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Chair: Elizabeth Hanson

STANDING COMMITTEE ON PUBLIC ACCOUNTS

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Vice-Chair: Hon. Stacey Hassard

Members: Darius Elias
Hon. Scott Kent
Patti McLeod
Sandy Silver
Jan Stick

Clerks: Floyd McCormick, Clerk of the Yukon Legislative Assembly
Allison Lloyd, Clerk of Committees

Witnesses: **Office of the Auditor General of Canada**

Jerome Berthelette, Assistant Auditor General
Michelle Salvail, Principal
Ruth Sullivan, Lead Auditor

Department of Justice

Thomas Ullyett, Deputy Minister
Robert Riches, Assistant Deputy Minister, Community Justice and
Public Safety
Tricia Râtel, Director, Corrections

EVIDENCE**Whitehorse, Yukon
Tuesday, June 9, 2015**

Chair (Ms. Hanson): I would like to now call to order this hearing of the Standing Committee on Public Accounts of the Yukon Legislative Assembly.

The Public Accounts Committee is established by Standing Order 45(3) of the *Standing Orders of the Yukon Legislative Assembly*. This Standing Order says: “At the commencement of the first Session of each Legislature a Standing Committee on Public Accounts shall be appointed and the Public Accounts and all Reports of the Auditor General shall stand referred automatically and permanently to the said Committee as they become available.”

On December 7, 2011, the Yukon Legislative Assembly adopted Motion No. 7, which established the current Public Accounts Committee. In addition to appointing members to the Committee, the motion stipulated that the Committee shall “have the power to call for persons, papers and records and to sit during intersessional periods.”

Today, pursuant to Standing Order 45(3) and Motion No. 7, the Committee will investigate the Auditor General of Canada’s report, entitled *Report of the Auditor General of Canada to the Yukon Legislative Assembly — 2015 — Corrections in Yukon — Department of Justice*.

I would like to thank the witnesses from the Department of Justice for appearing. I believe Mr. Ulyett, deputy minister of the Department of Justice, will introduce these witnesses during his opening remarks.

Also present are officials from the Office of the Auditor General of Canada. They are: Jerome Berthelette, Assistant Auditor General; Michelle Salvail, Principal; Ruth Sullivan, Lead Auditor; and Casey Thomas, who is the new Principal replacing Michelle, who will be leaving us as the Principal for the Yukon.

I will now introduce the members of the Public Accounts Committee: I am Elizabeth Hanson, the Chair of the Committee, and the Member of the Legislative Assembly for Whitehorse Centre. To my right is the Hon. Stacey Hassard, who is the Committee’s Vice-Chair and the Member for Pelly-Nisutlin. To Hon. Mr. Hassard’s right is the Hon. Scott Kent, the Member for Riverdale North. To my left is Jan Stick, the Member for Riverdale South. To Ms. Stick’s left is Darius Elias, the Member for Vuntut Gwitchin. Behind me is Sandy Silver, the Member for Klondike; and to Mr. Silver’s right is Patti McLeod, the Member for Watson Lake.

The Public Accounts Committee is an all-party committee with a mandate to ensure economy, efficiency and effectiveness in public spending — in other words, accountability for the use of public funds. The purpose of this public hearing is to address issues of the implementation of policies — whether programs are being effectively and efficiently delivered — and not to question the policies of the Government of Yukon. In other words, our task is not to challenge government policy but to examine its

implementation. The results of our deliberations will be reported back to the Legislative Assembly.

To begin the proceedings, Mr. Berthelette will give an opening statement summarizing the findings in the Auditor General’s report. Mr. Ulyett will then be invited to make an opening statement on behalf of the Department of Justice. Committee members will then ask questions. As is the Committee’s practice, the members devise and compile the questions collectively. We then divide them up among the members. The questions each member will ask are not just their personal questions on a particular subject but those of the entire Committee. After the hearing, the Committee will prepare a report of its proceedings, including any recommendations that the Committee wishes to make. This report will be tabled in the Legislative Assembly.

Before we start, I would ask that questions and answers be kept brief and to the point so that we may deal with as many issues as possible in the time allotted for this hearing. As to the time allotted, we are scheduled to meet from 10:00 to 12:00 this morning. We will break for lunch and then reconvene at 1:30.

I would also ask that Committee members, witnesses and officials from the Office of the Auditor General wait until they are recognized by the Chair before speaking. This will keep the discussion more orderly and allow those listening on the radio or over the Internet to know who is speaking.

We will now proceed with Mr. Berthelette’s opening statement. Mr. Berthelette, please.

Mr. Berthelette: Good morning, everyone. Madam Chair, I am pleased to be in Whitehorse today to discuss our report on corrections in Yukon. This report was tabled on March 5 in the Yukon Legislative Assembly. With me are members of the audit team, Michelle Salvail and Ruth Sullivan.

In this audit, we looked at whether the Department of Justice adequately planned for and operated the Whitehorse Correctional Centre. We found that the Department of Justice adequately planned the Whitehorse Correctional Centre. The facility was designed and built to meet the territory’s identified current and future needs for housing inmates. This included taking into account requirements for space to ensure the safe and secure custody of inmates and to meet program obligations for inmates. We also found that the department was working to address recruitment challenges and its reliance on overtime.

In addition, we looked at whether the department was meeting its key responsibilities for offenders within the corrections system, including inmates in the Whitehorse Correctional Centre and offenders under community supervision. The department is responsible for developing and providing access to programs and services to help prepare offenders for reintegration into the community.

The department is required to identify an offender’s rehabilitation needs and major areas of risk of reoffending. It is also required to use that assessment to develop a case plan for the offender. The case plan is intended to include

programs and services that address the offender's rehabilitation needs and major areas of risk of reoffending.

We found that the department is missing two key opportunities to better prepare an offender for successful reintegration into the community. The first is when the offender begins serving a sentence in the Whitehorse Correctional Centre, and the second is when the offender makes the transition to community supervision.

We found gaps in the case management of offenders in the Correctional Centre, and even larger gaps in the case management of offenders under community supervision. For example, in our sample, 88 percent of offenders in the Correctional Centre had case plans, but only 38 percent of offenders under community supervision had case plans. We also found that the department is not providing offenders with sufficient access to rehabilitation programs. Of the 21 offenders in our sample who were identified as needing core rehabilitation programs, 13 were not offered all the programs while they were in the Correctional Centre. Of those 13 offenders, 12 were not offered all the programs after their transition to community supervision. As a result, those 12 offenders completed their sentences without getting access to all the rehabilitation programs identified for them.

This finding matters because the primary goal of Yukon correctional services is the safe reintegration of offenders into communities as law-abiding citizens. By not doing all that is required to help offenders with their rehabilitation, healing, and reintegration into the community, the department is not meeting this goal. Addressing the problems we found in our audit will allow the department to improve offenders' chances for rehabilitation and better prepare them for successful reintegration into the community.

Madam Chair, this concludes my opening statement. I am happy to answer any questions the Committee may have. Thank you.

Chair: Thank you, Mr. Berthelette. We will be addressing questions to you and departmental officials. Mr. Ullyett, would you like to introduce your colleagues and make brief opening remarks?

Mr. Ullyett: Good morning, Madam Chair and members of the Committee. With me on my immediate right is Bob Riches, who is our ADM responsible for Community Justice and Public Safety. To Mr. Riches' right is our director of Corrections, Tricia Râtel.

We are pleased to appear before the Public Accounts Committee to respond to the audit conducted by the Auditor General of Canada during the examination period of April 2012 to March 2013. This morning we look forward to answering any questions that you may have for us. If you find our responses are not adequate or we do not have all of the information that you require, we are more than happy to provide that information to you in short order.

I would like to take this opportunity to thank the Office of the Auditor General for both their professionalism and their dedication during the course of the audit. We had a very cordial and professional working relationship with them, and

we have benefited through their audit and the subsequent report.

I would also like to thank all the departmental staff who were involved in the audit — and there were quite a number of them. As noted at paragraphs 13 and 14 of the report — that is on page 3 of the report — and as has been noted by the Assistant Auditor General this morning, the scope of the audit was really twofold — first, offender management, both those incarcerated at the Whitehorse Correctional Centre and those under community supervision; and, secondly, facility management — the day-to-day operation of the centre. As the Auditor General's report has indicated, there were gaps found with respect to the offender management side, which we hope to address this morning. On the facility management side, the Auditor General found that we, as you heard this morning, adequately planned for and operate the Correctional Centre.

I would like to speak just for a moment to some of the challenges that were occurring for us in the department in the fiscal year 2012-13. If we go back to April 1 of 2012, which is essentially the beginning of the examination period for this audit, we had just moved into the new Correctional Centre, which had taken place just a couple of weeks prior in mid-March. We were very much in a transition process. Our staff were getting accustomed to working in the new facility and implementing the many new policies that had been put into place. Our focus at that time was on the safety of correctional staff, the many volunteers who come into the centre on a daily basis and the inmates as well. So there were definitely capacity issues for us and competing priorities, and there were gaps, and which have been identified in the report.

I would like to speak for a moment to the operating environment that we find ourselves in in the correctional system here in the Yukon. I would like to emphasize — I would like to actually turn to pages one and two of the report because it provides a pretty good snapshot of the operating environment. For instance, during the 2013-14 fiscal year, for example, there were 732 admissions to the Whitehorse Correctional Centre and 1,003 individuals admitted on probation, whether they were serving probation orders or correctional sentences or bail orders. The majority of these were male and of First Nation ancestry.

During the one-year period from March 1, 2014 to March 1, 2015, 67 percent of the inmates reported that they were of First Nation ancestry. The average number of women in the Correctional Centre at any given time during the fiscal year 2014-15 was four.

We believe — and it is regularly estimated — that approximately 90 percent of Yukon offenders incarcerated or in the community have substance abuse issues and that there is a significant prevalence of mental health issues and FASD.

We have accepted the report's overall conclusions, both with respect to planning for and operating the Correctional Centre, as well as the conclusion that during the audit period we did not adequately manage offenders. But I hope that during the course of the questions this morning and our answers, you will see that we have addressed a number of gaps. We are continuing to do that and we have plans for the

future to deal with other gaps so that we meet the standards that have been set out in the legislation — the corrections act — and through our policy.

Madam Chair, that is the conclusion of my opening remarks and I would like to table at this time, if I could, a copy of my opening remarks. I will just hand that to the Clerk. Thank you very much.

Chair: We will ensure that the entirety of the tabled document will be appended in some way to the transcript of the hearing today.

We will be returning to a number of the matters raised by both you and Mr. Berthelette during the course of the questions that Committee members will be raising. As I said, each Committee member has been tasked with raising with you and/or the Auditor General a series of questions. I will start.

I would like to address my first question to Mr. Berthelette. I would ask, on behalf of the Committee, that you explain how the Office of the Auditor General selected corrections in Yukon as a matter for evaluation.

Mr. Berthelette: Madam Chair, we audit significant issues where we think an audit can add value and would be of interest to the Legislative Assembly. In the case of corrections, we noted that significant resources had been invested into construction of the Correctional Centre and that a correctional redevelopment initiative had been launched, including the new corrections act. We also noted the high crime rate in Yukon. We wanted to give the Legislative Assembly an assessment of where the department was at with respect to some of the key issues and key changes that were being made.

Chair: In paragraph 25 of the report, it says that the department did not meet the key requirements of the case management process for the offenders in their sample, such as offering the offenders core rehabilitation programs. This was particularly the case when the offenders were under community supervision.

This means that, when the offenders were under community supervision, despite two opportunities to do so, the department is not preparing offenders for successful reintegration into the community. It went on to say that this matters because more offenders in Yukon are sentenced to community supervision than incarceration, and it is particularly important that the department adequately support the rehabilitation of offenders who are under community supervision to reduce their chances of reoffending.

My question for the Department of Justice is: Of the 732 people incarcerated over years studied, how many of that number represent return-to-custody cases?

