



Yukon Legislative Assembly

Number 56

1st Session

35th Legislature

HANSARD

Monday, March 28, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 Spring Sitting

SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Emily Tredger, MLA, Whitehorse Centre

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier Minister of Health and Social Services; Justice
Hon. Nils Clarke	Riverdale North	Minister of Highways and Public Works; Environment
Hon. John Streicker	Mount Lorne-Southern Lakes	Government House Leader Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
Hon. Ranj Pillai	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
Hon. Jeanie McLean	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

OFFICIAL OPPOSITION

Yukon Party

Currie Dixon	Leader of the Official Opposition Copperbelt North	Scott Kent	Official Opposition House Leader Copperbelt South
Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Yvonne Clarke	Porter Creek Centre	Geraldine Van Bibber	Porter Creek North
Wade Istchenko	Kluane	Stacey Hassard	Pelly-Nisutlin

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Takhini-Kopper King
Emily Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, March 28, 2022 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

Speaker: We will now proceed with the Order Paper.
Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: We have a lot of guests here today for the tribute for Nicole Edwards. If we could please welcome them — friends and family.

We have Lee Close; we have Nicole's brother, Morgan Edwards; we have Paris Close, Christel Percival, Peter Percival, and Al Pope — who, by the way, just became a great-grandfather — Ross Burnett, Grant Allan, Jessica Hall, Andrea McColeman, Sally Wright, J.P. Pinard, Samantha Salter, Josi Liederwicz, Steve and Ann Gedrose, Elaine Schiman, Matthew Lien, Josh Schwinnson, Dave Brook, Dave Brekke, Claire Ness, Helen O'Connor, Danette Readman, Brian Kitchen, Andre Gagne, Suki Wellman, Annette King, and Bengie Clethro.

If we could welcome them all, please.

Applause

Hon. Ms. McPhee: I wonder if my colleagues would please help me in welcoming Jan Trim and Dennis Senger, both Aging in Place Seniors Advisory Committee members.

Thank you for being here today.

Applause

Hon. Mr. Pillai: I would also like to welcome to the Assembly today Mr. Ben Asquith and Tiffany Eckert-Maret, who are here with Da Daghay Development Corporation. Also with them are Aberdeen Broeren and Desiree Coad-Broeren, who are taking part in the mentorship program with Panache Ventures right now on venture capital, and they are here as part of their mentorship today.

Applause

TRIBUTES

In remembrance of Nicole Edwards

Hon. Mr. Streicker: Today, I stand on behalf of the members of this Legislature, the guests in the gallery, and all Yukoners to remember Nicole Edwards.

Nicole moved to the Yukon in the late 1990s and began to make a difference and inspire Yukoners almost immediately.

I moved to the Yukon at the same time, and within my first week, I met Nicole dancing at live music events. We became friends right away. When I met Nicole, I knew she was an exceptional person. You could feel her warmth, her positiveness, how interesting she was.

Later, I realized that, yes, she is interesting, but she had this amazing way of being interested — interested in whoever she was connecting with. It was this generous gift she had for caring about people and making them feel special.

Let's start with her impact on the music scene. Nicole was one of the territory's best known musicians, releasing six albums. She embraced difference genres of music, a self-proclaimed jazz-blues-folk-rock diva, and sang in English, French, and even Spanish.

In 1998, she was one of the founders of Yukon Women in Music, or YWIM, an organization that continues to support the growth of women musicians at all levels and stages of their artistic development.

In addition to her performances and album releases, Nicole produced a YWIM concert of celebration in 2010 featuring 20 Yukon women musicians and, in 2011, YWIM en français avec l'Association franco-yukonnaise.

The themes of love, peace, and gratitude permeate all of her music, just as they did her life. Her music and spirit were deeply rooted in advocacy, equality, education and justice, and youth.

Throughout Nicole's ongoing musical career and multiple albums, she often highlighted youth in her songs and music videos through themes of well-being, relationships, and activism. She often celebrated contributions by northern youth dancers and vocalists. In 1998, Nicole founded BYTE, Bringing Youth Toward Equality, empowering a generation of Yukon youth to be the change across all of our communities.

In the early 2000s, Nicole was diagnosed with scleroderma, an autoimmune disease. In 2003, her symptoms forced her to leave the youth work she loved, but whenever possible, she continued to mentor youth, including in performance, songwriting, and the music industry.

After Nicole passed away, BYTE made the following statement — and I quote: "We are honoured to announce that we have changed the name of our Leadership Fund to the Nicole Edwards Leadership Fund. This change commemorates the legacy of its founder, Nicole Edwards, by directly supporting Yukon youth to explore their passions, learn new skills, and become leaders in their own way."

The Nicole Edwards Leadership Fund provides opportunities for youth to build their leadership, self-esteem, and confidence, and it aims to connect young people with experiences and resources to help develop their passions, gifts, and identity. In 2016, Nicole's advocacy work for youth earned her a Meritorious Service Medal from the Governor General. Again, I quote: "Nicole Edwards' passion and dedication for empowering youth through music has changed my life. Nicole began working with me when I was 14. She encouraged me to pursue my creative passions and showed me how to use music as a tool to engage my community. Her work has created countless opportunities for myself and other youth to live positive, healthy, and fulfilled lives regardless of their circumstances." That was Daniel Ashley talking about the Governor General award.

Throughout her life, including her illness, Nicole never lost her playfulness and love of life. To that end, I am wearing a

special WonderNED pin today with artwork by Covelle Patterson. Shhh, Mr. Speaker — “WonderNED” is Nicole’s superhero name.

In 2017, Nicole performed a benefit concert that would be her final performance. The next four years were increasingly difficult as her symptoms worsened. Throughout it all, she kept making music. Amazingly, she took her challenging journey and turned it into a gift for Yukoners. She used her music to advocate for empathetic, respectful, trauma-informed, patient-centred care. Her last album, entitled *Yukon Lullaby for Mental Health*, is a set of songs and resources on musical mindful strategies to support us all in whole-self health and emotional well-being, especially through times of trial:

Whether you feel joy or pain

I can love you just the same.

We are here to love, serve, and uplift one another.

Nicole and her husband, Lee Close, made their lovely home and garden in Mount Lorne. On September 8, 2021, Nicole chose to end her struggle with illness in her beautiful garden beneath her two favourite aspens. Today, I stand to remember Nicole Edwards. To quote my friend, Kim Melton, “May you know peace, WonderNED.”

Applause

Ms. Clarke: Salamat, Mr. Speaker. I rise on behalf of the Yukon Party Official Opposition to pay tribute to Nicole Edwards. Like so many, I knew and loved Nicole, but today I wanted to share some words from Helen O’Connor. Helen is first and foremost a mother, a Yukon artist, an educator, a yoga teacher, and, most of all, my family. Helen is my kumare. She is family. Nicole was her long-time best friend. While this will be emotional for Helen, I am happy to be able to share her beautiful thoughts.

These are Helen’s words: “It’s difficult to put into words everything that Nicole Edwards was for me and for so many. She generously shared her love, joy, and enthusiasm for whoever she was with. She offered, and was given, more hugs than I knew was possible. Nicole’s spirit lives on in the people whose lives she touched. She was my friend and neighbour but more like family, an auntie to my kids, a cheerleader to my art, and like a sister — a soul sister — who I could talk to about anything — to laugh and cry through life’s ups and downs. Her talent as a musician has always amazed me. What stands out most is Nicole’s tremendous voice and her capacity to convey so much power and depth of emotion with it. I also loved her creativity and how she could involve the whole community — young and old — in videos and projects. She passionately nurtured and encouraged so many, especially young people, to express themselves. I am so thankful to have had Nicole in my life and thankful for the beauty that she shared through her music and life.”

Thank you, Helen, for allowing me to share your beautiful words and for being here with us today.

Applause

Ms. White: So, with us today in the gallery is Nicole’s husband, Lee Close, along with so many of the musicians she

worked with in her long and distinguished career, as well as friends, who were among the young people she inspired throughout the years.

We acknowledge the community of homeopathic and allopathic medical professionals, neighbours, and friends who helped Nicole to live her last difficult years with a measure of peace and dignity. So, last summer, after a long and courageous battle with scleroderma, Yukon artist and advocate Nicole Edwards left us.

But Nicole was so much more than her illness. Nicole was a lifelong advocate for youth empowerment, women’s equality, and a warrior for the arts. As a high school student back in South River, Ontario, seeing that the school had multiple trophies for football but none for artists, she led a successful campaign to create an arts award. In her teens, her adventurous spirit led her to join Canada World Youth. She spent time on a kibbutz in Israel and travelled throughout Europe.

Nicole’s first work gig after college was to hire young people in a youth in the arts hands-on organizing program and to conduct youth coffee houses, open-stage nights, and workshops.

Moving to the Yukon in 1997, Nicole contributed to developing the Yukon youth strategy and became the first executive director of Bringing Youth Toward Equality. Under Nicole’s leadership, BYTE was, as one of her many protégés put it, the architect of empowering a generation of youth.

Nicole took her advocacy work with BYTE to the streets and the communities, empowering many young first-time voters to vote. She told them that their voices and experience mattered and that people in our roles should listen. I would like to think that she didn’t just plant a single seed, but she planted an entire forest of change.

Nicole was also an integral part of Yukon Women in Music, encouraging and mentoring young women to sing and perform. For many years, she was a judge for BYTE’s Battle of the Bands and was awarded a service medal for her work and dedication to youth in the music industry.

One of Nicole’s career highlights was when she and the Joy Seekers opened for a Sam Roberts concert celebrating BYTE’s 10th anniversary. She celebrated and shared Roberts’ passion for being engaged with youth. That concert, as you can imagine, was electric. As a songwriter and performer in French, English, and Spanish, you can hear Nicole’s powerful voice in her recorded jazz, folk, and blues albums. You knew you were seeing something special when you caught her at festivals and concerts in collaboration with so many other musicians. She literally rocked our world.

After Nicole was diagnosed with scleroderma, she offered singing for healing and songwriting workshops in her community. As her disease worsened and she felt more vulnerable and institutionalized, Nicole became an outspoken advocate for better resources for patients. With the help of Andrea McColeman and other musician and producer friends, Nicole was able to record *Yukon Lullaby for Mental Health*, offering lyrics, music, and mindfulness lessons for patients and caregivers.

Calling this her “music of ministry from the couch”, Nicole spent her last days and months at her home in Mount Lorne, finding solace in the mountain view and creating fun music videos and songs for mental well-being which comfort, teach and inspire others — still. Her songs as teaching tools are still available in the memorial on her website, nicoleedwardsmusic.com.

Nicole was always keenly aware of and grateful for the generosity and care of the many friends who supported her as her struggle became harder. Ruth Lera was a tireless friend and champion, coordinating volunteers and setting up a Patreon campaign to help cover the high cost of providing caregiving for Nicole at home, beyond what was publicly funded.

Conscious of the fact that many others need more help than what’s available to them from the public system, Nicole advocated for better support for home care services and in-home supports for palliative care patients, even as her own health deteriorated, campaigning for better funding and resources for people with chronic illnesses and mental health challenges.

Nicole wanted to see a mental health board established at Whitehorse General Hospital that offers a facility where patients will be treated with dignity — one where patients would be allowed to remain connected with their family and personal support networks when they are in crisis and where professional staff will be trained in trauma-informed care.

We look forward to seeing her dream become a reality. As her disease worsened, Nicole struggled through pain and sadness. After making the decision for a medically assisted death, she was truly grateful for the professionalism and compassion of the medical team who helped her with that journey.

Nicole’s music touched the lives of many people near and far, and today, when I was coming into the Assembly, it sounded like a celebration was coming from upstairs, and that is exactly what Nicole deserved — a celebration. She taught us how to live joyfully, without fear, and she leaves us with a legacy of music that will continue to inspire, heal, and entertain.

Those of us who knew Nicole appreciate her presence in our lives and will not forget her happiness, love, and care for others. We honour Nicole Edwards for her significant contributions to our community and our lives. We will miss her voice. We will miss her life.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Mostyn: I have for tabling a news article showing the Yukon Party and its leader’s support for rent controls.

Hon. Ms. McPhee: I have for tabling a letter dated March 7, 2002, addressed to the office of the Minister of Health and Social Services from the Child and Youth Advocate.

Ms. White: I have for tabling a letter that I sent to the Minister of Health and Social Services, apologizing for an error that I made that was reflected in Question Period last week.

Speaker: Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

Mr. Cathers: Mr. Speaker, I rise today to give notice of the following motion:

THAT this House urges the Yukon government to make Novavax’s Nuvaxovid COVID-19 vaccine available to people 18 years of age and older upon request.

Hon. Mr. Mostyn: Mr. Speaker, I rise to give notice of the following motion:

THAT this House congratulates the Canadian men’s national soccer team for qualifying to participate in the 2022 FIFA World Cup.

Ms. Blake: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to follow the recommendation of the *Putting People First* report to design and implement a guaranteed annual income pilot in collaboration with the Yukon Anti-Poverty Coalition and potential funding partners such as the federal government, health and social research programs, and others.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Aging in place

Hon. Ms. McPhee: Mr. Speaker, in 2020, the Yukon government released the *Yukon Aging in Place Action Plan*, which laid out a plan, including 56 recommended actions, to ensure that Yukon seniors and elders can age safely, independently, and with dignity and comfort in their own home or community as long as possible.

