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## Session Briefing Note

### 2025-26 Budget Highlights

## Spring 2025

Justice

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#### Recommended response:

- The 2025–26 budget reinforces the government's commitment to a fair, accessible and cost-effective justice system; supporting public safety while upholding the rule of law.
- The Department of Justice promotes a high quality and cost-effective justice system where Yukon laws are fair, accessible and impartially administered. We foster safer communities and support culturally relevant services.
- This year's allocation reflects strategic investments in access to justice and public safety initiatives.

#### Additional response:

- The 2025–26 operations and maintenance budget for the Department of Justice is \$104,209,000, which is a 2.7 per cent increase from 2024–25. Highlights include:
  - an ongoing increase of \$5,204,000 under the Territorial Police Services Agreement, which includes funding for collective agreement increases and nine new RCMP Officers; and
  - time-limited funding of \$217, 000 in 2025-26 for the Yukon Legal Services Society's Legal Aid Clinic to enhance services for Indigenous, vulnerable and disadvantaged people.
- The 2025–26 capital budget for the Department of Justice is \$6,528,000. Highlights include:
  - \$1,000,000 for the new morgue and coroner's office facility;
  - \$1,850,000 for the Whitehorse Correctional Centre Building Security and Communication System upgrades; and
  - \$3,149,00 for renovations to the Old Crow RCMP detachment building and lifecycle investments to maintain the Yukon RCMP's infrastructure portfolio.

# Session Briefing Note

## 2025-26 Budget Highlights

# Spring 2025

Justice

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### Context:

- Questions may be raised with respect to the Department of Justice's budget and expenditure.

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### Background:

#### National Action Plan to End Gender-based Violence

- The Government of Canada is providing \$16.4 million to the Government of Yukon over four years. This funding is part of the four-year National Action Plan to End Gender-Based Violence funding agreement with Women and Gender Equality Canada (April 1, 2023-March 31, 2027).
- Over the four-year agreement, the Department of Justice is receiving \$6,714,250 with \$1,858,000 allocated in 2025–26 for initiatives being led by the department. This is \$260,000 more than in 2024–25. This funding is 100 per cent recoverable from the Government of Canada.
- See Briefing Note #4: National Action Plan to End Gender-Based Violence – Department of Justice Actions for more information.

#### Yukon Legal Services Society

- The Government of Canada is providing \$826,000 for 2025–26 for the Yukon Legal Services Society to assist with the Legal Aid Clinic. However, Canada decreased funding for the Access to Justice Agreement by \$29,000, so the net increase is \$797,000.
- In December 2024, the Government of Canada provided \$2,387,000 over three fiscal years to support the delivery of legal aid services to Indigenous, racialized and other vulnerable people.
- Their total funding for 2025/26 is \$3,474,820. See Briefing Note #110: Funding for Legal Aid for more information.

#### RCMP Pay Raises and Resources

- The Government of Yukon has allocated \$1,403,000, on an ongoing basis, to increase RCMP pay following their second round of collective bargaining. An ongoing increase to RCMP of \$102,000 for 911 services results from the first round of collective bargaining.

## **Session Briefing Note**

### **2025-26 Budget Highlights**

## **Spring 2025**

Justice

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- The Government of Yukon has also provided \$3,698,000 for support staff, RCMP “M” Division equipment, as well as inflationary increases.
- See Briefing Note #53: RCMP Resources for more information.

#### **Morgue and Coroner’s Office**

- The Government of Yukon has allocated \$1,000,000 of its 2025–26 capital budget for work on a new morgue and coroners’ office facility.
- The existing morgue is in a repurposed space. The existing site does not contain proper ventilation or adequate sanitization. The current location also does not provide a culturally appropriate or dignified viewing environment for friends and family of the deceased as there are no reception, meeting areas or public washrooms.
- Construction of the purpose-built facility will provide appropriate and modern posthumous coroners service for the Yukon.
- See Briefing Note #21: Coroner’s Service Building Construction for more information.

#### **Court Video Conferencing and Audio Equipment**

- The Government of Yukon has allocated \$108,000 of the 2025–26 capital budget to purchase specialized equipment that will enhance the quality and reliability of audio, video and recording systems in the courtrooms.
- This initiative will enhance access to justice, particularly for vulnerable witnesses, remote witnesses and observers.

#### **Whitehorse Correctional Centre Operational Equipment**

- The Government of Yukon has allocated \$127,000 in one-time capital funding to replace the equipment in food services, upgrade medical equipment and replace security equipment at the Whitehorse Correctional Centre (WCC).

#### **WCC Building Security and Communication System Upgrades**

- The Government of Yukon has allocated an increase of \$1,850,000 of the capital budget in the 2025–26 fiscal year for upgrades to the WCC’s Building Security and Communication System (BSCS).
- This project is to replace and update building security and communications systems that have reached the end of their operational life span.

## Session Briefing Note

### 2025-26 Budget Highlights

## Spring 2025

Justice

- The BSCS is the primary security infrastructure for the safety and security of inmates, employees and visitors. It is the focal interface for all security and communication systems, ranging from door access control, intercoms, CCTV video footage and the all-page system.
- This project is in the procurement stages, with a tender for open bids to be posted in the last quarter of 2024–25.
- The \$1,850,000 increase will support the awarded contract, with work expected to begin in the first quarter of 2025–26.

#### RCMP Detachment Construction and Renovations

- The Department of Justice has allocated \$3,149,000 in 2025–26 primarily to support renovations to Old Crow's detachment building. In addition, some of these funds will be used to maintain the Yukon RCMP's other infrastructure.
- Under the Territorial Police Service Agreement, the RCMP manages capital assets through an Accommodations Program Charge (APC) arrangement that includes detachment construction and renovations (Major Capital); building repairs and upgrades (Minor Capital); and the maintenance of living quarters.
- The APC is structured in five-year cycles and billed at a smoothed rate.
- See Briefing Note #53: RCMP Resources for more information.

#### Approved by:

Jeff Simons

2025-02-10

A/Deputy Minister, Justice

Date approved



# Session Briefing Note

Spring 2025

## Departmental Accomplishments

Justice

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### 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 Department of Justice continues to work with partner departments, organizations and businesses to identify and implement community safety initiatives that 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.
  - The Government of Yukon is committed to advancing the use of restorative justice practices across the criminal justice system and continues to highlight the critical need for increased federal funding and continued improvements in policies and practices.
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### Context:

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

#### Modernizing Yukon laws

- Recently enacted legislation for which the Department of Justice is responsible includes:
    - Act of 2024 to amend the Land Titles Act, 2015 (fall 2024);
    - Exemptions Act (spring 2024);
    - Miscellaneous Statute Law Amendment Act (spring 2024);
    - Fiduciaries Access to Digital Assets Act (fall 2023);
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# Session Briefing Note

Spring 2025

## Departmental Accomplishments

Justice

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

### Community Safety Planning

- The Government of Yukon (Yukon) continues to prioritize support for safer and stronger communities across the territory and has approved funding to support First Nations community safety planning.
- Phase one of the Community Safety Planning (CSP) program provides up to \$200,000 to each Yukon First Nation to support planning and implementation of activities identified through the planning process.
- Kluane First Nation (KFN), Vuntut Gwitchin First Nation (VGFN), and Ross River Dena Council (RRDC), have received funding this fiscal year to support their planning initiatives, while Liard First Nation (LFN) received partial funding and are working towards an implementation funding agreement.
- Phase two of the program will explore opportunities to provide funding to municipalities. Work is underway to explore a safety and wellbeing planning process in Whitehorse as an action under the Downtown Whitehorse Safety Response Action Plan.

### Administration of Justice Agreement Negotiations

- Yukon is committed to supporting Yukon First Nations' governments to exercise their authority and jurisdiction over the administration of justice as set out in Yukon First Nation Self-Government Agreements.
- In 2020, we implemented an updated approach to justice-related negotiations with Yukon First Nations governments, which is rooted in recognition of, and respect for, First Nation governments' jurisdiction, governance and legal principles.

## Session Briefing Note

Spring 2025

### Departmental Accomplishments

Justice

- Yukon continues to be engaged in Administration of Justice Agreement (AJA) implementation negotiations with Teslin Tlingit Council and Canada.
- There has been increased First Nations interest in entering and/or recommencing AJA negotiations and arrangements with Yukon and Canada. Multiple tables have recently recommenced or are expected to recommence soon.

#### Restorative Justice

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

#### Expansion of Sexualized Assault Response Team (SART) services

- SART is a network of agencies that provide safe, comprehensive supports for victims of sexualized violence in Whitehorse.
- We are committed to expanding sexualized assault response services to Yukon communities. The departments of Justice and Health and Social Services, and the Women and Gender Equity Directorate are working closely with SART agencies to develop an action plan to support victims of sexualized assault in communities outside of Whitehorse.
- Engagement with First Nation and community service providers and victims of sexualized violence was completed in fall 2023. A What We Heard document has been shared with communities and released publicly.

## Session Briefing Note

**Spring 2025**

### Departmental Accomplishments

Justice

- The Government of Yukon is working in partnership with other SART service providers to analyze the findings and recommendations from the What We Heard document; identify leading practices and approaches from other jurisdictions; and to scope options and the resources required for the next steps of expansion.

**Approved by:**

Mark Radke

2025-04-30

Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Funding for Justice Organizations

Justice

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#### Recommended response:

- The Department of Justice funds the justice-related work of service providers, community organizations and First Nations governments.
- The Department of Justice regularly discusses funding levels with the respective organizations, working with each organization to ensure accountability for funding used to deliver services.

#### Additional response:

- The department does not automatically add a set amount for annual inflation adjustments. Instead, it discusses funding pressures with service providers throughout the year and may 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. This umbrella agreement funds the Yukon Legal Services Society, Yukon Public Legal Education Association, Gladue report writing and Indigenous Court Worker programs.

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#### Context:

- Funding for justice-related work is of public interest.

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#### Background:

- The Department of Justice works with the following organizations created or governed by statute: the RCMP, the Yukon Legal Services Society, the Yukon Utilities Board, the Yukon Review Board and the Yukon Human Rights Commission.
- The department also funds the Indigenous Court Worker Program, Crime Stoppers, Supervised Community Housing, as well as partners supporting work of the Justice Wellness Centre and the Sexualized Assault Response Team.
- These organizations have funding agreements in place and regularly discuss with the Department of Justice the annual level of funding required to meet program needs.

# Session Briefing Note

Spring 2025

## Funding for Justice Organizations

Justice

- The Department of Justice is providing over \$55 million to the following programs for justice-related initiatives for the 2025–26 fiscal year, including:
  - \$47,065,162 to the RCMP (including the Territorial Police Service Agreement, First Nations and Inuit Policing Program, 911 services Car 867 funding);
  - \$3,474,820 to Legal Aid (Yukon Legal Services Society);
  - \$913,000 to the Yukon Human Rights Commission;
  - \$798,000 to Yukon First Nations for the Indigenous Court Worker Program;
  - \$807,632 to Connective for supervised community housing for men;
  - \$307,000 to community justice projects;
  - \$270,000 to the Yukon Utilities Board;
  - \$222,775 to the Council of Yukon First Nations for the Gladue Project;
  - \$856,000 for First Nations' Community Safety Officer programs;
  - \$200,000 for allocation to Yukon First Nations through the Community Safety Planning funding program;
  - \$175,000 to the Yukon Review Board; and
  - \$10,000 to the Crime Stoppers Yukon Community Association.

### Approved by:

Jeff Simons

2025-01-31

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

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

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Justice

#### Recommended response:

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

#### Additional response:

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

## Session Briefing Note

Spring 2025

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

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Justice

#### Context:

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

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#### Background:

- Women, Indigenous people, racialized groups, the queer community, the trans community and gender-nonconforming people are all particularly vulnerable to gender-based violence.
- Pursuant to a bilateral agreement with the Government of Canada (Canada), between 2023 and 2027, the Government of Yukon (Yukon) will receive \$16.4 million from Canada to support implementation of the National Action Plan to End Gender-Based Violence.
- The Department of Justice will receive approximately \$6 million of Canada's contribution. The funding will be used by the Department to deliver initiatives addressing gender-based violence from multiple angles including prevention, breaking the cycle of violence in families, intervention, specialized care, court support, trauma healing for justice-involved Yukoners and First Nations-led responses to gender-based violence.
- A sector-wide stakeholder engagement led by the Yukon Women's Coalition and supported by the Women and Gender Equity Directorate is underway. The engagement is identifying gaps in gender-based violence programs and services and opportunities for improvement. The results of the engagement will inform potential changes to the allocation of funding in future years, including potential changes to the Department of Justice's current initiatives.



## Session Briefing Note

Spring 2025

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

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Justice

Current initiatives under the agreement led by the Department of Justice

#### Media Literacy

- A coordinated set of primary prevention initiatives aimed at training workplaces and communities to understand the roots of gender-based violence, and to educate and mobilize youth as anti-violence leaders.
- One staff member leads this project and both the planned project activities and their implementation have been undertaken in collaboration with internal and external partners.

#### Services for Children and Youth

- Implementation of multi-disciplinary responses for child and youth victims or witnesses to crimes. This initiative coordinates services for individuals and families to reduce barriers and system-based trauma.
- Staff have been assigned to coordinate services and support child and youth victims and their families navigating the courts, including making referrals to partner agencies. Testimonial aids and remote viewing of court proceedings are being provided. Training opportunities for partner agencies serving this demographic are available. Finally, Victim Services is working with the Department of Education to develop a victim support and safety planning process for students.

#### Expansion of Sexualized Assault Response Team (SART) Services

- A network of victim-centred response services exists in Whitehorse; this initiative will broaden access to specialized services for victims in Yukon communities (for details, see BN# 74 – SART Expansion of Services).

#### Transportation for Victims of Violence

- Victims of gender-based violence, including sexualized assault and intimate partner violence, require safe inter-community transportation options and financial support when leaving their home communities to seek safety and/or to access clinical, legal or other critical services.
- Five NGOs are providing low-barrier travel assistance to victims of gender-based violence to attend critical services and/or flee violence. Some transportation options for victims of gender-based violence are now available to individuals in all Yukon

## Session Briefing Note

Spring 2025

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

Justice

communities. A working inventory of transportation options and resources has been compiled and shared with service providers.

#### Integrated Case Assessment Teams for High-Risk Intimate Partner Violence Cases

- This initiative is developing a collaborative approach to identifying, assessing and managing risk and preventing lethality in intimate partner violence cases where there is high or escalating risk. A contract for the development of a Yukon-specific process for service coordination was implemented pursuant to a public tender process, and substantive work is now underway.

#### Support for Justice-involved People

- This initiative makes various resources and programs available to justice-involved people in facility-based and community-based corrections to facilitate healing from trauma and to support successful reintegration into communities.
- At the Whitehorse Correctional Centre, animal-assisted psychotherapy services have been retained, providing access to a therapist and trained dogs twice a week; a pre-existing contract with the Council of Yukon First Nations was expanded to provide a range of activities, including beading, smudging, moccasin and mitt-making, and sharing circles with facilitators and elders.

#### First Nations-led Responses to Gender-Based Violence

- A partnership model that supports community capacity building to respond to gender-based violence in a culturally inclusive way. It begins by healing community leaders and reinvigorating traditional practices and knowledge. This model builds capacity and sustainability over time by engaging all community members in the response to gender-based violence.
- Two cultural consultants have been contracted and are facilitating healing and engagement sessions in Old Crow.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved

### **National Action Plan to End Gender-Based Violence – Yukon's implementation**

Women and Gender Equity Directorate,  
Justice and Health  
and Social Services

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#### **Recommended response:**

- We are nearing the end of the second year of Yukon's implementation of the National Action Plan to End Gender-Based Violence.
- The Women and Gender Equity Directorate and the departments of Justice and Health and Social Services continue to collaborate, along with external partners, to implement various initiatives outlined in the action plan.
- As part of the Yukon's implementation plan, our government has provided over \$4 million to 13 Non-Governmental Organisations over the first two years of implementation. This includes operational funding for three transition homes and project-based funding for other organizations.

#### **Additional response:**

- In December, Women and Gender Equality Canada published the National Action Plan's first annual progress report. The report outlines progress made in the first year of the action plan, including the development and signing of 13 bilateral agreements and the resulting actions taken by each jurisdiction until March 31, 2024.
- The Yukon Women's Coalition's led engagement with non-governmental organisations in the Yukon. The results of this engagement will help to inform continuing implementation of the action plan in the Yukon and may lead to some changes in future years of the funding distributed under the national action plan.

### National Action Plan to End Gender-Based Violence – Yukon's implementation

Women and Gender Equity Directorate,  
Justice and Health and Social Services

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#### Context—this may be an issue because:

- The National Action Plan to End Gender-Based Violence is a high profile, national initiative.
  - We know that the prevalence of gender-based violence and rates of victimization are significantly higher in the Yukon than in most Canadian jurisdictions, and that Indigenous women are disproportionately affected.
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#### Background:

- The Government of Canada is providing \$16.4 million to Yukon over four years to support implementation efforts in the territory. The Government of Yukon is matching the Government of Canada's financial contribution with existing spending on related initiatives, such as the Sexualized Assault Response Team.
- For the final two years of the agreement (2025-26 and 2026-27), federal funding is allocated between departments as follows:
  - Department of Justice - \$1.86 million per fiscal to support: prevention, intervention, specialized care, court support, trauma healing for justice-involved Yukoners and First Nations responses to gender-based violence.
  - Department of Health and Social Services - \$650,000 per fiscal to increase operational funding to transition homes.
  - Women and Gender Equity Directorate - \$1.61 million per fiscal to enhance funding for existing community partners working to end gender-based violence in the territory through prevention and victim support.

# Session Briefing Note

**TAB 03**  
**Spring 2025**

## National Action Plan to End Gender-Based Violence – Yukon's implementation

Women and Gender  
Equity Directorate,  
Justice and Health  
and Social Services

### Approved by:

Type or print name

Sierra van der Meer

February 4, 2025

Deputy Minister, WGED

[Date approved]

Jeff Simons

February 3, 2025

A/Deputy Minister, Justice

[Date approved]

Matt King

February 3, 2025

Deputy Minister, HSS

[Date approved]

## Session Briefing Note

Spring 2025

### Substance Use Health Emergency Strategy – Department of Justice Actions

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Justice

#### Recommended response:

- The Government of Yukon is implementing the Substance Use Health Emergency Strategy's actions to support health and safety in Yukon communities.
- The Department of Justice, in collaboration with the Department of Health and Social Services, continues to fund Car 867 as its pilot phase was highly successful.
- Our government has created two positions in Community Corrections under this strategy. They are providing better outreach and clinical support for individuals struggling with substance use as they transition from the corrections system back to communities.
- We continue to provide support for Indigenous-led, community-based therapeutic courts and other restorative justice approaches that focus on healing and treatment alternatives for justice-involved clients struggling with substance use issues.
- We have added investigative capacity to the Safer Communities and Neighbourhoods Unit to disrupt the distribution of toxic illicit drugs and organized crime occurring from properties.

#### Additional response:

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

## Session Briefing Note

Spring 2025

### Substance Use Health Emergency Strategy – Department of Justice Actions

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Justice

#### Context:

- The substance use health emergency receives significant attention in the legislature and in the media.
- Many communities are keenly interested in community safety and policing issues associated with the trafficking of illegal drugs. We are working to respond to community needs and priorities related to harm reduction and safety.
- The substance use health emergency has impacts across the territory but is experienced differently across communities. Each community, therefore, may have different priorities for which actions to pursue.
- In August 2024, the Chief Coroner issued a press release indicating the number of illicit drug deaths had fallen. From January through December 2024, there were 16 confirmed deaths due to toxic illicit drugs, with one further case pending toxicology. In 2023, there were 23 confirmed fatalities.

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#### Background:

- The Government of Yukon declared a Substance Use Health Emergency in January 2022, and several Yukon First Nations have also made emergency declarations:
  - Carcross/Tagish First Nation declared a substance use health emergency in January 2022.
  - On September 5, 2024, Kwanlin Dün First Nation issued a Substance Use Emergency Declaration based on the opioid crisis.
  - On March 14, 2023, the First Nation of Na-Cho Nyäk Dun declared a state of emergency related to the opioid crisis.
  - On April 20, 2023, Vuntut Gwitchin First Nation made a community emergency declaration on the substance use crisis.
- In partnership with the Council of Yukon First Nations, the Government of Yukon released the Substance Use Health Emergency Strategy in August 2023.
- The strategy provides a roadmap for how the Government of Yukon and its partners can reduce substance use-related harms in the territory and contains recommended

## Session Briefing Note

Spring 2025

### Substance Use Health Emergency Strategy – Department of Justice Actions

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Justice

short, immediate and long-term actions based on four areas of intervention: prevention; harm reduction; treatment and recovery support; and community safety and wellbeing.

- The Department of Justice oversees the fourth area: community safety and wellbeing.

#### **Ten of the 43 proposed actions are led by the Department of Justice:**

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



## Session Briefing Note

Spring 2025

### Substance Use Health Emergency Strategy – Department of Justice Actions

Justice

The desired outcomes of the strategy are:

- 11. to delay the age of initiation of substance use for individuals;
  - 12. to minimize substance use across individuals' lifespans;
  - 13. to keep people safe when using substances;
  - 14. to reduce the harms of substance use; and
  - 15. to improve the health, safety and wellbeing of Yukoners and communities.
- The strategy expands on existing initiatives, including the following:
    - Phase I of the Community Safety Planning Program launched in February 2023 and provides up to \$200,000 to each Yukon First Nation. A proposed Phase II would expand the program to municipalities. The Whitehorse Community Safety and Wellbeing plan is underway.
    - Prevention of gender-based violence and improvements in victims' services through the National Action Plan to End Gender-based Violence and the expansion of the Sexualized Assault Response Team (SART).
    - Engagement with First Nations on enforcement and policing matters in Administration of Justice Agreement negotiations and related tables.
    - Expansion of therapeutic court programming to additional communities.
  - The Strategy includes supporting Car 867, a mobile crisis response team offering a range of services including mental health and suicide assessments.
  - The Government of Yukon will collaborate with First Nations governments and provide support for Indigenous-led, community-based therapeutic courts and other restorative justice approaches that focus on healing and treatment alternatives for justice-involved clients struggling with substance use issues.

#### Approved by:

Jeff Simons

2025-02-19

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

### Estates Bill

Spring 2025

Justice

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#### Recommended response:

- The Estate Bill, now entitled Bill 49: *Technical Amendments Act (2025)*, addresses necessary amendments to several acts that relate to estate planning and administration and further define the role of the Public Guardian and Trustee in estate matters.
- Amendments to the *Enduring Powers of Attorney and Related Amendments Act* will simplify the process for Yukoners to draft their enduring powers of attorney without hiring a lawyer, making estate planning easier and more accessible.
- Changes to the *Estate Administration Act* will clarify the role of the Public Guardian and Trustee in the resolution of estates for those who die without a will. These changes will also support Yukoners in receiving a respectful burial if they die without a will, or no next of kin come forward to administer their estate.

#### Additional response:

- Proposed amendments to the *Enduring Power of Attorney Act* provide additional protection against financial abuse and fraud, giving peace of mind to vulnerable Yukoners.
- To harmonize all related legislation, the bill also amends the *Coroners Act* and the *Funeral Directors Act*.
- Combining all necessary amendments into a single bill allows these important pieces of legislation to be revised in the most resource and time-efficient manner possible.

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#### Context:

- In 2020, the *Enduring Powers of Attorney and Related Amendments Act* received assent during the Fall sitting, and there are sometimes questions in the Legislative Assembly about why the changes have not yet come into force.

# Session Briefing Note

# Spring 2025

## Estates Bill

## Justice

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- Policy changes by commercial vendors resulted in several unclaimed bodies remaining in morgue storage for months awaiting burial. Amendments in this Bill will prevent similar occurrences in the future.
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### Background:

#### **Estate Administration Act**

On average, six to 12 bodies remain unclaimed in the Yukon each year.