Mr. Ullyett: I don't have that number at my fingertips but, with your acquiescence, I will turn to my colleague, Ms. Râtel, and she may have that number. I am not sure.

Ms. Râtel: I am afraid I don't.

Chair: Could we ask that you undertake to provide that?

Mr. Ullyett: Absolutely.

Chair: My next question would be for the Auditor General. How did the Auditor General's office determine whether those in the sample had return-to-custody status?

Mr. Berthelette: As I understand it, the information is in the files that the audit team reviewed.

Chair: Does the Auditor General believe that it is important to maintain data on and report the return-to-custody status of inmates? A related question is: Did the Auditor General's office or staff ask or otherwise determine the numbers with respect to return-to-custody status?

Mr. Berthelette: The office believes that maintaining data on the number of offenders who have reoffended is important because it is an indicator of the justice system's success at reintegrating the offender safely into the community. In the Yukon justice system, information gathered in return-to-custody interviews could be useful to management because it could provide the offender's perspective on what aspects of the correctional system might be working well and where there might be areas for improvement.

In addition to using the information to manage offenders, reporting on the number of offenders who have been returned to custody is important because it demonstrates the department's performance in managing offenders.

With respect to your follow-up question, Madam Chair, we asked the department for statistics on the number of offenders who had been returned to custody, but they were unable to provide us with such statistics.

Chair: Thank you, Mr. Berthelette. I just got a note that I'm supposed to be recognizing you by name, so I will do that now.

Paragraph 32 of the Auditor General's report says: "We found gaps in the case management of offenders in the correctional centre. For example, case managers had completed needs and risk assessments on a timely basis for only 16 of 24 of these offenders. This assessment is supposed to form the basis of the case plan."

So Mr. Ullyett, why were needs and risk assessments completed for only 16 of 24 of these offenders, and why might plans not be done or completed? I have three or four related questions, so I'll put them out because I think they will fit together probably easier for you. What is required to improve performance in this area, and what is the rate of risk assessment now?

Mr. Ullyett: Maybe I could begin by speaking to the first sample that the Auditor General was looking at — looking at the files of 25 individuals who had been, during the course of the 2012-13 fiscal year, sentenced to 90 days incarceration or more, along with a period of community supervision.

I think perhaps the best way to answer the questions is to begin with your last question of what the current situation is, and for that I am going to turn to my colleague, Ms. Râtel.

Ms. Râtel: Corrections has had in place a system of quality assurance for quite some time. We were aware of the shortcomings before the audit even occurred, actually.

I conducted a quality assurance review to report to this Committee on current statistics, and I can tell you that risk assessments were completed 88 percent of the time. One of the other aspects of the audit found that sex offender risk assessments weren't done in a timely way. They are now being done 100 percent of the time. Custody case management plans were done 100 percent. Completion of the transition plan was done 100 percent. The development of the community case plans was done 84 percent, and the completion of return-to-custody interviews were done 67 percent of the time. You can see from the period of transition when the audit was conducted that we have improved our outcomes considerably.

Chair: Just for clarification, the rate of risk assessment now is 88 percent — 88 percent referred to what?

Ms. Râtel: I was looking at the audit statistics. It was 100 percent.

Chair: Does the department conduct intake interviews with all Whitehorse Correctional Centre admissions to determine if they have been incarcerated within a prescribed period of time — for example, six months, a year — prior to the current admission? If not, why not?

Mr. Ullyett: I will again turn to my colleague, Ms. Râtel.

Ms. Râtel: I am not certain that they asked that particular question upon intake. Even if they did, we do not have a database system to capture that information at this time. Collecting it, collating it and reporting on it would have to be done by hand.

Chair: Thank you, Ms. Râtel. The follow-up question on that would be that there wouldn't be any sort of sense of people coming back.

Ms. Râtel: With the integrated offender management process that we have in place, we do conduct return-to-custody interviews when people return. The purpose of that, however, is to determine what went wrong in their case management plan. While that wasn't being done in the period of the audit, it is being done now. That doesn't capture all inmates; that only captures the proportion of inmates who serve 90 days or more and have community supervision to follow.

Chair: Exhibit 2 on page 6 of the Auditor General's report indicates — and this is going to come back to the return-to-custody issue — that no return-to-custody interviews were conducted for those 14 files that required those interviews. The question is: Why wouldn't the department consider these important statistics to follow? You have indicated that you are doing that more, so just at that time.

So also the question is: Would this not be a method to assess what went wrong, or how do we reduce this number, in terms of the return to custody?

Ms. Râtel: I am sorry. I am not used to this process — I apologize.

The reason that we incorporated return-to-custody interviews into our integrated offender management processes was to determine exactly that. As we have stated, that period of time when the audit took place was a period of significant

transition and this was one of things that was missed. It is being done now, as I said. The last time I did a quality assurance review, 67 percent of the interviews had been done and it does help inform us as to why people are coming back.

Chair: So 67 percent — two-thirds are still not being done? Sorry, two-thirds are being done. Do other jurisdictions normally report return-to-custody statistics?

Ms. Râtel: Not that I am aware of.

Chair: Does WCC track how many return-to-custody individuals are as a result of breaches and conditions?

Mr. Ullyett: Madam Chair, I will turn to Ms. Râtel.

Ms. Râtel: I am afraid that we cannot offer statistics on that. We do not have databases that capture that information. The JEIN project, which you may be aware of, is underway and we are very hopeful that once that project is complete we will be able to report on those kinds of statistics.

Chair: Just following up on that then: What changes does the department need to implement to be able to report the full return-to-custody statistics?

Mr. Ullyett: I'll start, Madam Chair, if I could. My colleague has referred to the JEIN project, which is really a modern court registry information system that we are developing, and there are a number of modules to this system. A couple have been put into force and a couple more are yet to come. There is the criminal courts model and following that, there is the corrections module that will come into force. Through that modern electronic database, we should be able to address this, but again, I will turn to Ms. Râtel.

Ms. Râtel: I don't know that I have anything more to add. I can say that the JEIN project is also engaged with Statistics Canada and Statistics Canada is working very diligently to develop cross-jurisdictional indicators of these kinds of data elements that you are referring to. Once the corrections module is built and up and running, we will be working with them to develop those indicators, so not only will we be able to report on them, but they will be comparable across jurisdictions.

Chair: Can you give us a target completion date for this corrections module?

Mr. Ullyett: Yes, Madam Chair, 2017 is our current estimate. There are a number of assumptions built into that, but that is the current estimate.

Chair: In paragraph 38, the Auditor General's report says: "The Department also told us that it cannot provide all of the programming identified in the offenders' case plans." It's a pretty straightforward question: Why can't the department provide this programming?

Mr. Ullyett: There are a number of reasons. I'll begin and then turn to my colleague, Ms. Râtel. One of the reasons is the length of stay that we have offenders for. As I indicated in my opening comments, we have a length of stay that isn't particularly long — 60 days, I think, was the number that I provided. It can be very difficult, having done an assessment, to find out what the criminogenic needs are of any offender. It can be very difficult, if not impossible, within a 60-day period to get all that programming done. Of course, when there's a probation order, it gives that second opportunity to do it. But

that's one of the reasons, in terms of those who are incarcerated — the length of stay.

Unlike a federal institution — a federal penitentiary — where inmates are in the facility for a minimum of two years and sometimes much longer, we have a pretty narrow window to work with offenders. That's one reason, but I will ask my colleague to take it from there.

Ms. Râtel: This was a very interesting aspect of the audit for me. With every inmate who is sentenced over 90 days, we undertake a fairly comprehensive risk needs assessment. This scores individuals on an array of factors — everything from substance abuse, to whether they have a stable family, to whether they have a job, their education — a lot of static and dynamic factors. That risk needs assessment forms the basis for the case management plan.

During the audit, we did not have a policy in place that identified the primary or secondary needs of the individual. Because we did not have that policy in place, the audit assessed us on whether we had addressed every single item of need. Do you understand? What we have started to do — because this was, obviously, an area in which we could improve our practice — is identify what the primary need is and then what the secondary need is. This is particularly important for people who are incarcerated and have, as Mr. Ulyett said, very short periods of stay.

We are now targeting interventions much more effectively. I have some statistics on that for you, if I can find them.

Since we started — that's not the right page. Sorry, I'll just be a moment. I don't want to give you misinformation.

Yes, that's right. Our quality assurance findings from April 2014 through to March 2015 — we have identified that 87 percent of offenders had at least — no, wait a second. I'm reading this wrong.

One hundred percent of offenders had their primary and secondary programs identified through their case management plans, and — I'm sorry, I am reading this wrong again — 100 percent had their primary offender needs met through programming, and 71 percent had their secondary programming needs identified and met.

Chair: It sort of raises the next question: What is the purpose of identifying programming that cannot be delivered?

Mr. Ulyett: We have offenders for a period of time that includes both incarceration and then time in the community. As the report has pointed out, we do have these two opportunities to provide the type of programming they need to be rehabilitated. Certainly it is our hope that, during the course of incarceration and probation, we are able to provide all of the programming — all of the primary programming — that has been identified, if not the secondary. This is a little bit off of your question, but we do have with us material that shows the type and frequency of programming that we are now offering both within the Correctional Centre and in the community.

Chair: We will probably come back to that at some point. The next line of questioning has to do with who is

delivering the programs that are being delivered. Could you identify who delivers the programs that are being delivered?

Mr. Ulyett: The programs that are being delivered in the correctional facility and in the community are a combination of both staff and contractors. We have highly skilled staff who have received, for instance, training in sexual assault prevention behaviour and who are able to and do provide programming in that area. We have contractors who are very skilled in the addictions area. Recently we contracted with a well-known local social worker to provide programming in the Correctional Centre. Again, for a bit more detail, I will turn to Ms. Râtel.

Ms. Râtel: I don't think I have much to add. We have two program officers at Whitehorse Correctional Centre who deliver all of the core programming. In the community, the probation officers and counsellors deliver programming and, as Mr. Ulyett said, we have a number of contractors.

Chair: Again, for the department: Who measures the outcomes of these programs? What is being measured? How are the programs assessed for effectiveness? How is it determined which programs are working?

Mr. Ulyett: I will turn to Ms. Râtel for that response.

Ms. Râtel: Currently we are not evaluating the core programs. When we selected the core programs, we did research to select evidence-based programs. What this means is that all of these programs that are currently in place have been rigorously evaluated and proven to be effective, including within First Nation populations. We do not have the data or the infrastructure to conduct that kind of evaluative work at this point in time.

Chair: So there is not currently any evaluation of these core programs. Is there any inmate feedback as part of the proposed assessment? Is there no assessment ever planned for this?

Ms. Râtel: I wouldn't say that. I would go back again to our paucity of data, and once we have the data to conduct these evaluations, I would be very happy to undertake that work. I think it is an important thing to do and I look forward to conducting that.

Chair: Is inmate feedback part of that future plan? The question was: Once you have addressed the paucity of data, would it be the intention to provide inmate feedback on any assessment process or programming?

Ms. Râtel: Do you mean asking the inmates?

Chair: Yes, Ms. Râtel.

Ms. Râtel: We do get a lot of feedback informally from inmates about the programming. For example, we conducted a heritage, cultural and educational program recently, where sort of client satisfaction surveys were done. That was met with very high regard by the inmates. They thoroughly enjoyed it and they learned a lot from it. We are implementing a dialectic behavioural treatment program later in June, and part of that will be to do some client satisfaction surveys. That is terminology that I use to get feedback from the inmates.

Chair: Also in paragraph 38, the Auditor General said that the department is not currently prioritizing offenders'

most critical programming needs while they are in the Correctional Centre. This appears to be a management decision. The question is: Why are offenders' most critical needs not prioritized, and how do you meet offenders' most critical needs? What is the ability to provide unique or critical programming needs if it is not offered?