Reporting to Yukoners is an important part of our commitment to them. Today we released the first aging in place annual report, which highlights that 80 percent of the actions are now either complete or underway. Some of these completed actions include establishing a seniors advisory committee that acts as a focal point for Yukon’s seniors and elders to collaborate with the Yukon government on matters relating to aging in place. Some of the actions include: the standards and maintenance of high-quality infection control practices in our long-term care homes, which include the development of comprehensive COVID-19 prevention and safety policies; the implementation of the Shine a Light on Dementia program, which provides education and training for caregivers and is currently being offered by Yukon University; the opening of the Wind River Hospice House at the Whistle Bend Place long-term care home that offers hospice palliative care services to

people with progressive, life-limiting illnesses; the launching of the rural end-of-life care funding program that supports Yukoners in rural communities who need end-of-life care services; the public engagement on medical travel that resulted in our government doubling the medical travel subsidy to \$150 per day and made it available on the first day of travel; and lastly, the completion of an internal review of seniors services and adult protection services to ensure that these services continue to be effective and accessible.

Mr. Speaker, although we have made significant progress to help ensure seniors and elders can age comfortably in the territory, there is still plenty of work underway. One example is the recent announcement that Handy Bus services, with support from the Yukon government, are now being offered seven days a week in Whitehorse.

In the year ahead, the action plan will continue to provide a path forward upon which the entire community will work together to promote, protect, and enhance the well-being of Yukon seniors and elders.

Thank you to the committee from Seniors Action Yukon, Council of Yukon First Nations, Little Salmon Carmacks First Nation, the Yukon Council on Aging, St. Elias Seniors Society, Association of Yukon Communities, and the Association franco-yukonnaise for their contributions.

Through our collaborative work, we will continue to implement the aging-in-place actions and help ensure that seniors and elders can age with the dignity they deserve and stay in their home or community for as long as possible in comfort and safety.

Mr. Cathers: The Yukon Party is, of course, strongly in favour of providing care and support for seniors and elders. This is a big issue for many of our constituents and we hear issues about it regularly.

The government released its *Yukon Aging in Place Action Plan* in 2020, and while some items have been addressed, there is a lot more work to do.

The plan speaks to keeping Yukoners in their home communities, but a lot more needs to be done to realize those goals. Watson Lake residents have been asking this government to meet with seniors and residents to discuss building a continuing care facility in their community. Just this month, my colleague, the MLA for Watson Lake, held a town hall to discuss this issue that was attended by over 40 residents who highlighted the urgent need for these services in that community. Unfortunately, the government has been very resistant to this request so far.

My colleague, the MLA for Kluane, has raised many times that the St. Elias Seniors Society in Haines Junction is wondering when they will be able to return to their meeting place in the seniors facility as promised by this government. Social opportunities are important for seniors' quality of life.

The Yukon Party was proud to begin the planning and construction of the new Whistle Bend Place, which is a 150-bed continuing care facility with the potential for expansion. We know that the facility is nearing capacity. What is the plan once Whistle Bend Place is full? Will the government build

phase 2, which would allocate another 150 beds, or will they be developing a different facility?

I have to remind this House that, in 2015, the now Premier said this about Whistle Bend Place — and I quote: “It’s not too late to put the brakes on this entire project.” It’s fortunate that he didn’t get his wish or the Yukon would have a serious shortage of continuing care rooms now.

Another issue of major concern currently is the lack of health care providers in the Yukon. Over one-fifth of Yukoners are currently without a family doctor, and many are forced to go to the emergency room for basic and routine health care needs. Seniors are negatively impacted by this lack of service, and we urge the minister to do more to address this serious shortage.

Another issue of concern is the major rise in the cost of living. Inflation, increased gas and food prices, and skyrocketing electricity rates and housing prices are making life more difficult for our seniors and elders. Unfortunately, the current budget did not consider inflation or introduce any new measures to alleviate these increased costs on seniors. In fact, the budget actually increased camping fees for seniors, a policy that we are opposed to and are urging the government to reconsider.

The aging-in-place report says that Yukoners should remain independently in their homes for as long as they are able to. The report indicates that there are no retirement or assisted living homes available in the Yukon. Can the minister update us on the development of assisted living for Yukon seniors? There also needs to be support for seniors groups advocating on behalf of seniors. Has the government done anything to support the Golden Age Society’s needs? Also, can the minister provide an update on the government’s work with the Vimy Heritage Housing Society and their supported living housing project? We appreciate the update from the minister, but it is clear that this government needs to do much, much more to help Yukon elders and seniors.

Ms. Blake: Aging in place can mean different things to different seniors and elders. Here in Whitehorse, it might mean being able to downsize and move into seniors housing that is designed and built with seniors in mind. For some, it could mean making renovations to make one’s home more accessible and easier to maintain and live in. For others, it could mean accepting assistance in the home to remain there. These are all great options for seniors or elders in Whitehorse.

For seniors and elders in communities, however, these options are not so readily available. It is true that most communities, including First Nation communities, can access some level of home care or home support. Unfortunately, there are gaps in these services. Not every community has access to seniors housing.

There are wait-lists and few options for downsizing and moving into accessible housing. For seniors and elders requiring more supports than the community can offer, too often, their only solution is to move into continuing care in Whitehorse, leaving their family and their community behind. For many seniors and elders, they have lived in the same

community for their whole lives. To be removed from family, friends, and all that is familiar to them can be heartbreaking and life-shortening. Imagine the elder from Old Crow moving into the new Whistle Bend Place. It is a great facility, but for the elder from Old Crow, it is like landing in the middle of Toronto and being told to make yourself at home — talk about culture shock.

We also need to acknowledge that, when elders from our Yukon communities need to relocate into continuing care, it may be triggering for them as memories from residential schools resurface. Their experiences and traumas associated with residential schools are lifelong. When they relocate to care facilities, some elders with issues such as dementia are retraumatized as they believe that they are back in residential school.

I am thankful, as are the residents of Old Crow, for the seniors housing that will be built. Hopefully, it will keep our elders, our storytellers, our mentors, our knowledge-keepers, and teachers closer to our community and connected to our traditional territory. To lose one elder to care in Whitehorse is like losing a volume out of a set of encyclopedias. Aging in place needs to be a priority for all elders and seniors in Whitehorse and in all Yukon communities.

Hon. Ms. McPhee: Thank you to the member from the Third Party. I think the focus of those comments is exactly the focus and the respect that we must bring to our seniors and our elders. At its heart, Mr. Speaker, the *Yukon Aging in Place Action Plan* is about seniors and elders adding life and experiences to years, not just years to life.

Seniors and elders in our community helped shape this territory that we live in today, and they deserve to age in a way where they feel valued, supported, respected, and loved. They deserve to experience their senior years safely, independently, and comfortably in their own home or their own community, regardless of their age, their income level, or their ability levels.

We know that, over the past two years, seniors in the Yukon and across the country have been challenged. They have had to miss community events and family dinners. They have not been able to see their kids or their grandkids and have been separated from their friends and their loved ones, and they may have felt alone or vulnerable or isolated.

But with that, we have all seen and experienced so many Yukoners responding with compassion and kindness. We have seen families go grocery shopping for loved ones or offer to help to run errands or just simply reaching out to say hi and to see if people are okay.

We have also seen a remarkable response for volunteerism from our seniors and elders communities. Mr. Speaker, that's one of the reasons we are so proud to live in the Yukon. We always have each others' backs and we reach out to those who need it most.

The vision of this plan is to ensure that seniors and elders can continue to feel supported, even in the hardest of times, by our communities. The 56 recommended actions in the plan are grouped into four pillars: living a full and meaningful life;

housing; transportation and programs; and services and infrastructure.

I am proud to say that we have completed 50 percent of the 56 recommended actions with more work underway on the remaining half. Our government has made significant progress to improving health outcomes for seniors. Last December, we announced the expansion of the eligibility for the publicly funded shingles vaccine program to all seniors and elders aged 65 to 79. Earlier this year, the CanAge second annual vaccination report card showed that Yukon earned the most improved overall score out of all Canadian jurisdictions for its adult vaccination program. The CEO of CanAge, Laura Tamblyn Watts, said — and I quote: “The Government of Yukon deserves recognition for taking decisive action to protect seniors this year. The territory not only funded both seniors-specific flu shots and the recommended shingles vaccine, it also significantly improved public education and outreach. Other parts of the country should follow Yukon’s lead on how to attack a problem from multiple angles for maximum impact.”

Mr. Speaker, that is exactly what we plan to continue to do. I look forward to seeing the remaining actions be completed to improve the quality of life for seniors in the Yukon. I once again thank all of our partners for their work to help create a stronger territory for everyone.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Inclusive and special education

Ms. Van Bibber: On January 3 of this year, Autism Yukon wrote to the Yukon Legislative Assembly to highlight concerns with progress related to the 2019 Auditor General’s Report on Education in Yukon. Autism Yukon highlighted a number of concerns. They said — and I quote: “... the Department of Education has no concrete way of measuring the effectiveness of their approach to inclusive and special education or concrete proof that data-based decisions are being made.”

Can the minister tell us what steps have been taken to improve data collection on the effectiveness of inclusive and special education?

Hon. Ms. McLean: Thank you for the question.

I definitely have worked very hard, since coming into my position, on receiving the report on inclusive and special education. I will go back a little bit and talk about the audit of 2019 — very important actions have been taken as a result of this audit — an audit that we take very seriously. The Department of Education participated in the hearings with the Public Accounts Committee in January and provided a number of updates, which I know members of this House are aware of. Since December 2019 when the department last appeared before Public Accounts, we have successfully continued student learning during a global pandemic and have launched several initiatives to address systemic inequities. We launched the universal childcare model. We enhanced early kindergarten

in communities. We have taken many steps that I will continue to build on as we move through —

Speaker: Order, please.

Ms. Van Bibber: Autism Yukon went on in their letter to express concern that the department has developed a work plan in response to the recommendations of the Auditor General related to inclusive and special education, but that they had not been consulted. They said — and I quote: “We have heard that there is a work plan, but have neither been consulted on it or seen it.” While it is clear that Autism Yukon has not been consulted on this work yet, will the minister commit to consulting with Autism Yukon on the development of changes to inclusive and special education going forward?

Hon. Ms. McLean: It’s a very important report on our education system, and notably, it’s very similar to the report that was received 10 years before when the Yukon Party was in power. I am really proud of the steps that our Liberal government have taken in receipt of the 2019 audit. We’ve taken very serious steps. We launched a review on inclusive and special education. We’ve created a data-sharing MOU with First Nations, among others.

In terms of specifically as we work forward with the report on inclusive and special education, which I was in receipt of days and weeks after coming into this position, we have taken very serious steps. We have worked with all of our partners, the Yukon First Nations Education Commission, and the Advisory Committee for Yukon Education to develop and finalize a work plan and guide our joint response to the review of inclusive and special education and the review on school attendance. At the education summit on November 12, we established a number of communities of inquiry that are working on very specific issues as a result of this review. Again, I will continue to build on my answer.

Ms. Van Bibber: Mr. Speaker, another concern that Autism Yukon expressed was in relation to IEPs. They noted that, while not all IEPs were reinstated, those that were still faced resourcing issues. They said — quote: “Many teachers are not familiar with their students’ IEPs and cannot answer questions about how they’re being implemented.” They went on to say that this was — quote: “... the most disappointing change that did not happen.”

What steps is the minister taking to ensure that IEPs are fully reinstated, resourced, and supported?

Hon. Ms. McLean: Part of the work that we are doing right now in response to the review on inclusive and special education — there are a number of working groups. Of course, Autism Yukon and all of our partners are involved in this and welcome to be involved.

We have a number of communities of inquiry. We are co-constructing definitions of inclusive and special education, updating inclusive and special education policies, exploring effective professional development, establishing values and norms for engaging across differences, implementing consistent IEPs, and, I want to say, correcting the work of the previous Yukon Party government in terms of how education plans were put in place and the supports for them. We are creating holistic supports for students and families, aligning

budgets, funding models, and staffing allocations with students’ needs in mind. We are providing outdoor experiential learning as a way of teaching students with learning differences.

This is major work on the part of the Department of Education but with all of our partners. That, I think, is the key part of this. We are working with all education partners in this reform of our school system.

Question re: Individualized education plans

Ms. McLeod: During the Public Accounts Committee hearing on education in January, the Deputy Minister of Education provided numbers regarding the reinstatement of individualized education plans, or IEPs. She said: “... 39 students in learning plans were identified to be reinstated and in fact have been reinstated as IEPs: four as individualized education plans for implementation at the start of the 2021-22 school year; 22 families affirmed the desire for their child to remain on the student learning plan; and 10 plans were identified as students who have moved out of the territory or graduated.”

Mr. Speaker, this is 71 total IEPs addressed. However, in December 2020, there were 138 students moved off of IEPs. Can the minister explain the discrepancy between —

Speaker: Order, please.

Hon. Ms. McLean: I am happy to stand today and talk about the supports that are in place for students under individualized learning plans. Our goal is always to provide students with educational programs that meet their learning needs so that they can reach their maximum potential. We are undertaking a review right now of all the services and supports that it provides for inclusive and special education, including the development and delivery of learning plans.

There is currently a community of inquiry that is looking specifically at IEPs as part of the work plan for the review of inclusive and special education. This community has been tasked to update and implement consistent IEP templates, processes, and structures and incorporate student voice and create accountability structures about IEPs. This is a very important learning tool for our children in addressing their needs. We are very committed to, of course, working to improve this and to address the issues that were identified in the review of inclusive and special education.