- The current *Estate Administration Act* requires the Public Guardian and Trustee to administer the full estate to direct the burial of an intestate individual.
  - Section 34 of the Act further requires the personal property of any person who dies without a will to be immediately delivered to the Public Guardian and Trustee but does not empower the public administrator to deal with the property unless they seek letters of administration and administer the full estate, resulting in the need to store all property in perpetuity.
  - It is typically not in the public interest for the Public Guardian and Trustee to administer every intestate estate as most contain limited property and sometimes significant debts, meaning there is no chance of recovering the costs of administration which, in turn, creates a burden for taxpayers.
  - A recent study found that 62 per cent of Canadians die without a will. With approximately 160 Yukoners per year dying intestate, the Public Guardian and Trustee does not have the staff or resources to resolve all intestate estates.
- For Yukoners who die without a will, the proposed amendments to the *Estate Administration Act* will:
  - separate the authority to direct the disposition of the body from the need to administer the full estate;
  - create a duty for the Public Guardian and Trustee to direct the disposition of all bodies that remain unclaimed for 30 days;
  - establish a hierarchy of alternative decision-makers who may seek letters of administration or direct the disposition of the body, making the Public Guardian and Trustee the decision maker of last resort;
  - authorize the Public Guardian and Trustee to immediately dispose of all perishable and non-valuable items delivered under s. 34;

## Session Briefing Note

Spring 2025

### Estates Bill

Justice

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- authorize the Public Guardian and Trustee to sell items of value and hold the proceeds in trust for the estate if no administrator has been named six months after the death; and
  - authorize the Public Guardian and Trustee to donate items after all reasonable efforts to sell have failed.
- The amendments are intended to empower the Public Guardian and Trustee to direct the disposition of unclaimed bodies promptly, ensuring all Yukoners receive a decent burial, and to appropriately address the property delivered to the Public Guardian and Trustee under s. 34 without creating financial burdens to the taxpayer.

#### **Enduring Power of Attorney Act**

- The *Enduring Powers of Attorney and Related Amendments Act*, assented to in 2020, includes provisions allowing Yukoners to draft their own enduring powers of attorney without the need to hire a lawyer, making estate planning more accessible.
- Regulations, including prescribed forms, are needed to bring the Act into force.
  - The amended 2020 Act made the use of prescribed forms mandatory.
  - Attempts to draft the forms and the accompanying user guides produced forms that were prohibitively complex and difficult to use.
- The proposed amendments in Bill 49 will remove the mandatory form requirements, allowing the creation of user-friendly templates to ensure all the necessary information for a valid self-generated enduring power of attorney is included.
- The templates will be published online, rather than prescribed in regulations, making the forms more accessible and allowing for easier subsequent revisions.
- The amendments also include a requirement that financial institutions that freeze the accounts of a donor because of suspicious activity by an acting attorney must contact the Public Guardian and Trustee. This provides further protection against fraud and financial abuse.

#### **Financial information**

- Burial costs associated with unclaimed bodies are covered under s.8 of Schedule B of the *Social Assistance Act*, which allows Social Services to cover the minimum cost for the minimum of services necessary for burial in cases where the deceased's estate is insufficient to cover the costs.

**Session Briefing Note****Spring 2025****Estates Bill**

Justice

- Costs approved include services necessary for burial but do not include funeral services.
- The average cost of a minimal burial is \$8,000 to \$12,000 depending on transportation and burial plot costs.
- The six to 12 unclaimed bodies each year, for which these legislative changes would be relevant, have, in previous practice, already been covered in the same way.
- The changes do not incur new costs and eliminate the liability that accompanied the direction from the Public Guardian and Trustee to enable burial of these bodies under past practices.

**Approved by:**

Mark Radke

2025-04-28

Deputy Minister, Justice

Date approved

## Session Briefing Note

### *Exemptions Act Regulations*

**Spring 2025**Justice

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**Recommended response:**

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

**Additional response:**

- The revised legislation allows for an annual automatic adjustment tied to the Consumer Price Index.
- The revised Act supports our way of life in the territory by:
  - introducing new exemptions for hunters, trappers and new motorized vehicle classes; and
  - expanding definitions of tools-of-the-trade for self-employed workers.
- The amended Act also includes revisions to the *Garnishee Act*, which regulates the garnishment of wages following a money judgement. The amended *Garnishee Act* and anticipated regulations will update monetary limits to better reflect modern economic standards.

**Context:**

- In September 2023, the Department of Justice (Court Services) received public complaints about unfairness and hardships encountered during bankruptcy proceedings stemming from the antiquated *Exemptions Act*.
- Exemptions did not address common items such as vehicles, electronic devices, or financial instruments such as credit card debt, student loans or RRSPs.
- Related hardships were also identified related to the antiquated *Garnishee Act*.

# Session Briefing Note

## *Exemptions Act Regulations*

# Spring 2025

# Justice

### Background:

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

### Approved by:

Mark Radke

Deputy Minister, Justice

2025-04-25

Date approved

## Session Briefing Note

### *Human Rights Act Amendments*

Spring 2025

Justice

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#### Recommended response:

- The Government of Yukon is working with the Yukon Human Rights Commission on a potential amendment to the *Human Rights Act*.
- The changes being considered are based on recommendations from the Yukon Human Rights Commission and are designed to improve administrative efficiency while updating the Act to be consistent with similar human rights laws across Canada.

#### Additional response:

- Public engagement in early 2025 will inform work on the potential changes.
  - We look forward to hearing from Yukoners during the engagement.
  - The changes are also considering how to best address recommendations from the Yukon Ombudsman and will ensure that the wording of the Act is consistent with decisions by Canadian courts.
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#### Context:

- In June 2022, The Yukon Human Rights Commission requested that certain changes be made to its governing legislation, the *Human Rights Act*.
  - The Yukon Ombudsman published an investigation report in August 2024, which concluded that some aspects of the *Human Rights Act* and its regulations lead to unfairness, hinder efficiency and reduce cost effectiveness of the Commission's work.
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#### Background:

- The department has been consulting with the Commission about the recommended changes as well as other changes that may be warranted.
  - On August 14, 2024, the Yukon Ombudsman released an investigation report regarding three complaints against the Yukon Human Rights Commission.
  - The report concluded that some aspects of the Commission's practices, administration and governing legislation lead to unfairness.
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**Session Briefing Note****Spring 2025*****Human Rights Act Amendments***Justice

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- The report included recommendations for the Department of Justice and the Commission:
  - to increase to the number of Commissioners from five to seven; and
  - to remedy the concerns identified in the report by creating, in consultation with the Commission, new or amended regulations to clarify and harmonize the *Human Rights Act* with its regulations.
- The engagement is focused only on those amendments that may have interest to the public or potential impacts on those affected by proceedings under the Act.

**Approved by:**Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

Spring 2025

### *Public Utilities Act Amendments*

Justice

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#### **Recommended response:**

- The Government of Yukon is developing an amendment to the *Public Utilities Act* to improve the efficiency and effectiveness of electricity regulation in the Yukon.
- Public engagement is occurring in spring 2025 to discuss the proposed changes.

#### **Additional response:**

- This work honours a commitment made in Our Clean Future to table an amendment to the *Public Utilities Act* by 2025.
- Changes being considered are designed to reduce administrative burdens and increase the Yukon Utilities Board's capacity to respond to issues that arise in a modern electricity system, while maintaining the Board's independence and authority over its procedures.

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#### **Context:**

- Our Clean Future action item E3 states that the departments of Justice and Energy, Mines and Resources must "update the *Public Utilities Act* by 2025 to ensure an effective and efficient process for regulating electricity in Yukon."

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#### **Background:**

- The Yukon Utilities Board is an independent regulator of electricity that receives its mandate from the Government of Yukon through 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 electricity utility companies.
- The scope of the engagement is focused on those issues that may have interest to the public or affect rate payers, with limited emphasis on administrative or procedural changes that are mostly of interest only to the board and public utilities.

**Session Briefing Note****Spring 2025*****Public Utilities Act Amendments***Justice

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- In addition to administrative changes aimed at improving efficiency of the board's processes, the engagement and potential changes also propose amending the scope of what the board may consider in its decision-making to better align with policy shifts towards electricity generation that include renewable sources of electricity with fewer greenhouse gas emissions.

**Approved by:**

Mark Radke

2025-01-21

Deputy Minister, Justice

Date approved

**Session Briefing Note****Spring 2025*****Safer Communities and  
Neighbourhoods Act Review***Justice

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**Recommended response**

- Since the inception of the *Safer Communities and Neighbourhoods Act* and particularly in the past several years, there have been significant shifts in social dynamics and criminal behaviour.
- Shifts in organized crime and the potency and toxicity of illicit drugs on the street have affected communities across the country and disproportionately affected vulnerable groups.
- The aim of the review of the *Safer Communities and Neighbourhoods Act* is to ensure that the legislation still meets the objective of promoting community and neighbourhood safety by responding to Yukoners' concerns and disrupting property-based illicit activities.
- Current work on the review of the Act includes identifying key issues and drafting an engagement plan to ensure key stakeholders and all Yukoners have an opportunity to provide input.

**Additional response:**

- It is important that the *Safer Communities and Neighbourhoods Act* continues to align with current societal trends and community needs, balancing the rights of communities and individuals and adhering to modern legal standards and case law.
- The Department of Justice anticipates beginning engagement this spring.

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**Context:**

- The *Safer Communities and Neighbourhoods Act* has not been substantively reviewed since it came into force in 2006. Section 65.01 of the Act mandates a legislative review and tabling of a report by 2027.
- While the *Safer Communities and Neighbourhoods (SCAN)* Unit has been identified as one of several key tools to address downtown safety in Whitehorse, property

## Session Briefing Note

Spring 2025

### ***Safer Communities and Neighbourhoods Act Review***

Justice

crime in general, and a means to interrupt illicit activities, advocates are concerned with misuse of the legislation and further marginalization and displacement of vulnerable people.

- In September 2024, the Yukon Supreme Court struck down section 3(2) of the *Safer Communities and Neighbourhoods Act* that allowed the Yukon government to evict tenants with only five days' notice. The provision was deemed unconstitutional as an infringement of section 7 Charter rights to security of the person, as well as being overly broad, procedurally unfair and grossly disproportionate to the legislation's objective.

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#### **Background:**

- When the legislation was amended in 2021 to expand the list of 'specified uses', objections were raised, amongst other things, that there was no consultation on the amendments nor a review of the legislation. The Government of Yukon worked with the Third-Party to table a bill in 2022 to mandate a review by 2027.
- The SCAN Unit supports community safety by responding to the concerns of Yukoners and disrupting specified activities, including:
  - drug trafficking and contraventions of the *Controlled Drugs and Substances Act* (Canada), the *Cannabis Act* (Canada) and the *Cannabis Control and Regulation Act* (Yukon) and the use or consumption of intoxicants;
  - illegal alcohol sales;
  - activities related to prostitution;
  - illegal possession of prohibited restricted or stolen firearms;
  - organized crime; and
  - the sexualized abuse or sexualized exploitation of a child.
- The constitutionality of one provision in the Act, section 3(2), was challenged in *Wright v Yukon*. A hearing was held November 6 to 10, 2023, and the decision was released on September 5, 2024.
- The court found that section 3(2) was not discriminatory towards Indigenous people, as alleged, but concluded that it was unconstitutional and that it endangered the petitioner's security of the person interest under section 7 of the *Charter of Rights and Freedoms*.

## Session Briefing Note

Spring 2025

### ***Safer Communities and Neighbourhoods Act Review***

Justice

- The court found that section 3(2) of the Act allows people to be evicted without sufficient procedural safeguards; results in the eviction of residents who are not necessarily alleged to have been engaged in the specified acts; and impacts people who get evicted on short notice in a disproportionately harsh manner.
- The SCAN Unit voluntarily stopped using section 3(2) of the SCAN Act four years ago and has not done any evictions under that section since 2020.
- Landlords choosing to evict tenants for reasons relating to SCAN investigations are now required to provide a 14-day eviction notice under the *Residential Landlord and Tenant Act* (RLTA). This ensures that both tenants and landlords have access to adjudication under the RLTA and satisfies the issues of procedural fairness identified by the court.

#### Approved by:

Mark Radke

2025-01-30

Deputy Minister, Justice

Date approved

## Session Briefing Note

### Sheriff as Private Bailiff

Spring 2025

Justice

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#### Recommended response:

- The Sheriff has a long-standing practice of serving as a private bailiff to recover collateral when a buyer defaults under the *Personal Property Security Act*.
- In July 2024, the Sheriff's Office ceased repossessions after determining the Sheriff lacked legislative authority to act as a private bailiff under the Act.
- The Department of Justice is currently drafting a regulation that will allow the Sheriff's Office to resume conducting repossessions under the *Personal Property Security Act*.

#### Additional response:

- The proposed regulation, authorized under section 42 of the *Financial Administration Act*, will also establish a fee schedule that will better recover costs associated with repossessions, removing the financial burden on taxpayers.
- The new regulation includes the required liability protections for sheriffs as well as the Government of Yukon.

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#### Context:

- In the summer of 2024, the Sheriff received requests to repossess millions of dollars' worth of equipment.
- Repossessions of such high value carry significant liability because there was no legislative authority to conduct repossessions.

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#### Background:

- The *Personal Property Security Act* (the Act) allows buyers and sellers to enter into contracts in which the object purchased serves as the collateral for the loan.
  - The Act does not authorize the Sheriff to conduct these repossessions.

## Session Briefing Note

### Sheriff as Private Bailiff

Spring 2025

Justice

- Section 42 of the *Financial Administration Act* allows regulations authorizing “public officers to provide to any person a service” and to establish a fee schedule for that service.
- The Sheriff’s Office had 20 requests pending when they ceased repossessions and have declined dozens of requests since halting private bailiff services.
  - The Sheriff receives 100 to 175 requests for repossessions each year.
  - There are currently no private sector bailiffs operating in the Yukon, due to the small population size and lack of consistent work.
- As the issue is time sensitive, a regulation under the *Financial Administration Act* was recommended as it is faster than amendments to the *Personal Property Security Act*.
  - Resuming bailiff services as quickly as possible will allow the Sheriff to provide creditors with the necessary mechanism to enforce their rights under the *Personal Property Security Act* and prevent restrictions of lending services in the territory if creditors do not have mechanisms to recover loan collateral.

#### Financial information

- The fee schedule to be established in the regulation creates a net-zero revenue stream for Sheriffs providing private bailiff services, allowing the Government of Yukon to recover all salary, travel and dispersal costs associated with the sheriffs performing this service.
- The *Personal Property Security Act* is a civil self-remedy for creditors, allowing them to not require court intervention to authorize recovery of the collateral when buyers default on secured loans.
- Sheriffs previously applied the fee schedule from Schedule 2 of Appendix C of the Rules of the Court. As repossessions require no court involvement, the development of a specific fee schedule under the *Financial Administration Act* is a more appropriate mechanism.

#### Approved by:

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved



## Session Briefing Note

**Spring 2025**

### **Child and Youth Advocate Office's Systemic Review**

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Justice

#### **Recommended response**

- The Government of Yukon recognizes the work that the Child and Youth Advocate Office has completed on the systemic review of the Impacts of High Conflict Custody Disputes on Yukon Children and Youth.
- We will continue to work with the Child and Youth Advocate Office to address the issues identified in the systemic review as they relate to services and programs offered by the Department of Justice.
- We acknowledge that high-conflict custody disputes often have negative impacts on children and youth, and we appreciate the opportunity to work with the Child and Youth Advocate Office to minimize those impacts.

#### **Additional response:**

- Representatives from departmental programs and services attended a recent engagement session held by the Child and Youth Advocate Office to discuss the roles that assorted services play in supporting children and youth.
- Staff from Victim Services Branch and the Yukon Family Mediation Service provided feedback on topics related to the systemic review.

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#### **Context:**

- The public may be interested in the programs and services offered by the Department of Justice to minimize the negative impacts on children and youth involved in high-conflict custody disputes.
- The systemic review included notices to the Department of Justice and the Department of Health and Social Services of the Advocate's intention to review related programs.
- The work of the Child and Youth Advocate was raised during session in fall 2024.

## Session Briefing Note

Spring 2025

### Child and Youth Advocate Office's Systemic Review

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Justice

#### Background:

- On November 4, 2024, the Child and Youth Advocate Office announced the launch of the systemic review to examine:
  - best practices used in high-conflict custody disputes;
  - available supports in place for children and youth in the Yukon; and
  - gaps in support or services.
- On November 14, 2024, the Child and Youth Advocate Office hosted an engagement session with service providers to discuss current services, service gaps and strategies for moving forward when addressing high-conflict custody cases.
- Topics were grouped into the following themes:
  - mental health support and treatment;
  - financial implications;
  - safety and protection;
  - family support for visitation and access; and
  - youth participation and child views.
- Each theme had a short presentation from a related service provider, followed by group discussion. Victim Services covered safety and protection, and the Yukon Family Mediation Program spoke to family support for visitation and access.
- The Department of Justice has the following programs that support families in high-conflict custody disputes.
  - The Family Law Information Centre provides free information about family law and court procedures for separating or divorcing couples, and families in transition. Their services include workshops for parents to assist them with managing conflict in ways that minimize negative impacts to affected children.
  - The Yukon Family Mediation Service provides an alternative for Yukoners who want to settle family disputes out of court.
  - Victim Services continues to support child and youth victims of crime and their families and to coordinate with other agencies to implement national best practices for working with them.

## Session Briefing Note

Spring 2025

### Child and Youth Advocate Office's Systemic Review

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Justice

- The High Conflict Custody review included an option to complete a survey, which ended in December 2024.
- The Child and Youth Advocate Office's website currently has nine Systemic Advocacy topics:
  - Safety in School;
  - Educational & Behaviour Supports;
  - School Attendance;
  - Youth on Their Own;
  - Community Safety;
  - Children in Out of Home Care;
  - Mental Health & Wellness;
  - Child and Family Services Act, 2021; and
  - High Conflict Custody.
- A systemic review typically concludes with recommendations for improvements within the territory.

#### Approved by:

Jeff Simons

2025-02-24

A/Deputy Minister, Justice

Date approved

**Session Briefing Note****Spring 2025****Coroner's Service Building Construction**Justice

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**Recommended response:**

- The Department of Justice, with the assistance of the Department of Highways and Public Works, continues to plan for the construction of a new facility for the Yukon Coroner's Service.
- The government has approved funding of \$14,862,226 for this facility, with project completion planned for the winter of 2027. The capital budget for this year includes \$1 million to advance this work.
- The current Yukon Coroner's Service morgue is in a repurposed building not originally designed to meet a morgue's standards or the needs of the community.
- The project design includes amenities required by a modern coroner's service, including:
  - proper ventilation and hard surfaces for routine sanitization and biohazard management;
  - better lighting and energy performance;
  - increased operational space and storage capacity,
  - office space for both the coroner and a deputy coroner; and
  - a supportive environment for families and loved ones asked to attend the facility to assist with body identification.

**Additional response:**

- The design architects worked with a Yukon First Nation Elder and Indigeneity design consultants to incorporate First Nations' design considerations and to develop culturally appropriate and supportive spaces for families.
- We are working closely with allied departments within the Government of Yukon to identify a suitable location for this building.

## Session Briefing Note

Spring 2025

### Coroner's Service Building Construction

Justice

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#### Context:

- In 2020, the Government of Yukon authorized the expenditure of \$5.8 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.

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#### Background:

- In 2021, the new Coroners Act and Regulations came into force. The legislative changes followed consultation with Yukon First Nations, as well as engagement with coroners, the RCMP and medical practitioners.
- The new facility will allow for the operation of a modernized coroner's service for the Yukon.
- The 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 space that once served as a geological storage warehouse. The location is aging and does not meet program requirements. It is not equipped with proper ventilation, sanitization options, heating, drainage and lighting.
- The existing facility does not provide sufficient refrigeration space, proper examination space, office space or a respectful and culturally appropriate body viewing space.
- Modernization, along with forced growth, has resulted in a redesign of the service delivery model. A deputy coroner position has also been added to the organizational structure. This restructuring adds pressure on the existing facility.
- The facility was originally planned for land behind the Whitehorse General Hospital.
- On October 30 and 31, 2024, the Government of Yukon sought permission from the Yukon Hospital Corporation's Board of Directors to build the new Coroner's Building on Lot 1080-1, a hospital corporation-owned lot immediately to the northeast of the hospital.
- In discussing this request, the Board's members flagged several concerns:
  - Insufficient access to the proposed location by members of the public trying to reach the building on foot.
  - The proposed location impedes Yukon Hospital Corporation's future planned expansion to Whitehorse General Hospital.

## Session Briefing Note

Spring 2025

### Coroner's Service Building Construction

Justice

- The Yukon Hospital Corporation wishes to preserve ongoing access to this lot as a seasonal snow dump, for additional storage, as a parking area for hospital staff, and as an avenue to deliver city services to the existing Whitehorse General Hospital as well as its new construction.
- Significant First Nations cultural concerns with the morgue location being adjacent to the hospital's maternity ward.
- Out of respect for the Yukon Hospital Corporation's concerns and their public commitment to reconciliation with Yukon First Nations, the Department of Justice has withdrawn its request to place the new Coroner's Building on Lot 1080-1.
- The proposed construction will need to move to an alternative location, which means construction is unlikely to commence in May 2025.
- Next steps:
  - The Department of Justice will identify a new location for the Coroner's Building and gain approval for the use of the lot.
  - Highways and Public Works – Property Management will complete feasibility studies for the new lot.
  - Highways and Public Works – Property Management will initiate the Yukon Environmental and Socio-economic Assessment (YESAA) process.
  - The Department of Justice will provide criteria related to the redesign of the building. Highways and Public Works – Property Management will award a change order for redesign.
  - Once design changes, the YESAA process, and the feasibility studies are complete, Highways and Public Works – Property Management will tender a contract for construction. This is expected in early fall 2025.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-25

Date approved

**Session Briefing Note****Spring 2025****Ombudsman/CYAO Petition Decision**Justice

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**Recommended response:**

- I appreciate Justice Campbell's decision on this issue and the clarity it provides.
- The Ombudsman and the Child and Youth Advocate, along with other officers of the Legislative Assembly, play a vital role in our government and in supporting accountability and public trust.
- I recognize that there could be problems if the Executive branch of government were inappropriately interfering with the budgets of these offices in ways that would make it difficult for them to fulfill their legislative roles. But that is not what is happening here.
- The public expects that tax dollars will be used effectively, and Management Board applies this lens to reviewing the budget requests from all areas of government that come before the Legislative Assembly.
- This is a normal part of the budgeting process, and it contributes to ensuring that the budget put forward by this government for debate in the Legislative Assembly is a responsible one that allocates resources appropriately and effectively.

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**Context:**

- On March 3, 2025, Justice Campbell ruled to dismiss the Ombudsman and Child and Youth Advocate's petition.
- It is likely that the Ombudsman and Child and Youth Advocate, and potentially other officers of the Legislative Assembly, will seek amendments to their legislation to exempt their budgeting processes from the general paramountcy clause of the *Financial Administration Act*.

**Session Briefing Note****Spring 2025****Ombudsman/CYAO Petition Decision**

Justice

**Background:****Decision**

- Justice Campbell found that the *Ombudsman Act* and the *Child and Youth Advocate Act* conflict with the *Financial Administration Act* and that this conflict is resolved by the clear paramountcy clause in the *Financial Administration Act*.
- S.2 of the *Financial Administration Act* establishes that the Act “prevails unless the other Act contains an express provision that it, or the relevant provision of it, applies despite the *Financial Administration Act*.”
- Justice Campbell affirmed that the paramountcy clause of the *Financial Administration Act* empowered the Minister of Finance to review budgets and manage expenditures of government, including for officers of the Legislative Assembly. This confirmed that the Minister of Finance has authority to manage disbursements from the Consolidated Revenue Fund, and that Management Board has the authority to reduce an allocation following a vote.
- Justice Campbell noted the legitimate concerns and potential conflicts that could arise with the Executive Branch of government overseeing the budget of the offices that provide oversight and accountability mechanisms for the Executive. However, she noted that this would be a matter for the Legislative Assembly to resolve.
- An oral decision was provided on Monday, March 3, 2025, and a written decision is to follow.

**Response**

- Following the decision, Ombudsman Jason Pedlar confirmed to CBC in an article posted on March 3 that “This is just a technicality, a conflict of the acts, and we want our *Ombudsman Act* and *Child and Youth Advocate Act* amended as soon as possible to deal with the issue.”
- Child and Youth Advocate Annette King is likely to also seek such amendments.

**Yukon legislation governing budgeting processes for independent offices**

- None of the statutes governing the budgeting processes for officers of the Legislative Assembly, or the Legislative Assembly itself, appear to include provisions that would exempt those processes from the application of the *Financial Administration Act*.