Mr. Ullyett: As my colleague alluded to just a few minutes ago, when developing a case plan — or a case plan is based on both a risk and needs assessment. A case plan is developed from that. As part of the case plan, there are primary needs and secondary needs that are identified. I am speaking to what has occurred since 2012-13, as opposed to what occurred during the period of the audit. Again, Ms. Râtel can probably speak better to what then follows, once those primary and secondary —

Ms. Râtel: I think I already answered this question. We implemented a process after the audit to identify primary and secondary needs of offenders and target programming more efficiently and effectively.

Chair: You indicated you had identified that, but you didn't say you had delivered that. That was the question, I think.

Ms. Râtel: Yes, we have. We have started doing that.

The last quality assurance process that I undertook found that 100 percent of clients had their primary and secondary needs identified in their case management plans.

Chair: Okay, we will come back to that.

I will now turn to the Hon. Stacey Hassard for the next series of questions.

Hon. Mr. Hassard: Thank you all for being here today.

In paragraph 41 of the Auditor General's report, it says: "We found that no transition plans had been developed for 6 of 24 inmates (25 percent). This means that these offenders — who had yet to complete their sentences under community supervision — were released into the community without a plan to identify what support they might need to succeed in making this transition. For example, one offender in our sample was noted as having a drug and alcohol problem and no job. Yet, he was released without a transition plan in place to deal with his identified issues."

The question would be: Why would offenders who had yet to complete their sentences under community supervision be released into the community without a plan to identify what support they might need to succeed in making this transition? Who would be involved from the community in the transition planning?

Mr. Ullyett: Paragraph 41 clearly identifies a gap in programming that was certainly evident at that time — in 2012-13. This has changed in the last two to three years. For instance, as of the summer of 2013 — I believe it was July of 2013 — we now have a transition worker who is funded — my colleagues will correct me — through CYFN. We have a transition worker who works with inmates to ensure that they do have a transition plan as they move from the restricted environment of the Correctional Centre into the community. I don't have the exact numbers of what the current status is, but I know that it is much better than what was referred to in

paragraph 41. We did not have a reintegration worker at the time, but for almost two years now we have had a reintegration worker.

Ms. Râtel: I would like to add to that if I could. I would like to explain what a transition plan means under our integrated offender management policy. What it means is that the case management team at the jail meets and has a case management meeting with the probation office that the client is being transferred to. All of these cases were cases where the person was transitioning from the Correctional Centre to the community. In our integrated offender management policy, we require staff to meet to go through what programming they have taken and what programming is outstanding. It is a measure that is taken to make sure that they don't fall through the gaps. The transition plan does not mean that we are solving all of their problems at that moment when they are transitioning back into the community.

It really means that we are collaborating within ourselves to make sure that everybody is on the same page and meeting the needs of the offenders. Again, I would say that we have improved significantly since the time of the audit. From April 1, 2013 to October 31, 2014, the compliance rates for the development of transition plans were 100 percent.

Hon. Mr. Hassard: I believe that answered part of the next question about whether it is a collaborative affair. I guess the question would be: Are Health and Social Services or Alcohol and Drug Services involved as well with non-Department of Justice officials in setting up the community plan?

Mr. Ullyett: I can answer that question directly Madam Chair by indicating yes, we work on an inter-agency cross-ministry basis. My colleague, Ms. Râtel, may be able to provide more depth, but — very much so — we work in a holistic framework to prepare the inmate for life in the community.

Hon. Mr. Hassard: Can the release of an offender be made contingent on a transition plan being in place?

Mr. Ullyett: Again, if I had to address that succinctly, I would say no, because an offender is there on the basis of a court order and when an offender is released from the Correctional Centre, this turns on at least a couple of things: first, what order the court has made; and second, whether there is any remission or other credits that may allow for early release.

Hon. Mr. Hassard: What is the correlation between the lack of a transition plan and a return to custody and what is the correlation between the lack of a transition plan and breaches resulting in a return to custody?

Mr. Ullyett: Madam Chair, if I could turn to my colleague, Ms. Râtel.

Ms. Râtel: Are you looking for a statistical correlation?

Hon. Mr. Hassard: Yes, I am.

Ms. Râtel: I am afraid I don't have that.

Hon. Mr. Hassard: Okay, thank you.

Moving on, in paragraph 43, the Auditor General's report says, "While we found gaps in the case management of

offenders in the Whitehorse Correctional Centre, we found even larger gaps in the case management of these offenders once they entered community supervision.” I believe Mr. Ullyett made reference to this earlier. “For example, 88 percent of offenders in the correctional centre had case plans, but only 38 percent of offenders in community supervision had case plans.”

So the question would be: Why would only 38 percent of offenders in community supervision have case plans? If you could, please explain why these case plans are so important, who is involved and who is monitoring them.

Mr. Ullyett: Well, there are a number of questions there. I suppose the overall question is: Why only 38 percent? Again, the fiscal year 2012-13 was a time when, rightly or wrongly, we were focused on getting the new facility up and running.

To be frank, programming was not given as much attention as it normally would have. As indicated in paragraph 52 of the report, we recognize that there was a gap. We recognize those numbers are not good. We recognize that we were not meeting the goals that were set out in the legislation. As a result, we have made changes.

My colleague, Ms. Râtel, could speak to the changes that we have made since the finding that’s in paragraph 43.

Ms. Râtel: Yes, as we’ve reported, the probation officers in the community are supposed to be delivering core programming. It wasn’t happening during the audit period. I can report that 84 percent of all files had case management plans done during our last quality assurance process.

What we have been focusing on since the audit is we have provided sort of refresher training for all the probation officers in the core programs. We have delivered facilitation training again to all the case managers and the probation officers. We have scheduled core program delivery, which we had done in the past, but this time we are incorporating it into the staff’s PPPs, so it becomes a hard deliverable. We are coordinating programming with WCC to ensure that if an offender didn’t get a program while they were doing a short stay in WCC there is a solid referral process to the community.

Hon. Mr. Hassard Two things out of that — I guess, first off, for a lot of people out there who may be listening or reading this, what is a PPP? Also, I don’t think you fully explained why case plans are so important.

Ms. Râtel: A PPP is a performance planning document — I couldn’t remember the acronym, sorry. It’s a performance planning document for staff.

Why is the case management plan so important? The case management plan identifies the underlying factors of an individual’s criminal behaviour. The most common one that we run into is substance abuse in the Yukon. Without assessing an inmate’s risks and needs, you can’t do a proper case management plan, and without doing a proper case management plan, you can’t appropriately direct people to referrals or to programming.

Part of the science of corrections is that you have to match a person’s risk level with the program intensity that they receive. For example, if we were to refer all low-risk

offenders to high-intensity programming, we would actually do more harm than good. So we have to be very careful in identifying what the risks and needs levels of offenders are and making the appropriate referrals to the right programs if we’re going to be effective in reducing reoffending behaviour.

Hon. Mr. Hassard So moving on, in paragraph 44, the Auditor General’s report says — and I quote: “We found that needs and risk assessments had not been updated as required by the Department’s policy; the information in the assessments was as much as five months out of date. This means that the probation officers were making decisions about the offenders’ supervision without up-to-date information.”

The question would be: Did this result in people being in breach of their conditions, and why was the department unable to follow its own policy with regard to updated needs and risk assessments?

Mr. Ullyett: Once again, I suppose I sound like a broken record, but this is yet another example of where we were not meeting the standard that we should have met. On the one hand, we were, as found by the Auditor General and as laid out in the report, doing a good job of operating the facility and had done a good job of planning for the facility. We were focused at that time, when the finding was made in paragraph 44, more on implementation of moving into a new facility and safeguarding the security of inmates, staff, visitors and volunteers.

Again, I know that my colleague, Ms. Râtel, would have more information on this point and in particular what we have been doing since.

Ms. Râtel: I was just looking for data on that and I don’t seem to have it.

What we have done since, quite frankly, is we hired a supervisor recently. This is pertaining to community corrections. We hired a supervisor recently and we implemented much more rigorous monitoring and quality assurance processes. We are on it.

Hon. Mr. Hassard The one part of the question that I didn’t hear an answer to is: Did this result in people being in breach of their conditions?

Mr. Ullyett: Madam Chair, that question is probably better directed to Ms. Râtel.

Ms. Râtel: I don’t think it would have, no.

Hon. Mr. Hassard Moving on to paragraph 50 of the Auditor General’s report, it says — and I quote: “We found that there were various reasons why the 12 offenders in our sample were not offered all the core programs identified for them. The most common reason the offenders were not directed by their probation officers to take the programs was that the programs were not available in the community where the offender lived.”

My question would be: Can this situation be rectified and what would be required to do that?

Mr. Ullyett: Madam Chair, this is something that we are addressing now. We have been planning for some time and are now putting in place additional probation services in the communities — namely, the addition of one probation officer in Watson Lake for a complement of two; likewise, in

Dawson City, the addition of a probation officer there for a complement of two.

Each of these twosomes — if I can put it that way — will serve the surrounding communities, meaning that the Whitehorse core group of probation officers will not have to travel as far and there will be more service if you are living in Mayo or Old Crow than under the current arrangements. So to answer your question — yes, it can be addressed; it is being addressed. I don't have the exact date of when we expect these additional staff to be on board, but it is something that we will monitor and then evaluate to see if it is actually making a difference, as we believe it will.

Hon. Mr. Hassard Since programs are not always offered or not available in the communities, do you feel that the department needs to ensure that programs are delivered to offenders prior to their release from the Whitehorse Correctional Centre? If you did, would that delay release from WCC and would that be fair?

Mr. Ullyett: My colleague, Mr. Riches, would be best placed to answer this question.

Mr. Riches: There is no way we can delay the release of an offender from Whitehorse Correctional Centre because they haven't received the programs, but we do believe that it is important to deliver these programs in the communities and we have a plan to address that, as articulated by Mr. Ullyett. As well, we do believe it is important to deliver as best we can inside the Correctional Centre, with the shortcomings that are there — sentence length and other matters as to why people may not want to, or be able to, attend programs in a group setting in a correctional centre for instance. It is important that we have a system in place in the communities for those programs to be delivered outside of the Correctional Centre as an offender continues into community supervision.

Chair: We will now turn to Ms. Stick.

Ms. Stick: I want to thank everyone for being here today.

Moving on, paragraph 51 of the Auditor General's report says — and I quote: "...the fact that offenders had little chance of being offered core programs while under community supervision makes it all the more important that the Department make the best use of its first opportunity to deliver the programs to offenders while they are in the correctional centre. Otherwise, as indicated in Exhibit 4, most offenders are not likely to be offered all core programs despite going through incarceration and community supervision."

My first question would be: Does the department agree with this statement? What is required to ensure that the offenders receive programs prior to their release from the Correctional Centre?

Mr. Ullyett: Again, as indicated in paragraph 52, which really speaks to the recommendation — the department does not disagree with paragraph 51. Even in an ideal world, it may not be possible to deliver all core programs for an offender, whether they are incarcerated or in the community, although what is critically important — as my colleague, Ms. Râtel, has indicated — is that a case plan is developed that is based on the needs and risks of that particular offender, and that there is

a categorization or prioritization of the type of programming that they require, both primary and secondary. I am not sure if I am hitting on your question directly, but again I think my colleague, Ms. Râtel, may be able to provide another layer of detail.

Ms. Râtel: We are bound by the court orders. We cannot hold somebody in jail any longer than a court order. The average sentence length for a male offender is 87 days with earned remission — that is about 60 days. The average sentence length for a female offender is about 30 days, and with earned remission that is 20 days. We have a very limited time for the majority of offenders to intervene with them. That is why we are now targeting program intervention more effectively than we were during the period of the audit.