Speaker: Order, please.

Ms. McLeod: Earlier this year, when the deputy minister was asked about additional supports or resources for students on IEPs, her response was — and I quote: “In terms of additional supports for the reinstatement, when changes were made to the IEPs, no changes were made to supports.”

IEPs guarantee that students with special needs receive the supports they require, including educational assistants, occupational therapy, or speech and language supports.

Why has the minister not increased the resources to match the reinstatement of IEPs? When will this happen?

Hon. Ms. McLean: Just to go back in terms of a little bit of background here in terms of the IEPs that the member is talking about, a total of 71 plans were identified as moving to a

different type of plan. Originally, we had 62 IEPs that were found to have changed to student learning plans after the fall of 2019. Nine plans were also identified where the data was not clear about where the plan had changed, so those parents and guardians were contacted as well.

Schools were provided with information about their school with instructions to contact each family. That work has all been completed. We are satisfied that the children who were moved into different plans had an opportunity to move back into an IEP. That is the work that has been completed.

In terms of supports for children under individualized education plans, we are working very hard with our partners. This is a major part of the work that is underway right now under inclusive and special education.

Ms. McLeod: In a December 2020 *Yukon News* story, it was mentioned that the definition of IEPs was changed so that students who remain on these plans won't receive a high school diploma. The president of the Yukon Association of Educational Professionals told the *Yukon News* at the time — quote: "I was greatly disturbed by the changing definition of an IEP and a student learning plan ... They haven't changed the *Education Act*, but what they've changed is policy, how they're interpreting and delivering programming."

Can the minister confirm that the definition was changed at the time, and if so, why was it changed? What are the plans to return to the original definition?

Hon. Ms. McLean: I can tell you that we have not changed the *Education Act*. Work that's underway right now in terms of our review of inclusive and special education — as I've identified, we are working on definitions within inclusive and special education as one of the communities of inquiry. That is work that is underway with a number of our partners and we are looking at it thoroughly in terms of those changes that are anticipated.

In terms of what I would like to say about the services that we provide to students is that we remain absolutely committed to our goal to provide students with educational programs that meet their learning needs so that they can reach their maximum potential. Again, we are working with all of our partners in the review of inclusive and special education. This is a massive undertaking. Our goal is to get it right. I'm really happy to see that the Yukon Party is now interested in the health of our education system. They were not for 14 years.

Question re: Social assistance rates

Ms. Blake: On March 28, 2013 — nearly nine years ago from today — former MLA Jan Stick said in this House: "The current regulations established the cost of a two-bedroom apartment in Whitehorse at \$691. Everyone knows this is not even close to the reality of renting in Whitehorse."

Since then, costs have increased rapidly, from food to fuel to housing. Everything is costing more, but the base social assistance rates haven't changed. Apparently, the government still thinks that one can rent a two-bedroom for \$691.

Will the minister tell this House when there will be a public review of the social assistance rates?

Hon. Ms. McPhee: I appreciate the question. I can indicate that the concerns about social assistance and the opportunity to make sure that social services are provided for Yukoners is incredibly important. What I can also indicate is that social assistance rates do increase annually, every year, for the purposes of maintaining the cost of living. I can also indicate is that the social assistance rates here in Yukon are considerably higher than they are in many places. I appreciate that the cost of living is also of concern. Currently, we have the highest rates in Canada.

As I have noted, every November, there is an annual increase according to the cost of living or what is also known as "CPI". During COVID, I can indicate that the caseloads with respect to social assistance here in the territory have dropped, but we expect them to climb in the coming year, and we are always concerned to make sure that the social assistance rates in the territory meet the needs of Yukoners.

Ms. Blake: There is an annual increase based on the consumer price index, but it has not kept up with the current housing crisis or food costs. Social assistance is being provided through the various levels of government across the Yukon. The *Putting People First* report recommended that this government bring together all social assistance delivery agents to create a common vision for the territory. This would lead to a more equitable, more effective, and easier system for everybody to navigate.

Has this government started to collaborate on these programs that are a safety net for so many Yukoners?

Hon. Ms. McPhee: It should be noted that the federal CERB opportunities for Canadians were exempted from social assistance calculations over the last two years, and certainly other federal programs have not been in the past.

With respect to pre-COVID, the information that we have is that caseloads were increasing in line with our population growth here in the territory.

I note that one of the recommendations in *Putting People First* is that we need to look at the three programs that are currently available here in the territory. We have accepted all of the recommendations of *Putting People First* and will be working with the other organizations — the federal government, in particular — to determine how we might best be able to provide assistance in a comprehensive way to Yukoners who require that assistance and that we can make sure that for individuals who are permitted to have social assistance under the Yukon government process, it is also comprehensive and in line with the federal government process.

Ms. Blake: People are struggling and having to choose between paying bills or putting food on the table. Numbers at the food bank continue to rise and more and more people are going without. The *Putting People First* report also recommended that the government design and implement a guaranteed annual income pilot in collaboration with the Yukon Anti-Poverty Coalition and potential funding partners. If this government is not prepared to review the social assistance rates, will they follow their own report and create a guaranteed annual income?

Hon. Ms. McPhee: I appreciate the question and ultimately the concern with respect to all of the benefits that are available to Yukoners. I should return and provide information to Yukoners about the maximum housing benefit under social assistance here in the territory. A single person is eligible for shelter and utilities in the amount of \$1,138 per month. I can also indicate that standard benefits are separate and are provided in addition to housing and utilities.

I should note that, in particular, the government does note the inflation rate and the concerns of the cost of living for Yukoners. Our most recent attempt and program in order to provide Yukoners with some relief is the temporary inflation relief rebate with respect to the \$150 inflation relief rebate to reduce the impacts on rising prices, which will be provided to each Yukoner with electrical services here in the territory — the concept being that more individuals, or the most individuals, will receive assistance through that program.

Question re: Magnetic resonance imaging program

Ms. White: In 2014, the Yukon Hospital Corporation built a temporary facility for the new MRI machine, and in 2015, the new facility with its new MRI officially opened. The Yukon government bragged that the Yukon was the first territory to have an MRI, but for Yukoners, it meant that they could receive a diagnosis without having to travel out-of-territory. A new MRI was supposed to make it easier for family doctors to refer patients for faster diagnosis, but with all the positive points came a negative one; wait times began to grow and grow.

Can the minister tell us how many Yukoners are now accessing the MRI on a yearly basis, and what is the average wait time for an appointment?

Hon. Ms. McPhee: I appreciate the question. Actually, I want to correct the record with respect to the wording of the question. We did at the time — the government, when we announced the MRI and implemented the program — have great expectations that it would serve Yukoners better, and in fact, it has served Yukoners better.

Our government is committed to investing in services and enhancements to ensure accurate and timely access to services at Yukon hospitals. I certainly can speak longer than the few seconds that I have left today to address those kinds of services and the expansion of those services over the last number of years.

I can indicate that currently wait times for patients who require an urgent MRI are less than seven days. The Whitehorse General Hospital endeavours to support semi-urgent cases with access to MRI services as close to 30 days as possible. As of February 28, 2022, semi-urgent cases are being completed within 44 days. I expect that I will be answering more details about this and I look forward to it.

Ms. White: For those of us who were here in 2015, the government definitely bragged about how it was going to improve services for Yukon. So, the MRI wait times are a real issue. One individual contacted us recently, as they have been waiting since June 2021 for an MRI. Even after nine months, the department is still unable to tell them when they can expect

to be called for an appointment, and that is one person among many.

In the meantime, this individual is left in pain and dealing with symptoms that impact daily life. Does the government believe that a nine-month wait for an MRI is an acceptable amount of time to wait?

Hon. Ms. McPhee: I think what's important for Yukoners to know is that medical services — in particular, we'll discuss MRI services here in the territory — are, in fact, categorized as urgent and non-urgent, and then there are semi-urgent in the middle of those two cases.

What I indicated was that urgent MRIs are happening within around seven days. The Whitehorse hospital endeavours to support semi-urgent cases and access to MRI services as close to 30 days as possible. At this time, the non-urgent MRI cases are being completed within 20 months. As of February 28, there were approximately 1,000 people on the non-urgent MRI wait-list. I can also indicate that, in addition to the opportunities here in the Yukon for MRI testing, we have medical travel options. We have increased the medical travel subsidy — doubled it, in fact — in the last few years and provided that opportunity for individuals to have a subsidy on the first day, rather than on the second day. There are also more locations that are available.

Ms. White: So, that's 1,000 people waiting for an appointment to help them figure out what is going wrong.

So, another individual contacted our office after they were told that the best option to avoid months and months of waiting would be to go to a private MRI provider in Vancouver. Before travel, this option costs about \$3,500. Wait times at this private out-of-territory facility are minimal, and the individual would be able to finally have a diagnosis and hopefully start treatment.

Forcing people toward private clinics for a diagnosis that they should be able to access in the Yukon is unacceptable. If we're not able to offer more appointments here in a timely fashion and the wait times continue to lengthen, is the Government prepared to refer patients outside of the Yukon and cover those costs?

Hon. Ms. McPhee: I appreciate the question, absolutely. I certainly understand the concern of Yukoners who are on the non-urgent MRI wait-list, but that is an assessment done by a medical professional with respect to the care that is required.

I certainly know that the Yukon Hospital Corporation has worked diligently to secure a locum technologist as well as an opportunity for our resident technologist to increase the opportunities for MRIs to be performed to reduce the wait-list.

There was an unplanned vacancy of a technologist that contributed to the wait-list increasing, but the MRI program has been back on track and the Yukon Hospital Corporation is currently using a combination of local and casual technologists to ensure that acute and time-sensitive exams are completed in a timely manner.

The Yukon Hospital Corporation is continuing with aggressive recruitment activities for both permanent and short-term staff. The promotion of additional staff is an opportunity. Some jurisdictions have increased the hours that the MRI

operates, and an exploration of those options is always available.

Question re: Inclusive and special education

Mr. Kent: On January 4, 2022, the Yukon Speech Language Pathology and Audiology Association sent a letter to the Chair of the Public Accounts Committee in advance of the hearing on the 2019 Auditor General's report on inclusive and special education. In it, they provide a number of recommendations to the Department of Education. One of them is about literacy instruction in the school. Specifically, they question the critical analysis taken to select the current approach over evidence-based practices for literacy and language development.

So, what steps has the minister taken since January to address this specific concern regarding literacy instruction?

Hon. Ms. McLean: As I spoke about earlier today on the report of the Auditor General for 2019 and the findings of that report, I note that my department has now appeared twice in the Public Accounts to give updates. This is quite unprecedented. I believe that normally there is a hearing that happens after an Auditor General report, so we were pleased to attend in January to give a further update and also note that there were a number of partners that provided information to Public Accounts. Certainly, our deputy minister attended and gave detailed testimony in that hearing around the work that we are doing at the Department of Education.

We certainly know that we have a lot of work ahead of us. Again, I have to note that I am happy to be doing the work. I am really pleased that the Yukon Party is now interested in addressing the issues in our education system.

Mr. Kent: While we appreciate the remarks from the minister and reading the briefing note, the specific question was about literacy instruction in schools.

Another issue raised by this organization is regarding widening performance gaps because of the COVID-19 pandemic. Specifically, they would like a thorough review conducted of literacy and language instruction to address how to close this gap.

So, my question for the minister is: Is the work currently underway or planned to address the widening gaps identified by this organization because of the COVID-19 pandemic?

Hon. Ms. McLean: Our entire education system certainly has been impacted by COVID-19. We are in fact in the third year of managing through COVID-19. I want to thank our public servants and our teaching staff for the incredible work that they have done to meet the challenges. We are under no disillusion that students have been impacted, that educators have been impacted, and that Yukoners have been impacted by COVID-19. We do have a kindergarten to grade 12 education recovery plan that provides direction to schools to deliver educational programs and support in line with the territorial pandemic recovery effort for the 2021-22 school year by clarifying learning expectations, providing guidance, and identifying and addressing the impact on learning and well-being, including additional information and resources that can support local decision-making and communication.

These are all important plans. We've worked very closely with our educators to ensure that the supports are in place for them and that the challenges are well-understood.

Mr. Kent: I was hoping that the minister could return to the House with answers to the specific questions that I asked regarding this letter that was sent in early January and that has been public for almost three months now.

So, the organization also has concerns with resourcing in Student Support Services. They say — quote: "The Department requires additional FTE allocation for S-LPs in order to provide their specialized services in an equitable manner across the territory."

So, can the minister update us on what action, if any, she has taken with regard to supplementing the speech-language pathologist, or SLP, positions within the Department of Education?

Hon. Ms. McLean: I have spoken a little bit about this today. There are three types of learning plans available in Yukon. Individual learning plans, student learning plans — well, when you talk about SLPs — and I see the member laughing at my answer right now, but I think that it's important for Yukoners to know that there are different types of learning plans in the *Education Act*. The student learning plans, as he is speaking about right now, and behavioural support plans — all learning plans are designed to provide the learning supports that individual students need to be successful in school. Students may need more specific supports, modification, and adaptation in their learning.

One of our communities of inquiry — again, we are going back to correct the work that was not by the Yukon Party in the time that they were in office.

We are looking to update and implement a consistent IEP template process and structure that incorporates student voice and that creates accountability and structures around IEPs.