## Session Briefing Note

Spring 2025

### Ombudsman/CYAO Petition Decision

Justice

- S.9 of the *Ombudsman Act* provides for the Member Services Board to review the budget estimates prepared by the Ombudsman and that afterwards, the Speaker “shall transmit the estimate to the Minister of Finance for recommendation to the Legislative Assembly.”
- The *Child and Youth Advocate Act* contains a similar provision at s.22.
- The *Conflict of Interest (Members and Ministers) Act* includes different wording for the preparation of the Commission’s budget in s.28 – that the budget shall be prepared in consultation with the Member Services Board, and that an appropriation shall not be recommended unless the Member Services Board has first been consulted.
- The *Public Interest Disclosure of Wrongdoing Act* provides that
  - (2) If the Ombudsman is the Public Interest Disclosure Commissioner
    - (b) the office of the Ombudsman is to serve as the office of the Public Interest Disclosure Commissioner; and the Public Interest Disclosure Commissioner’s staff and expenses are to be supplied and paid in accordance with the *Ombudsman Act* but money appropriated and spent for the purposes of this Act is to be identified in the appropriation and public accounts separately from money appropriated for the purposes of the *Ombudsman Act*.
- The *Access to Information and Protection of Privacy Act* includes an identical provision at s. 110(3) that the costs for the Information and Privacy Commissioner are also to be “supplied and paid in accordance with the *Ombudsman Act*”.
- The current *Legislative Assembly Act* does not appear to contain provisions specific to the approval process for the Legislative Assembly Office’s budget, but the draft of changes under consideration received last year did include proposed wording that was more specific:

#### 87. Annual budgetary estimate

- (1) Before each financial year, the Members’ Services Board must
  - (a) ensure that an estimate of the amounts that will be required in the financial year for the payment of the expenses of the Legislative Assembly, Members, the Legislative Assembly Office and all statutory offices is prepared; and

**Session Briefing Note****Spring 2025****Ombudsman/CYAO Petition Decision**

Justice

(b) approve the estimate, subject to any modifications the Members' Services Board considers appropriate.

(2) The Speaker must deliver the estimate as approved by the Members' Services Board to the Minister of Finance.

(3) The Minister of Finance must include the estimate received under subsection (2) in respect of a financial year in the estimates that are submitted to the Legislative Assembly for the financial year.

- The proposed amendments to the Legislative Assembly Act also included provisions for supplementary budget requests and “unforeseeable necessary expenditures” to be addressed as special warrants, but does not appear to have contained a provision exempting the proposed budgetary process from the provisions of the *Financial Administration Act* that Justice Campbell ruled provide the Minister of Finance with authority to manage the expenditures as disbursements from the Consolidated Revenue Fund.
- The Human Rights Commission is budgeted through the Department of Justice. The Commission is established in the *Human Rights Act* as “accountable to the Legislative Assembly” and the Ombudsman in a 2024 report recommended to the Department of Justice that it amend the *Human Rights Act* “so that the authority is funded directly by the Legislative Assembly [or alternatively to make its own submissions to Management Board].”
- The Human Rights Commission is likely to be interested in any action by officers of the Legislative Assembly to collectively seek amendments to their governing legislation to strengthen the Legislative Assembly’s direct oversight of their budget approval processes and to minimize discretion of the Executive.

**Approved by:**

Mark Radke

Deputy Minister, Justice

2025-03-05

Date approved

## Session Briefing Note

Spring 2025

### YUB – Electricity Costs and Rate Reviews

Justice

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#### Recommended response:

- The rates charged for electricity are set by the Yukon Utilities Board, an independent regulator responsible for making decisions in the public interest.
- Decisions about the processes used for setting rates and making rate changes are currently within the board's jurisdiction to determine within the framework established under the *Public Utilities Act*.
- 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 consistent with national standards for utility regulation and the interests of Yukoners.
- Anyone may make a complaint to the Board regarding utility rates, which could result in a review by the Board and an order for a remedy.

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#### Context:

- In the fall of 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 Electric Yukon (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.

## Session Briefing Note

**Spring 2025**

### **YUB – Electricity Costs and Rate Reviews**

Justice

#### **Background:**

##### **Yukon Energy Corporation 2023–24 General Rate Application**

- Yukon Energy Corporation (YEC) filed the 2023–24 General Rate Application (GRA) on August 31, 2023. Public hearings in written and remote form were held between September 2023 and March 2024.
- On July 12, 2024, the Board issued its decision on YEC's 2023–24 GRA.
  - The Board approved a 10 per cent rate increase effective January 1, 2024, which resulted in a 6.3 per cent residential bill increase. However, this change was made when another charge came off bills, meaning the bill impact effective January 1, 2024, was zero.
  - The Board approved a second interim rate increase (Rider J), effective August 1, 2024, of 3.0 per cent. This replaced the Rider J1 which expired on the same day, meaning that there was no net increase impacting customers.
- YEC claims that the request for increased rates was driven by four main factors:
  - growing demand for electricity;
  - the need to maintain and upgrade the Yukon's electricity system;
  - to support the energy transition; and
  - the rising cost of material and labour.

##### **ATCO's 2023–24 General Rate Application**

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

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Spring 2025

### YUB – Electricity Costs and Rate Reviews

Justice

- ATCO claimed that the increase was needed to cover higher capital and inflation costs.

#### ATCO's rate relief application

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

#### The system of rate setting in the Yukon

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

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### YUB – Electricity Costs and Rate Reviews

Justice

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

#### Approved by:

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

Spring 2025

### Bail Reform – Repeat Violent Offenders

Justice

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#### Recommended response:

- Federal bail reforms, through Bill C-48, create a reverse onus to target serious repeat violent offences involving weapons, expand the list of firearms offences that trigger a reverse onus, and broaden the reverse onus targeting repeat offenders of intimate partner violence.
- A reverse onus shifts the burden to the accused to demonstrate that detention is unwarranted.
- Working collaboratively across sectors and with communities to reduce the root causes of crime remains an important aspect of the broader response. As we know, root causes of offending can include conditions of poverty and unaddressed mental and physical healthcare needs.

#### Additional Response:

- We will monitor the effectiveness of Bill C-48's implementation in the Yukon. We remain mindful of the potential impacts on groups who are overrepresented in the justice system.
- We will continue to partner with First Nations and Indigenous communities to explore forms of reintegration, after care and support that are based on individual needs and community culture.

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#### Context:

- A news release was published after the ad hoc federal-provincial-territorial (FPT) Ministers meeting on March 10, 2023, announcing that FPT Ministers will continue to work together to explore both legislative and non-legislative options to address the bail system's treatment of repeat violent offenders.
- Recent cases of violence by offenders while out on bail include one attack in Ontario that resulted in the death of a police officer. Concerns have been raised about the release of violent offenders back into Yukon communities and the impacts of organized crime.
- One of the Truth and Reconciliation Commission's Calls to Action is for governments to eliminate overrepresentation of Indigenous people in custody by 2025.

## Session Briefing Note

Spring 2025

### Bail Reform – Repeat Violent Offenders

Justice

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#### 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* to create a reverse onus related to bail conditions for the offence of possession of a loaded prohibited or restricted firearm.
- In March 2023, FPT Ministers of Justice and Public Safety discussed the bail system, particularly its treatment of repeat violent offenders. During this meeting, it was also agreed that non-legislative efforts by FPT governments could include improved data collection, policies, practices, training, bail support and enforcement programs.
- 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.
- Other proposed solutions include programs and funding available for broader public safety objectives such as combatting the criminal use of firearms; addressing gang violence; and preventing crime, including gender-based violence and intimate partner violence.
- Through Bill C-48, the *Criminal Code* amendments also require courts to consider previous convictions involving violence, and for the record to include a statement that the safety and security of the community was considered; how the court determined whether the accused is Indigenous or belongs to a vulnerable population; and, if so, how these circumstances were considered.
- The Department of Justice is aware of the National Police Federation's recommendations on bail reform. 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.



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### Bail Reform – Repeat Violent Offenders

Justice

- On July 22, 2024, a follow-up letter from Canada's Premiers was sent to the Prime Minister expressing continued concerns regarding repeat violent offenders and threats to public safety. The letter called for a thorough review of the implementation and application of Bill C-48.
- Canada's Premiers also noted that their governments had implemented significant measures to address repeat and violent offending, including gender-based violence initiatives, in their respective jurisdictions.
- During the Ministers of Justice and Public Safety meeting of October 16 to 18, 2024, Ministers acknowledged that despite the Bill C-48 amendments, significant concerns remain. They acknowledged the need to consider additional legislative and non-legislative measures.
- The FPT Ministers agreed to continue monitoring the effectiveness of Bill C-48. The collection, analysis and reporting of reliable data on bail are critical to supporting administration of bail systems and to addressing public safety concerns.
- On October 28, 2024, the Ontario government published a media release urging the federal government to amend the *Criminal Code* to introduce concrete changes to the bail system and other elements of the justice system for repeat and violent offenders.
- Ontario's proposed changes would restore mandatory minimum sentences for repeat and violent offenders, remove bail availability, mandate a three-strike rule requiring pre-trial detention, bring back restrictions on who can get conditional sentences, require ankle monitors as a condition of bail, and remove credits that can be applied to sentences for the time an accused spends in jail before trial.
- There would likely be constitutional challenges associated with implementing all the changes the Government of Ontario has proposed.
- When advocating for further changes to criminal law, careful consideration must be given to the rights outlined by the *Charter* and relevant case law to ensure that proposed solutions fit with the desired outcomes. Changes must also be able to withstand legal challenges related to limitations imposed on the rights of accused persons.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-01-30

Date approved

## Session Briefing Note

### Repeat Offender Management

Spring 2025

Justice

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#### Recommended response:

- The Department of Justice has consulted with Legal Aid, the Public Prosecution Service of Canada and the RCMP to discuss improvements to the Yukon's approach to repeat offender management.
- Interventions through Corrections are one part of a multi-pronged approach to reducing and breaking patterns of repeat offending.
- Recent improvements include enhanced case management practices and increased information sharing between Yukon Community Corrections and the Public Prosecution Service of Canada prior to bail hearings.
- Community Corrections has improved access to services for clients engaged in the behaviour change processes needed to stop cycles of offending behaviour. This work is supported, in part, by the creation of the in-house outreach support worker and clinical counsellor funded under the Substance Use Health Emergency Strategy.

#### Additional response:

- Yukon Community Corrections' expanded case management approach ensures the needs of its clients are addressed to help mitigate criminogenic risk factors and reduce recontact with the system.
- It also supports prosecutors to ensure all relevant information is presented to enable informed decisions when seeking bail conditions or when contesting bail applications at hearings for repeat offenders. Clients who present higher risks may warrant remand to custody in a correctional facility.
- We are collecting data about this improved approach and will monitor its effectiveness to identify service gaps and to explore further opportunities for collaboration between the Government of Yukon's Community Corrections branch and the Public Prosecution Service of Canada.

# Session Briefing Note

## Repeat Offender Management

Spring 2025

Justice

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### Context:

- The public has concerns that repeat offenders are being released back into the community frequently and are committing new offences. The downtown business community and public are frustrated by criminal activity in the Yukon, notably in downtown Whitehorse.

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### Background:

- From 2011 to 2014, the Department of Justice piloted a Prolific Offender Management program, overseen by the Public Safety and Investigations branch.
- The Prolific Offender Management (POM) program sought to engage offenders through behaviour change processes that would keep them from reoffending. It also increased the level of police attention to allow robust, timely responses that would encourage continued offender engagement.
- The POM program completed the pilot period and transitioned to the Corrections branch in 2017. The activities of the POM program - providing services to clients to mitigate criminogenic risk factors and address criminal behaviours - merged into the ongoing work of the branch.
- In fall 2024, Yukon Community Corrections began consulting with law enforcement partners (RCMP, Public Prosecution Service of Canada, Legal Aid) and other Canadian jurisdictions to improve repeat offender management, in the wake of renewed public concerns about offence patterns in Yukon communities.
- The findings from stakeholder consultations informed improvements to repeat offender management that were implemented in January 2025.
- Key components of the improved approach to repeat offender management include:
  - better defined roles and responsibilities within the Department of Justice;
  - more communication with the Public Prosecution Service of Canada about law enforcement information to inform bail hearings;
  - more robust supervision and case management by Yukon Community Corrections, including additional supports for adults on bail; and
  - continued collaboration with the RCMP to monitor and enforce activities such as curfew checks.

## Session Briefing Note

### Repeat Offender Management

Spring 2025

Justice

#### Next steps:

- Yukon Community Corrections will be reviewing collected data to assess the success of this new approach, including whether clients with identified challenges or a history of non-compliance with bail conditions are treated differently. In such circumstances the Public Prosecution Service of Canada may contest bail or request more stringent bail conditions to improve monitoring and supervision.
- The Department of Justice is also working with the Public Prosecution Service of Canada and Legal Aid to increase use of the Bail Verification process, ensuring that release plans are factual and supports are implemented to set people up for success.

#### Overview of Yukon Community Corrections case management:

- The Yukon Community Corrections branch provides supervision and support to adults on bail, and to adults serving their sentences in the community.
- All sentenced clients work through a Level of Service/Case Management Inventory, commonly known as a risk assessment, to inform the development of an individualized case plan.
- The level of supervision a probation officer provides to each client is determined case-by-case. Considerations include the client's criminal history, previous compliance with reporting directions, the severity of current charges, the type of order put in place and the assessed risk level.
- An individualized case plan identifies the corrective measures needed to address the criminogenic risk/needs of the offender. This may include referrals to criminogenic programming offered through Yukon Community Corrections. It may also include a referral to an in-house clinical counsellor, or referrals to additional supports such as those available through Mental Wellness and Substance Use Services.
- Yukon Community Corrections offers programming and support to individuals whether they are sentenced or on bail.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-19

Date approved

## Session Briefing Note

Spring 2025

### Supervised Housing

Justice

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#### Recommended response:

- Supervised housing is a key component of the criminal justice system that provides structured support for justice-involved individuals to assist with their reintegration back into communities.
- The evaluation of the women's and men's supervised housing programs has been completed. The evaluation report was recently received, and the Department of Justice is currently reviewing the report.
- The recommendations of the evaluation will inform decisions surrounding the future structure for men's and women's programs.

#### Additional response:

- The women's supervised housing program is on pause due to low subscription rates to the program, as only four individuals made use of the program during the pilot period.
- While the women's supervised housing program is paused, women who are justice-involved are supported by Corrections staff through referrals.
- Residents of the men's supervised housing program receive person-centred support and have access to programs based on their individual needs including, but not limited to:
  - criminogenic programming;
  - employment support and education;
  - Indigenous-focused programming;
  - homelessness prevention programs;
  - reintegration services;
  - community living services;
  - peer support;
  - inclusive community drop-in centres; and
  - food security support.

# Session Briefing Note

## Spring 2025

### Supervised Housing

Justice

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#### Context:

- On September 30, 2024, the Women's Supervised Housing and Reintegration Program was paused to evaluate the structure and future needs.
- In the spring 2024 sitting of the Yukon Legislative Assembly, a motion was unanimously adopted to evaluate all programs operated by Connective, and as such, the planned evaluation of the women's program was expanded to include the men's program.
- The supervised housing program for men operates in a separate area on the grounds of the Whitehorse Correctional Centre. Supervised housing programs have received significant public attention.

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#### Background:

##### The Men's Program:

- Supervised housing has been available for men in the Yukon since the mid-1980s. Through contract service providers, men have accessed housing programs and community supports as an alternative to custody, or as a tool to support discharge planning and community reintegration.
- Connective has been operating the Supervised Housing and Reintegration Program for justice-involved men since 2020.
- Connective's facility for men has a maximum capacity of 40 beds.
- From May 1, 2020, to February 25, 2025, Connective has provided services to 161 bail and probation clients and 19 federal parole clients.
- The current transfer payment agreement has been extended for an additional three months, from March 31, 2025, until June 30, 2025, to ensure justice-involved individuals are supported while negotiations with Connective are still ongoing for the transfer payment agreement for fiscal year 2025–26.

##### The Women's Program:

- Historically, the Salvation Army provided beds for women. Since the Salvation Army discontinued this service, intermittent solutions have addressed this service gap.
- In January 2022, the Department of Justice received approval to proceed with the pilot implementation of a 24/7, supervised housing pilot program for women.

# Session Briefing Note

Spring 2025

## Supervised Housing

Justice

- On June 1, 2023, Connective officially opened the Women's Supervised Housing and Reintegration Program.
- From opening until the decision to pause the program on August 23, 2024, there had been eight referrals accepted to the program, with seven admissions, for four unique individuals.
- Of the seven admissions to the program, there were five instances of being discharged from the program, one successful transition out of the program, and one transition out of the program that was supported by the Department of Justice.
- On August 23, 2024, the Department of Justice provided notification to Connective that the women's program would be paused, and the transfer payment agreement would lapse on September 30, 2024.
- At the time of the notification, there was one client in the program, and support was provided to transition this individual out of the program.

### The Evaluation:

- The Department of Justice contracted MNP Consulting to complete the evaluation of the Supervised Housing and Reintegration programs.
- The evaluation focuses on whether programs were effective and whether intended outcomes were met.
- On Feb. 28, 2025, the Department of Justice received the evaluation report. The report contains seven recommendations.
- The department is reviewing the responses and recommendations to bring forward next steps for the men's and women's programs.

### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-03-10

Date approved

**Recommended response:**

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

**Additional response:**

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



## Session Briefing Note

Spring 2025

### WCC: 2018 Inspection Report

Justice

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#### Context:

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

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

recommendations were complete, four were underway, and one was under consideration.

- The group considered recommendation 11 – which calls upon the Government of Yukon to work toward establishing a new secure forensic unit at the Whitehorse General Hospital and removing WCC’s statutory designation as a hospital – to be particularly complex in scope and in need of significant government consideration.
- Fourteen of the recommendations made in the Inspection Report are related to segregation practices. The Implementation Working Group determined that 13 of those recommendations were complete and work is currently underway towards 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 and WCC has since implemented this recommendation permanently.
- The final grouping of recommendations made in the Inspection Report focused on broader justice system initiatives. Of the four recommendations, the Implementation Working Group determined that one was complete and two were underway. The group noted recommendation 39 – which calls upon the government to undertake an expert assessment of the need for more residential treatment facilities – required broader consideration given that implementation would involve various partners from First Nations, Justice and Health and Social Services.
- The Corrections Branch continues to make progress towards the recommendations of the Inspection Report.
- To date, notable improvements include:
  - All WCC staff, including newly recruited staff, have received, or are registered to complete the First Nations 101 course offered by Yukon University.

## Session Briefing Note

Spring 2025

### WCC: 2018 Inspection Report

Justice

- 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 35).
  - The amended Corrections Act includes a clause to require a review of the effectiveness of those provisions, which the Department of Justice anticipates completing by 2026.
- The 2018 inspection report provided important recommendations that inspired reforms within the corrections system in the Yukon. Significant improvements have been made within the last five years.
  - While the report's findings are still considered, future improvements within the corrections branch are now driven by factors other than the 2018 report.

#### Approved by:

Jeff Simons

2025-02-25

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Whitehorse Correctional Centre: Inmate Counts

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Justice

#### Recommended response:

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

#### Additional response:

- The courts control the number of individuals remanded and sentenced. An admission is counted each time a person begins custody, so the same person may be counted multiple times in a year.
- In 2024, 324 individuals were admitted to Whitehorse Correctional Centre.
  - 72 per cent, or 234, self-reported as First Nations, Inuit or Métis and 56 percent self-reported as Yukon First Nations.
  - 78 per cent, or 252 inmates, were remanded.
  - 19 per cent, or 60 inmates, were sentenced.
  - 75 per cent, or 243 inmates, were from Whitehorse, and
  - 22 per cent, or 72 inmates, were from other Yukon communities.

#### 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.

## Session Briefing Note

**Spring 2025**

### Whitehorse Correctional Centre: Inmate Counts

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Justice

**Background:**

- Many factors underlie and influence the rates of both crime and incarceration. Across Canada, crime rates have been declining over the last decade.
- Client admissions are a direct result of both policing decisions and court dispositions. The high proportion of individuals on remand in the Yukon is consistent with trends in other provinces and territories.

**Approved by:**

Jeff Simons

2025-02-25

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Whitehorse Correctional Centre: Programming

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Justice

#### Recommended response:

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

#### Additional response:

- The Whitehorse Correctional Centre has a dedicated First Nations liaison officer whose work includes connecting clients with 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 2025

### Whitehorse Correctional Centre: Programming

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Justice

#### Context:

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

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#### Background:

- WCC's program plans include:
  - bi-monthly health promotion programming on relevant topics provided by WCC's Health Services Team;
  - continuing and expanding all existing programming through in-house program staff, while exploring additional program options with our federal, provincial and territorial colleagues;
  - continuing to partner with Yukon University to provide educational and vocational programming;
  - continuing cultural programming including 'Emphasizing First Nations Culture.' This is a contracted service that delivers:
    - carving programs;
    - drumming;
    - fire ceremonies;
    - sweat lodges;
    - one-on-one healing dialogue; and
    - talking circles.
  - continuing targeted referrals to individuals' First Nations for ongoing community support and assistance;
  - providing individual spiritual and cultural support by the First Nations liaison officer.
  - 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.

## Session Briefing Note

Spring 2025

### Whitehorse Correctional Centre: Programming

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Justice

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

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-24

Date approved



**Session Briefing Note****Spring 2025****Border Security**Justice

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**Recommended response:**

- The Government of Yukon is committed to working with Public Safety Canada to increase communication and improve partnerships with the Federal Investigations Unit and the Canada Border Services Agency.
- The Government of Canada may face strategic challenges while managing the border in 2025. In response to these challenges, Canada is implementing a combination of short-term emergency measures and long-term strategic actions.
- Government of Yukon leadership and officials are participating in preparedness exercises at the regional level, which are designed to enhance the readiness, coordination and strategic capabilities of the federal and territorial governments.

**Additional response:**

- The security and safety of the northern border with Alaska needs to be given the same level of attention as the southern border when assessing potential risks.
- Public Safety Canada must consider infrastructure investments to support any increase to human resources deployed to the Yukon and British Columbian borders with the United States.
- The Yukon government stands in solidarity with the Government of Canada in supporting safe and secure borders.

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**Context:**

- Recent international political pressure has resulted in the federal government reevaluating current border security practices, resources and infrastructure needs.
- Ongoing media attention surrounding illegal fentanyl production in British Columbia, and human trafficking as related to Canada-US border security, may become a concern to the Government of Yukon.

# Session Briefing Note

# Spring 2025

## Border Security

## Justice

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### Background:

- In 2024, Canada pledged to bolster its border security with the U.S., following President Trump's threat to impose tariffs in response to claims that drug trafficking and undocumented migration present threats to the national security of the US.
- The U.S. Customs and Border Protection has reported a significant decrease in fentanyl seizures from Canada, with a 97 per cent drop in January 2025 compared to December 2024.
- Despite Canada's robust response to bolstering border security, there remains great uncertainty about the extent and timing of the tariffs the U.S. administration will impose on Canada.
- President Trump announced numerous border security measures including mass deportations, deployment of American troops and the suspension of the four-month refugee program, potentially increasing the number of asylum seekers coming to Canada.
- The Canada-Alaska border stretches approximately 2,500 km through some of the most challenging terrain in North America. A 1,140 km portion of the border is located adjacent to the Yukon, with the remainder adjacent to B.C.
- There are two road accessible border crossings in the territory: Little Gold and Beaver Creek. Two additional border crossings are accessible from the Yukon via B.C.: Fraser and Pleasant Camp.
- Bilateral discussions between Canada and territorial governments are ongoing, with the purpose of identifying the impact of potential mass migration into Canada.
- While the southern border receives more public attention, the northern border has unique vulnerabilities due to its remote location. The northern border also offers valuable opportunities for collaboration and relationship building between the Yukon and Alaska.
- Lack of infrastructure and housing are critical barriers to increased deployment of additional personnel to border areas.
- Under the Federal Policing Transformation, federal RCMP members assigned to the Yukon now report to the Pacific Regional Commander for B.C. and the Yukon.

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Spring 2025

### Border Security

Justice

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#### Immigration

- Information received from federal partners indicate the northern Canada-U.S. border is not presently the focus of mass migration.
- In the event immigration increases at the northern Canada-U.S. border, Canada and Yukon are jointly concerned about the potential impacts to law enforcement, social services, transportation and national security.