I think what is important and where we do need to improve is delivering more programs in the community, and that is what we are focusing on now. As Mr. Ullyett said, we have a plan to put another probation officer in Dawson and in Watson Lake. Essentially they will be itinerant probation officers. They will travel to the communities for the purposes of supervision and delivering programming. The probation officer in Dawson City will cover Old Crow, Mayo, Pelly Crossing, Carmacks and Stewart Crossing. In Watson Lake, they will serve Ross River and Faro. The rest of the communities will be covered through the Whitehorse office as they are currently covered. This will be a bit of an experiment, of course, and we will have to monitor it very carefully as we go. We hope that this will fill the gap that was identified in the audit.

Ms. Stick: I know some of these questions might seem repetitive, but I think it is important to ask them because as we are asking them, we are getting more information. Thank you for that. I will carry on.

Paragraph 52 of the Auditor General's report contains the first recommendation. The recommendation is: "The Department of Justice should comply with its case management policies both in the Whitehorse Correctional Centre and in community supervision for the purpose of helping to rehabilitate, heal, and reintegrate offenders by: completing needs and risk assessments for all offenders; developing case plans and ensuring that they are reviewed and updated as required; developing transition plans for all offenders; and conducting return-to-custody interviews with offenders who reoffend and are returned to custody at the Whitehorse Correctional Centre."

The department agreed to the recommendation and added: "In 2012 and 2013, the majority of resources in the Corrections Branch were focused on transition to the new correctional centre and stabilization of operations. The Corrections Branch identified deficits in policy compliance through internal reviews and responded by implementing quality assurance processes."

We have heard about these. "These processes currently comprise biannual reviews of policy compliance for integrated offender management files in each of the aforementioned areas: risk assessments, case management and transition planning, and return-to-custody interviews. The Corrections

Branch will continue to monitor policy compliance, with an objective of achieving full compliance in the 2015-16 fiscal year.”

My first question is: As part of the planning for the new Whitehorse Correctional Centre, was a disruption to programming anticipated when doing the planning? Were there plans put in place to mitigate this disruption that you knew would be happening? If not, why not?

Mr. Ullyett: My colleague, Mr. Riches, was deeply involved in the planning for the new Correctional Centre and he would be best positioned to answer this question.

Mr. Riches: We did know that there would be a period of time preceding the opening of the Correctional Centre where we would have capacity issues in certain areas of the Correctional Centre and in community corrections. We planned to achieve a safe opening for staff and inmates. To do that, we needed to use resources that were available to us. Yukon is a small jurisdiction. We have a small number of staff in the Yukon and we weren't able to draw on resources from other correctional centres or other places to help us in the opening of the Correctional Centre, so our choice was to plan as best as possible a safe opening of that Correctional Centre for the safe operation of that Correctional Centre and to ensure our staff and inmates were safe inside this new building.

We essentially went from a Model T to a rocket ship in one day. In a move of prisoners, we prepared staff with training. The staff were very well prepared training-wise but, as far as capacity went, for the extra help, we had to give staff — in getting used to the operation of this new Correctional Centre over a period of months, we were challenged. To say we didn't predict it would be wrong. We did; we knew we would have those challenges, but it was a risk we had to accept. We felt that the resources used for the safe operation of the Correctional Centre and the safety of staff and inmates was the most important place at that time and we understood that there may be some shortcomings elsewhere.

Ms. Stick: You talked about a safe opening. Part of the next question is: Can the department specify the nature of disruptions? You spoke about a safe opening, so can I assume that to mean that you didn't anticipate the ability to provide programming during that transition into the new jail and into a safe opening?

Mr. Riches: We knew we could start to deliver some programs. We knew we could start to do some work inside that period of time, but we also knew that we would need to reallocate staff. We had staff absences. We had the predictable issues moving into a new jail with staff who were nervous — staff who were concerned about a new environment — even though we did a lot of work and renovation in the old Correctional Centre to prepare staff for the operation of the new Correctional Centre.

So over a period of months, there were things that took place around staff absences, staff getting used to a new computer-run Correctional Centre, and staff getting used to the implementation of new policies and the operation of that new Correctional Centre. We had to do safety drills to ensure that they knew where they were, how to evacuate in case of a

fire. These are all things that take a significant amount of resources, and we aren't able just to hire people for a moment and hire them for a couple months of work because of the amount of training required — six or seven weeks of training for a correctional officer to operate safely inside of a correctional centre and to work with offenders.

As I said, we knew there would be shortcomings. We knew that some programs may not get delivered and some case management may not get done, but we had to make a decision and the decision was made — I think the right decision — to ensure safe operation and that no one was hurt. We opened that Correctional Centre in one day. We moved all the prisoners from the old centre to the new centre. It was a safe opening. We operated without disruption — without labour disruption, without inmate disruption. It began to run, but there are technological hiccups in the opening of one of these new places. There are over 400 cameras. Every door is opened and closed by a central control centre. All these things were things that staff had to get used to.

Taking it all into consideration, we made a decision and, rightly or wrongly, we made the decision to ensure that we had resources available for the safe and orderly operation of the Correctional Centre for the first few months, and then began to transition when we could into more program delivery and concentrate on other parts of the Correctional Centre.

Ms. Stick: Did the problems identified in the Auditor General's report exist prior to 2012 when the transition planning for the new Correctional Centre began?

Mr. Ullyett: There were many problems with the former Correctional Centre — both serious physical plant issues, even with renovations that were made. There were programming issues as well that related to training of staff, that related to the physical layout of the building and that related to the movement of those in custody. So yes, there were issues with programming prior to the opening of the new facility.

I don't believe — and my colleagues may correct me — we had an independent assessment of what those were — at least not immediately before moving. There certainly were studies of the Correctional Centre in years past, but again, I think my colleague, Mr. Riches, could probably more fully answer the question.

Mr. Riches: Prior to the opening of the new Correctional Centre, we made attempts to begin to introduce staff to living unit supervision and to begin to introduce staff to program delivery in the old Correctional Centre. There were certainly challenges presented by space. We did deliver some core programs in the Correctional Centre prior to opening it.

To ask if there were problems in the old Correctional Centre — I would say yes, there were. There were big problems in the operation of the old Correctional Centre.

We had a building that was far less than ideal to operate and required significant staff resources in corridors. While we were training staff to prepare for living unit supervision, we had to increase our staff on duty. We expended a large amount of overtime while we went through that process to train staff

because we just couldn't hire a bunch more correctional officers. We relied on our own internal resources to be able to prepare ourselves for that, but I think that the operation of the old Correctional Centre presented a lot of challenges from its physical plant and also, just from the work that needed to be done with correctional staff, to train them in a new way of thinking and a new way of doing business in corrections.

Ms. Stick: The department's response to the recommendations from the Auditor General — one of the responses was: "The Corrections Branch will continue to monitor policy compliance, with an objective of achieving full compliance in the 2015-16 fiscal year." We are now in that fiscal year. Can you tell me how the department will know how full compliance is achieved and maintained, and is there a plan in place with clear measurable goals?

Mr. Ulyett: I would like to turn to my colleague, Ms. Râtel.

Ms. Râtel: Yes, we have implemented quality assurance processes. We are currently at 100 percent for risk assessment completion, case management plans, primary and secondary program delivery — I am trying to remember off the top of my head and I shouldn't do that. I think the return-to-custody interviews are at 67 percent. I think that is what I reported earlier.

We will strive for 100 percent. I think that bar is pretty high for any organization. We are almost there, though, and I am quite proud of the achievements that been made since the audit. People are doing their jobs and they are doing them well. We will continue our quality assurance practices forever and a day.

Ms. Stick: I am wondering if the department can tell us what programs are being offered and how frequently, and the number of participants who have been able to complete these programs? As an addition to that, how will that information continue to be communicated, not just to government or the Legislative Assembly, but to the public also?

Mr. Ulyett: We have that information with us. It is in graph — sort of pictorial format. We could certainly speak to it. We can table the document here, if that pleases the Committee. It speaks to the information we have, which Ms. Râtel can speak to in a bit more detail. It speaks to both what has happened in the past year, and what is planned for the current year, both within the correctional facility and in the community, as to types of programs. We don't have a copy for every member of the Committee, but I believe we have one that we could table here today and speak to, as you wish.

Chair: Thank you, Mr. Ulyett. We would appreciate it if you would table that, and then we can incorporate it as part of our review.

That brings Ms. Stick's questions to an end. We will turn now to Mr. Silver.

Mr. Silver: Thank you, Madam Chair. I would like to thank the department officials for their time here today and, of course, the OAG staff as well.

The Auditor General's second recommendation is contained in paragraph 53. It says — and I quote: "The

Department of Justice should ensure that its core rehabilitation programs are accessible to offenders in the Whitehorse Correctional Centre as well as in the community. This includes making sure that offenders who live outside of Whitehorse have access to the programs."

The department agreed with this recommendation. It added the following to the 2013-2014 transition period — and I quote: "...providing programming to offenders became a priority, with yearly program delivery planning and monitoring. Programming at Whitehorse Correctional Centre has increased, and statistics will be publicly reported beginning in the 2015-16 fiscal year. There continue to be a number of challenges with the provision of programming for offenders under community supervision orders. The Department will develop a strategy for addressing these shortfalls by the end of the 2014-15 fiscal year, with targeted implementation of initiatives in the 2015-16 fiscal year. The Department has increased capacity in Dawson City from a half-time to a full-time probation officer. The Department is now examining capacity in the Southern Yukon Territory with a view to increasing probation services in the new fiscal year."

I believe that Ms. Râtel has already offered an answer to my first question: Has the capacity to increase probation services in southeast Yukon been increased in this fiscal year as per the response from the department? I would also like to add to that question: Are these full-time probation officers based in Whitehorse or are they based in the communities they serve?

Mr. Ulyett: The two additional community probation officers who we are putting in place this fiscal year will be in their designated communities — an additional one in Dawson City and an additional one in Watson Lake.

Mr. Silver: What will be measured by the statistics to be publicly reported beginning in the 2015-16 fiscal year?

Mr. Ulyett: This is part of our now ongoing policy compliance reviews that we are doing. My colleague, Ms. Râtel, would be in the best position to answer this question.

Ms. Râtel: We are already publishing program statistics on the Justice website. I believe we put up the last quarter and we are just about ready to put up the last fiscal year. That is how we intend to demonstrate that we are improving our practices — by collecting those statistics and publishing them for everyone to see.

Mr. Silver: Will these measures consider the analysis used in the Auditor General's report?

Ms. Râtel: I'm sorry, can you repeat the question?

Mr. Silver: Absolutely. The measures reported by these statistics — will they consider the analysis that was used by the Auditor General's report?

Ms. Râtel: Yes, they will.

Mr. Silver: I believe you answered our next question as to how this information will be reported to the public and when. Obviously, you stated that it is available on the Justice website. Is there anything else you would like to add as far as content?

Continuing then, paragraph 57 of the Auditor General's report says — and I quote: "More offenders in Yukon are sentenced to community supervision than to incarceration ... Further, community supervision sentences are typically longer than sentences of incarceration. Therefore, it is particularly important that the Department adequately support offenders who are serving sentences under community supervision."

Despite this, it seems that most of the attention is focused on Whitehorse Correctional Centre and what occurs there. Does the department's focus need to change and shift more to what is going on in the communities, rather than what is going on at the Correctional Centre? Can the department please outline the specific strategies that are being implemented by the department to achieve this?

Mr. Ullyett: Our strategic approach with respect to both the correctional facility and the communities is to increase the variety of programming — in particular, core programming that addresses the criminogenic needs — and increase the frequency in both the Correctional Centre and in the communities.

Some of the ways that we're doing that — you have heard already that we are adding additional professionals to our complement of staff in the communities. That is one way we're doing it. Another way we're doing it is to provide additional training that has not been provided in the past or not recently to our probation officers so that they can better provide programming in the community, whether it is the Whitehorse community or the other communities in the Yukon.

My colleague, Ms. Râtel, can speak to exactly what that is looking like and will look like.