Back in 2015, the Yukon Party made decisions that we're living with today in terms of how they put supports in place. We're looking to do that correctly.

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

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Ms. Tredger): The matter before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 203, entitled *Third Appropriation Act 2021-22*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 203: *Third Appropriation Act 2021-22* — continued

Deputy Chair: The matter now before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 203, entitled *Third Appropriation Act 2021-22*.

Is there any further general debate?

Department of Highways and Public Works — continued

Hon. Mr. Clarke: I do have a few brief introductory comments to make — some general and I believe some specifically answering some questions that the Member for Pelly-Nisutlin had when we last met here for consideration of the supplementary budget legislative authority being sought for the Department of Highways and Public Works.

I am going to speak about procurement and First Nation procurement. Government procurement is a significant contributor to our economy. During the 2021 fiscal year, the Yukon government spent over \$446 million on government contracts. This is something that affects the daily lives and livelihoods of Yukoners and we take it seriously.

While we ensure value for taxpayers' money, we also know that government spending has impacts beyond the price paid for a good or service. Our spending can provide stability for local companies, grow new businesses, and help make the Yukon's economy more fair and equitable. One of the commitments of this government is to make a public procurement system more accessible by modernizing our practices and exploring innovate methods for evaluating bids and awarding contracts. Over the past year, we have seen major improvements, such as completing the digitization of our tendering system and implementing the new Yukon First Nation procurement policy.

Our efforts in bettering our procurement practices have not gone unnoticed. Last year, our government was a recipient of the achievement of excellence in procurement award — an award from the National Procurement Institute in the United States that recognizes commitment to procurement excellence. The award is given to organizations that can demonstrate excellence in areas like ethics, continuous improvement, organizational structure, education, and training. The Government of Yukon was also on the Indigenomics Institute's "10 to Watch" list for the launch of the Yukon First Nation procurement policy. The annual list recognizes leadership in furthering reconciliation, increasing inclusion, and designing business relationships to support the growth of the indigenous

economy. It's great to see this kind of recognition and I applaud the procurement professionals across government for their work.

Although we have taken major steps forward, procurement is not something that stands still. The new policies and programs that we implement will have impacts on how people do business in the Yukon. This will require us to monitor the new methods that we have put in place and adapt as needed. This will also push us to be in constant pursuit of ways that we can improve, innovate, and make government procurement work for all Yukoners.

A great example of doing something differently and innovating to support Yukoners is the Yukon First Nation procurement policy. This policy positions us as a trailblazer in indigenous procurement. When we wrote the policy, we drew on other jurisdictions that have taken similar approaches, but the way this policy was drafted and how we have adapted it to the Yukon context makes it unique. This policy was drafted in complete collaboration with Yukon First Nation governments, beginning with a blank page. Once the policy was drafted, we worked closely with both our Yukon First Nation partners and industry to phase in implementation. Now that the policy is fully implemented, there is a suite of tools available to increase Yukon First Nation participation in our economy.

For example, our annual capital planning meetings — through this policy, we have agreed to meet annually with Yukon First Nation governments to discuss spending plans for capital projects planned with their traditional territory. By sharing our plans for capital spending, we allow Yukon First Nation governments and communities to plan and prepare for upcoming projects.

While all of the tools are essential for achieving the policy goals, one that I would like to focus on is the Yukon First Nation business registry. The Yukon First Nation business registry hosts a list of Yukon First Nation businesses that have undergone a verification process. The verification process requires Yukon First Nation businesses to submit documents to prove that they meet the definition in the policy. Examples of these documents include: registered name and address, name of the Yukon First Nation with direct or beneficial ownership, names of all directors and officers, name and position of primary contact with the corporation, certificate of status or entity profile from Yukon government's corporate registry, articles of incorporation, unanimous shareholder agreements or bylaws, the shareholder's register, and their business licence.

In addition, for each shareholder that is a Yukon First Nation person, they must provide their Yukon First Nation citizen card, Yukon status card, or a letter from an authorized official of the YFN government. They must also provide a consent form for the collection, use, and disclosure of personal information. If people would like to know more about the process, they can also visit the registry online.

The Yukon First Nation Chamber of Commerce acts as the registrar of the registry. The chamber both assists Yukon First Nation businesses with the application process and performs the business verifications. As of March 23, 2022, there were 79 Yukon First Nation businesses on the registry. The registry

plays an essential role in administering the policy tools. One of our commitments in the policy is to check the Yukon First Nation business registry before using any invitational tenders. If there are one or more Yukon First Nation businesses that can supply the good or service, we will invite them to the tender.

It is also the foundation of bid value reductions. For those who may not be familiar with this term, bid value reductions are a way to rank bids to reflect the level of Yukon First Nation participation. This means that the greater the participation of Yukon First Nation businesses and Yukon First Nation people, the greater the reduction that will be able to be applied to a bidder's price during the tender evaluation process.

Businesses must be listed on the Yukon First Nation business registry in order for Yukon government to apply bid value reductions on their bids. This ensures that the business has undergone the verification process and that the benefits of bid value reductions are going to Yukon First Nation people. Recently, we saw an example of this in action when we tendered the Macaulay Lodge demolition. A Yukon First Nation business that is on the registry used bid value reductions in their bid and was the successful party on the tender. Without bid value reductions, this company would not have been the successful bidder.

It is great to see the policy benefiting Yukon First Nation businesses. In this case, a Yukon First Nation business won the contract; however, there are also opportunities for all Yukon businesses to benefit from bid value reductions. For example, Yukon businesses can find a verified Yukon First Nation business to work with by using the registry. If a Yukon business subcontracts a Yukon First Nation business or hires Yukon First Nation labour, they can also apply bid value reductions to their bids.

While the registry is extremely useful for Yukon government and local businesses, it also acts as a marketing tool to Outside businesses looking to work in the Yukon.

Recently, Highways and Public Works, Energy, Mines and Resources, and the Yukon First Nation Chamber of Commerce presented about the Yukon First Nation business registry at the Roundup conference. This conference brings together the mineral exploration community to discuss new and innovative trends in the mining industry. The presentation focused on how mining companies can use the registry to hire Yukon First Nation businesses. The presentation was well-attended and reached over 140 industry professionals.

As you can see, Deputy Chair, the registry truly sets the groundwork for many of the policy tools and objectives. Going forward, we will continue to see the registry grow and more businesses using it as a resource. This means that we will start to see the changes that we are hoping for in our economy.

I think it is important to say that this policy is supposed to create change. The entire goal is to enhance the economic outcomes and ultimately the socio-economic outcomes for Yukon First Nation people and businesses in our territory. We cannot achieve this if we do not change the status quo. This is truly in the interest of all Yukoners as there can be no meaningful economic growth in our territory without greater Yukon First Nation participation.

While we expect changes to the market from this policy, we also want to ensure that it remains stable. This means carefully tracking how the market is responding to the policy. We are tracking this through the Monitor and Review Committee. This committee has industry, Yukon First Nation, and Yukon government representatives. They are responsible for analyzing data, monitoring outcomes, and providing recommendations to the Government of Yukon for continuous improvement. The committee meets, at a minimum, every month and is working on their first annual report summarizing the work that they have done to date. This is just the beginning and we have a long journey ahead of us, but this policy is paving the way forward.

I am looking forward to seeing how this policy will benefit all Yukoners in the short and mid term. Those are my introductory comments, Deputy Chair.

Mr. Dixon: I just have a few questions for the minister on a project. I'm interested in the ongoing work in Old Crow. I know that there was a lot of coverage earlier, a few weeks ago, related to the winter road and the delays in the construction of the winter road. I'm wondering if the minister can give us an update on that project — if there have been any change orders as a result of either climate or supply chain or any other issues facing the project and if the minister can give us an update on that project.

Hon. Mr. Clarke: Thank you for the question from the Leader of the Official Opposition. I can certainly endeavour to answer some questions with respect to the specific projects, but I have some brief comments and some observations with respect to the Old Crow winter road.

Specifically, as the member opposite and all Members of the Legislative Assembly will know, at the beginning of this process, there certainly were some weather challenges as there was not insubstantial overflow — approximately two or three kilometres outside of the Village of Old Crow — and a number of tractor-trailers were stuck there for a few days. But I can advise that some ingenuity was employed and deployed and the weather conditions improved. Of course, we have no control over the weather, temperature, and water conditions and overflow, but ultimately, Deputy Chair, this became a good news story across the territory.

The Yukon government is making investments to build healthy and vibrant communities. The Yukon government worked in collaboration with the Vuntut Gwitchin Government to organize the construction of a winter road to Old Crow. Construction of the winter road started on January 5, 2022 and was opened to authorized traffic on February 24, 2022. The winter road closed on March 25, 2022 after supporting 67 truckloads into the community. I am subject to being corrected by my officials. I believe the upper-end projection of the winter road for this season was approximately 60 loads, so it exceeded the anticipated maximum ultimately by seven truckloads, so that was good news.

The road facilitated the movement of materials into the community to support infrastructure projects in the coming years. This project is funded through a two-year transfer payment agreement with the Vuntut Gwitchin Government

with the goal of constructing one winter road this year and another next year.

As the members opposite will certainly know, that provides the opportunity to deliver a lot of materials into the community. Given that there hasn't been a winter road, I believe, since around 2014, it will also be the opportunity for the community to have various building materials and work-related detritus, garbage, or other materials make the trip back south on the winter road. Yes, the previous winter road was in the winter of 2013-14.

The use of the road to ship materials and construction supplies will assist with the construction of the tenplex and health and wellness centre project and the elders centre, which is being built by the Vuntut Gwitchin Government. Of course, weather conditions are a critical factor in determining if a winter road can be constructed and the length of time that the road will be open. I suppose under the category of "You learn something almost every day in this job" — as former ministers of Highways and Public Works in this Chamber will know, a winter road in the Yukon isn't really a winter road; it is an access route that has been created so that specified loads can go through at specified times. I suppose it is a road of sorts, but obviously, it is not public access.

So, Deputy Chair, this is a good news story that had a tricky start to the story, but the weather was ultimately in the favour of the contractor and in the Vuntut Gwitchin Development Corporation's favour, eventually. And, as I indicated, 67 truckloads were able to be transported prior to the road closing on March 25, 2022, and the upward maximum that had been projected was 60 loads.

I believe, to the specific question with respect to this winter road and with respect to this road — number one, I guess, of two — there have been no change orders.

Mr. Dixon: I appreciate the minister's answer. I note that, of course, while I appreciate that it is not a full road, I think it is informally referred to as the "Old Crow winter road" fairly commonly, and so that's why I use that language.

I think that the minister touched on it at the end, so I just wanted to confirm — the contract issued last year was for, I believe, \$44.8 million with Ketza-TSL. Can the minister confirm that there has been no change to that budget at this stage? I believe that he indicated that there were no change orders, so we should be on track to maintain that budget.

Hon. Mr. Clarke: My answer in my prior reply was specific to the contract with respect to the Old Crow winter road. I can either remain on my feet — but I understand that there is now a follow-up question with respect to the specific projects, which would be the tenplex and the health and wellness centre project.

Yes, as of today's date, there are no change orders with respect to the Old Crow health centre and tenplex that are specific to budget. I can certainly provide additional details on other considerations, but with respect to budget, there are currently no change orders with respect to the Old Crow health centre or the tenplex.

Mr. Dixon: I would like the minister to explain that a little bit. So, there have been change orders that don't affect the budget — is that correct?

Hon. Mr. Clarke: So far, there has been one change order, and it was a request of the contractor to allow for the prepayment of materials sooner than they would have been sequenced. That coincides with — as I indicated in my previous responses with respect to the winter road — that the contractor was able to deliver more goods through on the road this year as the winter road was open. So, this has so far not resulted in an increase in the budget, but rather allowed for the prepayment of materials to expedite the deployment of materials to take advantage of the conditions on the winter road this late winter-early spring.

Mr. Dixon: Can the minister confirm if it was indeed a design/build contract? As such, will further change orders be considered by the government? If so, what is the minister anticipating for changes to the budget overall from the \$44.8 million that he mentioned last year?

Hon. Mr. Clarke: As the Member for Copperbelt North correctly indicated, this is a design/build procurement. There is no current expectation of there being additional requests or additional change orders. The member opposite will, of course, very well know that there is no expectation currently of that occurring. Could it occur? Of course, it could occur. I can certainly provide the House with a detail about how the Department of Highways and Public Works engages in general contract management, should that occur, but I'm sure that the members opposite are generally familiar with that.

As of right now, there are no change orders with respect to the Old Crow health and wellness centre and tenplex. This is a multi-year project. Of course, unexpected circumstances might arise, but right now, there is no expectation that we're spending more money on this project — as of right now.

Mr. Dixon: Has the former Minister of Health and Social Services ever contacted this minister about this project?

Hon. Mr. Clarke: I have not had any conversations with the former Minister of Health and Social Services, the former Member for Vuntut Gwitchin, on this file. I do know that she has been asked to have some sort of — I don't know what defined role as an advisor with Ketza Construction. I am advised that she has reached out to my department, Highways and Public Works.

I have not spoken to the Minister of Health and Social Services. I have always been advised — and have taken this advice on both this contract and all other contracts that are brought to my attention — that it is the Department of Highways and Public Works' contract procurement and contract management team — a very competent team that I have — that is responsible for interpreting clauses, terms, and conditions. I have taken their advice, so I have not spoken to the former Minister of Health and Social Services on this file.