#### Fentanyl trafficking

- In January 2025, the RCMP established a new aerial intelligence task force comprised of helicopters, drones and mobile surveillance towers at the southern Canada-U.S. border.
- In February 2025, the RCMP task force's primary operational goals were refocused from immigration and fentanyl trafficking to fentanyl trafficking only.
- In March 2025, the Government of Canada officially launched the Joint Operational Intelligence Cell (JOIC). The JOIC was created in response to Canada's Border Plan, specifically as part of the Prime Minister's Directive on Transnational Crime and Border Security. The JOIC will build on existing cooperation mechanisms between law enforcement partners and security agencies to better leverage information sharing to target transnational organized crime, money laundering, drug trafficking and improve border security.
- The Government of Canada has stated less than one per cent of fentanyl and illegal crossings into the United States come from Canada, yet the government launched a \$1.3 billion border plan with added resources, more coordination, and increased resources to stop the flow of fentanyl.
- This plan currently includes Canada's newly appointed Fentanyl Czar; a Canada-United States Joint Strike Force; an intelligence directive on organized crime and fentanyl, backed up by \$200 million to increase law enforcement's information sharing capacity; the listing of seven transnational criminal organizations largely responsible for fentanyl pouring into our communities; and the launch of a new intelligence partnership made up of key players from Canada's big banks and law enforcement.
- From January 1, 2022, to December 31, 2024, the RCMP's M-Division has reported 23 occurrences which involved Trafficking or Possession for the Purpose of

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### Border Security

Justice

Trafficking of Fentanyl, with six charges laid under the *Controlled Drugs and Substances Act*.

- Information received from M-Division indicates there is no suspected fentanyl production occurring within the territory. Most of the fentanyl entering the territory originates from southern Canada.
- There have been no notable trends with respect to fentanyl trafficking according to the RCMP's M-Division.

#### Yukon Law Enforcement Resources and Infrastructure

- There are 19 Canadian Border Security Agency staff members located at or near the border crossings in the Yukon.
- The RCMP's federal policing footprint in the Yukon consists of nine regular members that comprise the "Western Arctic Operations Team."
- The Western Arctic Operations Team is a multi-disciplinary team with a broad mandate that reports to Pacific Region Federal Policing located in B.C. The Western Arctic Operations Team continues to be supported under M-Division administration.
- The Yukon-Alaska border and B.C.-Alaska border are often attended by local RCMP officers from Yukon-based detachments, as opposed to federal policing resources.
- Deployment of policing resources from other Yukon detachments or neighbouring RCMP divisions is logistically challenging due to lack of infrastructure and lengthy travel times. For this reason, M-Division's RCMP members typically respond to policing concerns near the border to support the Federal Investigations Unit.
- The Government of Yukon is seeking assurances that the Yukon will be compensated for the use of territorial police resources used to support border security at rates that are based on the current cost-share agreement described by the TPSA.

#### Approved by:

Mark Radke  
Deputy Minister, Justice

2025-04-30  
Date approved

## Session Briefing Note

### Community Safety Planning

**Spring 2025**Justice

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**Recommended response:**

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

**Additional response – funding program:**

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

**Additional response – Whitehorse:**

- To help address community safety challenges in Whitehorse, the Department of Justice, in partnership with the City of Whitehorse, has launched the Community Safety and Wellbeing Planning initiative for Whitehorse.

## Session Briefing Note

### Community Safety Planning

**Spring 2025**Justice

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- As part of this initiative and the Downtown Safety Response Action Plan, the Department of Justice and the City of Whitehorse will co-lead a Whitehorse Community Safety and Wellbeing Plan.
- Through this plan, we will be working with partner agencies, Yukon First Nations, the RCMP and the community to address Whitehorse community safety objectives and implementation. This process will lead to a strategic community safety plan aimed at addressing community safety challenges in Whitehorse.
- The 18-month project will follow a detailed planning process led by the project team from the Department of Justice, the City of Whitehorse, the Canadian Centre for Safer Communities and the Aboriginal Community Safety Planning Initiative.

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#### **Context:**

- 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.
- 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.
- A news release on February 24, 2025, announced the partnership between the Yukon government and the City of Whitehorse to launch the community safety and wellbeing planning process.
- Municipal governments and rural communities may have questions about the timing of plans to expand funding in the second phase of the Community Safety Planning program, other than the work underway for Whitehorse.

#### **Background:**

## Session Briefing Note

### Community Safety Planning

Spring 2025

Justice

- In 2017, the Yukon Forum's Action Plan prioritized "working with identified First Nations and the Government of Canada to support the development of Community Safety Plans within the Public Safety Canada framework."
- In December 2020, the Yukon Advisory Committee released Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls, and Two-spirit People Strategy (the Strategy).
- The Strategy includes actions to: "Conduct community-based safety assessments designed by communities to identify factors contributing to the ongoing perpetuation of violence and unsafe conditions in each community" and to "develop and implement Community Safety Plans that address these factors and conditions."
- The Department of Justice issued a news release on March 14, 2022, announcing that Phase One of a Community Safety Planning funding program would make funds available in 2022. The release committed to providing up to \$200,000 to each First Nation for community safety planning or related implementation work.
- In April and May 2022, the Department of Justice reached out to Yukon First Nations for input on developing the Community Safety Planning program guidelines and to receive updates on their current safety planning.
- Feedback from Yukon First Nations indicated that each First Nation is in a different stage of community safety planning and implementation within their communities. Many expressed an interest in accessing funding through the Community Safety Planning funding 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."
- On February 19, 2025, the Government of Yukon and the City of Whitehorse signed the Community Safety Planning Mandate commitment letter, setting the groundwork and outlining the expectations for working together on a shared Whitehorse Community Safety and Wellbeing plan for Whitehorse.

#### Government of Canada – Aboriginal Community Safety Planning Initiative:

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### Community Safety Planning

Spring 2025

Justice

- 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 to explore other funding opportunities that may be complementary to our safety programs while better supporting Yukon First Nations.

#### Funding Agreements with First Nations

- To date, the Government of Yukon has signed agreements with Kluane First Nation, Vuntut Gwitchin First Nation and Ross River Dena Council. The Government of Yukon has also provided partial funding to support Liard First Nation's community safety planning initiative.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-26

Date approved



## Session Briefing Note

Spring 2025

### Crime Rates and Violent Crime

Justice

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#### Recommended response:

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

#### Additional response:

- As a response to crime, the Department of Justice has increased investigational capacity under the Safer Communities and Neighbourhoods Unit; supported community safety planning and crime prevention through environmental design initiatives; and increased the use of restorative justice processes.
- In addition, we continue to invest significant resources in the Yukon's RCMP, including funding for specialized units that investigate homicides, drug trafficking and organized crime.
- The work done by these units is critical to our ability to address crime across the territory.

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#### Context:

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

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Spring 2025

### Crime Rates and Violent Crime

Justice

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#### Background:

- Statistics Canada released its annual Police-reported Crime Statistics in Canada on July 25, 2024, featuring crime statistics about criminal activity reported to the police.
- Many provinces and territories recorded increases to the Crime Severity Index for the second consecutive year. Only New Brunswick, Nova Scotia, Manitoba and Alberta recorded decreases. The Yukon experienced a two per cent increase, which was also the national average.
- In 2023, police in the Yukon reported 15 firearm-related violent crimes – an increase of seven incidents from 2022. The Yukon had the third highest rate of violent crimes per 100,000 population, following the Northwest Territories and Nunavut.
- Increased awareness of high-profile criminal acts, social movements, media reporting, recent changes to legislation, law enforcement policies and local procedures may influence public reporting practices.
- The homicide rates in the Northwest Territories (13.34 homicides per 100,000 population), the Yukon (8.89 per 100,000) and Nunavut (4.92 per 100,000) were above the national average for 2023.

#### Yukon programs aimed at crime reduction

- The Government of Yukon recognizes that crime is a complex issue and requires a multi-pronged approach aimed at crime prevention and rehabilitation.
- These programs include but are not limited to:
  - the Youth Justice Panel;
  - the Youth Achievement Centre;
  - funding Crime Stoppers;
  - Community Safety and Wellbeing Planning;
  - Safer Communities and Neighbourhoods Unit;
  - Restorative Justice circles;
  - Justice Wellness Centre programming;
  - Crime Prevention through Environmental Design;
  - Enhanced First Nations and Inuit Policing Program RCMP;
  - Community Safety Officer program funding; and,
  - other programs that foster positive relationships and supportive families.

## Session Briefing Note

Spring 2025

### Crime Rates and Violent Crime

Justice

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#### **Territorial highlights and trends (2023 compared with 2022)**

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

#### **Drug-related offences (2023 compared with 2022)**

- Offences relating to possession and trafficking of heroin and other opioids decreased in the Yukon in 2023. National rates also decreased, except for opioid trafficking, increasing by 11.53 per cent.
- In total, the Yukon's drug-related offences decreased by 19.01 per cent in 2023, compared to a national decrease of 14.67 per cent.
- The Yukon's drug-related offence rate for trafficking, production or distribution of cocaine decreased by 20.55 per cent in 2023 compared to 2022.
- The total of offences related to trafficking, production or distribution of other *Controlled Drugs and Substances Act* drugs decreased 22.58 per cent in 2023 compared to 2022, in the Yukon.

#### **Property crime in Yukon (2023 compared with 2022)**

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

# Session Briefing Note

Spring 2025

## Crime Rates and Violent Crime

Justice

### National highlights and trends (2023 compared with 2022)

- The Violent Crime Severity Index remained virtually unchanged in 2023, following a 13 per cent cumulative increase over the previous two years.
- The Non-violent Crime Severity Index also increased in 2023 by three per cent but remained lower than before the start of the COVID-19 pandemic. Increases in property offences (fraud, shoplifting and motor vehicle theft), drug offences and child pornography drove the increase in the Non-Violent Crime Severity Index.
- Compared with 2022, the decrease in the Violent Crime Severity Index in 2023 included lower rates of homicide (-14 per cent) and sexual violations against children (-10 per cent). The Violent Crime Severity Index recorded higher rates of extortion (+35 per cent), robbery (+4 per cent), and assault committed with a weapon or causing bodily harm (+7 per cent). Gang-related homicides accounted for under a quarter of all homicides in 2023.
- The number of police-reported hate crimes increased by 32 per cent in 2023. Hate crimes targeting religion or sexual orientation accounted for most of the increase, while those targeting a race or ethnicity saw a smaller increase.
- The proportion of women who were killed by their spouse was approximately four times higher than the proportion of men.
- Police in Canada reported 778 homicides in 2023, 104 fewer than the year before. The homicide rate decreased 14 per cent from 2.27 homicides per 100,000 population in 2022 to 1.94 homicides per 100,000 population in 2023. This was the lowest rate since 2019. However, there were more homicides (+2) in the Yukon.
- Rates of homicide are higher among Indigenous people and racialized people. Police reported 193 Indigenous homicide victims in 2023, 35 fewer than in 2022.
- Nearly one-third of individuals charged with committing a homicide in the past five years were in custody or under community supervision at the time of the incident.

### Approved by:

Jeff Simons

2025-02-07

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Decriminalization of Opioids

Justice

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#### Recommended response:

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

#### Additional response:

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

## Session Briefing Note

Spring 2025

### Decriminalization of Opioids

Justice

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#### Context:

- Decriminalization of drugs is a contentious issue for governments, agencies and the public, with some having strongly held views both for and against decriminalization.
  - Yukon's Member of Parliament, Brendan Hanley, and the Yukon NDP have publicly expressed support for decriminalizing simple possession of narcotic drugs and other controlled substances.
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#### Background:

- Decriminalizing possession of some drugs removes the risk of criminal penalties for individual users but maintains penalties for suppliers and criminal traffickers. Individual users may face fines and warnings for other designated activities.
- Legalization establishes a framework for the legal sale and possession of small quantities of some drugs for personal use through a regulated safe supply chain.
- Different approaches will require various levels of support from all partners and stakeholders, especially the Government of Canada.
- In 2021, Yukon's Blood Ties Four Directions Centre, with support from the Canadian Drug Policy Coalition and Health Canada, facilitated a Yukon community dialogue about perspectives on drug policy and the overdose crisis, culminating in a public Getting to Tomorrow report. Themes included:
  - fear of police involvement, arrest, discrimination and racism in healthcare preventing people from calling 911 during an overdose;
  - stigma around drug use preventing people from seeking care and support;
  - criticisms of the Safer Communities and Neighbourhoods Act;
  - gaps in harm reduction and treatment services, especially in rural communities; and
  - impacts of housing insecurity on people who use drugs.
- Multiple law enforcement bodies, including the Canadian Association of Chiefs of Police, the BC Association of Chiefs of Police, and the Yukon RCMP "M" Division, have expressed conditional support for possession-related drug decriminalization, endorsing an "integrated approach" with appropriately resourced health-based services.
- The Chief Coroner of Yukon has advocated for decriminalization and for work to create a safe supply of drugs.

# Session Briefing Note

Spring 2025

## Decriminalization of Opioids

Justice

### Yukon statistics

- According to Statistics Canada, there were 50 police-reported criminal incidents of possession of illicit drugs in the Yukon in 2023 and 146 police-reported incidents for drug trafficking, production or distribution.
- According to the 2023 police-reported crime statistics, drug violations in the Yukon decreased by 21 percent: from 242 incidents in 2022 to 196 in 2023.
- Declines observed in drug offences, particularly drug possession, may be due to changes in police charging practices in response to the August 2020 guidelines issued by the Public Prosecution Service of Canada directing prosecutors to avoid prosecutions for simple possession offences under the *Controlled Drugs and Substances Act* (CDSA).
- Health Canada granted an exemption from the CDSA to BC until January 31, 2026.
- Starting January 31, 2023, adults in BC were 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).
- 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*.
- In April 2024, BC sought an adjustment from Health Canada to recriminalize drug use in public places. In May 2024, the federal government approved BC's request.
- 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.

### Approved by:

Mark Radke

Deputy Minister, Justice

2025-02-07

Date approved

## **Session Briefing Note**

### **Downtown Whitehorse Community Safety**

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**Spring 2025**  
Justice

#### **Recommended response:**

- The Government of Yukon takes the safety of downtown residents and businesses seriously and is working to implement the actions of the Downtown Whitehorse Safety Response Action Plan.
- The Action Plan is a roadmap aimed at enhancing the safety, health and overall wellbeing of downtown Whitehorse.
- As part of the Action Plan, the Department of Justice, in collaboration with the City of Whitehorse, is co-leading a Whitehorse Community Safety and Wellbeing Plan.
- Through this plan, we will be working with partner agencies, Yukon First Nations, the RCMP, and the community to address Whitehorse community safety objectives and to implement a strategic community safety plan aimed at addressing community safety challenges in Whitehorse.
- The 18-month project will follow a detailed planning process, led by the project team from the Department of Justice, the City of Whitehorse, the Canadian Centre for Safer Communities and the Aboriginal Community Safety Planning Initiative.

#### **Additional response:**

- In 2024, the Department of Justice:
  - funded two additional RCMP members to complement the current Whitehorse detachment;
  - increased the Safer Communities and Neighbourhoods (SCAN) Unit by one investigator;
  - developed a funding program with the Department of Economic Development to provide the Whitehorse Chamber of Commerce with funding to support crime prevention initiatives for businesses, NGOs and organizations impacted by crime; and



## **Session Briefing Note**

### **Downtown Whitehorse Community Safety**

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Justice

- funded a Community Safety and Wellbeing Plan that is being developed in partnership with the City of Whitehorse.
- The Department of Justice will also be facilitating restorative justice circles at 405 Alexander, providing opportunities for healing, knowledge sharing and constructive dialogue for those interacting with the shelter. These circles will help to establish a base for ongoing positive community relationships.
- The Department of Justice, in collaboration with the Council of Yukon First Nations, has reestablished the Community Safety Committee to address some of these issues and will continue to meet throughout 2025.

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#### **Context:**

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

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#### **Background:**

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

#### **Downtown Whitehorse Safety Response Action Plan**

- On May 25, 2023, businesses in the downtown core of Whitehorse signed a letter to the Premier expressing overwhelming frustration with alleged criminal activity taking place around the Whitehorse Emergency Shelter.

## **Session Briefing Note**

### **Downtown Whitehorse Community Safety**

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**Spring 2025**  
Justice

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

#### **Gun and Gang Violence Action Fund**

- The Safer Communities and Neighbourhoods (SCAN) Unit has increased its investigational and analytical capacity through support from the federal Gun and Gang Violence Action Fund.
- These enhancements have increased the capacity of the SCAN Unit by three investigators and one crime prevention analyst so that the unit can address the evolving nature of criminal activities reported in Yukon communities and neighbourhoods.
- Following the success of the initial Gun and Gang Violence Action Fund initiative, Public Safety Canada announced in May 2023 that they would invest an additional \$390 million over the next five years, funding provinces and territories to support a variety of initiatives, including law enforcement and prevention programs.
- In November 2024, the Government of Yukon reaffirmed its commitment to tackling gun and gang related crime in the Yukon.
- The Government of Yukon’s new five-year (2023-28) funding allocation under this program is \$3,998,194.
- This is an increase of \$1,747,459 from the previous funding agreement in 2018-23 (\$2,250,735).

# Session Briefing Note

## Downtown Whitehorse Community Safety

Spring 2025  
Justice

### Community Safety and Wellbeing Planning

- Community Safety Planning has been adopted by the Government of Yukon, and its scope has grown to encompass initiatives that also promote community wellbeing through priorities specific to each community.
- In February 2023, the Government of Yukon launched the Community Safety Planning Program. Phase One of the program provides up to \$200,000 to Yukon First Nations governments, enabling them to develop and implement Community Safety and Wellbeing Plans. Kluane First Nation, Ross River Dena Council and Vuntut Gwitchin First Nation have accessed funds to support their community safety planning projects. The Department is currently working on an agreement with Liard First Nation.
- The Department of Justice and the City of Whitehorse have engaged the Canadian Centre for Safer Communities (CCSC) and the Aboriginal Community Safety Planning Initiative (ACSPI) to create a Community Safety and Wellbeing Plan for the City of Whitehorse.
- Both the Canadian Centre for Safer Communities and the Aboriginal Community Safety Planning Initiative will support urban and rural municipalities, Indigenous communities, agencies, groups and individuals in their efforts to prevent crime and increase community safety in the communities and neighborhoods in which they work, live, learn and play.

### 405 Alexander

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

# Session Briefing Note

## Downtown Whitehorse Community Safety

Spring 2025  
Justice

### 408 Alexander Street

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

### The Hearth

- In February 2024, the Yukon government reaffirmed its commitment to reducing homelessness with a total investment of \$12.9 million for The Hearth, which includes:
  - \$1 million from the Housing Initiative Fund, allocated in the 2023–24 and 2024–25 budgets;
  - \$5 million through the Rapid Housing Initiative in 2021–22;
  - \$6 million from the 2024–25 budget; and
  - \$900,000 slated for 2025–26.
- The Hearth will enhance safety and wellbeing in Downtown Whitehorse by providing supportive housing for those most in need. This will contribute to a vibrant, safe and inclusive downtown. It is a key component of our Downtown Whitehorse Safety Response Action Plan.

### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-24

Date approved

## Session Briefing Note

### Firearms

**Spring 2025**Justice

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**Recommended response:**

- The federal government's Bill C-21 amends several acts, with changes focusing on organized crime; supporting violence prevention programs for youth; taking measures to combat gun-related domestic violence; and preventing self-harm.
- The Government of Yukon supports the rights of legal gun owners in the territory, while also supporting an approach to gun control that helps protect public safety.
- The Government of Yukon maintains that any program implementation for firearms buyback should be entirely funded by Canada and not pull policing resources away from frontline policing in the territory.

**Additional response:**

- The program design for the federal Firearms Buyback Program remains underway, including the development of a computerized processing system.
- We will continue to monitor the rollout of this program as it moves forward.

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**Context:**

- There is potential interest and confusion about the role of a Chief Firearms Officer for the territory.
- While many of the provisions of Bill C-21 have not been contentious, feedback from Yukoners relates to the impacts the legislation may have on hunters and concerns about the mandatory Firearms Buyback Program.

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**Background:**

- Canada has engaged with Yukon about potential changes to improve the delivery of firearms safety licensing and programming in the territories, including consideration

## Session Briefing Note

### Firearms

## Spring 2025

### Justice

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of a northern Chief Firearms Officer program to oversee territorial firearms safety training and licensing.

- The Yukon has the highest per capita number of prohibited and restricted firearms licenses in Canada. Lawful firearm owners in the territory include hunters, trappers and people performing remote wilderness work.
- According to the Commissioner of Firearms Report, the total number of individual firearms licenses in the Yukon was 8,621 in 2023. Of those, 2,133 licenses were for restricted firearms and 138 were for prohibited firearms.
- In 2021, the federal government introduced Bill C-21. The Bill contains amendments to the *Criminal Code* and the *Firearms Act*, including new “red flag” and “yellow flag” laws to allow people to apply to a court for the removal of someone’s firearm if there is concern for personal safety, such as domestic violence or mental health issues.
- Emergency Prohibition Orders and Limitations on Access Orders (Red Flag Laws) have been in force since December 15, 2024. The License Suspension Regime (Yellow Flag Laws) is currently under development. Public Safety Canada is in the process of engaging with provinces and territories on the development of Bill C-21 harm reduction measures.
- Bill C-21 also aims to bolster border and law enforcement capacity, reduce the number of firearms in circulation, prevent crime, address root causes of violence and provide resources to help combat domestic violence involving firearms.
- Changes introduced by Bill C-21 include measures to combat firearm-related organized crime; provisions allowing municipalities to ban handguns through bylaws; violence prevention programming; stronger border controls for firearm offences; stricter criminal penalties; and other technical amendments.
- During a Canada-led roundtable discussion, Yukoners indicated concerns that Bill C-21 could put lives of Indigenous hunters at risk in the Yukon by restricting certain types of firearms used to protect against dangerous wildlife, namely semi-auto rifles.
- On May 1, 2023, the Government of Canada introduced revised proposed amendments to Bill C-21. The proposed amendments align with recommendations put forward in the March 2023 Final Report of the Mass Casualty Commission. The Bill received royal assent on December 15, 2023.

## Session Briefing Note

### Firearms

**Spring 2025**Justice

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- The federal government is continuing work to fully implement Bill C-21. The federal government also plans to introduce regulations concerning large capacity magazines in March 2025.

#### Chief Firearms Officer

- A Chief Firearms Officer is responsible for the administration of the *Firearms Act* in their region of authority. This includes support for required safety training and licensing.
- Department officials met with the Government of Canada in Whitehorse on February 29, 2024, and discussed the following:
  - Examining education improvements; increasing gender- and youth-specific, culturally relevant programming; improving accessibility of training courses; and general firearms safety awareness.
  - The program could be more effective if there was stronger coordination, where appropriate, between the federally appointed firearms officer(s), Yukon's RCMP "M" Division and the Department of Justice.
  - The program would need to be tailored to the unique needs of the North for it to be effective for the Yukon. It will need to consider support for online and paper applications in remote communities.
- In April 2024, the Canadian Firearms Program produced a Northern Services Review report, following the February consultation with the Government of Yukon, law enforcement and community members. No significant deficiencies were identified in the program's operation. The following recommendations were noted:
  - increased delivery of the Canadian Firearms Safety Course;
  - improve firearm application processing support;
  - enhanced communication with clients;
  - increased visibility with communities, partners and stakeholders; and
  - increased local staffing, including one northern Director to operate as Chief Firearms Officer across all territories.
- Officials from the Department of Justice are awaiting an update from the Canadian Firearms Program on next steps to implement recommendations.

## Session Briefing Note

### Firearms

**Spring 2025**Justice

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#### Firearms Buyback Program

- The federal government is finalizing a Firearms Buyback Program to safely remove the now prohibited firearms from communities.
- The firearms ban includes an amnesty period followed by a mandatory Firearms Buyback Program for the newly banned models. The amnesty period has been extended to October 30, 2025.
- On December 5, 2024, the federal government expanded the list of prohibited assault-style firearms resulting in the prohibition of 104 families of firearms encompassing 324 unique makes and models.
- Over 19,000 non-restricted firearm makes and models, equating to 127,000 variations of firearms, remain available for hunting and sport shooting in Canada.
- The Firearms Buyback Program involves two phases: Phase 1- Buyback for Businesses and Industry; and Phase 2- Buyback for Individual Firearm Owners.
- The Firearms Buyback Program is in Phase 1, Phase 2 is expected to begin in spring 2025. As of December 2024, zero firearms have been collected from Yukon businesses as part of phase 1.
- The deadline for businesses to comply with phase 1 of the program is April 30, 2025.
- There are 17 businesses in the Yukon who are eligible to participate in the Assault-style Firearms Compensation Program. Public Safety Canada has stated that businesses are working with a third-party contractor, and no territorial policing resources are being used.
- Businesses must ensure that now-prohibited firearms are stored per their classification. Firearms must:
  - be made inoperable by means of a secure locking device (e.g., a trigger lock); and
  - be in a locked display case or cabinet and not be displayed in a window.
- The buyback process is expected to involve four steps: notification; collection; transportation and storage; and destruction.
- In keeping with its core policing mandate, the RCMP will be the agency responsible for leading the collection of these assault-style firearms in the Yukon.
- Yukon's position is that all RCMP resources supporting the delivery of this program must be funded exclusively by the federal government.