Ms. Râtel: Well, I think I already mentioned that we have already undertaken a process of providing refresher training for all of the program delivery staff and core programs. That occurred in February and March. We have already delivered more facilitation skills training. That occurred in March. We have been doing some competency development through peer review of core program delivery. We're going to supplement that with group supervision and videotaped sessions to provide staff with feedback on how they're delivering programming.

As I said, there has been clear identification of deliverables and expectations for referrals and programming for staff in their professional personal development plans. As I also said, we're coordinating programming scheduling between Whitehorse Correctional Centre and the community.

Mr. Silver: The next question was pretty much answered by your statement; however, I'll ask it as well. Is there a strategic and operational plan setting out the steps the department plans to take to achieve this? Is there a different approach to rural versus urban when you're talking about the programs and the training for your officers?

Mr. Ullyett: If I could begin by indicating that, in our departmental strategic plan, the programming that we provide to offenders in Whitehorse and in the community is addressed. From a sort of overarching perspective, this is very much a priority for us. As to whether there's a differentiation in the

programming between the communities and Whitehorse, again, I would like to turn to my colleague, Ms. Râtel.

Ms. Râtel: There won't be a differentiation between the programs themselves. How they're delivered will be the challenge. Most programs are between 12 and 20 sessions. To deliver them properly, you have to consider adult learning. You can't take a 20-session program, deliver it in two days, and expect anybody to retain it. I don't think this has been done before. As I said, we are going to have to pilot a few things and see how they work. It's going to be challenging. Our first challenge, of course, is recruitment of the probation officers. I understand we are getting a lot of applications, so I am hopeful that this will come to fruition.

Mr. Silver: I wish you luck with that. It does seem like quite an undertaking.

Paragraph 67 of the Auditor General's report says — and I quote: "We found that the Department delivered training on the cultural heritage of Yukon First Nations to only 2 of its 11 probation officers. The training was delivered in September 2014. The Department is required by the *Corrections Act* to provide probation officers with this training."

The *Corrections Act, 2009* was assented to on May 14, 2009 and was proclaimed into force on January 11, 2010. Yet, according to the Auditor General's report, the training was delivered more than four years later, after the period covered by the audit report. Why did it take this long to deliver the training on Yukon First Nation cultural heritage?

Mr. Ullyett: Madam Chair, my colleague, Ms. Râtel, would again be best placed to answer this.

Ms. Râtel: There are several things to discuss, I think, with respect to this. The first is that most probation officers who work in Offender Supervision and Services have bachelor of social work degrees from Yukon College. Part of that degree requires that they take an entire term of First Nation cultural training. It's part of their degree requirements. While we hadn't provided First Nation cultural training, our staff had training.

The second factor is that the training didn't really exist. There was very little training that is available on First Nation culture up until — and I'm going to turn to Mr. Riches because he was pivotal in having this programming developed.

Mr. Riches: I can't give an exact date but, through the Sharing Common Ground work that we did, one of the recommendations spoke to this kind of training for justice workers and RCMP. NISJ, Justice, RCMP and other partners delivered a two-day training program for First Nation culture and heritage. That program has now been delivered. Almost all of the staff in the Correctional Centre have now received it and we are working on getting through the probation officers. Right now, seven of the probation officers have received the program. We have another course starting in late June, I believe. We are working on getting it all done this year and completing it.

Mr. Silver: That does answer my next question of continuous intake. Maybe you can expand a bit on who is providing this training.

Also, is there is an alternative type of training through the degrees that these probationary officers are taking? I know that in education there is a process where teachers also need to have this similar training for First Nation culture, but you can apply and say, "I have already taken that course." Is there a similar process in corrections? Also there is the original question of who is providing this training that you are speaking of?

Mr. Ullyett: I can begin by indicating that 69 of our correctional officers have been trained in a new program that is offered by Yukon College and also a number — I believe it is nine — of our probation officers have also received this training. Seven — my colleague has corrected me. Seven probation officers have also been trained.

The training comes through a number of streams. We have partnered with the Northern Institute of Social Justice — when I say "we", I mean the department as a whole and, for that matter, other departments, including the Department of Education and the Department of Health and Social Services — to develop First Nation cultural training. We also have training that we offer to those who will work as correctional officers in the facility, as part of what we call our correctional officer basic training program. There is a First Nation cultural component there, so that is another stream that it comes to. It's sort of an orientation and on-boarding before you actually start working at the Correctional Centre.

In addition, there is the Yukon College program — if I could just expand on that for a moment — called Yukon First Nation history and cultures training. It is 16 hours in length. The partners in it are CYFN, the RCMP, Health and Social Services, and the First Nation Initiatives and Northern Institute of Social Justice at the college. This is a program that was developed in 2012 and it is one that our staff are now taking.

Mr. Silver: You mentioned the partnerships with CYFN. Are First Nation elders and community resource persons engaged as instructors?

Mr. Ullyett: That detail I don't know, but I believe my colleague, Ms. Râtel, can answer that.

Ms. Râtel: In our correctional officer basic training, our elders are involved in that orientation piece that Mr. Ullyett was discussing. They have been involved in it since the beginning.

Mr. Silver: Of the 11 probationary officers — I guess now 13, with the two new — on staff. How many were on staff during the audit period? Maybe if you could expand a bit on the turnover rate for probation officers in general?

Mr. Ullyett: Ms. Râtel would be best placed to answer that.

Ms. Râtel: During the audit period, we were down four probation officers in the community. Two of those were on long-term disability, or the equivalent thereof, and two had left for other job opportunities.

Turnover in the probation office is actually quite low. We have a number of staff who have been there for many, many years, and probation officers, I think, on the whole enjoy and find their work very gratifying.

Mr. Silver: I will move on to paragraph 69 of the Auditor General's report. It states — and I quote: "In addition to the lack of support provided to probation officers, the Department is not providing offenders under community supervision with adequate access to its evidence-based core rehabilitation programs. These programs are not offered in most communities outside Whitehorse. This is a significant shortfall, since half of the offenders in Yukon come from communities outside of Whitehorse." How long has there been a deficit in programming in the communities?

Mr. Ullyett: For quite some period of time — I can't put a number of years on it, but for a number of years there has been a deficit in program delivery in the communities. This is one of the many helpful aspects of the report. It has put a spotlight on this for us and focused our attention and our resources because, in fact, these two probation officer positions that will be hired into Watson Lake and Dawson City respectively — these are not new FTEs. These are reallocating our existing complement and taking a couple of positions that are here in Whitehorse and moving them into the communities.

Mr. Silver: I imagine Ms. Râtel wants to answer that question as well, Madam Chair.

Ms. Râtel: I would just like to add something. I don't want to leave the Committee thinking that if core programming wasn't being delivered in the communities, nothing was happening for offenders. One of the aspects of the audit that was not examined was referrals to alternative service providers. Where core programs may not have been delivered in the community, we were referring clients to ADS or First Nation-run programs, counselling, et cetera. I don't want the Committee to think that if they weren't receiving the core programming, then nothing was going on for them. We were availing ourselves of the resources that were available in the communities.

Mr. Silver: That is a good segue to the next question. Has the situation improved since the Auditor General's report was released?

Mr. Ullyett: I think the best way to answer that question would be to say that, yes, it is improving — meaning that as a verb. It has been improving, and it will continue to improve. I would like to correct the record, or make sure that we are not misleading the Committee in any way, in terms of the number of probation officers that we have. It is my understanding that the number of probation officers — the number of positions that we have currently is 11 — just so that is clear on the record.

Mr. Silver: I believe I was the one who led us astray by using the number 13. I assumed that these two probation officers in the communities were new, but they are in fact reassigned — their jurisdictions. How do we know — and can the department outline — what specific changes have occurred? What exactly has changed?

Mr. Ullyett: If I could turn to my colleague, Ms. Râtel.

Ms. Râtel: I feel like I'm repeating myself. We have made a lot of changes. We have been monitoring compliance with policy very closely. Our compliance rates have

improved. We have trained the staff and have them delivering more programs. I think we're well on our way to addressing the gaps that were identified during that period of time.

We'll be posting the statistics on the website in the near future. I don't know if I can provide anything more specific than that.

Chair: Just to clarify, I think the question had to do with specific changes that have occurred with respect to access to evidence-based core rehabilitation programming — so what specifically there.

Ms. Râtel: When I talk about training the staff and doing facilitation skills training — all of that was done to sort of bolster the staff and prepare them to deliver more programming. When I talk about the scheduling and the identification of clear deliverables for staff and their PPPs to deliver programs, that's what I'm talking about.

Mr. Silver: I'm going to move on to paragraph 70 of the Auditor General's report. It states — and I quote: "The Department is aware of some of the issues in community supervision that we have raised — for example, the lack of reliable physical space in rural communities outside of Whitehorse for probation officers to meet with offenders."

How is this lack of appropriate and safe physical space for probation officers and other department officials in communities being addressed?

Mr. Ullyett: We are working with the Department of Highways and Public Works from a space-planning perspective. Of course, that could take some time, but I believe that there are other changes that have been made more recently.

Again, my colleague, Mr. Riches, I think, can speak to this. He has recently been to both Dawson City and Watson Lake.

Mr. Riches: In Watson Lake, we are improving the space there for the addition of the staff. Also, we undertook a process over the last year of examining the available space in all communities in the Yukon. We have been concerned for quite some time — it's always in flux where our staff get to meet with offenders or a victim services worker to meet with victims around court circuits and other locations in communities.

We have worked over the last year to ensure that there is a space in each community for probation officers or victim services to work with their clients. Right now we can report that we have a spot for all of them, but what I can tell you is that it changes from time to time, as First Nations change space needs and cities change space needs. But at this time, we have a place for all of our staff to meet with their clients.

Mr. Silver: The audit of HSS found similar deficiencies with respect to safe, secure and private workspace for field staff, as identified by Mr. Riches. What efforts has the Department of Justice undertaken to work with HSS or Highways and Public Works to secure appropriate workspace for its probation officers? You pretty much answered that question already, so I will ask as well the next question. Do all probationary officers now have reliable physical space in the

rural communities outside of Whitehorse? Can you just maybe expand on where that space is as well?

Mr. Riches: Sorry, I can't give the detail. It varies, community to community. Some is with First Nation offices, some is with college space, and some is with Health and Social Services space. It depends on who is willing to give us space to work with our clients. Our clients aren't always the easiest people to find space for in order to service them because of whatever reasons that community members might have around fears or concerns of our particular client base. It is always a challenge for us in getting space in communities, but we have achieved that. Right now I can't tell you exactly where, though, for each community. I believe we have a list. I could supply a list to this Committee.

Mr. Silver: My last question before I pass off to one of my colleagues is: When you are looking at these spots, do you take into consideration access to the Internet or access into the government mainframe connectivity?

Mr. Riches: We do our best to ensure that our staff have the appropriate equipment and can connect to the appropriate services for them to do their work. It is very difficult for them to do their work otherwise. We do our best — I can't say that they always have the appropriate access — but the safe space is our priority as well.

Chair: Just one follow-up question, if I may.

Mr. Ullyett, you mentioned that you are working with Highways and Public Works to identify safe and appropriate physical space. Is there a target for when that plan will be completed for these rural workers?

Mr. Ullyett: Yes, there is a target, and I was thinking in particular of Dawson City and Watson Lake. I don't know what that space planning target date is, but I am looking at my colleagues to see if they have that information. We can provide that information if you would like. I don't think we have it in front of us today.

Chair: If you would provide that.

We will now turn to Mr. Elias to commence. He may get through part of his questions before we break for lunch. He has about 15 minutes and I will just let you know when we get there.

Mr. Elias: From a "model T to a rocket ship" is a sound bite, if I ever heard one. Thank you to the officials.

Most, if not all, of my questions have been touched on, but I think it is an opportunity to provide the Justice officials to expand on them, because I am going to ask them at a little bit of a different angle. We are going to be touching on internal reviews, compliance measures, probation officer services, staff turnover at WCC, MOUs between Mental Health Services and Corrections, and First Nation cultural and heritage training. For the most part they have been touched on, but I will endeavour to ask them from a different angle from the Auditor General's report.