Mr. Dixon: The minister has said that the former minister has contacted his department. I wonder if the minister can explain the nature of the former minister's contact with the department and what they were seeking from the contact with the department.

Hon. Mr. Clarke: So, I just wanted to confirm that the former Minister of Health and Social Services is working with the contractor on governmental relations with the Vuntut Gwitchin Government. I have no personal knowledge as to the nature of the communication specifically with Highways and Public Works but for the fact that some, I believe — or I have been told that some of these conversations have taken place and that she has some sort of advisory role.

As I said previously in my response to a prior question from the Member for Copperbelt North, I have the utmost confidence in my contract management team at HPW and have left it with them to manage this contract. I have not had any communication with the former Minister of Health and Social Services.

Mr. Dixon: Is the minister aware if the former minister has contacted any of his Cabinet colleagues on this project?

Hon. Mr. Clarke: I would just repeat that I am the minister responsible for the administration of these contracts. I will emphasize again that I have been told — I have been in this position for almost a year now — and I accept the advice of my department that these contracts — and any discussions with respect to the administration of the contracts and any concerns that may arise or any requests that may occur with respect to the contracts, if they are codified within the contracts and their various terms and conditions with respect to modifications or dispute resolution mechanisms — that I will not get involved with respect to that, and I have not.

So, that is my position. It is my responsibility and, once again, I have not spoken to the Minister of Health and Social Services with respect to this contract and, in her position as a private citizen who now hasn't been in her position for some period of time — and I don't want to assume, but she has passed the period during which she would not have been permitted to work and to advocate for a contractor, but that period has passed and she has been retained to advocate. She is now permitted to do so — I assume that she is permitted to do so — but I have kept it abundantly clear and I have not spoken to the former Minister of Health and Social Services.

Mr. Dixon: My question was whether or not the minister was aware, or not, if the former minister had contacted any of his Cabinet colleagues. That was the question I had asked, and so I would appreciate it if the minister could address that question.

Hon. Mr. Clarke: I have no knowledge of any conversations having taken place between the former Minister of Health and Social Services with any of my Cabinet colleagues with respect to this topic. I wasn't in Cabinet in the 34th, but obviously, they were all colleagues of hers for the better part of four and a half years. I am not monitoring my Cabinet colleagues' social conversations or any incidental conversations which may have occurred. I have no knowledge. I have no knowledge of that. I know I have received no information. I have not spoken to the Minister of Health and Social Services, and I have not discussed this project with her, either directly or indirectly.

Mr. Dixon: I appreciate the minister's explanation that he is clearly aware of no contact between the former minister and his current Cabinet colleagues with regard to this project.

He did, however, indicate that the former minister has been in touch with the department. Is the minister able to share with us any written overtures that the former minister has made to the department?

Hon. Mr. Clarke: Yes, I will follow up with my department and provide whatever communication that is viewed to be disclosable, unless there is any sort of confidentiality or business relationship issues, but I will endeavour to get back to the member opposite.

Mr. Dixon: I appreciate the minister's commitment to return to the Legislature with any written overtures made by the former minister to the department in respect to this contract, and so I will look forward to seeing that.

The minister also, in his response, was referencing a period of time after which the former minister would be permitted, in his words, to advocate on behalf of the contractor. Can he explain that a little bit? What is his understanding of the period of time that needs to elapse between the election — that period — and when the former minister can, in his words, advocate on behalf of the contractor?

Hon. Mr. Clarke: I would say somewhat gently, I suppose — but I would imagine the member opposite knows the answer to this question better than me, because I have never been an ex-minister. The member opposite will likely know the answer to this question when he chose not to run again in 2016.

But when I do become an ex-minister, I will talk to our mutual conflicts commissioner, Mr. Jones, and I will know definitively what I am permitted and not permitted to do, but to the best of my knowledge, ministers cannot accept contracts within Yukon until six months have elapsed, as a cool-off period, as per the conflict of interest act for the members and the minister.

In this case, the former minister does not have a contract directly with the Yukon. I'm not certain what position — and I'm not in a position to be providing advice to ex-MLAs. That is clearly within the ambit of the conflicts commissioner.

That's the information that I have, but certainly, when I am no longer in the Assembly, I will ensure that I'm personally very much aware of the rules and will govern myself accordingly, as I'm sure the Member for Copperbelt North governed himself accordingly in November of 2016.

Mr. Dixon: The only reason I'm asking these questions is because the minister brought that up. I don't know why the minister is referring to what he may or not do at a future point when he is no longer a minister. My question was just based on what he had said earlier in Committee.

But I'll move on.

The minister has also said that the former minister is now advocating on behalf of the contractor and, in his words, conducting some government relations. Is the minister aware of whether or not the former minister is registered with the lobbyist registry?

Hon. Mr. Clarke: I have no knowledge of that question with respect to whether the former Member for Vuntut Gwitchin is registered with the lobbyist registry or not.

Mr. Dixon: I appreciate the minister's answer to that question.

The minister has indicated, though, that there has been some correspondence between the former minister and his department. The minister committed to getting that information back to us. I'm wondering who will make the determination of whether or not that correspondence is in any way commercially sensitive or business sensitive, and when will the minister be in a position to provide us with that information?

Hon. Mr. Clarke: The responsibility rests with the deputy minister, who will receive the information and the recommendations. In this case, he will make the decision as to what will be released. We will try to comply with that as soon as is practical — as is possible.

Mr. Dixon: Has the department sought any legal advice with regard to their interactions with the former minister?

Hon. Mr. Clarke: I'm personally not aware of any legal advice that was sought on this. I think that's probably where it's at.

I mean, there would be some issues with — anyway, I'm not personally aware of any legal advice that has been sought with respect to this matter or with respect to — I guess we're still on the topic of correspondence that may have occurred between the former Minister of Health and Social Services and the Department of Highways and Public Works. I am personally not aware of any legal advice sought with respect to that.

Mr. Dixon: I look forward to the minister providing the information that he has committed to today, and I have no further questions.

Deputy Chair: Is there any further general debate on Vote 55, Department of Highways and Public Works?

Seeing none, we will proceed to line-by-line debate.

Mr. Kent: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 55, Department of Highways and Public Works, cleared or carried

Deputy Chair: The Member for Copperbelt South has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required.

Is there unanimous consent?

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures
Total Operation and Maintenance Expenditures in the amount of \$3,556,000 agreed to
On Capital Expenditures

Total Capital Expenditures underexpenditure in the amount of \$2,600,000 agreed to

Total Expenditures in the amount of \$956,000 agreed to
Department of Highways and Public Works agreed to

Deputy Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Deputy Chair: Committee of the Whole will now come to order.

Hon. Mr. Streicker: Deputy Chair, I move that you report progress on Bill No. 203.

Deputy Chair: It has been moved by the Member for Mount Lorne-Southern Lakes that the Chair report progress on Bill No. 203.

Motion agreed to

Bill No. 11: Act to Amend the Child and Family Services Act (2022) — continued

Deputy Chair: The matter now before the Committee is general debate on Bill No. 11, entitled *Act to Amend the Child and Family Services Act (2022)*.

Is there any further general debate?

Hon. Ms. McPhee: I believe that I was on my feet on Thursday with respect to a question asked by the Leader of the Third Party with respect to how the implementation of Bill No. 11, should it pass this Legislative Assembly, would be maintained or provided — how the funding would be provided for that or how the initiatives going forward would be supported. I'm happy to continue to respond to that question, with my notes, if I might.

I should also welcome back Geri MacDonald and Caitlin Knutson, who are here to support the debate with respect to this important piece of legislation, Bill No. 11.

I believe I was asked, with respect to implementation — and I'm happy to indicate the following information. If this is not where the member opposite was going — I know that we were a bit rushed at the end there — then I'm happy to return to that and answer more questions.

But I can assure the Legislative Assembly and Yukoners that full implementation and operationalization of the amended *Child and Family Services Act* is a priority — a top priority based on all of the comments that I have made earlier about the importance of this work. As I already mentioned, the act is reflective of the significant philosophical shift in the delivery and practice of child protective services.

What I can also indicate is that this shift is not waiting for the amendments that are brought here by Bill No. 11 for that work to have begun, because the shift is required regardless of the legislative amendments and that practice is working its way through the department as we speak. It's important to recognize that the work to support this shift is well underway.

Implementation of these changes is not just beginning; this is a full package.

Over the last five years, Family and Children's Services has worked in partnership with Yukon First Nations, the Council of Yukon First Nations, and other partners to create the infrastructure to support the amendments to the *Child and Family Services Act*. This philosophical shift can be attributed to significant changes in practice, implementation of critical initiatives, changes in processes and procedures, and enhanced working relationships with Yukon First Nations and the Council of Yukon First Nations. Extensive policy revisions, alignment of current and new resources, and new training have already been established and completed prior to the tabling of this bill.

In many ways, this bill is about ensuring that all of these changes are embedded in the legislation. That is so important so that they are not person-specific or leader-specific and at the risk of change. We have engaged extensively with First Nation partners who are the experts on what First Nation children, youth, and families need, and we have listened, we have learned, and we have taken action together. The philosophical shift in perspective and practice is well underway.

This shift moves us away from a professional-centred system that views social workers and other professionals as the experts to a family-centred system. This shift respects the experiences and the expertise of First Nations and families and that their expertise is strength-based and relationship-focused. It builds and enhances family capacity and places emphasis on children remaining with families where possible and connected to family and extended family, community, and culture and traditions if it is not possible for them to remain with their core family.

Where out-of-home placement is needed, reunification is always the goal. I can assure this House and all Yukoners that this critical work to operationalize this legislation is well underway, and we will continue to expand and enhance our strategies to ensure full implementation of this legislation.

We have scheduled a meeting on April 6 with Yukon First Nations and the Council of Yukon First Nations to discuss implementation governance structures and next steps.

The implementation-focused committee will provide guidance for draft implementation of policies and practices alongside other reform activities. The details of this committee will be discussed and developed with Yukon First Nations and the Council of Yukon First Nations.

I'm going to stop there. I certainly have some information on how staff will be supported during the implementation of these legislative changes. I'll anticipate that it might be the next question, or it may not, but I will stop there and be happy to address how staff will be supported if that is appropriate.

Ms. White: I do appreciate it.

So, I finished off on Thursday just asking about the financial resources that are going to be devoted to this. The reason for it is that there was part of the answer from Thursday when the minister talked about the cost that could be incurred by First Nations. I'm not concerned about the cost. I just want

to know that we're putting enough resources behind it. I do appreciate those answers.

Just before we get further into my questions today, there was an exchange between the minister and the Leader of the Yukon Party on Thursday when it was asked if the minister was referencing documents in response to the child rights impact assessment and how it appeared that, at the time, the minister was reading a companion document. There was a request by the Leader of the Yukon Party that it either be tabled or if that response could be shared with the Child and Youth Advocate. I just want to start there.

Is it possible to get the response — I guess the companion response — to the recommendations made by the Child and Youth Advocate?

Hon. Ms. McPhee: Thank you for the opportunity to address that. I think it is most appropriate — my approach to this process would be to respond to the Child and Youth Advocate's most recent correspondence. That letter is in draft form this morning. I am working through a process for that to be reviewed by my office and ultimately sent to the Child and Youth Advocate Office. It will have appended to it the document that is being referred to, which is the full review in writing and response to the comments and recommendations made by the Child and Youth Advocate Office to my office in relation to Bill No. 11. As soon as that letter is completed, I am happy to have it tabled here in the Legislative Assembly and provide it to the members opposite. Actually, I think it is going to be copied to both of the leaders of the opposition parties because I think it was initially provided to them as well from the Child and Youth Advocate, as an officer of the Legislative Assembly. I think that's where it was initially written. I have responded to it. It will include that document. I think that's the most appropriate way for that to be provided to the members opposite. Because the letter initially came from the Child and Youth Advocate, it's respectful to answer that letter initially to her and provide copies.

Ms. White: I do appreciate that answer from the minister. It puts us at a disadvantage a bit in trying to move forward. I do hope that the response and letter to the Child and Youth Advocate is forthcoming because then we can leave it behind.

Just an idea, I was just trying to find the reference to documents in Thursday's debate, and there were 64 references to documents, so I didn't get to quite the right spot. I thank the minister for that response — saying that it is coming. I think that will be helpful in our conversations in the Assembly today.

Similar to what my colleague had mentioned last week, I do want to acknowledge that there were concerns that were brought forward. We touched on that a little bit on Thursday. We just had the minister confirm that, once the letter goes out to the Child and Youth Advocate, it will be tabled. I also wanted to know if it was possible that the minister — if any legal advice had been sought to those recommendation changes from the IPC and the Child and Youth Advocate — could share them — either table them in the House or share them with the House Officers so that they come here, and then I'll ask the next questions.

Hon. Ms. McPhee: Thank you very much, Deputy Chair. A draft letter to the Information and Privacy Commissioner will indicate that we had sought legal advice with respect to the recommendation's clarity suggested by the Information and Privacy Commissioner in her letter to the Premier and to the two leaders of the opposition parties.

I will respond on behalf of the Premier and have drafted that letter, which will include the reference to the fact that this is the information that we have been provided.