## Session Briefing Note

### Firearms

**Spring 2025**

Justice

- On December 5, 2024, the Government of Canada committed to the Ukrainian Government to work with businesses with a view to identifying how returned firearms may be donated to support the fight for democracy in Ukraine. These guns are military-style guns and Ukraine has indicated interest.

**Privately made firearms:**

- The Government of Yukon strongly supports measures to counter the manufacturing and use of privately constructed firearms (commonly known as ghost guns).
- Privately constructed firearms are printed using a 3D printer using gun blueprints, which can be downloaded online. They can be printed and assembled within hours at a low cost. Printed receiver portions of the firearm will not have a serial number, and remaining firearm parts can be purchased at stores or via online sites without a firearms license.

**Statistics:**

- In 2022, slightly less than three per cent of police-reported violent crimes in Canada (nearly 14,000 violent crimes) involved a firearm, an increase of 8.9 per cent from 2021.
- In 2023, police reported 778 homicides, down from 882 reported homicides in 2022. Of the 778 homicides, 289 of which were committed with a firearm, down from 342 in the year 2022.

**Approved by:**

Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved

## Session Briefing Note

Spring 2025

### Impaired Driving

Justice

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#### Recommended response:

- Alcohol and drug-impaired driving in the Yukon are public health and safety issues that we must address collectively.
- In 2019, the Government of Canada entered into a funding agreement to provide the Government of Yukon with over two million dollars until March 2025 to:
  - enhance training;
  - build law enforcement capacity; and
  - improve data collection to deter drug-impaired driving.
- The number of impaired driving incidents in the Yukon has been declining over the last several years, from 845 incidents in 2019 to 575 incidents in 2024.

#### Additional response:

- 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 through the right equipment, testing methodology and training.
- Funding has been provided to the RCMP's "M" Division to purchase six drug screening devices for use in the territory.

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#### Context:

- Police-reported impaired driving incidents in the Yukon are significantly higher than the Canadian average.
- Public Safety Canada has confirmed that the Building and Enhancing Law Enforcement Capacity funding agreement will be sunset on March 31, 2025.

# Session Briefing Note

## Spring 2025

### Impaired Driving

Justice

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#### Background:

- The Yukon has the third highest rate of impaired driving in Canada, with some of the least restrictive sanctions. Impaired driving incidents in the Yukon have decreased since 2019. There were:
  - 575 in 2024;
  - 551 in 2023;
  - 539 in 2022;
  - 615 in 2021;
  - 786 in 2020; and
  - 845 in 2019.
- In the Yukon, an Act to Amend the Motor Vehicles Act received royal assent in December 2021 to address traffic safety issues through fines, territorial rules around impaired driving, road user safety and enforcement technology.
- In December 2022, the Attorney General of Canada broadened the definition for technicians that are considered qualified, registered or licensed to collect blood without a physician's order.
- Law enforcement personnel may request qualified technicians to obtain blood to support their investigations.
- Qualified technicians include a registered nurse or nurse practitioner; a medical laboratory technologist or medical laboratory assistant; a medical laboratory technician; phlebotomist; combined laboratory and X-ray technician or technologist; or paramedic.

#### Trained law enforcement

- "M" Division currently has 71 officers trained in Basic Impaired Driving Detection, and 38 officers trained in the use of Standardized Field Sobriety Tests.
- Three of those 38 officers have also completed the Drug Recognition Expert certification and are working as Drug Recognition Experts.
- Ten "M" Division officers are trained to use oral fluid screening devices to test for Tetrahydrocannabinol, or THC, the component of cannabis linked to impairment.
- There are 45 approved alcohol screening devices, and six approved drug screening devices deployed throughout the territory.

# Session Briefing Note

# Spring 2025

## Impaired Driving

## Justice

- Yukon RCMP Traffic Services held another Traffic Foundations Course the week of October 28, 2024. Ten police officers were trained about relevant traffic enforcement legislation. As part of this course, officers:
  - o learned to use the Approved Screening Device;
  - o learned to use Radar and Laser traffic enforcement equipment;
  - o conducted two school zone enforcements;
  - o held three sobriety check-stops where 55 mandatory screening demands were made; and
  - o issued 20 violation tickets and three warnings.

### Roadside surveys

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

### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved

# **Session Briefing Note**

## **Crime Prevention Grant Program**

# **Tab 6 (EcDev)**

## **Tab 47 (JUS)**

### **Spring 2025**

Economic Development  
and Justice

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#### **Recommended response:**

- The Crime Prevention Grant program, as committed to in the Downtown Whitehorse Safety Response Action Plan, is now underway.
- In partnership with Economic Development, the Whitehorse Chamber of Commerce is delivering programming focused on:
  - subsidies to businesses and organizations in Whitehorse for security assessments of locations, including assessment of layout and design to aid in crime prevention;
  - training for businesses and organizations, including but not limited to de-escalation and conflict resolution training; and
  - an updated *Who's Minding Your Business* security checklist to support businesses as they work to address security elements.
- Businesses and organizations can find out how to access this funding and training by going to [whitehorsechamber.ca](http://whitehorsechamber.ca).
- This new pilot program is being offered as year one of the three-year Crime Prevention Grant program.

#### **Additional response:**

- Security assessments conducted this year are expected to inform program design and guidelines for the next two years to better address the specific needs of participants.

**Session Briefing Note  
Crime Prevention Grant  
Program**Economic Development  
and Justice**Context—this may be an issue because:**

- Businesses, and especially downtown businesses, have been struggling with operating safely.
- There are frequent media reports of break-ins, vandalism, and shoplifting incidents.

**Background:**

- The Downtown Whitehorse Safety Response Action Plan was created in December 2023 as a roadmap aimed at enhancing the safety, health and overall wellbeing of downtown Whitehorse.
- The launching of a Crime Prevention Grant program was identified as a medium-term (1-12 months) action in the September 2024 update of the plan.
- Funding for the program has been identified for three years, through to FY 2026-27.
- Information collected from the pilot project administered by the Whitehorse Chamber of Commerce will be used to inform the subsequent two program years.

**Approved by:**Jeff Simons

A/Deputy Minister, Justice

February 10, 2025

Date approved

Samantha Paterson

Deputy Minister, Economic Development

February 7, 2025

Date approved

## Session Briefing Note

Spring 2025

### Safer Communities and Neighbourhoods (SCAN)

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Justice

#### Recommended response

- The Safer Communities and Neighbourhoods – or SCAN – Unit, supports community safety by responding to the concerns of Yukoners and disrupting specified activities, including:
  - drug trafficking and illegal alcohol sales;
  - activities related to prostitution;
  - illegal possession of prohibited, restricted or stolen firearms;
  - organized crime; and
  - the sexualized abuse or exploitation of a child.
- Safe communities and neighbourhoods are important to the health and vitality of our territory. The SCAN Unit's work to keep our neighbourhoods and communities safe is part of our efforts to improve safety and wellbeing in Yukon communities.
- In implementing the legislation, the SCAN Unit considers the unique needs of vulnerable people and makes referrals to support agencies when there is a need for protection or assistance.

#### Additional response:

- On September 5, 2024, the Yukon Supreme Court found that section 3(2) of the SCAN Act, which allowed a landlord to terminate a tenancy or lease agreement with five days' notice using the support of the SCAN unit, was unconstitutional.
- The government will not appeal the decision. The court's decision will inform our ongoing review of the SCAN Act.
- The Government of Yukon voluntarily stopped using this section of the Act over four years ago, and landlords evicting tenants for reasons relating to SCAN investigations have instead been required to use the system set out by the *Residential Landlord and Tenant Act*.

## Session Briefing Note

Spring 2025

### Safer Communities and Neighbourhoods (SCAN)

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Justice

#### Context

- There was significant media coverage following the *Wright v. Yukon* decision, including local media articles and an investigative news show on APTN.
- There is confusion about the decision's impact on SCAN's ongoing activities, and the Department of Justice regularly receives questions about the review's progress.

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#### Background:

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



## Session Briefing Note

Spring 2025

### Safer Communities and Neighbourhoods (SCAN)

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Justice

- applying to the Supreme Court of Yukon for a Community Safety Order, which may include provisions to terminate leases, close a property for up to 90 days, or any other provisions that the court considers necessary.
- The SCAN Unit has signed communication protocols with 10 Yukon First Nation governments to facilitate communication, prevention and enforcement activities for the implementation of the legislation in their communities.
- The SCAN Unit has received over 1,600 complaints since 2006. In 2024, the SCAN Unit received 195 complaints – the highest number of complaints received in a calendar year since SCAN's inception.
- In 2024, the SCAN Unit made 205 referrals to various support agencies and partners.

#### SCAN Act Review

- In the spring 2022 sitting, the Legislative Assembly amended the *Safer Communities and Neighbourhoods Act* and required the Government of Yukon to complete a comprehensive review of the Act within five years, and to table a report of the review's findings in the Legislative Assembly.
- Current work on the review of the Act includes identifying key issues and drafting an engagement plan to ensure key stakeholders and all Yukoners have an opportunity to provide input. The Department of Justice anticipates beginning engagement and consultation in 2025.

#### SCAN Act challenge

- The constitutionality of one provision in the Act, section 3(2), was challenged in *Wright v. Yukon*. A hearing was held November 6 to 10, 2023, and the decision was released on September 5, 2024.
- The court found that section 3(2) was not discriminatory towards Indigenous people, as alleged, but concluded that it was unconstitutional and that it engaged the petitioner's security of the person interest under section 7 of the *Charter of Rights and Freedoms*.
- The court found that section 3(2) of the Act allows people to be evicted without sufficient procedural safeguards; results in the eviction of residents who are not

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Spring 2025

### Safer Communities and Neighbourhoods (SCAN)

Justice

necessarily alleged to have been engaged in the specified acts; and impacts people who get evicted on short notice in a disproportionately harsh manner.

- The SCAN Unit voluntarily stopped using section 3(2) of the SCAN Act over four years ago and has not done any evictions under that section since 2020.
- Landlords choosing to evict tenants for reasons relating to SCAN investigations are now required to provide a 14-day eviction notice under the RLTA. This ensures that both tenants and landlords have access to adjudication under the RLTA and satisfies the issues of procedural fairness identified by the court.

The following table provides data on SCAN actions back to 2016.

Status	Action	2016	2017	2018	2019	2020	2021	2022	2023	2024
Concluded Case Files	Conversation Warning	7	7	6	28	5	31	19	25	17
	Formal Written Warning	2	3	6	3	1	2	0	1	0
	Landlord Eviction under RLTA*	0	0	1	0	0	5	7	8	9
	Landlord Eviction under SCAN (s. 3(2) 5-day notice) *	4	5	2	6	4	0	0	0	0
	Community Safety Order	0	0	0	1	1	1	0	0	0
	Other**	39	53	18	52	17	46	67	74	85

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

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

Approved by:

Jeff Simons

2025-02-03

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

### Federal Policing Transformation

Spring 2025

Justice

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#### Recommended response:

- On April 1, 2024, the new Federal Policing Transformation Strategy was implemented. Federal RCMP members assigned to the Yukon now report to the Pacific Regional Commander for British Columbia and the Yukon.
- The Government of Yukon has raised concerns that the change of reporting may adversely impact the Yukon, resulting in silos and reduced federal presence. We have asked the Government of Canada to reaffirm its commitment to a strong federal policing presence, particularly considering the recent developments on our border with the United States.
- The Government of Yukon, RCMP “M” Division and the new Pacific Region Command are working collaboratively on an operational model that will allow for better information sharing, a stronger policing presence, and a way forward to support this transition.

#### Additional response:

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

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#### Context:

- The federal policing transition has been underway since 2018 and has impacted the number of federally funded personnel deployed to the territory and the control and oversight of the federal police unit.

## Session Briefing Note

Spring 2025

### Federal Policing Transformation

Justice

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- Territorial funding for police is already under significant pressure due to new collective bargaining agreements, infrastructure investments, national initiatives and mandated policy changes.
  - The Government of Yukon is taking a clear position on the need for flexibility between Federal Policing, the First Nations and Inuit Policing Program (FNIPP), and Territorial Police Services Agreement (TPSA) resources in negotiations ahead of the expiry of the TPSA in 2032.
  - The Government of Yukon is working with the Federal Policing Unit, alongside many other agencies, to enhance border security.

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#### Background:

- Federal policing now focuses on three priorities: national security; transnational and serious organized crime; and cybercrime.
- The transformation is meant to modernize federal policing and improve the RCMP's response to the increasing complexity of crime.
- In fall 2023, Yukon's Deputy Minister of Justice, Assistant Deputy Minister of Community Justice and Public Safety, and Yukon officials met with the Deputy Commissioner of Federal Policing to share concerns around the federal transformation.
- The Government of Yukon communicated its concerns that by removing local command and oversight, the federal transformation could reduce cooperation between RCMP teams, decrease information sharing, and increase separation between police units working in the territory.
- Since 2018, when the RCMP first announced that the federal policing mandate would shift from conducting investigations to intelligence gathering, the Yukon raised concerns around resourcing, the proposed new reporting structure, and the shift in responsibility for investigating crimes at a regional level.
- This included the concern that responding to crimes previously investigated by federally funded positions will increasingly fall to contract police officers that are 70 per cent funded by the Government of Yukon.

## Session Briefing Note

### Federal Policing Transformation

**Spring 2025**

Justice

- Unlike the FNIPP and the TPSA, which are cost-shared with Canada, federal policing in the Yukon is 100 per cent funded by the Government of Canada and is not subject to an agreement with the Government of Yukon.
- In the Yukon, the Northwest Territories and Nunavut, Federal Investigation Units have historically been assigned responsibility for investigations related to interprovincial crime and major enterprise offences.

**Approved by:**Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved

## Session Briefing Note

Spring 2025

### First Nations and Inuit Policing Program

Justice

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#### Recommended response:

- The federal First Nations and Inuit Policing Program supports law enforcement and community safety in First Nations communities.
- The Government of Yukon recognizes the value of cost-shared funding made available through the First Nations and Inuit Policing Program. This is why we are continuing to work closely with the Government of Canada to inform the modernization of the program, so it better meets the needs of First Nation communities in the Yukon.
- Our government has worked with the Government of Canada to secure increased funding for several initiatives under this program, including funding for six additional RCMP resources to support Yukon First Nations communities and funding for Yukon First Nations' Community Safety Officer programs.

#### 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 policing resource needs, and to effectively implement Community Tripartite Agreements across the Yukon.

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#### Context:

- On March 19, 2024, the Auditor General of Canada (AG) released an evaluation of the First Nations and Inuit Policing Program (FNIPP), which reiterated longstanding issues with the program. In response, Public Safety Canada committed to work collaboratively with First Nations and Inuit communities as well as the provinces and territories and law enforcement agencies, including the RCMP, to address the issues identified.

## Session Briefing Note

Spring 2025

### First Nations and Inuit Policing Program

Justice

- In the 2024–25 budget, the Government of Yukon (Yukon) secured additional, cost-shared funding from Canada to provide for six RCMP community policing enhancement members under Community Tripartite Agreements (CTAs) for Yukon First Nation communities, as well as funding to engage with First Nations on FNIPP-related matters. Yukon is working with Canada and the RCMP to staff these positions.

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#### Background:

##### Government of Canada's First Nations and Inuit Policing Program

- Since 1991, Canada has provided opportunities to cost-share funding with provinces and territories for policing First Nations and Inuit communities through the FNIPP. Canada pays 52 per cent of the costs, and 48 per cent is paid by provinces and territories (PTs). The program is intended to:
  - ensure First Nations governments enjoy their right to personal security and public safety;
  - support responsible, accountable policing in First Nations communities; and
  - promote policing partnerships with First Nations governments based on trust, mutual respect and participation in decision-making.
- The FNIPP provides funding for the following.
  - “Self-administered” police service agreements where a First Nation or Inuit community provides day-to-day policing services as authorized or established through legislation by a province or territory, like a Police Act. Such enabling legislation does not exist in the Yukon.
  - CTAs between Public Safety Canada, Yukon and First Nations governments where the RCMP provides dedicated policing services to a First Nation or Inuit community that enhances the police services available through the province or territory.
  - Community Safety Officers.
- The Yukon currently has 25 FNIPP officers that provide enhanced community policing for Yukon First Nations communities. One of the new officers will oversee the FNIPP RCMP officers and work with all Yukon First Nations to ensure their FNIPP officers are engaged effectively through Letters of Expectation. This role will also provide valuable support in the deployment of new officers to communities.

## Session Briefing Note

Spring 2025

### First Nations and Inuit Policing Program

Justice

- The other new positions will go to supporting the First Nation of Na-cho Nyäk Dun; Champagne and Aishihik First Nations; Ross River Dena Council; and Kluane First Nation. Yukon continues to work with all First Nations on the allocation of FNIPP resources in accordance with community needs.
- In the last few years, the FNIPP has also provided some funding for alternative police services such as Community Safety Officer (CSO) programs. Four Yukon First Nations' CSO programs now receive funding through the FNIPP.

#### Auditor General 2024 Report on the FNIPP

- The AG report identified areas of improvement for the FNIPP, including issues related to fiscal management, documentation, partnerships, performance measurement, and the 1996 FNIPP policy.
- The AG also recommended that the RCMP implement mechanisms to ensure the program is achieving results as intended. Both Public Safety Canada and the RCMP have agreed with the AG's recommendations.
- In response, Public Safety Canada and the RCMP tabled a Management Action Plan in Parliament in early September 2024, detailing their approach to addressing the AG's recommendations.

#### Federal Budget Investments in the FNIPP

- The 2024 federal budget proposes the provision of \$267.5 million over five subsequent years with \$92.5 million annually and ongoing, and \$200 million to the First Nations and Inuit Policing Facilities Program.
- Funding will be made available following federal Treasury Board approval of the funding allocations and the revised FNIPP policy, terms and conditions.
- Funding for CSOs beyond 2025-26 is uncertain and dependent on Treasury Board's approval of the revised terms and conditions.
- In September 2024, Yukon provided its three-to-five-year FNIPP funding priorities to Public Safety Canada which includes requests for additional funding for CSOs, CTAs (expansion, liaison and navigator), FNIPP administrative support, infrastructure and engagement with First Nations on the enforcement of First Nations laws.
- FNIPP funding for CSOs was increased between 2023-24 and 2025-26 through the establishment of a national, three-year pilot project. Yukon was able to secure cost-



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Spring 2025

### First Nations and Inuit Policing Program

Justice

shared funding for two additional Yukon First Nations' CSO programs, which brings the total number of CSO programs being funded in the territory to four.

#### Yukon's Community Tripartite Agreements

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

#### Federal Legislation for First Nation Police Services

- In 2020, Canada committed to co-develop, in partnership with First Nations, legislation that recognizes First Nations self-administered policing as an essential service.
- The Assembly of First Nations (AFN) is Canada's official co-development partner. The role of provinces and territories is to provide jurisdictional input at federal-provincial-territorial meetings.

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### First Nations and Inuit Policing Program

Justice

- In 2022, Canada held engagement sessions on the future legislation with First Nations governments, organizations and citizens, as well as provinces and territories.
- The AFN Yukon Region conducted a survey related to First Nations policing to inform the legislation. The findings and recommendations were published in 2022.
- Canada's policy framework for the federal legislation addresses Canada's conduct and financial contributions for First Nation self-administered police services; recognizes the significant role First Nations play in the provision of policing in their communities; and complements provincial and territorial policing legislation.
- On March 7, 2024, Canada hosted an in-person engagement session in Whitehorse, the last of 10 in-person sessions nationally. Government of Yukon officials attended as observers.
- Canada, in collaboration with provinces and territories, the First Nations Chiefs of Police Association and the First Nation Police Governance Council, finalized a policy document to inform drafting instructions for the legislation.
- The AFN has been critical of Canada's mandate and of the approach to federal legislation. The AFN seeks legislation that recognizes First Nation jurisdiction over policing.
- In 2024, the AFN adopted various resolutions calling for Canada to recognize First Nations' authority and jurisdiction over policing.
- In October 2024, Canada indicated that legislation would not likely be tabled before the end of December 2024, as previously anticipated. Canada has advised that it is committed to establish a working group with the AFN to discuss First Nations' authority and jurisdiction over policing.

#### Approved by:

Jeff Simons

2025-02-28

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Policing Priorities

Justice

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#### Recommended response:

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

#### Additional response:

- This year, the Yukon Police Council will hold a final round of community engagement meetings in Whitehorse with the Kwanlin Dün Chief and Council and the City of Whitehorse Mayor and Council.
- The Council will also be holding meetings in Carcross, Teslin, and Watson Lake and will seek input from First Nations, local business communities, community stakeholders and the public.
- As the Minister of Justice, I look forward to receiving recommendations from the Yukon Police Council.

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#### Context:

- In March 2024, the Council held an engagement session with the Whitehorse business community in recognition of the complex issues impacting safety in the downtown core.

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Spring 2025

### Policing Priorities

Justice

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- In September 2024, the Whitehorse City Council met and proposed the addition of policing priorities related to property crime and traffic enforcement.
  - On September 27, 2024, the Yukon RCMP published a news release explaining their own engagement practices for setting detachment-level priorities.
  - In December 2024, the Council held engagement meetings with the Ta'an Kwach'an Chief and Council, as well as 34 Whitehorse community stakeholders. The meetings focused on policing recommendations centred on the City of Whitehorse.

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#### 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 was formed in 2012 following recommendations in the Sharing Common Ground: Review of Yukon's Police Force final report of 2010.
- The Yukon Police Council is an independent citizen advisory body that promotes ongoing dialogue to foster positive relationships between Yukoners, the RCMP and the Department of Justice.
- The Yukon Police Council visits several communities annually to meet with First Nations governments, stakeholder groups, RCMP community detachments and Yukoners. The Yukon Police Council uses the feedback from these community meetings to advise the Minister on policing issues affecting people in the Yukon.
- The Yukon Police Council also engages with diverse community groups across the Yukon, including stakeholders and the public.
- Elements and recurring themes from engagements, and feedback received by the Department of Justice, have been incorporated into the 2023–25 policing priorities.
- Collaborative work continues with partners to address the Substance Use Health Emergency in the territory. This involves supporting community safety planning initiatives; working towards violence reduction; and strengthening relationships with Yukon First Nations and municipalities.
- The Minister of Justice provided the current policing priorities to the Commanding Officer of the RCMP's "M" Division in February 2024, outlining direction to focus on the unique policing needs of the territory.

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### Policing Priorities

Justice

- The Department of Justice also works towards implementing 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 Yukon Police Council with quarterly updates on policing and activities that address territorial policing priorities. The RCMP also provides the Government of Yukon with an annual report each July.
- On March 27, 2024, the Council met in Whitehorse to discuss the RCMP Quarterly Report and Complaints Report.
- The Yukon Police Council comprises a Chair and six citizens appointed by the Minister of Justice for a three-year term. The Yukon Police Council includes members from Whitehorse and the communities, with a minimum of three members appointed based on recommendations from Yukon First Nations.
- In recent years, RCMP “M” Division has also conducted their own public engagement to set priorities at the detachment level. In Whitehorse, the top three priorities identified and incorporated into the Whitehorse Detachment Action Plan are illicit drug use, property crime and traffic enforcement.

#### Approved by:

Jeff Simons

2025-02-11

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### RCMP Resources

Justice

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#### Recommended response:

- Our government funds policing through investments in the First Nations and Inuit Policing Program and the Territorial Police Service Agreement with the Government of Canada. This supports the RCMP as the territorial police service.
- In the 2025-26 budget, the Government of Yukon is providing an increase of \$5.2 million to the Territorial Police Service Agreement budget to support responsive policing services. That brings the total funding for the RCMP in 2025-26 to \$47 million.
- \$1.8 million of the increased funding will support eight new RCMP positions and one public service employee, while \$3.4 million will be used for critical equipment, operational costs, and RCMP pay raise increases per the collective bargaining agreement.
- The 2025-26 increases to the RCMP budget are triple the 2024-25 investments, which came in at \$1.7 million. This demonstrates our commitment to properly resource the RCMP to address crime and protect Yukoners from critical threats.
- In addition, the Government of Yukon is working to staff enhanced RCMP resources in First Nations communities through the First Nations and Inuit Policing Program.
- I am pleased to announce that, through this agreement, the First Nation of a Nacho Nyäk Dun, Kluane First Nation and Ross River Dena Council will all be receiving additional RCMP positions under their respective Community Tripartite Agreements.
- In addition, we have also established an Indigenous Policing Liaison position within the RCMP to support First Nations policing across the territory, and two RCMP members for the Whitehorse Detachment to support the Downtown Whitehorse Safety Response Action Plan.