Beginning with paragraph 71 of the Auditor General's report, it says — and I quote: "The Department also conducted internal reviews in 2011, 2012, and 2013 that assessed whether some of the same case management processes we looked at were being followed. Where we

looked at the same case management processes, we found weaknesses similar to those that the Department had found.”

Given that the department had conducted its own internal reviews and found weaknesses, why did those problems with case management processes still exist when the Auditor General conducted his review, and has the department done another review, looking at the previous outcomes?

Mr. Ullyett: The period in question concerns a period of time when we were quite engaged in the correctional review process, which of course was multifaceted, involving new legislation, the implementation of new legislation and working with community partners. There again, there was a period of time when perhaps our energies weren’t exactly where they needed to be. We made a choice, and we were focused on the development, the design and the building of a new Correctional Centre and, similarly, with the implementation of the legislation and making sure that we had done the appropriate consultations. We certainly were aware of deficiencies, but exactly what we did to correct those deficiencies, I will ask, Madam Chair, if one of my colleagues could answer this question — I think, in particular, Ms. Râtel.

Ms. Râtel: The reviews that you refer to are specific to integrated offender management processes. IOM, as we call it, was implemented as a pilot project. With many of our major initiatives that we undertake in corrections, we try to pilot things, and we monitor and evaluate them as we go along. Those two reviews were specifically looking at how we had implemented IOM.

Yes, there were deficiencies and yes, we continue to try to improve. I think that today we have statistics that are fairly good. There are many, many reasons why things weren’t being done up to our policy standards during that period of time. It was a period of time of huge transition, as Mr. Ullyett has said. We were implementing new programs, new policies and a new approach to corrections. We were going from a model of corrections that was really sort of 1950s to best practices. That is an awful lot of change for people to go through in a very short period of time.

I would say that some people embrace change and other people are quite resistant to it. Change management processes were undertaken. You try to bring people along, and some people come along and some people don’t. Whenever you are working with people, you know, they are not widgets on an assembly line, and you are never going to have, I think, full compliance in every aspect of your operations all the time. I think that is a bar that is set too high. However, I think that where we are today is laudable.

The hiring of the supervisor into offender supervision and services made a huge difference, because we don’t have computer systems. In other jurisdictions, you would be able to literally log on to a computer system and you would get a key indicator report that would tell you what percentage of your risk assessments were completed, what percentage of your case management plans were done, how many programs were delivered, how many people got referred to them, by risk level. There is all that kind of management information

available through good computer systems, but here we have to everything by hand.

That means we have to go into the files, we have to pull the files, we have to develop a code sheet and we have to mark off exactly what has happened and what has not happened. Until we had a supervisor in place, that was proving to be very challenging to do for the manager, who was also trying to run operations. So we have gotten better at our quality assurance processes because the supervisor is very engaged in that. I think we will get better still once we have a computer system that automates that process for us.

I don’t know if I really answered your question or not.

Mr. Elias: A follow-up question: What changes have been noted between the first internal review in 2011 and now? If the department has completed its internal review of the compliance measures taken to address the Auditor General’s recommendations, can the Committee be privy to those measures and what has been done?

Ms. Râtel: The statistics that I provided you earlier where I said that 100 percent of the risk assessments were completed and 100 percent of the case management plans have been done — I think 100 percent of the transition plans have been done, and 67 percent of the return-to-custody interviews — those are current statistics for today. So that is how far we have come. Okay?

Mr. Elias: Okay. Moving on to paragraph 74, the Auditor General recommends that — and I quote: “The Department of Justice should review its support for probation officers and identify the tools and resources — such as training and clear policies and procedures — that the probation officers need to help them in their case management of offenders.”

The department agreed to this recommendation. Its response to the recommendation said in part — and I quote: “The Department will conduct an exercise to identify and remedy any areas of policy that the probation officers feel are unclear at this time. It will also undertake an exercise to develop detailed procedures to accompany policies.”

Looking at the document that was tabled earlier, on pages — I believe it was 8, 9 and 10, there are approximately nine bullets that might help the proceedings if they were actually read into the record for the questions I’m about to ask here, because I think it’s going to be helpful in today’s discussion.

So the first question is: Can you provide more detail about this exercise and how advanced it is? Are there any results that can be reported to the Committee at this time?

Mr. Ullyett: During the course of the audit, probation officers identified several areas where they felt that they needed more support. That included some very basic functions that probation officers have to perform, such as writing reports for court, which is a critical function that they play. That was part of the reason that we hired a supervisor — Ms. Râtel has spoken about this — to provide more support to the front-line workers. The supervisor’s role is to help with offender case management and with the training and ongoing monitoring of quality and policy compliance.

In addition to that, Corrections' annual training plan identifies the training that probation officers actually need. As well, through the PPP process that my colleague has referred to, training is identified more robustly now than it was in the past.

I'm not sure that I hit the question head-on but I would be more than happy to have any supplementary questions.

Mr. Elias: I believe you answered my next question, so I'm going to move on to a question for the Assistant Auditor General here. There is much discussion of probation officers in the report. Why were caseload numbers for probation officers not reported in the audit?

Mr. Berthelette: I would like to refer the question to my colleague, Ms. Salvail.

Ms. Salvail: Caseload numbers are sometimes a good indication of the workload, but with that, comes the risk of comparing apples to oranges. Probation officers don't always manage the same type of offenders. Some of them do have to travel extensively to communities, so it's sometimes hard to compare. This is why, instead, we just focus on the tools and resources that they need to perform their duties.

Mr. Elias: I guess a follow-up question to this is to the Department of Justice officials: What are the current caseload numbers for probation officers in the territory?

Mr. Ulyett: Ms. Râtel would have those caseload numbers.

Ms. Râtel: On average, there are about 45 per probation officer at this time. I would like to say that these are among the lowest caseloads across Canada. Cross-jurisdictionally, probation officers in other jurisdictions have caseloads of 90 to 120.

Chair: I think I will take the moment now — it's 11:57, so we'll break for lunch. The plan is that we would resume at 1:30 and go until 3:30. We are doing well; we are more than halfway through our questions. Is that okay with you, Mr. Elias?

Mr. Elias: Absolutely; yes.

Chair: Thank you. We will see you all at 1:30.

Recess

Chair: Well, we are one minute in advance of 1:30, so why don't we recommence the hearing. We left off with Mr. Elias, so I will turn it over to you, Mr. Elias.

Mr. Elias: Moving right along, the Auditor General's fourth recommendation is found in paragraph 75. The Auditor General recommends that — and I quote: "The Department of Justice should provide training in First Nations cultural heritage to all probation officers." The Department has agreed to the Auditor General's recommendation. In its response, the department said — and I quote: "The Yukon First Nations History and Cultures training was developed to meet strategic government recommendations and commitments. The government necessarily prioritized delivery of this training, and it was first made available to the Corrections Branch in the fall of 2014. The Department is committed to providing this training to all Corrections frontline staff: correctional

officers and probation officers. The Department has already moved ahead on this commitment and will complete this objective by the end of the 2015–16 fiscal year."

As I mentioned earlier, this is one of those questions that was touched on already — but to provide the department officials the opportunity to expand on this — understanding that First Nation cultural heritage training is, or can be, complex and multi-faceted, to say the least, can the department describe what training has been offered or is provided to probation officers at this time?

Mr. Ulyett: This is an area that we have been working on fairly diligently over the past couple of years and its companion piece — I know this isn't the question — of what First Nation programming is offered for offenders. With respect to staff, their initial training that they would receive — many of them come to us with training with respect to First Nations. If you just think about the Truth and Reconciliation Commission report, one of the recommendations is training for Justice staff with respect to First Nation history and culture. As I say, many of our staff come with that training.

However, everybody who works at the Correctional Centre goes through the correctional officer basic training program, which includes a component of First Nation training, and then there is other training, which my colleague, Ms. Râtel, could speak to, that is offered once they are in the employ of the Correctional Centre. In addition to that, because there is a considerable amount of First Nation programming at the Correctional Centre, staff are exposed — and I am speaking of the Correctional Centre here — on an ongoing basis to cultural practice and history and so on. I believe my colleague, Ms. Râtel, could add to this.

Ms. Râtel: We have trained 69 correctional officers in this First Nation history and cultural training so far, and seven probation officers. The next offering is in June, and there is another one in September and a third, I believe, in mid-December. I feel confident that by the end of this fiscal year, everyone will have been trained.

If you want details on what's in the course itself: it covers residential schools; there's a heritage and cultural presentation; there's a section on clans; status and non-status; world views; and there is a self-government component to it. They rely heavily on the CYFN Yukon First Nations cultural orientation and protocol toolkit, which is an absolutely fantastic binder of information. They go into contemporary topics such as realities of First Nation communities and common misconceptions. They discuss integration into communities. They talk about how to identify, engage and utilize First Nation resources to better serve First Nation clients and communities. There is a lot of scenario-based work that is undertaken, and it is 16 hours of very thoughtful and thought-provoking training.

Mr. Elias: The effectiveness of the training — for example, its absorption into the operating culture of the organization — is affected, obviously, by many factors. One of them is the turnover rate of staff. The Auditor General's report indicates that the Whitehorse Correctional Centre has 80 full-time employees. I am going to ask a couple of

questions in concert here. Since opening in 2012, what has been the staff turnover rate at the Whitehorse Correctional Centre? How many auxiliary-on-call employees work at WCC?

Mr. Ulyett: There is a regular turnover of correctional officer staff. There are many reasons for that — it is a 24/7 facility — not the least of which is the impact on an individual and their family of working shiftwork all the time. We have noticed that many of the new correctional officers use the correctional officer training and experience as a jumping-off point into other enforcement-related careers. It could be Parks Yukon or it could be the RCMP. I am speaking of permanent employees.

If you are an auxiliary on call, it can be very difficult, as with any 24/7 facility, for the simple reason that you don't know one day to the next whether or not you are working.

Ms. Râtel: would have the exact numbers, but we do have quite a regular turnover. The good news is that, while people leave for a number of reasons, we get a regular flow of people coming in. I believe the numbers — and Ms. Râtel could correct me — show there are about 25 or 26 people in a recent fiscal year — it might have been last fiscal year — in new hires at the Whitehorse Correctional Centre.

Chair: Ms. Râtel, would you like to clarify the staff turnover rate at Whitehorse Correctional Centre and the number of AOCs?

Ms. Râtel: We did hire 23 new correctional officers — I am sorry, I can't do the math in my head to figure out the rate — 15 of which were male and eight were female.

Chair: Excuse me, the second point — I believe the question was about the staff turnover rate since the opening, so the rate is usually on an annualized basis.

Ms. Râtel: I am sorry, I don't have that. I can tell you that we regularly run two recruiting endeavours each fiscal year. The turnover rate at Whitehorse Correctional Centre is sufficient that we probably hire 10 to 12 new staff a year.

Chair: The second part was the number of auxiliaries on call working at WCC.

Ms. Râtel: The rate of AOCs fluctuates dramatically depending on our hiring. We have probably 25 or so currently.

Mr. Elias: I had two related questions to this, but you have answered them quite thoroughly so I will move on to the last question.

The Auditor General's fifth recommendation is found in paragraph 79. The Auditor General recommends that — and I quote: "The Department of Justice should continue to work with the Department of Health and Social Services to collaborate on providing mental health services to offenders who need them." The department has agreed to the recommendation. In its response, it said, in part, that it — and I quote: "...intends to enter into a Memorandum of Understanding between its Corrections Branch and Mental Health Services within the Department of Health and Social Services by the end of the 2015-16 fiscal year. The Department of Justice is committed to working collaboratively with the Department of Health and Social Services and to

developing a protocol to better meet the needs of common clients."