There is no formal legal opinion, but if necessary, I can find a brief written version of the advice, but that being said, I will take that under advisement to determine whether that's appropriate to release here, it being advice to the minister. But nonetheless, it is quite simply the position that has been taken by our government, which is that, in fact, it does not — while I appreciate the comments from the Information and Privacy Commissioner, the amendments in Bill No. 11 do not infringe on the rights of individuals to obtain information pursuant to the *Health Information Privacy and Management Act*.

I should say that both letters to the Child and Youth Advocate and to the Information and Privacy Commissioner will invite them to participate on the implementation working group — the one I have just made reference to. The first invitations will be for our meeting on April 6 and, after that, a determination of what that structure should look like.

Invitations to the Child and Youth Advocate and the Information and Privacy Commissioner to participate in the implementation working group and/or be provided with updates on the work of that committee — including review of any appropriate provisions or policies that are developed — will be included in those letters, which is, I think, where we are trying to determine wording broad enough and satisfactory enough to both the Child and Youth Advocate and the Information and Privacy Commissioner so that they will fully understand the commitment to their participation in that process and their participation in the development of the policies that are of particular concern to them going forward.

This is important work. It is incredibly important work that we do together. It is incredibly important work that we build the implementation working group structure and work plan with our partners, primarily being the Council of Yukon First Nations and the 14 First Nations here in the territory.

I think I'll just take a moment, because that is such an important part of this process going forward and an important part of this debate before the House. I certainly have no qualms whatsoever about committing to the work going forward with the implementation working group and the participation of the officers of this Legislative Assembly and their expertise and how we can incorporate those into this process.

Deputy Chair, for a long time in this territory, we created laws for Yukon First Nation people, and we worked on pieces of legislation that were done by well-meaning public servants and even by well-meaning government officers, like the Child and Youth Advocate, like the elected members of this Legislative Assembly, but in fact, it wasn't that long ago that laws were written without much Yukon First Nation input at all — or of any kind.

We know that the *Child and Family Services Act* has overwhelming impact on First Nation children and their families, and we know that there was a better way to develop this legislation. So, we took a new approach in amending this legislation — and the review that was not done by the previous government — who refused to be done — truly identified the need for significant changes to existing legislation. That review developed many recommendations.

It was to develop a law that was truly reflective of the needs of the people that it serves. We decided to develop this piece of legislation with Yukon First Nations, not for Yukon First Nations. The steering committee was created and led by two co-chairs, one from Yukon government and one from the Council of Yukon First Nations. All 14 First Nations were invited to participate and 12 had assigned representatives. The committee met for hundreds of hours and reviewed every single recommendation of the report of the advisory committee.

They developed amendments to the existing legislation. The opportunity to bring that to the floor of this Legislative Assembly is, I think, historic and the opportunity to proceed with these amendments. I don't want anyone to take this commentary by me, at this moment, as anything but the commitment that it is and the pride that it is and the work that has gone into bringing Bill No. 11 into this Legislative Assembly.

We absolutely, clearly, and with dedication considered the recommendations that were brought forward by the Child and Youth Advocate Office and by the Information and Privacy Commissioner Office. We have specific answers for each of those. If that's something that I can or should review as part of this debate, I would be happy to do so. We will provide those in writing, as I've indicated.

We will commit that those officers of this Legislative Assembly, for whom I have intense respect, will be invited to participate in the implementation working group going forward to make sure that their concerns live in the policy that will be developed as a result of Bill No. 11 passing this Legislative Assembly.

I am pleased to make that commitment here and will repeat it in writing, should it be necessary, and we will move forward with that commitment, because this is a shift in how we will do child protective services in the future. It is a shift that has been occurring at the Department of Health and Social Services for years, and it is a shift that has brought us a new approach to bringing legislation to this floor.

All questions are welcome, and I'm pleased to answer each and every one of them no matter how long it takes, because the debate of this intense piece of legislation is critical on the floor of this Legislative Assembly and for all Yukoners, and I look forward to that. Please understand that there is no question that any concerns brought forward by officers of this House will be taken into account and will be worked through by the implementation working group.

Ms. White: I thank the minister for that. This is going to be a fair amount of repetition, but I just want to clarify to make sure that I am clear in my understanding of what the minister has just said. Am I clear in understanding that the minister has

committed to working with the Child and Youth Advocate and the IPC, along with the committee, to work on the implementation — and with CYFN — to address the concerns that were highlighted?

Then, also, did the minister commit to working with both of the same officers who I just mentioned within the implementation committee and the CYFN on policy development and implementation of this act?

Hon. Ms. McPhee: I don't have any trouble repeating that at all. I should indicate that the steering committee sunsets its work with the introduction of Bill No. 11 in this Legislative Assembly, and ultimately, we hope it will sunset its work with the passing of Bill No. 11.

Then, on April 6, the Government of Yukon has invited — no, not on April 6 — previous to now, we have invited the Council of Yukon First Nations and representatives of all Yukon First Nations to attend a meeting on April 6, which will be the beginning of the building of the implementation working group. We will discuss with the participants at that meeting the framework for the implementation working group — how it should operate, how often it should meet, how it will proceed in doing its work — and ultimately, following that initial or maybe more than one initial meeting, others will be invited to participate. My commitment here today is that the Child and Youth Advocate and the Information and Privacy Commissioner will be two of the individuals, and/or their offices, who are invited to participate in the implementation working group. And, if they choose not to do that for whatever reason might be up to them, we will commit to providing them with updates on the work that is being done, if they don't want to participate in the actual work, and/or we will commit to a third option or all three of the options, which will be having the opportunity to review appropriate policies that will be put forward by this group for the implementation of Bill No. 11.

Ms. White: I do thank the minister for that clarification. It is going to be hard for me to misunderstand where we just went, and I just wanted to make sure that we were on the page.

So, now, I will just get back to the questions that I had initially been ready for. So, one of the things that I would like to know is: What training will be offered to on board workers at the department level to ensure that they are aware of their role, responsibilities, and the support that is available to them?

Hon. Ms. McPhee: Providing supports and resources to staff to support the work within Family and Children's Services and the implementation of this legislation has and continues to be a focus for our department. Over the past five years, we have put in place the following: enhanced training and supports; higher standards of practice; clear expectations and accountability; revised policies and processes which relate to this work; introduced more specialized units and teams; and added support positions to reduce the workload. We have introduced additional mobile social worker positions to support regional service delivery, which is incredibly important work. We have implemented a new case management system. We have a new financial funding model for this area of the department. We have a new file management and record system, and we introduced a new practice framework.

More specifically over the past three years, the Government of Yukon has worked with the Council of Yukon First Nations to redevelop the core training that all Family and Children's Services social workers must complete in order to ensure that the training content includes Yukon — just a moment; I have the wrong page.

So, the core training — is that an acronym? I'm just going to get the actual acronym, not only for Hansard but for members of the House. It's not an acronym, despite the fact that it's typed in capitals here. I'm all about learning new acronyms so I didn't have to learn a new one.

So, the core training is given to all Family and Children's Services social workers. It must be completed in order to ensure that the training content includes Yukon First Nation perspectives. Yukon First Nation staff participate in the delivery of this training and attend the training alongside Family and Children's Services staff, which is new but has been worked on over the past three years — again, looking forward to what will be needed to make sure that we have full understanding and implementation and the commitment to this kind of work.

In 2021, the Government of Yukon and the Council of Yukon First Nations began delivering full-day and on-the-land experiential opportunities for Family and Children's Services staff to increase cultural competency.

I'm just going to stop from my note there to say that I had the opportunity to participate a couple of times in similar training that was given to new teachers and new educational assistants here in the territory — so people who have not necessarily worked here before or some who may have. It is absolutely brilliant — in the short period of time in which the experiential opportunities provide individuals with new points of view, if I can say that, or education in its truest form for understanding Yukon First Nations or at least opening the door to understanding Yukon First Nations, their concerns, and the cultural aspects of their commitments.

In 2021, Family and Children's Services implemented an up-to-date case management system, called the "family case management system", which reduces administrative burden on staff and provides supervisors and managers with more oversight over child welfare service delivery to ensure that the prevention-based approach is applied on the ground.

Family and Children's Services has introduced a dedicated program specialist who will use the family case management system's enhanced data-reporting capabilities to conduct quality assurance analysis and report on our compliance with legislative and policy requirements.

I have, in the past, done work with the Department of Health and Social Services in the capacity of focusing on child welfare matters. This is groundbreaking, in my view. It has not existed before.

Family and Children's Services has a dedicated child welfare practice specialist position that works with managers and supervisors to create strategies to support social workers with interpretation, implementation, and compliance with legislative and policy requirements. A dedicated training coordinator position is in place to support the development and

the delivery of new and ongoing training. This is not something that happens sporadically. In fact, a training coordinator position understands — not the person but the position — shows understanding by Health and Social Services that this training must be ongoing and must be consistent.

A paralegal position was put in place to support social workers with legal processes and enhanced social workers' abilities to be directing their time and working with families and not trying to figure out sections of the act.

A quality assurance position is also now in place to assist and oversee our continuous quality improvement initiatives and to conduct internal audits, monitor compliance, and identify areas for further training and development of staff.

New clinical supervisor training has now been introduced to support supervisors in their critical roles and supporting of staff. Over the last three years, Family and Children's Services has held multiple workplace culture and change workshops for staff to support staff as we move through these changes, recognizing that staff will be asked to do things differently and will be supported in a way they have not been supported in the past to concentrate on their work with families — I will make reference to social workers particularly — and concentrate on that work and not on the case management and not on a number of other things that there will be support for through the reorganization and by the addition of these coordinator positions — these training positions of dedicated individuals who will help support their work.

I also have some information about the shift toward preventive focus, but I will leave that in case that is another question that is coming — but ultimately just focusing on the training part of that question.

Ms. White: I thank the minister for that. She did a really good job incorporating some of my questions around cultural training and whether or not it was mandatory. From my perspective, as a kid who grew up in the Yukon and didn't learn fully about residential schools until I was working in the department with Corrections, it is a glaring oversight, I think, unfortunately. From my perspective, I would like everyone who works within the public service to have some of the training, whether it was the core training that the minister mentioned or whether it was the training that was offered to new teachers. I think that it actually helps. It actually strengthens the public service.

When there was that mention about new staff — recognizing that there has been some staff who have been within the department for a longer time, are we making sure that others are also caught up and so this training is across the board? I see the minister nodding, so I will just move on to the next section.

With the recognition that, I believe, there are four new positions — the child welfare specialist, the training coordinator, the paralegal, and the child supervisor — if it's training or something similar — can the minister let me know if all of those positions are filled at this point or whether we have some gaps that we need to fill within the department?

Hon. Ms. McPhee: Just to confirm — I know that the member opposite noted that I nodded my head, but I can

confirm that the core training is done twice annually. It is required learning and training for individuals who work in this area. Of course, it is required going forward for any new hires, but current staff also are required, as a refresher, to do it twice a year. So, that training is required going forward, as well as for current staff, if I can say it that way. The four positions that have been noted by the Leader of the Third Party are all currently filled, and that is partly because, as I have noted, this shift began three to five years ago. We have had the positions for some time, but they are also in response to the kind of training and support given to staff going forward.

Ms. White: I do appreciate that answer.

So, under the current act, there have been children who have been harmed while in the care of the director, and given that the philosophy of this act is about prevention and support, I just have a couple of questions.

What protocols are in place for when a child is harmed in a situation where the department is in charge? What routes will be taken to treat that harm appropriately? Does the department have a protocol for all adults involved on the department side to apologize directly to a child and a family?

Hon. Ms. McPhee: I wonder if I could have some clarification. I understood the apology if harm is done, but I just want to make sure that I understand the premise — the first part of the question — to make sure that we can provide the appropriate answer.

I'm not completely sure — if a child is — I don't want to guess. So, if a child is in the care of the director and they are somehow harmed — I just want to hear from the member opposite what her premise is.

Ms. White: That's correct. An example is, a number of years ago, there were young people who were living in group homes under the care of the director. They were locked out. That is harm. We have young people who, at 18, didn't get the supports or the transitional supports that they needed as they aged out of those group homes. That is harm. We have families who have had children apprehended and misplacements after that. That is harm. When I'm talking about harm under the care of the director, it's a wide gamut from very young to — the current act covers and supports young people until 24. We know that the changes will be to 26, but we know that there have been gaps to date. I just want to know. Apologies are really important. How do we make sure that the apologies that are to be made are adequate and appropriate?

Hon. Ms. McPhee: I am pleased to answer this question, because I think it is about the core of the work that we are doing here today in debating Bill No. 11.

I want to reiterate that the *Child and Family Services Act* has a disproportionate impact on indigenous people and that this government is establishing a reconciliatory process that has supported amendments to the act in Bill No. 11 and toward long-term child welfare reform. This work is being done across the country with the implementation of the federal legislation with respect to other work that I'm going to make reference to for the moment.

It is important to note that the Truth and Reconciliation calls to actions 1 through 5 speak directly to child welfare and

that this government has been, and continues to, take action on each and every one of those. We are committed to reducing the number of indigenous children in care by working with all governments and, most importantly, with Yukon First Nations and the Council of Yukon First Nations. That is call to action 1.

When this government embarked on this reconciliatory work, relationships and trust with the Yukon First Nations with respect to child welfare services were fractured. I certainly remember, and I know many people remember, issues with Kwanlin Dün First Nation, in particular, and the concerns about the government management of child welfare services in conjunction with the approach that the Kwanlin Dün First Nation wanted to take many years ago. Those kinds of conflicts were done and seen over and over.

