024****Corporate Note – Budget Highlights**

Finance

Embargoed until day of budget tabling

- Through Budget 2024-25, the government will continue to lay the foundation for the territory's new health authority. We will also provide funding to implement the *Substance Use Health Emergency Strategy* in coordination with our partners.
- This budget includes strategic investments in infrastructure, particularly in housing for the most vulnerable. Investments in housing include projects in Watson Lake, Mayo, Faro and Dawson City and funding support for various affordable and community housing projects.
- Like in previous budgets, Budget 2024-25 continues to build relationships and further reconciliation with Yukon First Nations.
- Revenue growth continues to accelerate alongside record levels of recoveries. The Yukon's strong financial position continues to improve as we look towards the future.

Additional response:

- The Yukon government is delivering on its commitment to grow a strong and resilient economy while ensuring robust, sustainable fiscal management.
- A strong surplus will serve as a prudent fiscal management tool and demonstrates the ability of the government to address unforeseen events without going into a deficit.

Session Briefing Note**Corporate Note – Budget Highlights**

Finance

Embargoed until day of budget tabling

- The fiscal summary includes a \$50 million contingency for unforeseen pressures and emergencies. Including a contingency has been a proven method to offset the cost of expected but undefined expenditures that arise throughout the fiscal year while limiting their impact on the territory's fiscal position.

Context—this may be an issue because:

- The 2024-25 Main Estimates will be debated during the March 2024 legislative session.
-

Background:

- The 2024-25 Main Estimates include a projected surplus of \$119 million and net debt of \$488.8 million.
- Total revenue is expected to be \$1.69 billion in 2024-25. This is an increase of \$115.8 million, or 7.4 per cent, from the 2023-24 Main Estimates.
- Gross O&M spending is forecast at \$1.6 billion, reflecting a \$141.4 million or 9.7 per cent increase over 2023–24 Main Estimates. Approximately 12 per cent is recoverable from Canada and other partners, making the net impact \$88.6 million, or a 6.7 per cent net increase over 2023–24 Mains.
- Forecast capital expenditures total \$484.0 million with recoveries of \$171.3 million. Although gross capital expenditures are consistent with the previous year (\$483.8 million in 2023-24) increased recoveries result in a 2.1 per cent decrease in net capital expenditures from the 2023-24 Main Estimates.

Session Briefing Note

Spring 2024

Corporate Note – Budget Highlights

Finance

Embargoed until day of budget tabling

- There are 5,484.5 FTEs in the 2024-25 budget, which is an increase of 152.8 FTEs from 2023-24. Growth primarily for CASA Education commitments (61.0) and Health Human Resources commitments (11.5) as well as Putting People First (28.5).

Approved by:

February 28, 2024

Deputy Minister, Finance

Date Approved

Session Briefing Note**Spring 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.
- The Department of Environment and the Department of Finance work closely to ensure that 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.
- Our two departments 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.
- It also includes excluding carbon price from electricity generation or aviation, in recognition of the unique constraints of our northern jurisdiction.

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

Additional 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
- Our government continues to stand by carbon pricing as sound, evidence-based policy on climate change, but we share concerns about equity; specifically, for those Yukoners who do not use heating oil for their homes.
- The policies in Our Clean Future, as well as carbon pricing, are intended to incentivize Yukoners to make the switch to low carbon energy sources, like electric heating or heat pumps. Despite this change to the federal carbon levy, Yukoners continue to lead the way to support this low carbon transition.

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

- 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.

Third response:

- 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, and businesses 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 four rebate groups who receive more, on average, than they pay in carbon pricing levies.

Context—this may be an issue because:

- 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).

Session Briefing Note**Spring 2024****Carbon Pricing
(Corporate Note)**

Environment & Finance

- 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).