What progress can the department report on the development of this memorandum of understanding? Can department officials go into any detail here in Committee with regard to the subject matter that is included in the memorandum of understanding, including any outcomes or expectations that they hope to achieve through the memorandum of understanding?

Mr. Ulyett: I will turn to my colleague, if I could — Ms. Râtel.

Ms. Râtel: We have been working to create a memorandum of understanding in various departments — with Health and Social Services — with an aim to collaborating more effectively on our common clients. We approached Health and Social Services — I think probably a year ago — about an MOU with respect to mental health. At that time they were in the middle of doing some internal reorganization, so they asked if we could revisit that when they finished it. I believe it is going to be on the agenda for the next June deputy ministers meeting, which is coming up in June. I can't report on it right now, but hopefully in the near future we will be able to.

I can say that we have developed memoranda of understanding with Alcohol and Drug Services, which are working phenomenally well. Corrections and Alcohol and Drug Services are probably working more collaboratively and more effectively than they ever have before. We have also just launched a complex needs pilot project, part of which is a memorandum of understanding with Adult Services. The complex needs pilot project is about us assessing offenders for cognitive deficits and using those assessments to inform case management planning and also to do case management in an integrated fashion with Health and Social Services. We have just launched that pilot project and I am very hopeful that will be successful.

Chair: We will now move to Ms. McLeod for questions.

Ms. McLeod: Paragraph 86 of the Auditor General's report says that the department faces challenges in meeting its obligations under the *Corrections Act, 2009*, regarding First Nation programs — and I quote: "Department officials told us that there are significant capacity issues both within the Department and within the First Nations communities to participate in developing and delivering programs for offenders. Further, the core programs that the Department delivers are the intellectual property of other jurisdictions and therefore cannot easily be modified. Finally, there are 14 Yukon First Nations with cultural distinctions that must be respected."

How can these challenges be overcome and what is Corrections doing to remove barriers?

Mr. Ulyett: This is clearly a challenge, but it is one that we are meeting. We are very much aware that the First Nations of the Yukon have their own unique history and have their own unique culture, and our challenge is to try to meet that with respect to programming generally as well as the

needs of any individual inmate, depending on which First Nation they belong to.

One of the challenges is that the intellectual property of the program they are currently using is the property of another jurisdiction. It is difficult to change that program, if not impossible, without the consent of the third party. However, the program we are using has had some rigour applied to it. It has been evaluated and developed over a number of years.

The department has put out a tender recently for program development and has also entered into a contract with Mr. Andy Nieman to help us deliver and develop programming for First Nation offenders. I believe in this Chamber and before this Committee, Mr. Nieman is well-known as a member of the White River First Nation.

The department has also initiated strategic planning with CYFN to best determine how to better advance this challenge. Of course, we are always mindful of the overrepresentation of First Nations in our offender community. That was certainly taken into consideration when the Correctional Centre was built. For instance, I believe that some, if not many, members of the Committee have seen the Correctional Centre — for example, have seen the healing room that was very much First Nation inspired. The legislation, of course, is very much informed by the fact that First Nation culture and history are very important. In fact, in one of the opening sections of the corrections act there is a clear direction to the department to ensure that we work with First Nations to develop appropriate programming.

In speaking of the legislation, the legislation came into force in 2010 and was developed through a pretty extensive consultation with all First Nations in the Yukon. In addition to that, there are a number of measures that we take as part of our regular programming to try to make sure that we have appropriate First Nation programming.

Madam Chair, if you don't mind, I will just list a few of them: incorporating traditional foods into the menu at the Correctional Centre; supporting the development and implementation of First Nation land-based healing camp; and, in that regard, making referrals for appropriate offenders to Jackson Lake. We have established and we have an active elders advisory board. They play an ongoing role in the Correctional Centre, providing counselling, being a presence and providing teachings.

We have a number of workshops that are offered on a pretty regular basis at the Correctional Centre, such as beading, drum-making, carving, spirit rattles and the handling of hides. We also offer two First Nation language courses. We are proud to have — and have had for many years — a satellite campus of Yukon College right in the Correctional Centre and they deliver heritage and cultural essential skills to offenders. We incorporate some traditional medicines into the health services unit that is right in the Correctional Centre. We also have a library at the Correctional Centre that does have a small collection of First Nation books.

Those are some of the things we do to bring First Nation culture and history into the programming at the Whitehorse

Correctional Centre and try to imbue the entire environment with a First Nation presence.

Ms. McLeod: I know we have talked a bit about this next question already, but I ask it for any additional information that we can garner.

Given that the majority of offenders in Yukon are male and of First Nation descent, and half are from communities outside of Whitehorse, what is the department doing to address the requirements contained in the *Corrections Act, 2009*? Do you have anything to add to what you have already said?

Mr. Ullyett: I would like to have Mr. Riches address that question.

Mr. Riches: I think that the work we do with the elders is an important piece of work. The elders who we have there are from other communities in Yukon, some from Old Crow, some from other areas in the department, and some from Teslin and Carcross. They are very active in the Whitehorse Correctional Centre. They volunteer. They come there and talk to our staff and our recruits. They are available. The work that we do with them and the advice they provide us is really helpful. They have a very calming effect on the Correctional Centre as well when they are in there working with the offenders and dealing with some of the higher risk offenders from time to time. I think the work with the elders would be the one piece that I would add to Mr. Ullyett's previous statements about what we are doing for First Nation offenders. It has been effective.

We had the elders group in place prior to moving to the new centre. They were part of the closing down of the old one and the opening of the new one. They provided advice on the healing centre and what it looks like. They provided advice on the fabric of the Correctional Centre and what it would look like. They are working with us now on programs. We are talking to them at the meetings about what our programs look like and they are providing us with advice.

We also have a contract now with Council of Yukon First Nations for a reintegration worker, who worked in Ross River for quite some time and involves himself in the reintegration of offenders into communities in Yukon. We have a small fund of money that offenders can apply for through him to assist them in reintegration into the communities, so that is another piece of work that we are doing with First Nations and communities.

Chair: I would like to do a follow-up, if I may, with respect to the elders. Are there any protocols in place with respect to elders who, as you say, volunteer and provide support to inmates, such as protocols with respect to the searching of elders — the elders who participate in the searches of their belongings as they come into the facility?

Mr. Ullyett: Certainly in terms of providing a safe environment, we do have considerable policy that we follow in terms of people who enter the facility, no matter who they are. As to exactly how we are treating the First Nation elders, again I will turn to Mr. Riches to answer that question, if you will allow that.

Mr. Riches: The elders have all received training from us on the security issues and some things they might run into in the operation of the Correctional Centre and some requests that might be made to them by offenders that may lead them into some problems, so we provide training and support to them.

If we receive information — we would have to deal with any person entering the Correctional Centre the same way if we have information that they may be importing contraband or another substance into the Correctional Centre.

I am happy to say that that is something that hasn't happened with elders and for the most part, the relationship has been excellent. There have been times when an elder has been searched upon entering the Correctional Centre. Appropriate care was taken and the search was undertaken, but for the most part, it doesn't happen — but it has happened.

Chair: So there are no protocols with respect to —

Mr. Riches: Report protocols, yes.

Chair: The report protocols deal with searches? Or what do the protocols deal with?

Mr. Riches: They deal with training. The elders are instructed in the protocols about what to bring into the Correctional Centre — what they can, what they can't. It has been clarified in the last year or last year and a half again what elders can bring in and not bring in to the Correctional Centre. There are protocols and the elders are trained in those protocols.

Chair: Perhaps what we're seeing is a bit of an interesting use of language because I am thinking about cultural protocols and you are speaking about corrections protocol. Does the protocol that you speak of address the cultural protocols that might apply to an elder with a cultural perspective coming into the corrections facility?

Mr. Riches: Yes, the protocols are developed with the elders and with the elders committee. Everything we do, the elders are aware of and the committee has approved it, so the cultural — if you want to call them protocols — and cultural accommodations are made when working with the elders on every aspect of the work in the Correctional Centre.

Ms. McLeod: In the 2013-14 fiscal year, WCC had 732 admissions — and I apologize if we are reiterating some stuff here. This included both remanded and sentenced individuals with a staff complement of 80 full-time employees. The offender supervision and services unit had 1,003 admissions of individuals on probation orders, conditional sentences and bail orders, with a staff complement of approximately 16 full-time employees. Given that the *Corrections Act, 2009* is intended to provide a responsive approach to corrections that pairs the protection of society with the promotion of rehabilitation, healing and reintegration of offenders, is the department organized appropriately to meet the challenges the department faces and are the resources appropriately directed to deal with them?

Mr. Ulyett: Through the correctional redevelopment process, which is multi-faceted and over a number of years, beginning in the mid-2000s, we had an opportunity to look at and examine a number of things, including appropriate

staffing levels and allocation. But more fundamental than that is our overall approach and philosophy to corrections because that then drives where you need staff, what type of staff you need and how many staff you need.

In my view, we have had a good opportunity and a very public opportunity to do that and we have been given direction by the Legislature through the budgeting process. Generally speaking, we feel that we are adequately equipped, both in terms of a budget and number of staff, to provide the programming that is required in the community and in the correctional facility. Our challenge is to make sure that the allocation is used in a wise and efficient way. This is one of the reasons that we are appreciative of the report because it has given us an opportunity to have a close look at how we are allocating the resources that are provided to us.

Ms. McLeod: In paragraph 87 of the report, the Auditor General says — and I quote: “We found that the Department has made some effort to incorporate First Nations cultural heritage into its programs.”

Later in the same paragraph — and I quote: “However, we found that the Department has not adapted its core rehabilitation programs — for example, Respectful Relationships — for offenders who are Yukon First Nation members. Further, it has not assessed whether these core programs meet the needs of Yukon First Nations offenders.”

What will be required to adapt core rehabilitation programs for offenders who are Yukon First Nation members and assess whether adapted programs are meeting the needs of offenders? When will this be addressed? Will First Nations be involved in addressing this as partners?

Mr. Ulyett: I would like to turn this question to my colleague, Ms. Râtel.

Ms. Râtel: The core programs that we adopted as we moved through correction redevelopment are evidence-based. They have been very rigorously evaluated in other jurisdictions and have proven to reduce reoffending rates. Most of those evaluations included looking at whether they were effective with First Nation offenders.

What I would like to say is that core programs are culturally neutral. If you understand the psycho-educational nature of the programs, they are developed so that they can be delivered to anyone, regardless of their culture, religion, et cetera. They are the intellectual property of other jurisdictions, so it is not as if I could take “Respectful Relationships” and jam additional material into it that was Yukon-specific. However, I do look forward to being able to evaluate those programs on our own offender populations. When we have the databases and infrastructure in place to do that, I will happily embark upon that. Actually, I am very passionate about knowing that things are working and working properly.

Another thing that we do want to do, however, is consult with First Nations to have them identify what culturally relevant programming is. That is not an easy question to answer, if you really think about it, and if you really think about addressing the underlying factors for criminality, it is going to be a very challenging process. We do intend to undertake consultation across the Yukon on this subject.

Ms. McLeod: Thank you for that. The Auditor General's sixth recommendation is found in paragraph 88. The Auditor General's recommendation is that: "The Department of Justice should take steps to address the challenges it faces in delivering correctional services and programs that incorporate the cultural heritage of Yukon First Nations and meet the needs of offenders who are First Nation members." The department has agreed to the recommendation. In its response it said: "The Department of Justice is keenly aware of the challenges presented in incorporating Yukon First Nations culture in correctional programming. The Department remains committed to continuing its strategic planning and implementation of initiatives to meet this challenge over the next five years. The Department of Justice continues to take steps toward incorporating Yukon First Nations heritage by embedding cultural practices into the fabric of corrections operations." I believe that you have, in part, given us some answers to this. Can the department provide more detail regarding the strategic planning and implementation initiatives that are being developed to meet this challenge?