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Spring 2025

## RCMP Resources

Justice

### Additional response:

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

### Context:

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

### Background:

- According to the latest Police Personnel and Expenditures in Canada (2023) report, the Yukon has the third highest police per capita ratio in Canada, with a police strength of 325 officers per 100,000 population. Only the Northwest Territories and Nunavut have higher police-per-capita ratios.
- The RCMP increase in 2025–26 provides for the following total number of Regular Members (i.e., officers) assigned to the territory:

Resource allocation	Fiscal year 2025–26
Territorial Police Service Agreement	131
First Nations and Inuit Policing Program	25
<b>Total Regular Members across both programs</b>	<b>156</b>

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

Year	Increased amount	Increased percentage	Budget
2025–26	\$5,126,537	12.44%	\$46,336,525
2024–25	\$2,159,834	5.53%	\$41,209,988
2023–24	\$3,518,085	9.88%	\$39,050,154
2022–23	\$3,067,361	9.43%	\$35,611,428
2021–22	\$3,070,067	10.42%	\$32,544,067
2020–21	\$176,000	0.60%	\$29,474,000
2019–20	\$109,000	0.37%	\$29,298,000
2018–19	\$2,867,000	10.89%	\$29,189,000

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### RCMP Resources

Justice

- In 2023–24, the Yukon government provided eight and-a-half positions under the TPSA and six positions under the FNIPP, totalling 14.5 new positions.
- There are no new increases under the FNIPP in 2025–26, though six were added last year.
- The nine new positions funded in 2025–26 are:
  - two additional officers for the Whitehorse detachment;
  - an additional sergeant position;
  - three positions for the Emergency Response Team;
  - making the two officers supporting the Car 867 pilot project permanent; and
  - a public service employee supporting the RCMP's operations.

### Federal Investigations Unit (FIU)

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

### Additional resources for opioid response

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

### Capital – The APC Process

- Under the TPSA, 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.



# Session Briefing Note

## Spring 2025

### RCMP Resources

Justice

#### Cycle Three of the APC

- The current Cycle Three budget of \$19.627M (Yukon's contributions) over five years is for the renovation of the detachment building in Old Crow and lifecycle investments to maintain the Yukon RCMP's infrastructure portfolio.
- The Government of Yukon added costs related to exploring renovations to Haines Junction to Cycle Three due to the substantial increase in officers posted to Haines Junction. These resources cannot be deployed without an expansion of the Haines Junction detachment. It is expected that reducing the scope of Old Crow renovations to only those renovations required for upkeep of the existing facility will offset the additional cost of work in Haines Junction. The reduced scope of the Old Crow renovation will not affect service in the community.

#### Approved by:

Jeff Simons

2025-03-06

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Restorative Justice

Justice

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#### Recommended response:

- The Government of Yukon has a strong mandate to expand the availability of restorative justice in the territory. This includes restorative diversion options and work with Indigenous governments to support more community-based, culturally relevant restorative justice programs.
- We have piloted an Integrated Restorative Justice Unit to develop a streamlined model of restorative diversion for youth and adults, assess current barriers to program success, and work with First Nations to support their needs and priorities for restorative justice.
- The Integrated Restorative Justice Unit pilot project is currently being evaluated, and the results will inform Yukon government's future work to advance restorative justice across the territory.

#### Additional response:

- The Integrated Restorative Justice Unit offers training to Indigenous Court Workers and Community Justice Workers several times a year.
- In 2024, the Unit funded and organized a two-week training certificate program in restorative justice for victim-offender mediation training for over 20 frontline justice professionals across the Yukon, including employees of Yukon First Nations.
- Under this initiative, we have been strong advocates for restorative justice law reform in national working groups, developed a driver diversion program in partnership with Yukon's RCMP, and are in early stages of discussions with Yukon First Nations to develop Memorandums of Understanding in response to the priorities of specific communities.

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Spring 2025

### Restorative Justice

Justice

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#### Context:

- Increasing the use of restorative justice diversion directly responds to the Yukon government's commitments to eliminate overincarceration of Indigenous persons.
  - The 2021 and 2023 Mandate Letters to the Minister of Justice included direction to advance restorative justice practices in the territory.
  - Communities and partners in other sectors have been asking the Department of Justice to work with them to implement restorative justice options and practices. These partners include the Whitehorse Correctional Centre, Department of Education and schools, First Nation communities, and law enforcement agencies.
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#### Background:

- In July 2020, the Integrated Restorative Justice (IRJ) Unit was created as a two-year pilot project, combining existing diversion, restorative justice, and community justice worker support resources from the departments of Justice and Health and Social Services. The pilot was later extended until March 2025.
- The IRJ Unit was directed to establish streamlined, formal pre- and post-charge restorative diversion programs for youth and adults, with a goal of creating more accessible and supported pathways for First Nations and community-run restorative diversion programs.
- In 2021, the Department of Justice signed an Adult Pre- and Post-charge Diversion Protocol for federal offences with the RCMP and Public Prosecution Service of Canada, based on the IRJ Unit's model of restorative justice diversion.
- Establishment of a similar protocol for the diversion of youth offences would require the approval of the Director of Family and Children's Services, based on a 2003 delegation of authority under the *Youth Criminal Justice Act* via Order in Council.
- The IRJ Unit also funds and supports eight Community Justice Workers and 12 Indigenous Court Workers who are employees of Indigenous governments, and offers them training opportunities, mentorship, and co-facilitation support for restorative justice practices in Yukon communities.
- The IRJ Unit also offers mentorship, program development support, and co-facilitation of restorative diversion files to justice workers and Indigenous justice programs.

# Session Briefing Note

## Spring 2025

### Restorative Justice

### Justice

- The roles and responsibilities of Community Justice Workers and Indigenous Court Workers vary by community, but generally include 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 and long-term community wellness.
- In February 2025, we engaged with communities and stakeholders around the interest in developing a new Family Court Worker Program.
- The RJ Unit's key partners include First Nations governments, the Council of Yukon First Nations, the RCMP, the 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).
- Yukon Forum commitments include support for restorative justice, the development of First Nations justice programs and participation in FPT initiatives.
- In December 2023, at the Deputy Ministers FPT meetings, Yukon and Manitoba spoke to the need to recommit to the use of restorative justice across Canada.
- At the spring 2024 Deputy Ministers FPT meetings, Yukon and Manitoba co-presented on restorative justice and advocated for increasing restorative justice practices 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.
- A contractor has been retained to conduct an evaluation of the pilot program. The results of that evaluation will inform next steps for this unit.

#### Approved by:

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

### Therapeutic Courts

**Spring 2025**Justice

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**Recommended response:**

- The Community Wellness Court and Domestic Violence Treatment Option Court are both supported by the department's Justice Wellness Centre through individual case management and clinical counselling services.
- Therapeutic courts are one of the ways our government works to address the root causes of crime, by offering pre-sentencing treatment and programming to domestic violence offenders and people whose offending is driven by an underlying mental health and/or substance use issue.
- We are working with communities, Indigenous justice programs and a consultant to streamline therapeutic court programming options, introduce therapeutic pathways for less serious offences, and update the intimate partner violence curriculum.

**Additional response:**

- We are committed to advancing alternative justice models and building sustainable community programs. Indigenous programs such as traditional parenting, on-the-land healing, after care services and culturally integrated services remain a priority for therapeutic court clients.
- The Justice Wellness Centre has developed a therapeutic court evaluation framework to guide a five-year evaluation process that began in 2024.

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**Context:**

- There are two therapeutic courts within the Territorial Court of Yukon: the Community Wellness Court and the Domestic Violence Treatment Option (DVTO). The clients of both courts are supported by staff in the Justice Wellness Centre (JWC).

## Session Briefing Note

### Therapeutic Courts

Spring 2025

Justice

- Treatment-based support is a component of many alternative justice models. Sentencing outcomes support community dispositions and discharges while reducing recidivism rates.

#### Background:

- The JWC's services are supported by the Government of Canada's Drug Treatment Court Funding Program and funding from the National Action Plan to End Gender-Based Violence.
- The centre partners with Thay K'i Anint'i, Mental Wellness Substance Use Services, the Integrated Restorative Justice Unit and other local agencies to provide a wrap-around service model for its clients.
- The JWC has an ongoing partnership with Liard First Nation's Dene Keh community justice program. Dene Keh has received national recognition for integrating Indigenous-led programming into a therapeutic court model, increasing community capacity to respond to crime, and developing a year-round program for participants.
- The centre is updating its core intimate partner violence curriculum, working with a consultant that has extensive experience with alternative court models and in Indigenous communities. A first draft of the curriculum is under review by the JWC.
- Federal funding is also being used to increase the JWC's staffing levels to include two clinical counsellors, two case managers, an Indigenous peer support worker and a cultural consultant.
- The centre has recently created a streamlined version of its DVTO Court program to better meet the needs of offenders charged with less serious offences.
- Consultation with Yukon First Nations governments is taking place to ensure that adjustments to the therapeutic court programs meet the needs and interests of individual communities. This work is supported by the therapeutic court Legal Sub-Committee.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved

## Session Briefing Note

### Child and Youth Victim Services

Spring 2025

Justice

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#### Recommended response:

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

#### Additional response:

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

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#### 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.

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#### Background:

- From 2014 to 2020, Victim Services worked to develop Project Lynx, a jointly administered and jointly led service for child and youth victims of crime based on national best practices for Child and Youth Advocacy Centres.
- This work focused on building a collaborative, multidisciplinary team of professionals working together to provide an integrated service system of supports for child and youth victims and witnesses, as well as their families.

## Session Briefing Note

### Child and Youth Victim Services

Spring 2025

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.
- Using the many lessons learned from the project, Victim Services is leading 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 partner agencies and working with partners to improve the service model.
- Victim Services often works with the RCMP (including the Specialized Response Unit); the Public Prosecution Service of Canada; the Council of Yukon First Nations; First Nations governments and service providers; the Child, Youth and Family Treatment Team; Family and Children's Services; the Department of Education or individual schools; and Court Services to support individuals or their families.
- Victim Services and the Department of Justice are working with the Department of Highways and Public Works to complete soundproofing new specialized spaces that will support children and youth to attend police interviews or testify from developmentally appropriate and comfortable spaces located at the Victim Services office in Whitehorse. This is anticipated to be complete by early 2025.
- Funding for the Child and Youth Victims of Crime Initiative, including the coordinator's position, comes primarily from the Victims Fund through the Policy Centre for Victim Issues, Justice Canada.

#### Approved by:

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved



## Session Briefing Note

Spring 2025

### FILU – Family Information Liaison Unit

Justice

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#### Recommended response:

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

#### Additional response:

- The Family Information Liaison Unit is in the Victim Services branch, which provides services and support to families dealing with current court matters. This ensures that the team has administrative services and additional support from Victim Services to better support families.
- The Family Information Liaison Unit is funded by the Government of Canada.

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#### Context:

- The Family Information Liaison Unit (FILU) currently has a staffing vacancy, and there may be questions about its capacity to provide services.
- Other Victim Services workers are currently incorporating FILU matters into their caseloads to off-set this staffing challenge.
- Federal funding and initiatives in other jurisdictions are expanding their scope to also address Indigenous men and boys, and there may be questions about whether this will also occur in the Yukon.

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Spring 2025

### FILU – Family Information Liaison Unit

Justice

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#### Background:

- On August 3, 2016, Canada announced the independent National Inquiry into Missing and Murdered Indigenous Women and Girls. At the same time, Canada announced that funding would be available for the creation of Family Information Liaison Units through each provincial and territorial government.
- Victim Services sought advice related to the development of the Yukon's FILU from the families of missing and murdered Indigenous women and girls, the Women and Gender Equity Directorate, the Executive Council Office, other areas of the Department of Justice, Indigenous women's organizations, Kwanlin Dün First Nation, the Council of Yukon First Nations, the Yukon RCMP, the Association of Yukon Communities and the Yukon Women's Coalition.
- Canada has provided \$285,000 per year to the Yukon since 2017–18, in two to three-year increments.
- On May 29, 2023, Canada announced that \$37.3 million over five years would be provided to provinces and territories. In addition, \$7.75 million will be available annually, on an ongoing basis, to “ensure that the critical services provided by FILUs to families of all missing and murdered Indigenous people, including men and boys, continue to be available for as long as they are needed, and to enable FILUs to expand their operations to address gaps in service delivery and remain responsive to the needs of Indigenous communities.”
- Canada has announced funding through five-year agreements starting in 2025–26. In October 2024, Canada requested five-year funding proposals from provinces and territories. Yukon submitted a five-year proposal in December 2024 and awaits a decision from Canada on renewal of the agreement until 2030.
- While Yukon waits for a decision, Victim Services will analyze capacity, workload, and policy direction in terms of expanding the mandate for Yukon's FILU to support families of men and boys.
- Canada has indicated that allowing funding to include support for families of missing and murdered Indigenous men and boys will allow each jurisdiction to make decisions about the mandate and capacity of their FILU. This increase in mandate was not prescriptive.
- Canada also announced funding for:
  - the Community Support and Healing for Families Initiative for \$20 million over

**Session Briefing Note****Spring 2025****FILU – Family Information Liaison Unit**

Justice

five years and \$4.15 million on an ongoing annual basis to ensure that all families of missing and murdered Indigenous people, including men and boys, have access to Indigenous-led, community-based supports to assist them in their healing journey;

- access to Indigenous-led victim services and supports for \$38.6 million over five years and \$8.45 million on an ongoing annual basis to support a wide range of Indigenous-led and co-developed activities to support and assist Indigenous victims of crime and survivors of violence across Canada; and
- a third stream of funding to support Indigenous-led services to victims of crime, which included a call for proposals issued with an October 2024 deadline. It is not yet known if any Yukon First Nation or First Nation organizations applied for this funding.

**Approved by:**

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

**JUS 72**  
**HSS 19**  
**Spring 2025**

### **Inter-Community Transportation for Victims of Gender-based Violence**

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Justice, HSS

#### **Recommended response**

- The Government of Yukon recognizes that victims of gender-based violence in rural communities may need to travel from their community to access services or to seek safety from a perpetrator.
- The Government of Yukon has lowered barriers for inter-community transportation for rural victims of sexualized assault, intimate partner violence and anti-LGBTQ2S+ violence, with funding through the National Action Plan to End Gender-Based Violence.
- Travel assistance for victims of gender-based violence includes support to leave a violent situation or to access time-sensitive clinical, legal or support services in another community.

#### **Additional response:**

- In addition to offering support through the Victim of Crime Emergency Fund for emergency or immediate needs, Victim Services is funding five non-governmental organizations to provide victims with low-barrier travel assistance to seek safety from a perpetrator, access services, and return to their community when they are ready.
- A campaign to increase awareness of these new transportation supports is in progress. Information on how to access support is available on [yukon.ca](http://yukon.ca).
- An inventory of transportation services for each community has been shared with service providers and we are building a roster of on-demand transportation providers for use by agencies delivering the travel assistance program to victims in rural communities who don't have access to a private vehicle or appropriate public transportation options.

# Session Briefing Note

**JUS 72**  
**HSS 19**  
**Spring 2025**

## **Inter-Community Transportation for Victims of Gender-based Violence**

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Justice, HSS

### **Context:**

- Providing safe, reliable and affordable transportation between communities in the Yukon has been recommended in several recent reports including the What We Heard report on Expansion of SART Services in Rural Communities and the Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ Strategy.
- The 2023 Confidence and Supply Agreement (CASA) also 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.

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### **Background:**

- Private sector transportation services between Yukon communities are limited. Larger communities outside of Whitehorse have some regular service, but other smaller communities have sporadic or no service at all.
- Trauma-informed transportation options for victims of gender-based violence in Yukon communities are even more limited. There are fewer options for confidential, 24/7 supports to quickly leave a violent or unsafe situation or access important services in a timely way.
- Each victim has access to varying levels of resources. Some may have access to a private vehicle or public transportation, while others do not have access to any means of transportation.
- Each victim also has unique needs. For example, some need access to consistent travel options to attend scheduled meetings with lawyers or medical appointments, while others require immediate transportation to escape the threat of violence and seek safety at a women's shelter or access one of Yukon's hospitals to access a Sexualized Assault Evidence Kit.
- The department is funding five non-governmental organizations to provide low-barrier travel assistance for victims of gender-based violence: the Council of Yukon First Nations, Queer Yukon, Yukon Women's Transition Home, Dawson Women's Shelter, and Help and Hope for Families.

# Session Briefing Note

JUS 72  
HSS 19  
Spring 2025

## Inter-Community Transportation for Victims of Gender-based Violence

Justice, HSS

- In addition to making travel assistance available through non-governmental organizations, the Department of Justice has increased the Victims of Crime Emergency Fund by \$10,000 per year until 2027 for emergency travel assistance for victims of crime, through the National Action Plan to end Gender-Based Violence.
- Funding for the Yukon from the National Action Plan to End Gender-Based Violence includes multi-year funding of about \$270,000 per year until 2026-27 to address transportation barriers for rural victims of gender-based violence.
- Several recent reports and agreements have recommended providing safe and affordable transportation between Yukon communities, including:
  - The Substance Use Health Emergency Strategy, action item three in the Fourth Area of Growth: Community Safety and Wellbeing: Invest in preventing gender-based violence and improving services for victims of crime by expanding services to rural Yukon communities, including transportation to and from communities.
  - Yukon’s MMIWG2S+ Strategy action item 2.8: Create safe and affordable transportation and communication options to and between Yukon communities.
  - Putting People First Recommendation 2.9: Working in partnership with First Nations and municipal governments, provide safe and alternative driving services between rural communities and Whitehorse.
  - Aging in Place Action Plan recommended action 3.5: Develop partnerships with First Nations governments and the private sector to increase transportation options within and between communities.
  - CASA 2023 Commitment: Continue to work with Yukon First Nations, communities, and local businesses to develop low-cost transportation options for people travelling throughout the Yukon.

**Approved by:**

Jeff Simons  
\_\_\_\_\_  
A/Deputy Minister, Justice

2025-02-03  
\_\_\_\_\_  
Date approved

Matt King  
\_\_\_\_\_  
Deputy Minister, HSS

January 29, 2025  
\_\_\_\_\_  
Date approved

**Session Briefing Note****Spring 2025****SART – Accompaniment Service**Justice

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**Recommended response:**

- The Sexualized Assault Response Team or SART provides an accompaniment service for victims of sexualized assault seeking medical care at Whitehorse General Hospital and when reporting to police.
- Initially, the weekend component of this service was delivered by SART-designated staff at Victim Services. However, a review of the service identified operational constraints and, as a result, an agreement was reached with the Yukon Women's Transition Home, an existing SART partner, to take over providing accompaniment services.

**Additional response:**

- The Government of Yukon remains committed to providing trauma-informed, client-led services and ensuring the availability of accompaniment services for victims of sexualized violence when seeking medical care and reporting to police.
- This change does not affect the Government of Yukon's commitment to victims of sexualized violence nor the expansion of SART services to rural communities.
- The Yukon Women's Transition Home is a key SART partner that manages the 24/7 Sexualized Assault Support Line for victims of all genders. Providing accompaniment services will result in more seamless support for individuals accessing the support line.

**Session Briefing Note****Spring 2025****SART – Accompaniment Service**

Justice

**Context:**

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

**Background:**

- SART uses a victim-centred approach to coordinate services. One such service is accompanying victims to enhance access to and help navigate those services.
- Victim Services SART support workers began providing weekend accompaniment in 2020.
- The decision to start with weekends was to test service demand and identify a long-term sustainable model that would support weekend service and potentially increase to 24/7 service.
- The staffing model for SART weekend accompaniment was complex, and its sustainability was challenged by infrequent use, high costs and an inability to achieve 24/7 coverage.
- The Government of Yukon collaborated with key stakeholders and implemented appropriate human resource options for involved personnel in compliance with its legal obligations under the Collective Agreement. SART has successfully transitioned to this new model.

**Approved by:**

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved



# Session Briefing Note

**JUS 74  
WGED 11  
HSS 61**

**Spring 2025**

## Expansion of SART Services

Justice, WGED, HSS

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### Recommended response:

- The Sexualized Assault Response Team, or SART, is a network of agencies that provide safe, comprehensive supports for victims of sexualized violence.
- We are committed to expanding sexualized assault response services to Yukon communities. The expansion of services is guided by the findings and recommendations of the What We Heard report and is informed by leading practices and approaches from experts in the field.
- The departments of Justice, Health and Social Services, and the Women and Gender Equity Directorate are working closely with SART agencies to develop an action plan to enhance supports for victims of sexualized assault in rural communities.

### Additional response:

- We are making progress in several areas including:
  - strengthening relationships with rural service providers;
  - providing travel assistance for rural victims of gender-based violence;
  - improving navigation and pathways to access forensic care from rural communities;
  - expanding access to training for community service providers; and
  - updating communication material to better reach victims in rural communities, enhance awareness and understanding of sexualized violence and existing services such as the 24/7 toll-free support line, and priority access to counselling through the Mental Wellness and Substance Use community hubs.

# Session Briefing Note

**JUS 74  
WGED 11  
HSS 61**

**Spring 2025**

## Expansion of SART Services

Justice, WGED, HSS

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### Context:

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

- Engagement with First Nations governments, rural service providers and victims occurred in the summer and fall 2023. The What We Heard report was shared with key partners, stakeholders, and the public in spring 2024. The engagement included participants from each community with 244 people reached through interviews, sharing circles and online engagement.
  - Work is already underway in many areas to improve services to victims of sexualized violence, including:
    - updating the website and refreshing communication material to create awareness of available services for communities;
    - cross-agency training for front-line workers in communities outside Whitehorse and building content for a self-paced online training catalogue;
    - improving transportation options for victims who need to access services outside their communities; and
    - improving pathways to access forensic care from communities.
  - Victim Services, community health centres, hospitals, First Nations governments, the RCMP and women's shelters or safe houses also provide services.
  - 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 the network of agencies is supported by two Government of Yukon positions who work in partnership with SART agencies to ensure there is continuity of care and a team-based, integrated approach for victims of sexualized violence.
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# Session Briefing Note

**JUS 74  
WGED 11  
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**Spring 2025**

## Expansion of SART Services

Justice, WGED, HSS

- Available services include a 24/7 support line, accompaniment to the hospital and RCMP, 24/7 on-call physicians at Whitehorse General Hospital (WGH) and priority access to counselling through Mental Wellness and Substance Use Services Hubs.
- The RCMP Sexual Assault Investigations Review Committee is led by the Yukon RCMP in line with national direction. Government of Yukon representatives take part in case reviews of sexualized assault investigations through this committee.
- SART in Whitehorse was initially 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 partner agencies include:
  - Department of Health and Social Services, Department of Justice and Women and Gender Equity Directorate;
  - Public Prosecution Service of Canada;
  - RCMP "M" Division;
  - Kwanlin Dün First Nation;
  - 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.
- SART is currently providing comprehensive forensic care in Whitehorse.
- In the Yukon, there are three options for care at health care facilities:
  - medical care (available in all communities);
  - forensic care with a sexual assault evidence kit (SAEK) sent to RCMP (available at Whitehorse General Hospital); and
  - forensic care "on ice" where the SAEK is stored at the hospital to provide time for the victim to decide about reporting to the RCMP (available at WGH).
- Forensic care involves a forensic examination, which may include the completion of a SAEK, toxicology kit, and writing a forensic report for evidentiary purposes and evidence collection which may be used in court.

# Session Briefing Note

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**Spring 2025**

## Expansion of SART Services

Justice, WGED, HSS

- Specialized SART services, such as pediatric care, are also available at WGH. All community health centres offer standardized, clinic-based care to support victims.
- Transportation support is available to assist victims who choose forensic care as part of their journey through the criminal justice system.
- Although forensic care is not available in community health centres, we remain committed to providing comprehensive care and support to victims.
- Training is provided for SART agencies and any Yukon service providers who support victims of sexualized violence. A public catalogue of online, self-paced SART training is available via YGLearn.
- Annual priorities are set by SART agencies based on the SART training framework and include topics such as:
  - cultural safety and awareness;
  - understanding trauma-informed care
  - responding to specific populations, such as 2SLGBTQIA+, child and youth victims; and
  - responding to technology facilitated sexualized violence.
- Expansion of SART services aligns with action item 2.5 in Yukon's MMIWG2S+ Strategy: Improve victim-centred and crisis-responsive supports for victims of gender-based violence and sexualized assault.