Approved by:

Michael Prochazka, Deputy Minister of
Environment

March 1, 2024

Date approved

Deputy Minister of Finance

February 26, 2024

Date approved

Housing Issues

Yukon Housing Corporation

Recommended response:

- Many Yukoners continue to face challenges across the housing continuum, including:
 - 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 rising interest rates are creating significant challenges for both Yukon Housing Corporation and its partners.
- The corporation's new strategic plan, Creating Home, will help transform affordable housing service delivery through the adoption of a more client-centred and collaborative approach that integrates supports and leads to better outcomes for Yukoners.

Additional response:

- Across government, 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, continue 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.

Housing Issues

Yukon Housing Corporation

Rental pricing

- As of October 2023, the median rent for units in Whitehorse in all types of buildings \$1,368. This is 5.1% higher than it was in October 2022. For rental units in buildings with three or more units, the median rent was \$1,250, and the vacancy rate was 1.2%. Within the renter population in Whitehorse:
 - 22.7% live in unaffordable housing;
 - 17.9% live in unsuitable housing; and
 - 10.5% live in inadequate housing.

Rental and vacancy rate, Yukon (YBS)

	April 2022	October 2022	April 2023	October 2023
Median rent (all types)	\$1,300	\$1,301	\$1,325	\$1,368
Vacancy rate (all types)	1.6%	1.7%	2.2%	1.9%

Housing Construction

- Residential building construction declined by 19.3% over the same period. There was \$81.9 million in residential building construction in Yukon in 2023. This figure represents a 7.5% decline from 2022.
- Labour shortages contribute to higher construction costs and are leading to lower residential construction output.¹

House prices

- Yukon Bureau of Statistics real estate reports show that average prices for single detached and condos have fallen for three consecutive quarters; however, house prices remain high and many Yukoners face affordability challenges due to rising mortgage rates.
- Average House Prices (YBS)

Type	Whitehorse Average House Prices		
	2022 Q3	2023 Q3	Change
Single-detached house	\$701,200	\$664,600	(-5.2%)
Condominium	\$459,400	\$426,600	(-7.1%)

¹ Northern Housing Report, 2023

Yukon Housing Corporation Accomplishments

Creating Home – YHC new strategic plan

- Creating Home is the corporation's new 5-year strategic plan that will transform affordable housing service delivery through the adoption of a more client-centred and collaborative approach that integrates supports and leads to better outcomes for Yukoners and communities.
- The plan 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 experience
 - 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:

- 60 units completed between 21/22 and 22/23 by YHC
- **February 2024** 10 units in Old Crow (with HPW)
- **March 2024** accessible duplex in Faro
- **January 2024** – 3-unit mobile home delivered and prepared for occupancy for RRDC staff to help improve social conditions in the community.
- **August 2023** – two accessible, affordable duplexes in Mayo and Carmacks, YHC
- **July 2023** – a 12-bed men's shelter, Jëje Zho, in Dawson City, Tr'ondëk Hwëch'in
- **May 2023** – 9-unit Elders' complex, Vuntut Gwitchin First Nation
- **January 2023** – 87-unit rental development in Whitehorse by Boreal Commons
- **January 2023** – 47-unit build for in Whitehorse YHC
- **December 2022** – 84-unit Seniors' Supportive Housing Facility, Normandy Living.
- **July 2022** – 45-unit multi-use building, Cornerstone: Opportunities Yukon
- **June 2022** – triplex in Whitehorse, YHC
- **Summer 2022** – 20-unit, Whistle Bend: Champagne and Aishihik First Nations
- **March 2022** – triplexes in Mayo and Watson Lake, YHC

Housing Issues

Yukon Housing Corporation

Underway or Upcoming housing capital projects for YHC and partners

YHC- Underway (12 units)

- 10-unit Watson Lake Housing First building
- 2-unit affordable duplex in Dawson

YHC – Upcoming (112+ units) Community housing:

- 34-unit building with 8 accessible units in Dawson
- 45+ unit building with 9 accessible units on 6th Avenue in Whitehorse (formerly Ryder Apartments)
- 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

Staff housing:

- Accessible duplex in Destruction Bay
- Accessible duplex in Pelly Crossing
- Duplex in Burwash Landing

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 YHC 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 April 2024, 177 clients are receiving monthly support.