Child welfare is one of the hardest and most complex, highly sensitive areas of work for all governments. We're talking about the most important aspect of our Yukon communities: the safety and the well-being of our children.

Canadian Human Rights Tribunal ruling number 41 acknowledges that too many First Nation children were unnecessarily apprehended from their parents and their communities and suffered harms — their word, as well as the member opposite's — that included abuse and a loss of language or culture and a loss of attachment to their families. I don't know anybody who can imagine the loss of the attachment of a child to a parent, or to an extended family member or grandparent, and not be truly saddened by the thought of it.

The Canadian Human Rights Tribunal ruling number 41 states — and I quote: "It is time for a true paradigm shift in Canada so that we do not repeat history."

Over the last five years, the Government of Yukon has been shifting practices, as I've noted, and will continue to work with the Yukon First Nations and the Government of Canada to support long-term reform that will address these structural problems in the child welfare system.

That is what Bill No. 11 is attempting to do — and will do. I have great confidence that it will do. Bill No. 11 is an important step, as it will legislate some of the paradigm shifts, providing more tools to working with families in their communities and requiring that the least disruptive measures be delivered. It requires least disruptive measures. It requires focus on what is in the best interests of the child. It requires access to and consideration of First Nation families' expertise and First Nation communities' expertise.

I want to reiterate again the importance of Bill No. 11 being developed using a process of listening directly to and building understanding with Yukon First Nations and the Council of Yukon First Nations. This process has built trust and outlines our government's commitment to a true paradigm shift in the Yukon child welfare system.

I know this is a lot of information, but it's so critical to address the question of the member opposite, because it is about harm. It's about changing the opportunity for those harms to take place or for those harms to have been built into a system that was not responsive and was not putting children first in all of its forms.

The *Child and Family Services Act* steering committee — all members held the humility and the curiosity to learn from one another and to discuss complex situations and to make sound advice by consensus on these legislative amendments. When considering Bill No. 11, please remember that the relationship and the trust was built using this process with Yukon First Nations and the Council of Yukon First Nations. The expertise and voice of Yukon First Nations is held throughout the amendments. Any substantive amendment made in this House without Yukon First Nations should be thoughtfully considered, given the impact that this would have on Yukon First Nation children and families. And placing the voice and the perceived expertise of those Yukon First Nations and their expertise above or in, as advice to this government in bringing forward this legislation, was critical.

We continue the work primarily with Yukon First Nations and the Council of Yukon First Nations on the implementation of this act, which is why, as I've noted, the invitation has gone to build the implementation working group and the framework of how we will proceed, and then others of course will be invited.

I can turn more specifically — those in general, what we hope to be changes that will address the harm — the examples of harm noted in the question. I have outlined the training and the support for individuals who work in this complex and difficult area. The ongoing positions that have been put in place to support those individuals in this work is a true recognition of reparation and reconciliation.

Listening to First Nations' expertise, coming to the table with those governments and partners, listening and learning will, we hope, build a system going forward that is absolutely child-centred, First Nation expertise-centred in relation to their children and the concept of working for prevention and ultimately, if a child is taken into care, reunification always being on the table, and I can tell you from personal experience, that has not always been the case.

With respect to the harm in the example and the question, I can confirm that there was a true recognition of those incidents being harmful. They are not acceptable by anyone's standards. There have been changes in policies. We have worked particularly around transitions to make sure that youth are supported. Bill No. 11 is more than just changing the age from 24 to 26. It is truly about incorporating into the law the idea that individuals will be consistently supported in a way that has not been done before, not only financially, but supported through their transitions to life on their own or with friends or family. There have been policy changes and realignment of priorities and there have been apologies to youth, because I agree. I can tell you that individuals who work in this area in the department agree that apologies are truly critical to moving forward. Apologies, in my view, are at the end of the line of listening and learning and ultimately speaking about reparations and how to do better and move forward. The examples given by the member opposite, I think, were a number of years ago and I hope that she is asking: "Have we learned? Has the department learned from those experiences and learned a new way to do them?" The answer to that is yes.

If I could just have one moment to see if there is something else that I might be able to add. I do have more information about the transitional services, but I will stop there in case we get to that question eventually.

Ms. White: I thank the minister for that. To clarify, the minister asked for examples — I could use current examples, but I chose ones that were already publicly available, because I think that it is important not to dredge up other things at this point. I do appreciate the language that was used in talking about the requirements and how the new act will go forward. The reason why I was asking about apologies is making sure that either: (a) there are protocols to say how we deal with apologies; or (b) there are policies in place that say how we deal with apologies. The truth of the matter is that everybody can be tired at different points in time and social workers, front-line service providers are human. So, it is just about making sure that we have stuff put in place so that, instead of a staff member feeling vulnerable about taking ownership of those actions or maybe those words, they are supported in being able to do that. The minister and I agree that it is about listening and finding that path forward, so I just wanted to make sure that we recognize the importance of those apologies.

As a teenager, there were times when my folks and I got into it in a way that was unpleasant. If it wasn't for those apologies, we wouldn't have made it through. It's not going to be any different for any other kid in any other situation, so making sure that it is part of that shift of that culture in the department to allow mistakes to happen, to learn from them, and then to move on.

Moving on — I am going to move on. Can the minister give me a number of how many vacant positions are currently in the department in Family and Children's Services? Are there specific positions? They are all important, but are there specific positions that are vacant that she thinks are good to highlight? I would like to know them.

Hon. Ms. McPhee: I can indicate that I don't have that number with me. We will ask folks at the department if it can be provided. I am happy to circle back to it if there is another question I can answer in the meantime with respect to vacancies in Family and Children's Services.

Ms. White: I thank the minister for that. It's when technology is truly a marvel. I have a lot of questions, so there will be no shortage.

What I can highlight for folks who are looking for those numbers right now is: How many full-time social workers are there within the department? Out of those social workers, how many are dedicated to one community and how many are separated within communities? I am looking to know, for example, if there is coverage between two communities with one social worker. I am kind of looking for those numbers. So, just based on the minister's previous answer, I will just leave that in the world right now and hope that someone can get back to me.

When we talk about service delivery, I think it is important to note that, in order to deliver these services and resources to children and their families who are either in the care of the director or being supported by the director in other scenarios,

children and their families need to be consistently looped in with a social worker. I am really lucky in my current position that I have been learning from a social worker. Those skills that a social worker brings to a conversation are really critical. Having a social worker as a resource is vital for any family or any person who is in contact with the department.

Are there any plans to make sure that every community in the Yukon has a devoted full-time social worker?

Hon. Ms. McPhee: Thank you for the question. All Yukon communities with the exception of Burwash and White River First Nation have social workers assigned with responsibilities to those communities. First of all, I should stop for a second to say that we agree — the member opposite and I and the Department of Health and Social Services — that building a rapport and a relationship between a social worker and a community is critical and the support for children in that community is critical for an individual to build rapport and to build community and to participate in community events and those kinds of things.

All communities have a social worker assigned to do that work with respect to child and family services. The social worker is expected to reside in that community. We have housing for social workers to reside in each of those communities, with the exception of Carcross where there is no housing, so the individual travels to that community to do their work there. I should say that we also have mobile social workers that support — we're still working on getting numbers with respect to vacancies, but of course, social workers, being professionals, have been adversely affected by the COVID-19 pandemic and making sure that those positions are all filled. I can indicate that the mobile social workers support vacancies if there are some in those communities and/or if an individual needs to be away and those kinds of things. So, we do have mobile social workers to do that support work as well. I'm still waiting on getting some numbers and ultimately those numbers should also deal with the current vacancies. But I think that is all I have to address that last question.

Ms. White: I thank the minister for that. I'm also happy for it to come in a legislative return or it can be an e-mail to — I guess a legislative return is available to everyone, so maybe that's a good way. It doesn't have to be today. I have pages of questions, so we won't run out of time.

I want to better understand what the act means by including children in their case planning. It's fine to invite families and children for collaborative case planning, but what does that really look like? For example, what if a family lives in a community that's different from the child's?

Will the department cover the cost of travel and accommodations and/or lost wages to support the family to attend the case planning for the children in care? Do we want to do that physically, or are we talking about being able to do that remotely? Is the family able to bring their own advocate to these meetings, besides a lawyer?

So, what I want to know is: What does case planning look like? When we say that we want children and their families to be included in it, how do we make that happen? What does that look like?

Hon. Ms. McPhee: Thank you for the question. The short answer is — I will stay with the short answer. I am looking for a section reference. I might be able to add it in a moment.

But the collaborative planning process is child- and family-led. This is much different from the work that has been done in the past with respect to planning and a case plan going forward. That being said, it will be at the convenience of the individual child and family. So, certainly with the example given, if the family lived in another location but the meeting or planning process was going to happen in Whitehorse, yes, they would absolutely be assisted to attend or there could be virtual options.

They are able to invite anyone — I believe that it is section 7 that says that anyone can be invited. The question about whether or not they can bring their own advocate or any advocate — absolutely. Do they have to be assisted in order to connect with the Child and Youth Advocate? Absolutely. If they want to bring an advocate from their First Nation or from their First Nation support organizations or departments, that is all available and is child- and family-led. I think that this is the critical part of the amendments here.

In section 7, there are a number of changes. There is the replacement of things like the wording “family conference”, given that it was the practice in the past, but this is all about collaborative planning processes. Under section 7, with respect to naming “participants” — “When a family conference or other co-operative planning process...” — of course, that wording will be changed. Section 7(f) refers to “... any other person whose involvement would be of assistance in developing the plan.” Again, this is going back to the concept of being child- and family-led and their preference with respect to that. We can get into more specific wording if necessary, but I think the general question was: Will they be supported to bring people who will assist them in this process? Absolutely. Is the reference to being child- and family-led something that will be supported through the organization of that process? Yes.

Ms. White: I wasn't asking if it would be — because it says in the act over and over again that it will be led by the child and the family. Also, there are many amendments that change it to being collaborative and cooperative.

So, I mean, it's hard to miss those references when you go through it. You can see how that is inspired by systemic change. That was just more of trying to get an idea of what that would look like to make sure that the child and family can be involved. I do think that the last two years have taught us that, in some cases, we can do things both in a hybrid way — both physically and remotely at the same time. I think it's just then making sure that there is an office in the community, if someone is away, that can have it set up with the technology and the support so that a family, or whatever combination of people, can participate.

It's just, what could that look like? The minister doesn't have to give me any more on 7(f), because it's flagged — when we go line by line, just to talk more about what that supports or friend can look like, because that was the language there.

So, in the bill, children have the right to consult with a legal professional for private discussions. I'm curious as to what that

looks like. My hope is, obviously, that the department would pay for that service, but is there a series of lawyers who are prepared to work with children in this aspect? How do we make sure that the child knows that they have that ability to have that conversation? How does that pairing work? How is the cost covered?

I just want a better idea of what happens — for example, it's either triggered by the child themselves or how they are told and what that looks like when they are told that they have access to legal counsel.

Hon. Ms. McPhee: Thank you for the question.

There are a number of lawyers in the Yukon Territory who have some speciality in working as child lawyers or lawyers for children, and they are accessed if a child needs legal representation or wishes to have it. I should start by saying that they would learn about that right through work with their social worker. The social workers are required to provide that information to them.

I think that these current amendments to the *Child and Family Services Act* will expand a bit on the responsibilities for the department there, because being children- and family-leading through this process might require that children and/or the families might have differing points of view or differing perspectives that might mean that there will be more than one lawyer involved, if necessary. I should indicate that the Department of Health and Social Services would pay for the cost of this legal counsel, if they were wanted and provided for. I will also note that legal representation is one of the recommendations that came from the steering committee for a working group — to do more work on it, including reviewing resources for children, for youth, and for families and whether or not — how that work can be better done. It is also critically important that the advice is provided for in a culturally appropriate way, with recognition of cultural perspectives and the legal work in that context.

Costs, as I've noted, are paid for by the Department of Health and Social Services, and that's whether or not there's a court process. One of the things that Bill No. 11 anticipates is that we will be successful in working with families going forward so that children do not need to come into the care of the director. That doesn't mean that, during that process, they might not need some legal assistance or legal advice or legal interpretations of certain things. Of course, the court process kicks in when a child is brought into the care of the director and there are requirements in that context. Of course, legal representation is available and required then, but we recognize in the amendments to Bill No. 11 and amendments to the act that legal representation might be appropriate and required throughout the process, regardless of whether or not it's a court process and, lastly, that the working group will be looking at legal representation as a way to provide better service.

Ms. White: I thank the minister. That is excellent. It's important, and I'm not surprised that it was a recommendation, so I do appreciate that answer.

Moving on toward existing agreements and current situations for children and youth who may be in care, currently, we know there are a fair number of children under extended

family care agreements and in foster homes. This isn't a criticism; I just want us to acknowledge that is the situation. What is the plan to ensure that, while the act is being operationalized, these young people have equitable access to the resources and services that children in the future will have?

Hon. Ms. McPhee: Thank you for the question. I think it's — I'm going to address it in maybe two ways.

On the regulations, I'm going to talk about the coming-into-force date. I think that this is the way that normally things are transitioned. Regulations are not required to operationalize the proposed legislative amendments — so, Bill No. 11 — to the *Child and Family Services Act*, and at this time, there are no plans to draft new regulations, but policy work has been committed to and that work will begin in earnest on April 6, because we must move forward.