### Approved by:

<u>Mark Radke</u>	<u>February 6, 2025</u>
Deputy Minister, Justice	Date approved
<u>Sierra van der Meer</u>	<u>February 6, 2025</u>
Deputy Minister, WGED	Date approved
<u>Matt King</u>	<u>February 6, 2025</u>
Deputy Minister, HSS	Date approved

## Session Briefing Note

Spring 2025

### Administration of Justice Agreement Negotiations

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Justice

#### Recommended response:

- The Government of Yukon is committed to supporting Yukon First Nations governments to exercise their authority and jurisdiction over the administration of justice as set out in Yukon First Nation Self-Government Agreements.
- We believe that the administration of justice is fundamental to the fulsome expression of First Nations self-government powers.
- Our government's approach to justice-related negotiations is based on recognizing and respecting First Nations governments' jurisdiction, governance and legal principles.

#### Additional response:

- This approach provides opportunities for collaboration and partnership, and it promotes incremental and capacity-building initiatives for 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.

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#### Context:

- There is increasing interest from First Nations governments to enter or recommence Administration of Justice Agreement negotiations with the Government of Yukon and the Government of Canada. Multiple negotiations have recently restarted or are expected to restart soon.

## Session Briefing Note

Spring 2025

### Administration of Justice Agreement Negotiations

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Justice

#### Background:

- Administration of Justice Agreements address how a Yukon First Nation with a Self-Government Agreement will exercise its authority for the administration, enforcement and adjudication of its laws.
- Section 13.6.1 of each Yukon First Nation Self-Government Agreement commits the parties to negotiate an Administration of Justice Agreement.
- The Government of Yukon's Department of Justice is the corporate lead for Administration of Justice Agreement negotiations.
- The only Administration of Justice Agreement in the Yukon was signed by the Teslin Tlingit Council, the Government of Yukon and the Government of Canada in 2011. Several other Yukon First Nations began and then stopped Administration of Justice Agreement negotiations.
- First Nations governments that currently have an Administration of Justice Agreement Framework Agreement in place include Kwanlin Dün First Nation, Champagne and Aishihik First Nations, Kluane First Nation and Vuntut Gwitchin First Nation. The Framework Agreement is the first of three stages of Administration of Justice Agreement negotiations and sets out the specific matters to be negotiated.

#### Teslin Tlingit Council

- The 2011 Teslin Tlingit Council Administration of Justice Agreement Implementation Plan provides funding for Teslin Tlingit Council's Peacemaker Court but leaves the implementation of other Administration of Justice Agreement matters to future negotiations.
- An Administration of Justice Agreement Implementation Plan Amendment Agreement on enforcement was signed in 2021.
- In December 2024, Teslin Tlingit Council, the Government of Yukon and the Government of Canada initialed an amendment agreement to Teslin Tlingit Council's Administration of Justice Agreement Implementation Plan which provides funding for Teslin Tlingit Council's corrections and community services model which includes a permanent year-round land-based healing camp. This is the final aspect of the first phase of negotiations and implementation of the Teslin Tlingit Council Administration of Justice Agreement Framework Agreement.

## Session Briefing Note

Spring 2025

### Administration of Justice Agreement Negotiations

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Justice

- The Parties signed that amendment agreement at a signing ceremony in Teslin on February 8, 2025.
- Teslin Tlingit Council and the Government of Yukon had an agreement on how the Government of Yukon will implement Transitional Measures provisions of the Teslin Tlingit Council Administration of Justice Agreement which expired in December 2023. The parties intend to renew that agreement.

#### Kwanlin Dün First Nation

- Administration of Justice Agreement negotiations were paused by Kwanlin Dün First Nation in August 2021.
- Negotiations had been primarily focused on Kwanlin Dün First Nation's proposed First Nation court model.

#### Tr'ondëk Hwëch'in

- In December 2023, Tr'ondëk Hwëch'in, the Government of Yukon and the Government of Canada restarted Administration of Justice Agreement negotiations.
- In March 2025, the Parties initialed both an Administration of Justice Agreement Framework Agreement and an interim justice provisions agreement.

#### Vuntut Gwitchin First Nation

- In May 2024, Vuntut Gwitchin First Nation provided formal notice of its interest in restarting Administration of Justice Agreement negotiations which were previously paused by the Vuntut Gwitchin First Nation in July 2020. Negotiations have not yet recommenced.
- The Government of Yukon and Vuntut Gwitchin First Nation agreed to two Administration of Justice Agreement-related priorities in a Government-to-Government Accord on Shared Priorities, signed on July 27, 2024:
  - negotiate and implement an Administration of Justice Agreement pursuant to the Vuntut Gwitchin First Nation Self-Government Agreement; and
  - work collaboratively to identify, prioritize and address mutual Vuntut Gwitchin First Nation and the Government of Yukon interests related to the administration of justice.

## Session Briefing Note

Spring 2025

### Administration of Justice Agreement Negotiations

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Justice

#### Selkirk First Nation

- In 2023, after giving notice to terminate its Community Tripartite Agreement, Selkirk First Nation asked to begin negotiations with the Government of Yukon and the Government of Canada to explore arrangements under the Selkirk First Nation Self-Government Agreement regarding enforcement-related matters.
- Discussions have been intermittent since the fall of 2023.

#### Interim Justice Provisions Agreements

- Interim justice provisions agreements address the Government of Yukon's obligations in Self-Government Agreements to prosecute, adjudicate and provide correctional facilities for any term of imprisonment ordered by the court for violations of First Nation laws until an Administration of Justice Agreement is in place.
- The Government of Yukon, Government of Canada and five Yukon First Nations have signed agreements to extend respective interim justice provisions agreements that were expiring in March 2025.

#### Approved by:

Mark Radke

2025-04-29

Deputy Minister, Justice

Date approved



## Session Briefing Note

### Community Safety Officers

**Spring 2025**Justice

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**Recommended response:**

- The Community Safety Officer programs developed by Yukon First Nations governments have improved citizens' feelings of safety in their respective communities.
- The Government of Yukon and the Government of Canada currently share the costs of funding four First Nation Community Safety Officer programs in the territory.
- Our government continues to advocate to the Government of Canada for long-term funding solutions as we recognize the value and importance of First Nations' Community Safety Officer programs.
- We are aware of Public Safety Canada's interest in making future funding for Community Safety Officer programs subject to provincial or territorial community safety officer legislation being in place. Conversations on the matter are ongoing.

**Additional response:**

- The Government of Yukon is committed to working with First Nations and the Government of Canada to support community-designed and community-led initiatives like Community Safety Officer programs.
- Community Safety Officer programs in the north are community safety focused and do not enforce laws. In the Yukon, those programs are also unique because they operate completely under the First Nation government's authority.
- Jurisdictions with legislation related to community safety officers, like Saskatchewan and Manitoba, are different because their Community Safety Officer programs are run by the province and include the ability to enforce laws.

## Session Briefing Note

### Community Safety Officers

## Spring 2025

Justice

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#### Context:

- There have been numerous requests from Yukon First Nations governments to fund Community Safety Officer (CSO) programs.
- First Nations governments may question why funding for CSO programs is not available through the Government of Yukon's community safety planning program.
- Some First Nations governments have asked for long-term funding for their CSO programs through incremental Administration of Justice Agreement negotiations.
- Recent news coverage from the Northwest Territories speaks to Public Safety Canada's proposed new FNIPP requirement for CSO-related legislation for CSO funding starting in 2026-27. This may raise questions about how it may impact the Yukon because both the Northwest Territories and the Yukon have non-enforcement based CSO programs and neither jurisdiction has CSO-related legislation in place.

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#### Background:

- In the Yukon, CSO programs are led, designed and implemented by Yukon First Nations governments.
- The Government of Yukon currently has no role other than to contribute funding. Costs are shared at a ratio of 48 per cent for the Government of Yukon (Yukon) and 52 per cent for the Government of Canada (Canada) through the federal First Nations and Inuit Policing Program (FNIPP).
- In summer 2023, Canada issued a national call for proposals to access a pilot cost-shared funding program through the FNIPP for established CSO programs. Two Yukon First Nations governments were eligible to apply.
- No additional funding is available through the FNIPP until the completion of the pilot in March 2026.
- Four Yukon First Nations are operating CSO programs to address community safety matters and complement existing law enforcement:
  - Kwanlin Dün First Nation (KDFN);
  - Selkirk First Nation (SFN);
  - Teslin Tlingit Council (TTC); and
  - Carcross/Tagish First Nation (CTFN).

## Session Briefing Note

### Community Safety Officers

Spring 2025

Justice

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#### Federal Commitment to Fund Community Safety Officer Programs

- The Auditor General of Canada's 2024 report and recommendations on the FNIPP triggered a review of its guiding policy and terms and conditions.
- Revisions to the FNIPP terms and conditions were determined without input from provinces and territories and include the creation of a dedicated stream of funding for CSO programs that are legislated and regulated by a province or territory.
- CSO programs not legislated or regulated by a province or territory may be eligible for funding under the FNIPP only if they are in the pilot project stage. Potential future implications of this for Yukon First Nations are currently under discussion with Canada.
- Canada is in the process of securing federal approvals for the revised FNIPP terms and conditions and further funding for the FNIPP program through its Treasury Board. Funding available beyond 2025-26 has yet to be determined.
- The 2021 federal budget contained substantial new funding commitments to stabilize and enhance the FNIPP, including \$540 million over the following five years. Of that, \$127 million in ongoing funding is earmarked for First Nation community safety initiatives, including CSO programs.
- Some CSO programs in other jurisdictions, such as Saskatchewan and Manitoba, are legislated and regulated by the province; however, those CSO programs are provincially run and enforcement based.
- Concerns have been expressed about the potential risks and liability of CSO programs, and how they differ from policing, when CSO programs include the ability to enforce laws.
- As part of the 2021 federal budget investments, Canada piloted a three-year, proposal-driven funding envelope available to established CSO programs starting in 2023–24. This pilot was to inform Canada's approach to future CSO funding. However, an evaluation of the pilot will no longer be undertaken by Canada as originally planned. The pilot period ends March 2026.
- Canada is co-developing legislation with the Assembly of First Nations that recognizes stand-alone/self-administered First Nations policing services as essential services. The focus of the federal legislation is core policing services, not alternative services such as CSO programs.

## Session Briefing Note

### Community Safety Officers

Spring 2025

Justice

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#### Kwanlin Dün First Nation

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

#### Selkirk First Nation

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

#### Teslin Tlingit Council

- TTC established its CSO program in 2021.
- TTC has sought ongoing funding for its CSO program through implementation negotiations of its Administration of Justice Agreement (AJA). In fall 2021, TTC also requested funding for its CSO program as part of social impact funding for the Nisutlin Bay Bridge Replacement Project. At that time, Yukon could not provide funding as part of the bilateral agreement.
- TTC submitted a successful proposal to the FNIPP pilot funding project in September 2023 and will receive funding for its CSO program until March 2026.

## Session Briefing Note

### Community Safety Officers

## Spring 2025

Justice

#### Carcross/Tagish First Nation

- In January 2022, CTFN established a part-time CSO program. This program has shifted to a “Community Safety and Wellness” program and is expanding to four full-time and two part-time positions in 2024–25.
- CTFN submitted a successful proposal to the FNIPP pilot funding project in August 2023 and will receive funding for its CSO program until March 2026.

#### Approved by:

Mark Radke

Deputy Minister, Justice

2025-04-29

Date approved

## Session Briefing Note

Spring 2025

### Gladue Report Writing

Justice

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#### Recommended response:

- Gladue reports provide the courts with important background information about Indigenous offenders to inform sentencing.
- These reports describe the effects of residential schools; systemic discrimination; and economic and social disadvantages that individual Indigenous offenders face.
- The Government of Canada and the Government of Yukon 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 Gladue writers.

#### Additional response:

- In fiscal year 2024–25, five Gladue reports were filed with six currently in the process of being written.
- In 2023–24, writers completed 17 Gladue reports that were submitted to the courts for consideration.
- A joint management committee provides oversight to the Gladue Report Writing project. It is comprised of the Council of Yukon First Nations, the Public Prosecution Service of Canada, Kwanlin Dün First Nation, Yukon Legal Services Society and the Government of Yukon.

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#### Context:

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

## Session Briefing Note

Spring 2025

### Gladue Report Writing

Justice

#### Background:

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

#### Approved by:

Jeff Simons

2025-02-24

A/Deputy Minister, Justice

Date approved

## **Session Briefing Note**

### **Government of Canada's Indigenous Justice Strategy**

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**Spring 2025**

Justice

#### Recommended response:

- The Government of Canada has finalized the co-development of an Indigenous Justice Strategy with Indigenous partners, provinces and territories.
- The Indigenous Justice Strategy is intended to address systemic racism and the overrepresentation of Indigenous peoples in the justice system.
- The Government of Yukon supports meaningful progress in addressing the overrepresentation of Indigenous people in the criminal justice system.

#### Additional response:

- The overrepresentation of Indigenous people in Yukon's justice system is driven by complex factors, including systemic racism.
- While some of these factors are common across Canada, others manifest differently in the unique context of the North.
- The Indigenous Justice Strategy required years of collaboration and will be released publicly in early 2025.

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#### Context:

- The overrepresentation of Indigenous people has been repeatedly identified as a symptom of systemic discrimination and colonial policies. Many national reports, inquiries and commissions in recent decades have called for action to address it.
- The federal Indigenous Justice Strategy will outline a list of actions in the short, medium and long term to make progress on this issue.
- In 2022, the Council of Yukon First Nations was awarded funding from the Government of Canada to engage with Yukon First Nations on ideas and proposals to inform the development of a federal Indigenous Justice Strategy.



# Session Briefing Note

## Government of Canada's Indigenous Justice Strategy

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Spring 2025

Justice

### 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 has been co-developed in consultation and cooperation with Indigenous, provincial and territorial partners. This co-development was distinctions-based and reflects the priorities of Inuit, First Nations and Métis organizations.

### Pre-engagement Discussions

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

### Engagement Process and Outcome

- The Government of Canada undertook two streams of engagement: one directed by Indigenous organizations and the other directed by the Government of Canada.
- The Government of Canada provided funding for 38 Indigenous-led engagement processes, including the Council of Yukon First Nations and the Inuvialuit Regional Corporation.

## Session Briefing Note

### Government of Canada's Indigenous Justice Strategy

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**Spring 2025**

Justice

- The Government of Canada also facilitated dialogue through regional and distinctions based (First Nation, Inuit and Métis) sessions with:
  - Indigenous partners;
  - stakeholders;
  - justice practitioners;
  - provincial and territorial representatives; and
  - other federal government departments.
- In-person and virtual federal engagement sessions took place in Whitehorse in December 2023.
- The Government of Canada released three What We Learned reports, which summarize key outcomes from these federal engagements. It is unknown whether a report summarizing the Indigenous-led engagements will be released.

#### Key Elements Consultation Draft

- In June 2024, the Government of Canada released an Indigenous Justice Strategy Key Elements Consultation Draft based on information gathered during their engagements, as well as feedback from the federally funded engagement by Indigenous governments, communities and organizations.
- The Key Elements Consultation Draft set out the vision, goals and proposed actions of the Indigenous Justice Strategy. The actions focus on supporting the revitalization of Indigenous justice systems and legal traditions while addressing systemic issues and creating change within the existing Canadian justice system.
- The Government of Yukon met with the Government of Canada in September 2024, to provide feedback on the Key Elements Consultation Draft and seek clarity on the Indigenous Justice Strategy implementation.

#### Indigenous Justice Strategy

- On November 28, 2024, the Government of Canada provided provinces and territories with a copy of the draft Indigenous Justice Strategy through the federal-provincial-territorial Aboriginal Justice Working Group.

## Session Briefing Note

### Government of Canada's Indigenous Justice Strategy

Spring 2025

Justice

- The Indigenous Justice Strategy includes distinctions-based sections specific to First Nations, Métis and Inuit. While fully integrated into the overall strategy, these are standalone sections to address the unique priorities and needs of each group.
- These sections are designed to remain flexible, allowing for updates and changes based on evolving needs and feedback from Indigenous communities.
- The Indigenous Justice Strategy refines actions identified in the earlier Key Elements Consultation Draft to better align with identified priorities and to address evolving needs and feedback from Indigenous partners and other stakeholders.
- New action items were added to the strategy focusing on:
  - the expansion and support of community-administered correctional services;
  - improving accessibility and standards for Gladue services; and
  - exploring changes to federal policy and fiscal frameworks to facilitate adequate and effective enforcement, prosecution and adjudication of Indigenous laws.
- The Government of Canada's approach to implementing the strategy will involve ongoing collaboration with Indigenous partners and provinces/territories to ensure the strategy remains responsive to the unique needs of each community.
- The Government of Canada is proposing to establish regionally based federal-First Nations bilateral tables or Indigenous-provincial/territorial-federal trilateral tables to develop action plans to implement the strategy and each standalone distinctions-based section.

#### Next Steps

- The Government of Canada expects to release the strategy in early 2025.

Approved by:

Mark Radke

Deputy Minister, Justice

2025-02-06

Date approved

## Session Briefing Note

Spring 2025

### Land-Based Healing

Justice

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#### Recommended response:

- The Government of Yukon understands that land-based healing is a foundational practice for Yukon First Nations and is central to health and justice.
- The Government of Yukon supports First Nations-led, land-based healing initiatives and recognizes this as a priority.

#### Additional response:

- In November 2023, the Government of Yukon established a Land-Based Healing Fund for Yukon First Nations governments and organizations that support healing and wellness initiatives that are connected to traditional practices on the land.
- The Land-Based Healing Fund is available until March 31, 2026, and is administered by the Council of Yukon First Nations.
- Self-governing Yukon First Nations can also address land-based healing in Administration of Justice Agreement negotiations with the governments of Yukon and Canada.

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#### Context:

- Land-based healing is a key interest of Yukon First Nations and is unique to each First Nation.

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#### Background:

- The Government of Yukon has supported land-based healing facilities and programs since the 2000s. From 2009 until recently, the Government of Yukon's support and funding for land-based healing and programming has been provided primarily to the Kwanlin Dün First Nation's Jackson Lake Healing Camp.
- Long-term sustainable funding for land-based healing programming and infrastructure is available to self-governing Yukon First Nations through

## Session Briefing Note

Spring 2025

### Land-Based Healing

Justice

Administration of Justice Agreements negotiated pursuant to section 13.6 of Yukon First Nation Self-Government Agreements.

#### Government of Yukon's Health-Related Support for Land-Based Healing

- Land-based healing is a valuable tool to improve, among other things, mental wellness in the Yukon.
- The Substance Use Health Emergency Strategy outlines opportunities for the Government of Yukon to work with Yukon First Nations to expand support for land-based healing initiatives, including aftercare and a land-based healing treatment centre.
- The Government of Yukon's Land-Based Healing Fund of \$9 million over three years fulfils one of the 14 initial actions under this strategy. It provides up to \$200,000 annually for eligible Yukon First Nations and organizations for projects focused on the healing of trauma, grief and loss through traditional land-based practices.
- The Land-Based Healing Fund supports other key Yukon strategies, including Putting People First and the Missing and Murdered Indigenous Women and Girls and Two-Spirit+ People Strategy, by providing funding for culturally responsive approaches and diverse land-based activities, including cultural camps and traditional knowledge programs.
- As of January 2025, 39 land-based healing projects have been approved, with a total fund allocation of \$3.7M and \$1.8M has been disbursed among programs for the following:
  - 11 Yukon First Nation governments who applied for the Land-Based Healing Fund have received their first installment of funding (\$1.1M).
  - Three Yukon First Nation businesses or organizations have received the entirety of their funds (\$185K).
  - 13 Yukon First Nation businesses or organizations have received the first installment of their funds (\$438K).
  - One Yukon First Nation individual has received the entirety of their funds (\$25K).
  - Three Yukon First Nation individuals have begun receiving funds (\$62K).
- In the 2025-26 Main Estimates, a further \$3,437,000 has been budgeted for the Land-Based Healing Program.

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Spring 2025

### Land-Based Healing

Justice

- Separate from funding under this program, the Yukon government provided \$400,000 to Kwanlin Dün First Nation for the Jackson Lake land-based healing program in 2024-25.
- The Government of Yukon has also supported other land-based programs and camps, including:
  - Fetal Alcohol Spectrum Society Yukon's family camp;
  - the Hives for Watson Lake partnership with Liard First Nation;
  - Tr'ondëk Hwëch'in's youth camp for the Roots of Hope initiative;
  - the Nelson Project's cultural learning camp; and
  - the Strengthening Family Connections camp.

#### Government of Yukon's Justice-Related Support for Land-Based Healing

- Nationally, Indigenous people have had a longstanding interest in land-based healing options as part of the mainstream justice system's programs and services.
- Land-based healing is also a key component of many Yukon First Nations' visions for justice-related programs and services in their communities, including support for people reintegrating into communities after involvement in the corrections system.
- Several Yukon First Nations have requested funding to develop and implement their distinct land-based healing programming and/or facilities.
- Self-governing Yukon First Nations can access long-term, sustainable funding for land-based healing initiatives through Administration of Justice Agreements.
- Currently, Teslin Tlingit Council is the only Yukon First Nation with an Administration of Justice Agreement. Implementation of the Teslin Tlingit Council Administration of Justice Agreement has resulted in Teslin Tlingit Council receiving permanent funding of a year-round land-based healing camp.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved

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

Women and Gender  
Equity Directorate

### **Recommended response:**

- Our government is committed to working in a spirit of decolonization and in partnership with Indigenous women's organizations and Yukon First Nation governments to end the crisis of missing and murdered Indigenous women, girls and Two-Spirit+ people.
- I'm pleased with the progress happening on this critical work, including the 3rd Annual Accountability Forum and release of the first annual report on implementation in October 2024.
- This year, the Directorate is allocating the following to this work:
  - \$217,000 for the annual accountability forum and technical gathering(s) for strategy partners and contributors;
  - \$63,000 for the Yukon Advisory Committee on MMIWG2S+ to continue their important work; and
  - \$600,000 for the Indigenous Women's Equality fund.
- While our government continues to play a key role, all strategy partners must prioritize this work and provide budget and resources.

### **Additional response:**

- The first annual report gives us an invaluable snapshot of the work all strategy partners have underway. As of October 2024:
  - 52% of all milestones are in process;
  - 11% are ongoing;
  - 4% complete; and
  - 33% not yet started.
- The Yukon Advisory Committee is evolving into a new governance structure to best support implementation and accountability.

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

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Women and Gender  
Equity Directorate

- Indigenous women's organizations are planning community visits with Yukon's MMIWG2S+ families this spring to ensure families and survivors remain at the heart of this work.

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### **Context—this may be an issue because:**

- Families and survivors have advocated for change for many years and want to see Yukon's strategy and implementation plan realized as soon as possible. They also want to stay at the heart of the work.
- While there is some alignment between 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.

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### **Background:**

- The Yukon Advisory Committee was created in 2015. It included representatives of the Yukon government (YG), Yukon First Nations governments, three Indigenous women's organizations, 2SLGBTQIA+ Yukoners and an Elder.
- The committee worked with Yukon First Nations, Yukon Indigenous women's groups and family representatives to release Yukon's strategy in December 2020.
- Yukon's MMIWG2S+ strategy outlines 32 actions under four pathways to guide action in response to the National Inquiry's final report.
  - Strengthening connections and supports.
  - Community safety and justice.
  - Economic independence and education.
  - Community action and accountability.



## Session Briefing Note

**TAB 06**  
**Spring 2025**

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

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Women and Gender  
Equity Directorate

- 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 released the implementation plan in June 2023.
- Annual accountability forums have been held every year since 2022. These forums bring families and survivors together with partners and contributors.
- The Directorate has two full-time positions to support strategy implementation.

#### **Approved by:**

Type or print name

Sierra van der Meer

February 7, 2025

Deputy Minister, WGED

[Date approved]

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

Executive Council  
Office / Justice

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#### Recommended response:

- Our government has offered to engage with Yukon First Nations regarding the United Nations Declaration on the Rights of Indigenous Peoples and its potential application in the Yukon.
- There are important matters to consider with respect to the Declaration given our modern treaty context, unique political and legal landscape, other commitments and ongoing discussions with Yukon First Nations and transboundary Indigenous governments and groups.
- We support Canada's continued efforts to implement the federal UN Declaration Act, including the new Action Plan Advisory Committee.