Support for homeowners:

- March 2024 – CYHB Homeowners stream
- June 2023 the Yukon government launched an \$8.25 million flood recovery program for residents and businesses affected by flooding in the Klondike Valley. (Tab #19)

Housing Issues

Yukon Housing Corporation

- April 2023, YHC launched the expanded Yukon Home Ownership Program which provides mortgages for qualified households to build and buy their homes across the territory, including Whitehorse.
 - The program is currently under review and scheduled for revision in the coming year.
- In 2020, YHC 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 2023:

- June 2023, the Government of Yukon partnering with the Government of Canada and the City of Dawson to develop [four new residential lots in Dawson City](#).
- 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 Mayo and the Logan and Whistlebend subdivisions of Whitehorse made available through public lottery.
- November 2022, signed a loan agreement with Kwanlin Dün First Nation's (KDFN) arm's-length development corporation Chu Níkwän Limited Partnership (CNLP) 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.

Approved by:

President, Yukon Housing Corporation

April 30, 2024

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 December 2023, we released the third Our Clean Future annual report outlining the progress we made responding to climate change in 2022.
- The report announced the addition of 42 new actions to help us reach our climate goals. 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.
- The 42 new actions implement 15 recommendations from the Yukon Climate Leadership Council and three recommendations from the Yukon Youth Panel on Climate Change.
- Additionally, several of the new recommendations put forward by the Yukon Climate Leadership Council align with existing Our Clean Future actions.
- We will continue to work together to advance our efforts to reduce emissions as we assess our progress year-to-year, consider new research and the input of others, and increase our resilience to climate change.
- We have also revised 19 existing actions to better align with our efforts to reduce the Yukon's greenhouse gas emissions and build a climate resilient territory.

Session Briefing Note
Our Clean Future
Implementation

Spring 2024
Environment and Energy,
Mines and Resources

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.
- We legislated greenhouse gas emissions targets and associated reporting through the Clean Energy Act in 2022.
- We installed electric vehicle chargers in every road-accessible community in the Yukon, enabling zero-emissions travel throughout the territory. (See EMR BN #29)
- We launched the five-year Sustainable Canadian Agricultural Partnership in 2023 which will enhance the agriculture sector's resiliency and adaptation to climate change.
- In collaboration with the Yukon's public utilities, we met our target to install seven megawatts of renewable electricity capacity through the Micro-Generation program by 2030. (See EMR BN #38)
- We launched the Better Buildings Program to offer affordable financing for energy retrofits to Yukoners' homes and buildings in 2022.
- We established a geohazard mapping program to understand risks from climate change to the Yukon's transportation corridors.
- We advanced emergency preparedness as we progressed the Community Wildfire Protection Plans for Dawson City, Mayo, Watson Lake, Beaver Creek, the Town of Faro and the Kluane Lake Region.
- We have begun work to develop flood hazard maps for all flood-prone Yukon communities. We expect to release flood maps for the Southern Lakes, Carmacks, and Teslin in 2024. Flood hazard mapping

Session Briefing Note
Our Clean Future
Implementation

Environment and Energy,
Mines and Resources

for Old Crow and Dawson and the Klondike Valley will begin in 2024 and 2025.

- In May 2023, we completed the installation of a biomass heating system at Elijah Smith Elementary School in Whitehorse.
- In January 2024, we passed an electric vehicle charging station regulation under the *Public Utilities Act* to allow First Nation governments, private businesses and municipalities to sell electricity through electric vehicle charging stations.