I appreciate that this bill is not likely to be passed by then, but nonetheless, it's important to consider the future work of the Government of Yukon, which will meet, as I've said, in early April to discuss the collective next steps to operationalize the legislative amendments and to determine when this *Child and Family Services Act* amendment should come into force.

Key policies are required to guide and support the Family and Children's Services staff before the amended *Child and Family Services Act* comes into effect. Our goal is to develop a process where the Government of Yukon and the Yukon First Nations collaborate to reach consensus on policy direction that carries out the legislative amendments and remains true to the spirit of the steering committee's recommendations.

It's our intent to have the key policies required to operationalize the amended *Child and Family Services Act* in place as soon as possible and bring the amended *Child and Family Services Act* into force in the coming months. That's the first part of the coming into force. I think the other question was — part of the question was about extended family care agreements and current children in foster care and equitable access to the provisions that will, we hope, improve things going forward.

Case plans are currently required for those children to be reviewed every six months. Part of the transitional process will be to review them on the schedule that currently exists and then amend those case plans going forward — first of all, having the full benefit of the new provisions as they go forward.

With respect to focuses, for instance, on the collaborative planning process and how that new case plan will be developed, over the last several years, we've taken significant steps to support extended family caregivers to ensure that more children in need of out-of-home care remain close to their families and their community and their culture.

In November 2017, we increased financial supports to extended family caregivers to match the funding levels that foster caregivers were receiving. That was a significant change, because there was no real justification for why it should be different, frankly. Then in October 2018, we increased all other supports and services provided to extended family caregivers to match those received by foster caregivers, including access to respite and alternative childcare services.

Then in September 2019, staffing positions were aligned to create a team of support workers for both foster caregivers and extended family caregivers so that those services could be better collaborated. In 2021, we continued along the trajectory by launching the caregiver strategy with the Council of Yukon First Nations to focus on the recruitment and the retention and the training for all caregivers, including extended family caregivers to really support them.

A significant part of this strategy is to work with individual Yukon First Nations to create community-specific initiatives to recruit and train and support indigenous caregivers, because having indigenous caregivers to support this process is absolutely critical to keep children connected to their community.

We're in the process of updating our assessment processes for caregivers to make them culturally sensitive and identify the unique supports that they need within their communities to be supported and to be able to support families.

Finally, our policies and child welfare practices for extended family caregivers will remove caregiver standards and requirements that were not successful or that failed to take into account consideration of the realities of life in rural communities. We are expanding the ability for extended family care providers to provide care for children in care of the director, as previously, placement was limited to foster care or group care. That is a benefit coming forward that will be available to families. I know that the question was about equitable access to these provisions. As I have noted, they will be transitional in nature.

I would just like to focus for a second on youth and section 16. I am not anticipating that this is a future question, but I hope the opportunity is there to focus on youth. Sections 16 and 17 of the *Child and Family Services Act* provide for agreements for support services for youth and agreements for transitional support services respectively and are currently used to assist youth and young adults. The corresponding case plans for these agreements are developed with the youth and often are led by youth through a collaborative planning process. Section 7 of the *Child and Family Services Act* requires that youth are included in these case planning processes and are provided with the opportunity to share their voice and choice in determining their case plans, including case plan goals, programs, and services that are required to achieve those goals where they live.

This is so important for a young adult who is learning to make their way in the world and supporting them through this process in a way that they understand that their voice is heard, that their support people can be brought into this process, and that they will be listened to and heard and supported in a way that doesn't have a black-and-white end date. This planning process can happen earlier. It is so critical to having them transition well and be supported.

The current legislation only lists four types of services that youth who enter into agreements for transitional support services are eligible for. Those are: counselling; independent living skills; education and training supports; and assistance to access education or community resources.

We've heard from youth, the advisory committee, and the steering committee that youth and young adults who leave the custody of the director of Family and Children's Services require additional supports. Accordingly, we amended section 10(2) to include seven additional services that youth and young adults will be eligible for, which include: support for or payment of living expenses; housing supports; youth and family mediation, which is incredibly important; treatment programs; support for or payment of health and dental expenses; support workers; and support for payment of tuition and expenses.

We also heard that youth who live with extended family members for a significant amount of time and cannot be reunited with their parents will require support after they reach the age of 19. The current legislation does not provide the director of Family and Children's Services with the legal authority to support these youth and young adults.

Bill No. 11 amends section 17 of the *Child and Family Services Act* to empower the director to enter into agreements for transitional support services with youth and young adults who spend at least two years with extended family members before they reach the age of 19.

National trends show that youth and young adults returning home following post-secondary education to live with their parents generally remain with their parents into their late 20s. We amended the *Child and Family Services Act* to ensure that we keep step with these national trends and provide support for youth and young adults who have left extended family care, or the custody of the director of Family and Children's Services, until they reach the age of 26 years.

I dare say, in COVID for the last two years, that those statistics might even be more exacerbated for young adults who are living at home or living with parents or extended family members.

We also understand that, in special circumstances, a young adult may need support beyond the age of 26 to reach their case plan goals, such as completing their post-secondary education. The legislative amendments here also provide the director of Family and Children's Services the discretion to continue to provide programs and supports to young adults beyond the age of 26.

I've taken the opportunity to review this because I think — I guess it doesn't matter what I think. What I'm going to say is that these changes alone, in response to what young people need to transition out of care and into their own lives, are so important, and they apply whether or not an individual was in care as a young child or later in life or into their teenage years.

But the responsibility that we have for young people who have been part of a child welfare system that has maybe responded to their needs, and maybe not, in the past is incredibly important, and I'm very proud of the work that has been done here with Yukon First Nations, with the Department of Health and Social Services, and with the Council of Yukon First Nations to not only recognize that these changes need to be made, but to recognize the importance of youth voices and to recognize that these transitions have to be discretionary so that they can be extended beyond the age of 26.

I've worked on situations myself where it was really black and white in the legislation and there was no opportunity for the director to provide services, even though they might be recognized to be beneficial to a particular child or youth, and we are trying to change that now.

Ms. White: I thank the minister for that answer. The last time that I was at home in my parents' house, I was 35, and it was between moving out of a rental and purchasing a home. We don't magically mature at 18 and finish everything, and so I do appreciate the discretionary nature of 26. Knowing that we will address things on a case-by-case basis, as required, is really important.

I have a great friend who is a product of the foster care system, and she did her master's actually on kids within the foster care system because, as an adult, she recognizes that she has a really hard time staying in one place. She has a really hard time staying in one place to the point that she is actually doing her PhD on a similar nomadic experience, because that is her experience from growing up in the foster care system. As an adult who now is very educated, she is still affected by her experiences in the foster system.

My next question has to do with data. The reason I use this fantastic friend as an example is that we know — because she has shared it very publicly in her master's thesis and will continue to share it — she was affected by the system. Are there plans to follow children involved with the department after they age out of the system so that we can understand and measure their outcomes against these changes in programs? For example, having a conversation with someone 10 years later is important. Having a conversation with someone as they become a parent is important.

I don't think we can truly track successes of something unless we follow it past when they are within the system. Is there a plan to do that kind of following? I don't want to say "following" because that sounds negative, but is there an intention for the department to walk alongside people as they age out of the system to find out what works and what doesn't work?

Hon. Ms. McPhee: I appreciate the question.

This is an interesting area of development of data. There is no current framework at the department for collecting such information and ultimately assessing it, but we certainly recognize that children's experiences — and, more importantly, often those transitioning into adulthood — are critical for understanding how to do all of this work better. I note that there is the quality assurance position that I noted earlier. I think that it is important to note that some of the aspects that they will be looking at will be something that could and should be measured.

There is an organization known as the Child Welfare League of Canada, and they have just done an interjurisdictional scan with the focus of youth leaving the child welfare system and transitioning into adulthood, which is not unlike what has been mentioned by the member opposite. The final report came out in December 2019. The Yukon did participate in that. It is a recognition of the structure of future research in this area. It sounds like the member opposite's

friend is certainly cutting edge with respect to the work that she is doing. It does, of course, look at trends across Canada and what we can learn from youth who are transitioning out of the child welfare system.

I actually believe that this is a critical time for us to be collecting data because of the shift that we have talked about — the transitional shift for how the child welfare system is responding to youth. I should also say that any of the pillars that need to be looked at with respect to collecting such data would be informed by the conversations with Yukon First Nations and will potentially be a topic for the implementation working group, because interrelated supports are the kinds of things that we have been talking about, particularly with respect to youth and how we should gather that going forward.

So, the short answer is not at the moment with respect to collecting such data, but I do — and my folks from the department here certainly recognize the work that is being done and agree that there's a shift, or an opportunity, to collect more data to inform what is recognized as certainly an evolving child welfare system.

Ms. White: I thank the minister for that. When I say “data”, I don't necessarily mean quantitative. It could be qualitative — like learning from people's experiences, I think, is really important. I will let my friend know that she is on the cutting edge of an emerging thing, which — maybe you'll hear from her in the future.

I do think that's important, as we look to make sure that our intention is hitting. Along that same measure, I want to know what measures — I'm going to try to get this out — what measures are in place, or will be put in place, to ensure that the intent of this bill is honoured? I say this because there are many progressive examples of doing child welfare differently. There is a risk of focusing solely on one aspect. I think there are times, honestly, where children do need to be in a different location. We can't just say the intent of this bill is to make sure that there are no kids in care. I don't think we can ever go that way. So, one of my concerns is that if we focus on just one part of what the intention is, that we miss the other holistic aspects of it, and by missing those holistic aspects, we actually can risk doing harm.

What stop-gaps or what measures have been put in place to make sure that we follow that intention? There is recognition that the words that have been put in this are really important. They have been chosen: “collaborative”, “cooperative” — and there's a long list of words that have been chosen, but each of those words has a legal obligation and a meaning behind it. They haven't just been put in there by happenstance; they are there on purpose. How do we make sure that the overall intent of this bill — recognizing all those things that the minister has said up to this point about the importance of changing how we do child welfare in the territory — how do we make sure that intention is honoured and we don't risk losing our way?

Hon. Ms. McPhee: Thank you for the question. Let me just say that I appreciate the recognition of the holistic approach of this legislation. We all agree that we wish we didn't need this legislation, but, in fact, it does protect children.

We must always look to the initial purpose of any piece of legislation and address it in that context. The purpose of this legislation is to protect children and to direct the operations of Family and Children's Services, pursuant to this legislation.

I just want to say that much of the cooperation and working with the Yukon First Nations will be part of this expertise as it develops, but their expertise in particular, with respect to the protection of children, is realistic. It has a realistic approach. We know this.

They — as governments, as community leaders, as communities — have the same obligation to protect children and will do so. Certainly, part of this going forward is the development of policy that will be critical to support the operationalization of this bill and the new legislation.

We have a quality assurance position, as well as a practice specialist, embedded in the department. It will be critical that the implementation working group build a framework for how we go forward in assessing the work of the department and the cooperation in relation to children and families and build a framework for assessing and monitoring the ongoing success of this piece of legislation going forward, because it is a significant change.

There is a provision for internal audits required annually in the work of the department, and they are required to do an annual report to the minister. There will be training developed and presented to the judiciary and to the members of the legal community who work in this area, or have an interest in this area, that will be to protect the purpose and intent in the court process, should a matter proceed to court, so that the purpose and intent of the legislation is happening at the department level and is happening in the work that is done with families and children and First Nations in relation to the collaborative planning process and is done should a matter enter into the court process.

Building a tool for assessing and ongoing monitoring will be a responsibility of the implementation working group, but recognition that, even prior to that, there is work to be done to make sure that the purpose and intent is communicated through the training that is done for staff and for others involved in this process, including the judiciary and legal counsel, so that the purpose and intent is respected at every level and ultimately assessed and monitored.

Ms. White: I thank the minister today for her willingness to go through a lot of ground, some of which I will repeat as we go through line-by-line debate. I absolutely appreciate having the officials here and that support. Of course, I am grateful for the work that was done behind the scenes to get us to this point. At this point in time, I have no more questions for Committee of the Whole.

Deputy Chair, seeing the time, I move that you report progress.

Deputy Chair: It has been moved by the Member for Takhini-Kopper King that the Chair report progress.

Motion agreed to

Hon. Mr. Streicker: I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Member for Mount Lorne-Southern Lakes that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. Tredger: Committee of the Whole has considered Bill No. 11, entitled *Act to Amend the Child and Family Services Act (2022)*, and directed me to report progress.

Committee of the Whole has also considered Bill No. 203, entitled *Third Appropriation Act 2021-22*, and directed me to report progress.

Speaker: You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: I move that the House do now adjourn.

Speaker: It has been moved by the Government House Leader that the House do now adjourn.

Motion agreed to

Speaker: This House now stands adjourned until 1:00 p.m. tomorrow.

The House adjourned at 5:23 p.m.

The following documents were filed March 28, 2022:

35-1-59

Child Rights Impact Assessment for Proposed Amendments to the Child and Family Services Act, letter re (dated March 7, 2022) from Annette King, Child and Youth Advocate, to Hon. Tracy-Anne McPhee, Minister of Health and Social Services (McPhee)

35-1-60

Apology for error during Oral Question Period, letter re (dated March 25, 2022) from Kate White, Leader of the Third Party, to Hon. Tracy-Anne McPhee, Minister of Health and Social Services (White)