#### Additional Response:

- Reconciliation is a key and ongoing priority for our government.
- We are guided on our path of reconciliation by the foundational document *Together Today for Our Children Tomorrow*, which set out a vision for reconciliation and Indigenous self-determination in the Yukon.
- Our approach to reconciliation is characterized by:
  - implementing modern treaties and upholding our obligations to Yukon First Nations, the Tetlit Gwich'in, and the Inuvialuit;
  - negotiating agreements related to Yukon First Nations' self-governance, such as those involving the administration of justice;
  - negotiating enduring agreements with First Nations without treaties;
  - advancing joint priorities at the Yukon Forum; and
  - collaborating with Indigenous governments on key legislative initiatives, such as the development of new minerals legislation.

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#### Context—this may be an issue because:

- The Governments of Canada (Canada), British Columbia (BC) and the Northwest Territories (NWT) have affirmed in legislation that the United Nations Declaration on

## United Nations Declaration on the Rights of Indigenous Peoples

Executive Council  
Office / Justice

the Rights of Indigenous Peoples (the “Declaration”) applies to their laws. There may be interest in whether the Government of Yukon (YG) will enact similar legislation.

- The 2023 Confidence and Supply Agreement seeks “consent from Yukon First Nation Chiefs to initiate a discussion with the Premier and the Leader of the Yukon NDP on [the Declaration]”. The Chiefs asked for the NDP Leader to approach them separately and deferred consent on a discussion.
- On March 20, 2025, Canada announced the Action Plan Advisory Committee (“APAC”) for implementing the federal Act, which includes a Yukon-based member.

### Background:

- The Declaration is a non-binding international human rights instrument that seeks to protect the rights of Indigenous peoples.
- Canada brought into force the *United Nations Declaration on the Rights of Indigenous Peoples Act* in 2021 and released an Action Plan in 2023 for federal implementation of the Act.
- APAC will provide advice to the federal Minister of Justice on implementing the Action Plan. One of the 10 members is Victoria Fred, a citizen of Kwanlin Dün First Nation (KDFN) and Whitehorse-based legal counsel who has worked for KDFN, Teslin Tlingit Council, Little Salmon/Carmacks First Nation, and the Assembly of First Nations Yukon Regional Chief.
- The federal Act provides for joint priority-setting between Canada and Indigenous Peoples; it does not enact the Declaration into Canadian law, or bind the provinces and territories.
- Although the Declaration has been raised at multiple Yukon Forum meetings, there has been no consensus to prioritize working jointly on a Yukon approach to it.
- YG has made related commitments with regard 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.

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

Executive Council  
Office / Justice

- In 2024-25, the Yukon Aboriginal Women's Council (YAWC) received \$75,000 from Canada through the Indigenous Partnership Fund, for their project titled "YAWC UNDRIP Action Plan". The project aims to contribute to Canada's implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) and Action Plan, by engaging with communities and conducting internal and external research to inform the creation and adoption of an organization-specific Action Plan through multiple engagement sessions.

**Approved by:**

\_\_\_\_Justin Ferbey\_\_\_\_\_  
Deputy Minister, Executive Council Office

2025 03 31  
Date

\_Mark Radke\_\_\_\_\_  
Deputy Minister, Department of Justice

2025-03-31  
Date

## Session Briefing Note

### International Human Rights

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Spring 2025

Justice

**Recommended response:**

- The Government of Yukon contributes to Canada's international human rights reporting and related activities through participation at federal-provincial-territorial working groups under the Forum of Ministers on Human Rights.
- Strengthening our implementation of Canada's international human rights obligations in the Yukon can bring greater dignity, justice and peace to our experience of life here at home and demonstrates our commitment to human rights globally.

**Additional response:**

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

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**Context:**

- Recent efforts to roll back civil liberties and human rights protections in the United States may raise questions about protections in place in Canada and the Yukon.

## Session Briefing Note

### International Human Rights

Spring 2025

Justice

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- In 2024, the United Nations human rights bodies assessed Canada's recent progress on the elimination of discrimination against women and will assess Canada's progress regarding the rights of persons with disabilities in the spring of 2025.

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#### Background:

- Canada's reporting on its implementation of international human rights treaties is coordinated through the Federal-Provincial-Territorial (FPT) Continuing Committee of Officials on Human Rights (CCOHR) and Senior Officials Committee on Human Rights (SOCHR).
- The CCOHR and SOCHR, including representatives from the Yukon government, meet periodically with Canadian human rights commissions, civil society organizations and national Indigenous organizations—including Yukon organizations.
- At the 2023 meeting of Forum of Ministers Responsible for Human Rights, Ministers reaffirmed their 2017 commitment to strengthen intergovernmental collaboration to implement Canada's international human rights obligations and increase public dialogue on human rights by:
  - continuing the Forum of Ministers on Human Rights, which will meet every two years to share information, discuss matters related to Canada's international human rights obligations and give direction to the SOCHR and the CCOHR on the fulfillment of Canada's human rights obligations;
  - endorsing the protocol for follow-up to recommendations from international human rights bodies and the engagement strategy on Canada's International Human Rights Reporting Process; and
  - enhancing public knowledge and facilitating information sharing among FPTs through appropriate mechanisms.
- The next meeting of the FPT Ministers Responsible for Human Rights will take place in summer 2025.
- Canada has international human rights obligations under the following seven United Nations conventions and is required to report on the implementation of each convention every three or four years:
  - Convention on the Rights of Persons with Disabilities;

## Session Briefing Note

### International Human Rights

Spring 2025

Justice

- 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.
- After reviewing each of Canada's periodic reports, the United Nations committee responsible issues its Concluding Observations, which offer feedback and recommendations for the next reporting cycle. The committee also reports on Canada's progress in implementing the previous cycle's recommendations.

#### Convention on the Rights of Persons with Disabilities

- In March 2025, Canada is required to appear before the United Nations Committee on the Rights of Persons with Disabilities to answer questions on progress on implementing the Convention on the Rights of Persons with Disabilities (CRPD).
- Questions on the CRPD implementation were circulated to the Government of Yukon, which provided responses to the Canadian delegation for its appearance before the UN committee.
- In August 2018, the Government of Yukon provided formal support for Canada's accession to the Optional Protocol to the CRPD. However, the process for accession to this Protocol is currently on hold.

#### Convention on the Elimination of All Forms of Discrimination Against Women

- In 2024, Canada's 10<sup>th</sup> periodic report under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was submitted to the United Nations Committee on the Elimination of Discrimination against Women. The committee's concluding observations on Canada's implementation progress included:
  - positive recognition for legislative reforms including intimate image protection Acts in British Columbia and Manitoba; *Criminal Code* amendments to criminalize

## Session Briefing Note

### International Human Rights

Spring 2025

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- conversion therapies; Canada's adoption of United Nations Declaration on the Rights of Indigenous Peoples (see BN #86); Bill C-25's requirements for corporations to disclose diversity information to shareholders (2018), and amendments to the *Criminal Code* and *Canadian Human Rights Act* to protect "gender identity or expression" as a human rights characteristic; and
- positive recognition for Canada's efforts under various national strategies and plans aimed at anti-racism; ending gender-based violence; addressing Missing and Murdered Indigenous Women, Girls and 2SLGBTQIA+ people; and combatting human trafficking.
  - The United Nations committee's 2024 concluding observations also included the following "principal areas of concern" for Canada's implementation progress:
    - lack of impact measurement for its initiatives to promote gender equality;
    - lack of effective involvement of NGOs and Indigenous women's organizations, resulting in "insufficient transparency and accountability" for Canada's efforts;
    - the need for more disaggregated data across all sectors;
    - the "overall absence of policies aimed at men, at all levels of society, to eliminate gender stereotypes and patriarchal attitudes;" and
    - Canada's international obligations regarding the use of food insecurity as a weapon of war; impacts on women and girls of deep seabed mining by Canadian mining companies; and preventing the direct or indirect transfer of arms to countries that may use them to violate women's and girls' human rights and international law, "notably in Gaza," were also cited as concerns.

**Approved by:**

Jeff Simons

2025-02-03

A/Deputy Minister, Justice

Date approved



## Session Briefing Note

### Systemic Racism and Justice

## Spring 2025

Justice

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#### Recommended response:

- The Government of Yukon recognizes that systemic racism exists within government structures, including the justice system.
- We are working to implement the Truth and Reconciliation Calls to Action, and we seek to understand and dismantle systemic racism in all its forms.
- Our government has a responsibility to protect and promote the human rights of the people in Yukon's increasingly diverse landscape of communities and cultures.

#### Additional response:

- Dismantling systemic racism requires collective, ongoing commitment, education and action from our government and all our partners.
  - Persistent inequalities in education, healthcare, income distribution, food security, housing and the criminal justice system are indicators that systemic barriers and structural racism continue to exist in the Yukon.
- 

#### Context:

- In Action #30 of its final report in 2015, 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 by 2025.
  - In the most recent census (2021), 22 per cent of Yukon's population identified as Indigenous, yet Indigenous persons made up 72 per cent of inmates incarcerated in the Whitehorse Correctional Centre in 2024 (see BN# 34).
- 

#### Background:

- Racism can be described as a belief that race is a fundamental determinant of people's traits and capacities; that racial stereotypes are accurate and reliable; and/or that some races are naturally superior or inferior to others.

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### Systemic Racism and Justice

**Spring 2025**Justice

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- Systemic racism is about the rules, practices or systems that perpetuate racial inequities, regardless of whether the people presiding over and working in those systems hold racist beliefs themselves.
- Systemic racism means that racial inequity can be woven into the fabric of larger systems, including healthcare and justice systems, so that the natural outcome of those systems' functioning perpetuates race-based inequities, feeds into continued racist stereotypes, and negatively impacts racially marginalized people.
- Justice-related systemic racism issues in Canada include the:
  - overrepresentation of Black and Indigenous individuals in the criminal justice system from policing to corrections;
  - justice system's under-responsiveness to victimization of racialized people and communities; and
  - the legacy of inherently anti-Indigenous laws and practices established through settler colonialism in Canada.
- Calls to action to territorial governments from the Truth and Reconciliation Commission of Canada that relate to addressing justice-related systemic racism include:
  - removing statutes of limitations as defenses against legal actions brought by Indigenous people regarding historical abuses (#26);
  - eliminating Indigenous overrepresentation in custody by 2025 (#30 and 39);
  - enabling realistic alternatives to imprisonment for Indigenous offenders that "respond to the underlying causes of offending" (#31);
  - recognizing as a priority and better addressing the needs of offenders with FASD, including exemptions from mandatory minimum sentences (#33 and 34);
  - providing culturally relevant services to Indigenous inmates (#36);
  - creating adequately funded and accessible, Indigenous-specific victim programs and services (#40); and
  - recognizing and implementing Indigenous justice systems consistent with obligations under treaties etc. (#42).
- In the 2021 Census, 22.3 per cent Yukon residents identified as Indigenous, and another 12.8 per cent identified as belonging to a visible minority.

# Session Briefing Note

## Systemic Racism and Justice

Spring 2025

Justice

- In June 2023, an implementation plan for Yukon's Missing and Murdered Indigenous Women, Girls, and Two-spirit+ 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.

### Departmental efforts to address systemic racism

- The Government of Yukon does not currently have a whole-of-government approach to addressing 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 Yukoners, including:
  - the Gladue Report writing service, administered by the Council of Yukon First Nations, to provide a mechanism for the courts to consider the unique circumstances of Indigenous peoples in sentencing decisions, responding to Truth and Reconciliation Commission Call #30 (see BN #82 – Gladue Report Writing);
  - ongoing negotiation of Administration of Justice Agreements with self-governing Yukon First Nations to support the exercise of First Nation governments' authority over administration of justice matters, responding to Truth and Reconciliation Commission Call #42 (see BN #80 – AJA Negotiations);
  - 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, responding to Truth and Reconciliation Commission Calls #30, 31 and 39 (see BN #60 – Restorative Justice);
  - therapeutic courts (see BN #61 – Therapeutic Courts); and
  - the Family Information Liaison Unit (FILU) (see BN #71 - FILU) and partnership with the Yukon Aboriginal Women's Council to provide support for family members of Yukon's Missing and Murdered Indigenous Women, Girls, and Two-spirit+ people, responding to Truth and Reconciliation Commission Call #40.
- Other Yukon government initiatives, such as Breaking Trail Together, are focused on achieving a representative percentage of Indigenous employees in the public service.

## Session Briefing Note

### Systemic Racism and Justice

**Spring 2025**

Justice

**Government of Canada efforts to address systemic racism**

- In 2024, the Government of Canada released Changing Systems, Transforming Lives: Canada's Anti-Racism Strategy 2024-2028, replacing its previous 2019-2022 strategy, to continue its efforts to nationally combat racism and racial discrimination.
- The strategy envisions actions under four priority areas:
  - economic, social and cultural empowerment;
  - racial equity in immigration, health, and housing systems;
  - legal/justice system reforms; and
  - international engagement to inform domestic racial equity advancement.

**Approved by:**

Jeff Simons

2025-02-03

A/Deputy Minister, Justice

Date approved

## Session Briefing Note

Spring 2025

### Yukon Human Rights Commission Funding

Justice

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#### Recommended response:

- The Yukon Human Rights Commission's mandate is to address human rights complaints, conduct research and provide educational initiatives 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 the 2024-25 budget, the Government of Yukon increased the Commission's core operating budget by \$255,000, from \$658,000 to \$913,000.
- This represents a 39 per cent increase to support the Commission in its work.

#### Additional response:

- The Department of Justice has committed to providing an additional \$10,928 in 2024-25 and \$15,948 in 2025-26 to support the Commission in implementing the recommendations outlined in the Ombudsman's 2024 investigative report.

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#### Context:

- The Yukon Human Rights Commission (the Commission) was the subject of a 2024 Ombudsman investigation into serious delays in processing human rights complaints.
- The Department of Justice has committed to supporting the Commission in implementing the majority of the recommendations made in the Ombudsman's investigative report.
- Despite recent increases to the Commission's budget, there has been media coverage that focuses on the Commissions' budget challenges and caseload in 2024.

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Spring 2025

### Yukon Human Rights Commission Funding

Justice

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#### Background:

- The Commission gets its mandate from the *Yukon Human Rights Act*, and its operating budget is appropriated by the Legislative Assembly and managed through the Department of Justice.
- In August 2024, the Yukon Ombudsman released an investigation report about the Commission, which concluded that aspects of the Commission's practices, administration and governing legislation lead to unfairness and contribute to delays in processing complaints.
- The Ombudsman's report included three recommendations for the Department of Justice.
- The Department accepted two recommendations that require amendments to the *Yukon Human Rights Act*:
  - to increase the maximum number of Commissioners by two; and
  - to provide clarity and fill gaps in the legislation.
- The Department could not accept the Ombudsman's third recommendation, that oversight of the Commission's funding be transferred to the Legislative Assembly. This change would need to come from the Legislative Assembly debating and agreeing to the recommendation.
- The Department has also committed to providing the Commission with the financial resources required to introduce comprehensive case management software.
- The Department has further committed to supporting the Commission's transition to a more stable telephone system and a Commission-wide upgrade of their computer operating systems and business applications.
- Commission and Department of Justice officials have been in communication since January 2024 to discuss the financial pressures that affect the Commission and its legislated mandate to:
  - promote education and research designed to eliminate discrimination;
  - promote a settlement of complaints in accordance with the objectives of the Act by agreement of all parties;
  - direct complaints that are not settled by agreement to adjudication; and

## Session Briefing Note

Spring 2025

### Yukon Human Rights Commission Funding

Justice

- conduct education and research on the principle of equal pay for work of equal value in the private sector.
- The total contribution amount flowing to the Commission has fluctuated over the years as it includes a component for the core operating budget as well as time-limited funding to advance specific projects.

#### Funding History

- 2016–17 - Yukon Contribution Agreement totalled \$677,972.
- 2017–18 - Yukon Contribution Agreement totalled \$817,000.
- 2018–19 - Yukon Contribution Agreement totalled \$803,000.
- 2019–20 - Yukon Contribution Agreement totalled \$646,000.
- 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.
- 2024–25 – Yukon Contribution Agreement totalled \$923,928.

#### Approved by:

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

### Land Titles Modernization

Spring 2025

Justice

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#### Recommended response:

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

#### Additional response:

- The first two phases of the project are complete. So far, we have:
  - carried through all registration functions required by the *Land Titles Act, 2015* and *Condominium Act, 2015*;
  - decreased the average time for registration and processing of documents from nine weeks to five-to-seven business days;
  - developed a process and prescribed forms to enable Yukon First Nations governments to register Category A or Category B Settlement Land in the Land Titles Office;
  - digitized approximately 20,000 active titles;
  - digitized all but the oldest registered instruments and uploaded images into the electronic registry – there are about 600 remaining;
  - compiled title history for 80 per cent of active titles, or about 16,000 of approximately 20,000 active titles; and
  - opened the customer portal for the public to do online searches.



# Session Briefing Note

## Land Titles Modernization

Spring 2025

Justice

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**Context:**

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

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**Background:**

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

**Approved by:**

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

Spring 2025

### Metes and Bounds

Justice

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#### Recommended response:

- The Yukon's *Land Titles Act*, 2015 and Canada's *Lands Surveys Act* and Regulations ensure that national survey standards are followed, giving certainty to owners about property boundaries.
- Metes and bounds descriptions and remainder parcels pose risks to the land titles system because they result in disparities between title records and survey records.
- To remedy the situation and ensure survey and title records are reliable, 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 and landowners' interest to apply consistent standards for locating and identifying boundaries.
- Misunderstandings about property boundaries can have expensive and frustrating consequences for property owners.
- An accurate 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 2025

### Metes and Bounds

Justice

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#### Context:

- There are occasionally questions from property owners, real estate lawyers, and MLAs representing their constituents inquiring about the potential costs for affected property owners to complete surveys before affected parcels can be transferred.
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#### Background:

- The system of metes and bounds was used to describe land based on directions of and distances between physical features, such as natural boundaries and monuments, including references to adjoining parcels of land.
- The descriptions in metes and bounds can be inconsistent or erroneous, especially when the landscape has changed and metes and bounds have long been abandoned by most governments for this reason, in favour of rectangular surveys.
- Before the *Land Titles Act, 2015* came into force, it was possible to register a transfer for part of a parcel of land without registering a survey plan.
- Certificates of Title were then issued for parcels of land that are less than a whole parcel (called “remainders”), or that are described by metes and bounds (e.g., “the easterly 20 feet of Lot 4”).
- The result was that Certificates of Title were issued for two or more partial parcels, although the land was shown as a whole parcel on the survey plan. The method of subdivision by transfer led to inconsistency in the description of property boundaries.
- During the title conversion process, the Land Titles Office identified approximately 502 active titles for both remainder parcels and metes and bounds parcels. The requirement still applies to 443 active titles. A breakdown by community and by ownership type is included on the following page.
- The Land Titles Modernization Working Group, whose members included practising real estate lawyers, along with representatives of private surveyors, the Surveyor General Branch and municipal and territorial planning and subdivision officials, considered the issues at length before the *Land Titles Act, 2015* was drafted.
- Sections 83 and 84 of the *Land Titles Act, 2015* give the Registrar the authority to require the owner to register an explanatory plan or a plan of survey, eliminating the old legal description and creating a new one that complies with survey standards.

# Session Briefing Note

# Spring 2025

## Metes and Bounds

Justice

### Active titles by community

Dawson	179
Whitehorse	169
Mayo	36
Haines Junction	14
Carmacks	13
Watson Lake	10
Carcross	8
Faro	4
Pelly Crossing	3
Teslin	3
Ross River	2
Beaver Creek	1
Old Crow	1

### Active titles by ownership type

Individual	135
Company	105
Municipality	90
Yukon government	74
Canada	32
First Nation	7

- 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 part of the costs of property ownership like the cost of insurance premiums, property taxes, real estate commission and lawyer's fees.
- A person affected by this may have to come to an agreement with the buyer about completing a survey and paying the cost. Where different people own parts of a parcel, the survey costs may be divided between the owners.
- The Registrar reviews each situation on a case-by-case basis because the circumstances that created the metes and bounds or remainder parcel vary.
- 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:

Mark Radke

Deputy Minister, Justice

2025-01-21

Date approved

## Session Briefing Note

Spring 2025

### Funding for Legal Aid

Justice

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#### 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, also known as Yukon Legal Aid, provides a stable core budget for its regular operations.
- The budget for 2025–26 has allocated \$3,474,820 in funding for the Yukon Legal Services Society.

#### Additional response:

- The Government of Yukon recognizes the critical importance of services provided by the Society to Yukoners and remains committed to ensuring that the Society has sufficient resources to discharge its mandate.
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#### 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 the availability of legal aid, which are set by the Yukon Legal Services Society.
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#### Background:

- The Yukon Legal Services Society provides legal aid services in the Yukon under the authority of the *Legal Services Society Act*. A board of directors appointed by the Minister of Justice governs the Society.
  - The Act allows the Society to provide eligible Yukoners with legal services in certain types of criminal, civil and family law proceedings.
  - The Society also provides poverty law services, such as advice and representation regarding the Canada Pension Plan, Employment Insurance or Income Assistance.
  - The Yukon Legal Services Society has three Whitehorse-based clinics and a new Justice Support Centre office that operates in partnership with Kwanlin Dün First
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# Session Briefing Note

# Spring 2025

## Funding for Legal Aid

Justice

Nation (KDFN). There is a total staff of 21, which includes 12 lawyers, nine support staff and an executive director, who reports to the Board of Directors.

- When staff lawyers are unable to provide client representation due to legal conflicts of interest, private lawyers are retained at a set rate to control costs.
- In 2023–24, core funding for Legal Aid was \$3,288,000.
- In 2024–25, core funding for Legal Aid was \$3,426,820.
- In 2025–26, core funding for Legal Aid will be \$3,474,820.
- There will be additional funding in 2025–26 of \$100,000 for Therapeutic Court representation.
- Pursuant to the new five-year Access to Justice Agreement with the Government of Canada, the federal contributions to core funding are as follows:

2022–23	2023–24	2024–25	2025–26	2026–27
\$1,356,163	\$1,616,465	\$1,784,970	\$1,862,420	\$1,846,588

### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-26

Date approved

## Session Briefing Note

### Independent Prosecution Unit

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**Spring 2025**

Justice

**Recommended response:**

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

**Additional response:**

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

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**Context:**

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

# Session Briefing Note

## Independent Prosecution Unit

# Spring 2025

# Justice

### Background:

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

### Approved by:

Mark Radke

Deputy Minister, Justice

2025-02-06

Date approved



## Session Briefing Note

**Spring 2025**

### Outside Counsel Costs – Government-Wide

Justice

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**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 outside counsel as needed.
- The total projected contract commitments for outside counsel for the 2024–25 fiscal year are \$2,578,210.
- As of December 31, 2024, actual expenditures for the 2024–25 fiscal year totalled \$764,226.
- Total expenditures for the 2023–24 fiscal year were \$1,760,948.

**Additional response:**

- Typically, outside counsel costs are incurred to retain specialized expertise or to secure legal representation for litigation occurring outside of the Yukon.
- The use of outside counsel also helps Government of Yukon to avoid situations where conflicts of interest may occur if specific work were assigned to in-house counsel.

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**Context:**

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

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**Background:**

- “Outside counsel” refers to private bar lawyers hired on contract by the Department of Justice to provide legal services for the Government of Yukon, often in consultation with a client department, from which the costs are recovered. All contracts for outside counsel are set up through the Legal Services Branch.
- Typical reasons for retaining outside counsel include:

## Session Briefing Note

Spring 2025

### Outside Counsel Costs – Government-Wide

Justice

- the situation is urgent and the requirements to deal with the matter exceed available resources within the Legal Services Branch;
  - the matter is so complex or time-intensive that the Legal Services Branch would not be able to provide the required service while continuing to meet the needs of other clients;
  - the work requires expertise unavailable within the Legal Services Branch;
  - the use of a Government of Yukon lawyer may cause a conflict of interest;
  - using outside counsel is more cost-effective than using the Legal Services Branch;
  - representation of the Government of Yukon is needed in a legal action started and conducted outside of the Yukon; or
  - special circumstances exist that require a particular lawyer or law firm.
- By department, total projected contract commitments for outside counsel for the 2024–25 fiscal year are \$2,578,210 and are as follows:
    - Health and Social Services: \$575,545;
    - Energy, Mines and Resource \$522,705;
    - Public Service Commission: \$426,031;
    - Justice: \$391,138;
    - Highways and Public Works: \$196,135;
    - Economic Development: \$198,330;
    - Community Services: \$132,499;
    - Executive Council Office: \$100,827; and
    - Finance: \$35,000.
  - Projected contract commitments each fiscal year are generally higher than actual costs.

#### Approved by:

Jeff Simons

A/Deputy Minister, Justice

2025-02-03

Date approved