Third response:

- Of the original 136 actions released in Our Clean Future in 2020, we have completed 45 actions. Eighty-seven actions are in progress and four are yet to begin.
- The ambitious addition of 42 new actions in 2023 puts 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.
- We are working with industry to establish a path to implement the mining intensity target of a 45 per cent reduction in 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.
- 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:

ENV #1 / EMR #33

Spring 2024

Session Briefing Note

Our Clean Future Implementation

Environment and Energy,
Mines and Resources

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

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 (see Appendix A).
- The Government of Yukon reports annually on progress for the implementation of Our Clean Future. Three Annual Reports have been published to date, with the latest report released on December 20, 2023.
- The Our Clean Future website was launched in December 2023, which shows our commitments and successes towards fighting climate change.
- On February 16, 2024, the Government of Canada released an update on design options being considered for the upcoming Clean Electricity Regulations. This regulation is one of the Government of Canada's central commitments towards transitioning Canada towards a net-zero electricity grid by 2035.
- Yukon will be exempted from the Clean Electricity Regulations as the territory's electricity grid is currently not interconnected with any other region and is therefore not regulated by North American Electric Reliability Corporation.

Approved by:

March 19, 2024

Deputy Minister
Department of Environment

Date approved

March 19, 2024

Deputy Minister
Department of Energy, Mines and Resources

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 our society.
- Our government is deeply committed to advancing reconciliation through collaboration and partnership with Indigenous governments.
- While there is still work to do, our efforts are resulting in meaningful change and creating better programs and services for all Yukoners.
- In 2023, on the National Day for Truth and Reconciliation, we shared our progress toward addressing the Truth and Reconciliation Commission's Calls to Action through the release of the Pathways magazine and an accompanying report.
- The magazine and report provide an update on the actions being taken across the Yukon government and in close collaboration with First Nation governments and organizations 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.
- 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) Calls to Action.

**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 June 2015. It contains 94 Calls to Action focused on redressing the harms resulting from Residential Schools and creating better relations between the federal, provincial and territorial governments and Indigenous Peoples. Thirty-two of the Calls to Action relate directly to YG.
- YG 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.
- YG 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).

Approved by:_____
Deputy Minister, Executive Council Office2024.02.02

Date

Session Briefing Note

Inflation and Affordability

(Corporate Note)

Spring 2024

Finance

Recommended:

- Inflation has continued to improve in recent months, but all 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 track 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:

- This year's Budget continues to support Yukoners by making sure they can access essential services at prices they can afford.
 - o The Budget includes massive investments to advance affordable housing projects across the Yukon. From the Housing First Project in Watson Lake, the Ryder Apartments in Whitehorse, and the Korbo Multiplex in Dawson, the Yukon government will be taking action to build more affordable homes for Yukoners, especially those in vulnerable situations.
 - o There is also over \$42 million in continued funding for early learning and child care in this Budget. This includes funding for the universal child care program, which has reduced child care fees to less than \$10 per day on average.

Session Briefing Note

Inflation and Affordability

(Corporate Note)

Spring 2024

Finance

- o We are also making life more affordable and leading the nation with our Yukon-wide dental program, which will see \$5.4 million in continued funding for 2024-25.
 - o To make sure that more people have the option of staying home when they are sick, we have extended the Temporary Paid Sick Leave and included the necessary funding to do so in this Budget. We have also extended the Interim Electrical Rebate, which will provide welcome relief from power bills to Yukoners across the territory.
- These are just a few examples of the many programs and initiatives that will continue to support Yukoners this year.
- The Yukon's minimum wage has also been responsive to price changes, as its annual change is tied to inflation in the year prior. After growing 6.8 per cent in 2023, the minimum wage is scheduled to grow a further 4.9 per cent to \$17.59 per hour as of April 1, 2024. The new minimum wage would represent the second highest wage in Canada, behind only Nunavut's minimum wage of \$19.00 per hour.
- Higher inflation impacts various Government of Yukon programs through indexation, including:
 - o Subsidies for medical travel
 - o The Yukon Child Benefit
 - o Social Assistance Payments
 - o Student Financial Assistance
 - o Seniors' benefits
 - o The Pioneer Utility grant

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024

Finance

- o The Comprehensive Municipal Grant Regulation
- o The minimum wage
- o Residential rent caps
- o The tobacco tax rate

Context—this may be an issue because:

- Inflation has fallen from historical highs but remains elevated in Canada and in the Yukon.
- While improved, energy prices remain elevated, and food and shelter costs continue to be prominent drivers of overall inflation. These are all areas where higher prices are more obvious to consumers.
- Housing affordability has been a concern in the Yukon for several years.
- After more than a year of local inflation being among the highest in Canada, growth in the Whitehorse CPI trended down throughout 2023 and was once again below the national inflation in the last three months of 2023.
- Higher earnings were reported across most industries in 2023, and several industries reported earnings growth more than 2023's average inflation of 4.9 per cent. Even as some industries had earnings gains outpace inflation, earnings growth of 2.8 per cent in the industry total fell short of the overall increase in prices in 2023.

Background:

Inflation – Recent performance and outlook

- Early in the recovery from the COVID-19 pandemic, some price pressures were slower to materialize in the Yukon than in other parts of the country, as inflation for Whitehorse was amongst the lowest in Canada in the first half of 2022.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024
Finance

- Robust price growth in the CPI components of food, shelter and recreation, education and reading material were key drivers of overall inflation in 2023.
- Actions taken by the Bank of Canada to rein in inflation by cooling the Canadian economy appear to be having the desired effects. The national labour market has softened, consumer spending has slowed, and real GDP has leveled out. Following ten increases in the overnight rate since March 2022, discussion among many analysts has shifted towards the timing of rate cuts.
- The Bank's efforts to tame inflation look to have set the stage for a soft landing for Canada, as inflation is trending down without an accompanying sharp downturn in economic activity. Weaker energy prices and improving supply chains have also helped contribute to a much-improved national inflation picture.
- Prior to the recent period of elevated inflation, prices in the Yukon had generally tracked close to the national trend. After averaging 3.9 per cent in 2023, the Bank expects national inflation to fall to 2.8 per cent in 2024 and 2.2 per cent in 2025. As price pressures continue to recede, a similar story is expected locally with growth of the Whitehorse CPI forecast to fall from 4.9 per cent in 2023 to 3.0 per cent in 2024 and 2.5 per cent in 2025.

PROGRAMS AND OTHER MEASURES THAT SUPPORT AFFORDABILITY

Projects under the Five-Year Capital Plan supporting housing affordability (Yukon Housing Corporation)

- The **Old Crow 10-Plex Mixed-Use Housing** facility will be completed and will be ready for residents to start moving in by March 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 are scheduled to be complete in early 2024.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024

Finance

- The **Korbo Multiplex in Dawson** is in the design phase. This project will deliver approximately 34 new housing units.
- The old **Ryder Apartments in Whitehorse** was demolished in December 2023 and plans are underway to replace it with a new multi-family affordable housing complex. The project is in the design phase and 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.

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, Economic Development launched the Paid Sick Leave Rebate. The program will run 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

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024
Finance

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.

Yukon Child Benefit (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, starting in the 2023–24 budget year.

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 is 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 has been extended to March 2025.

Other Government initiatives

Initiatives under Health and Social Services:

- Engagement on the Yukon's Social Assistance rates started in late summer 2023 with clients on Social Assistance.
- While the review is underway, the department is providing a \$100 monthly increase to eligible Social Assistance recipients.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024

Finance

- To offset inflationary cost of living increases and provide sufficient financial resources to meet the needs of children placed in their care, the department is providing a 10 per cent increase to monthly payments to caregivers of children in out of home care, on top of the annual indexed increase.
- During the 2023-24 fiscal year, a 16.46 per cent rate increase for community and extended family caregivers was provided. The rates are as follows:
 - o Whitehorse: \$46.86 per day
 - o Rural Communities: \$50.16 per day
 - o Old Crow: \$86.40 per day

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) will increase the grant payments to be provided in April 2024. This will result in a \$2.3 million increase for Yukon municipalities with overall contributions of over \$24.5 million for fiscal year 2024/25.

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

- Our energy programs are successfully encouraging Yukon residents and local businesses to reduce their energy use, save money and choose low carbon options to live and move.
- Energy efficiency rebate programs are available for the transportation sector, renewable heating sector, and the construction sector focusing on high efficiency buildings.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024
Finance

- 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 December 31st, 2023, 221 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.

Support to the forestry industry (Energy, Mines and Resources)

- To help increase the supply of firewood, over the past two years the Yukon government has offered an incentive to timber harvesters. In 2022-23, the Government of Yukon distributed \$315,000 to 33 Yukon businesses. The program has contributed to an increase in timber harvest volumes.
- In fall 2023, the Government of Yukon and the Canadian Northern Economic Development Agency combined financial contributions to launch the \$200,000 Forestry Support Program. The program is helping to enhance operational safety and resilience by allowing commercial harvesters and retailers to purchase or repair things like harvest equipment, vehicles, trailers, and personal protective equipment.
- We have distributed over \$170,000 through this program and anticipate exhausting the funds by the application deadline of March 31, 2024.

Temporary Landlord Assistance Program (Economic Development)

- Vacancy rates in the local rental market remain very low. The Government of Yukon is committed to encouraging landlords to remain in the residential market. To help support this, the department of Economic Development introduced a temporary Landlord Assistance Program in November 2023.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024
Finance

- The program is available to all Yukon residential landlords who rent out accommodations to which the Yukon's Residential Landlord and Tenant Act applies and who rented out accommodation in 2023. The program provides a one-time, per-unit payment of \$338 for 2023.

Government initiatives indexed to inflation

- Higher inflation impacts various Government of Yukon programs through indexation, (indexation is updated each April unless otherwise noted), including:
 - o Comprehensive Municipal Grant Regulation (with a one-year lag)
 - o The minimum wage
 - o Subsidies for medical travel
 - o Pioneer Utility grant
 - o Residential rent caps
 - o Seniors benefits (updated each October)
 - o Social Assistance Payments (updated each November)
 - o Student Financial Assistance (updated each school year)
 - o Tobacco Tax is updated each January
 - o Yukon Child Benefit (July)

Covid-19 and other temporary inflation relief measures no longer in place:

Tourism and Culture:

COVID-19 Business Relief Programs

- In response to the COVID-19 pandemic, the Government of Yukon acted quickly and decisively by implementing one of the most robust business relief programs in the country. This began with the Yukon Business Relief Program (YBRP) in 2020, which was open to any business from any sector that experienced at least a 30 per cent revenue loss due to the pandemic.

Session Briefing Note

Inflation and Affordability (Corporate Note)

Spring 2024

Finance

- In that same year, Tourism and Culture (T&C) also launched the Tourism Relief and Recovery Plan (TRRP), which was reviewed and endorsed by the Yukon Tourism Advisory Board (YTAB) and industry.
- The Tourism Relief and Recovery Plan committed \$15 million over 3 years to support the tourism sector and was focused on 4 key themes:
 - Providing tourism sector leadership;
 - Rebuilding confidence and capabilities for tourism;
 - Supporting the recovery of tourism industry operators; and
 - Refining the brand and inspiring travelers to visit.
- Through the TRRP, various financial support programs were rolled out during the course of the pandemic to sustain the tourism industry and prepare it for the eventual reopening of borders, including:
 - Tourism Accommodation Sector Supplement (TASS);
 - Tourism Non-Accommodation Sector Supplement (TNASS);
 - Culture and Tourism Non-profit Sector Supplement;
 - Great Yukon Summer (GYS) program;
 - Great Yukon Summer Freeze program;
 - ELEVATE program; and
 - A top-up to the Tourism Cooperative Marketing Fund (TCMF).

Health and Social Services:

- a one-time \$150 payment to social assistance recipients;
- a one-time payment of \$150 to Yukon Seniors Income Supplement recipients;
- a one-time 10 per cent additional payment to Pioneer Utility Grant recipients;

Session Briefing Note
Inflation and Affordability
(Corporate Note)

Spring 2024
 Finance

- a 6-month extension of \$500 per month to caregivers of children in out of home care; and
- a commitment of \$100,000 to Yukon Anti-Poverty Coalition to continue to support food security across the territory.

Approved by:

February 28, 2024

 Deputy Minister, Finance

 Approved