Mr. Ullyett: Well, as I mentioned a few moments ago, there are a number of cultural programs available at the Whitehorse Correctional Centre and for offenders in the community as well. Stepping back from what we are actually providing, with our overall goal being the rehabilitation of offenders and trying to assist these offenders to be the best citizens that they can be and realizing, as has been pointed out today, that the majority of our offenders are of First Nation descent, our overall objective is to try to make the environment, especially at the Correctional Centre, as First Nation-friendly as possible. We believe that it is. Also we try to address their criminogenic needs through the dozen or so core programs that we provide.

As has been mentioned today, for more than a couple of years now we have had an arrangement with the Council of Yukon First Nations to have a reintegration worker in place to make sure that offenders can transition from being inside to being on the outside, so to speak.

Recently, our goals in terms of First Nation programming included a number of things — as Mr. Riches has referred to — and these continue: ensuring that we have an engaged and active elders advisory committee — and we do — and a good number of elders on that advisory committee providing traditional teachings, such as crafts and drum-making, language classes, making referrals for eligible clients to First Nation land-based healing camps, using talking circles, and using traditional medicines and researching that so that they can be used for our health centre. There are a number of things we are doing on the ground to try to ensure that we are being culturally appropriate through the rehabilitation process that we hope that each and every offender will take full advantage of.

Ms. McLeod: Was there a strategic planning process involved in identifying avenues that the department wanted to undertake? Is there a progress report that is produced to support that planning?

Mr. Ullyett: Through our strategic plan and our strategic planning process — like all departments, we have a five-year strategic plan, which is then renewed in each year. The development of First Nation programming — or the increase in First Nation programming for offenders, whether they are in the community or at the correctional facility, is part of that strategic plan. That came out of, or certainly was informed by, the correctional redevelopment process that we were engaged in during the mid-2000s until recently.

Ms. McLeod: Can you explain what it means to embed First Nation cultural practices into the fabric of corrections operations? I am curious as to how this is done and who is involved in the planning and training.

Mr. Ullyett: Madam Chair, if I could turn that question over to my colleague, Ms. Râtel.

Ms. Râtel: I think it's accomplished in a number of ways. I think it begins with the orientation and the training we give our correctional officers, making sure that they are well-versed in First Nation culture and practices. It is found in many of our policies. For example, we have smudge kits on each unit, and offenders can make a request to have their own smudge kits if they prefer to have their own smudge kits to use while they are incarcerated.

We had a two-year strategic plan around First Nation programming and the audit sort of coincided with the end of that. That is why you see the plethora of First Nation activities, crafts, teachings, et cetera that is going on at the Correctional Centre right now. That strategic plan identified things like getting more elders and getting language classes going. We advertise constantly for people to come into the centre and teach crafts and skills.

We are just now embarking on a new strategic plan to try to address this issue that the audit identified about culturally relevant programming. I have had an initial meeting with CYFN to start that strategic planning process. I want to consult much more broadly across the Yukon around that before the strategic plan is fully developed because I don't think I can do it by myself. I think this is something that everybody needs to have a say in and play a part in.

We are not as far along as perhaps the Committee would like us to be at this point, but we have started. One of the things that we have done is that we have entered into a contract with Andy Nieman. He has committed to developing a Yukon-specific program over the next two years. Mr. Nieman has only just started attending the Correctional Centre, but his approach has been to spend a lot of time talking with the men and women on the units and discovering what it is that they feel they need that may be in addition to what we are already providing. He is doing a bit of an exploratory process to start with, and then he will help us develop a program out of that process.

Ms. McLeod: I won't ask you what progress you have made in that area because I think you have thoroughly fleshed that one out. Was there an independent assessment of improvements that have been made or initiatives that you have undertaken?

Mr. Ullyett: I am sorry, Madam Chair, I didn't quite get the question.

Ms. McLeod: My question was whether or not there was an independent assessment of the improvements that have been made in this regard and on the initiatives that you have taken.

Mr. Ullyett: Aside from the audit itself and the subsequent report, which we take as a pretty important and weighty assessment and scorecard on what we were doing in 2012-13 and what we need to do, I don't believe — and I am looking at my colleagues — we have had any other independent assessor or auditor come into the facility or look at corrections programming generally with respect to First Nation programming, if that was the question.

Ms. McLeod: I think we can certainly take the Auditor General as an independent assessor.

Paragraph 89 of the Auditor General's report says in part — and I quote: "Within the operations of the correctional centre, we also found that the Department is working to address recruitment challenges and its reliance on overtime. This is important because the Department has a duty to house inmates and spend public funds in a cost-effective manner."

My question would have been: What progress has the department made in addressing its recruitment challenges? But we have already had a response to that.

What trend analysis has the department completed year over year since the new WCC opened, with respect to the use of auxiliary on call? Has there been a reduction in auxiliary-on-call personnel since the new WCC opened?

Mr. Ullyett: I would like to turn that question to Ms. Râtel.

Ms. Râtel: The Correctional Centre has to rely on auxiliaries on call to cover any staff absenteeism, whether it is vacation, illness, unanticipated accidents — whatever it may be. We will never move away from having auxiliaries on call. The trick is to use those as effectively as possible and make sure that we are not either not providing them with sufficient hours so that they can't make ends meet and go look for other work, or that we are not loading them with too many hours and burning them out. I think we do a pretty good job of monitoring that. We look at the AOC usage every couple of weeks. We get a report on how things are being scheduled and how many hours the AOCs have been allocated in that week and whether they are going into overtime or not. We monitor it very carefully, but there are numerous variables that we have no control over in terms of when and why we need AOCs. Does that answer your question?

Ms. McLeod: Yes, thank you very much.

Paragraph 100 of the Auditor General's report indicates — and I quote: "We compared the identified building and operating requirements with what is in place at the Whitehorse Correctional Centre and found that they were aligned, with the exception of the separation of remanded and sentenced inmates. The Department decided not to separate remanded and sentenced inmates. Senior management told us that this decision was made to reduce costs and to have more flexibility in managing the inmate population. For example, the

Department has to be able to separate inmates who cannot be safely housed together, whether they are remanded or sentenced inmates. It was also thought that mixing remanded and sentenced inmates would allow remanded inmates to benefit from the option of taking programming that would be offered in the living units of sentenced offenders."

Is the department still of the view that mixing remanded and sentenced inmates is an appropriate practice for Yukon?

Mr. Ullyett: That is still our view. There are a number of advantages to that as well. I suppose that isn't your question, but if Madam Chair will hear me, then I will continue talking. One of the advantages is that, while inmates who have not yet been sentenced by the court — in other words, who are on remand — are not required to take programming, and by having them in the same facility, in the same unit as sentenced inmates, we are able to offer them programming that they wouldn't get if we simply had a separate facility, a separate building or a pre-detention facility that would only be for remanded inmates. From our perspective, there is a distinct advantage — that is one of the distinct advantages from a programming perspective.

There is certainly a cost-efficiency of having inmates, whether they have been sentenced or not, together, not requiring two separate facilities or, for all intents and purposes, maybe two different buildings that are joined together, but the two never really come together. From a programming perspective, we believe it is advantageous.

There are other reasons that it is advantageous, not the least of which is compatibility. We have many inmates who, at any given time, may have had previous relationships, may have some history together — not necessarily good history. Sometimes we have groups of inmates in the facility who are part of, for lack of better words, a "gang", and by being able to move both sentenced and remand inmates through all of the units of the facility, that gives us some flexibility.

Chair: We will now move to the Hon. Scott Kent.

Hon. Mr. Kent: Paragraph 107 of the Auditor General's report addresses human resource planning and staffing. The report says, "The Department has also identified staffing gaps and is taking some measures to address these gaps. For example, following the development of a human resource strategy, as part of correctional redevelopment, it introduced a new staffing approach to help increase recruitment and reduce overtime costs." The first couple of questions I have are with respect to the new staffing approach. Has that new staffing approach been implemented yet? If it has, what effect has it had on retention and recruitment as well as reduction of overtime costs?

Mr. Ullyett: I would like to turn this question to Ms. Râtel.

Ms. Râtel: During correctional redevelopment, we took a close look at the staffing model and tried to address a number of shortcomings that were in play at that time. What we did was we created deputy superintendent positions that didn't exist before, and we created a layer of what we call managers of correctional services. Then we have CO-2s and CO-1s.

Where before the staffing model was fairly flat, there is now a career trajectory for correctional officers who want to make corrections their career path. We have the supervision in place that we need to provide staff with the oversight, but also the mentoring and support that they need in doing this very difficult job. A large role of the managers of correctional services is to provide that mentoring and support to the correctional officers.

Hon. Mr. Kent: Just to follow up: Have you had an opportunity to get any baseline data in place where you'll be able to determine if there are increased recruitments and reduced overtime costs, just based on the differences between the old staffing approach and the new one, or is it too soon to tell with respect to what you're trying to accomplish?

Ms. Râtel: I don't have data on that right now. Anecdotally, I can tell you that the morale and the professional orientation of staff at the new Correctional Centre is something that I'm very proud of. I can tell you that when we do recruit, we now get applications from across the country and we get literally dozens and dozens and dozens of them. I think those are good indicators of the success that we've had in building our staff and in the success of the new staffing model.

Hon. Mr. Kent: Can you tell the Committee what the basic required qualifications for correctional officers at the Whitehorse Correctional Centre are? Is there a basic level of education that is required? Is there any accreditation required? Do all of the current staffing actions comply with these established required qualifications?

Mr. Ullyett: Madam Chair, the most accurate information on that would come from Ms. Râtel.

Ms. Râtel: The qualifications required for a correctional officer are grade 12 and a driver's licence. We have also implemented what we call a "COPAT" — the correctional officer physical abilities test. It's on-line; if you want to look at it, go and look at it. It's quite a rigorous physical exam that they have to pass to make sure that they're physically fit to become a correctional officer. A lot of people can't pass it. Then there is correctional officer basic training that they have to go through. Then there's a period of shadowing or mentoring that they have to complete as well. Correctional officer basic training is quite extensive. I think we have one of the better training program regimes in Canada at the moment. I'm very proud of that too. The qualifications for probation officers are a degree requirement — a bachelor of arts in social work or a criminology-related field. Everybody meets those requirements.

Hon. Mr. Kent: Paragraph 108 of the Auditor General's report acknowledges that staffing remains an ongoing challenge for the department, particularly since the Correctional Centre must operate on a 24/7, 365-day-a-year basis. The department, again, relies on on-call staff, as you've mentioned before, and overtime to fill staffing gaps.

Are there goals or targets with regard to overtime costs that the department has identified? I apologize if you've previously answered this today.

Mr. Ullyett: The overall budget for the Correctional Centre is approximately \$16 million, so in that sense, we do have an overall, you might say, ceiling or target that we meet and we did meet this past fiscal year. Drilling down a few layers in that overall budget, there are budgetary targets that we work with, because the Correctional Centre, albeit our single biggest program, is a program within the department and of course, they work within certain financial parameters. Mr. Riches would be able to provide a bit more information on that.

Mr. Riches: We monitor the use of overtime carefully. One of our biggest expenses in the overtime budget is the statutory overtime required for holidays. There is about \$270,000 a year just to cover statutory holiday overtime. With the 24/7 operation, there are a lot of reasons as to why we need overtime, similar to the issues around why we need on-call staff.

Our goal is to reduce overtime as much as possible. So our decision-making is funnelled through supervision. Overtime is carefully monitored and carefully used at the Correctional Centre, but to say there's a specific goal — no. It moves up and down depending on the time of year. But the goal is to reduce it as much as possible, given the circumstances and ensuring there is appropriate staff to keep the Correctional Centre safe and supervised.

Hon. Mr. Kent: Just as a quick follow-up on that — and you may not have the information with you, so if you could provide it, that would be great. How much overtime is accumulated by auxiliary-on-call staff? Again, if you don't have it, we will welcome you to get that for us, if you can.

Mr. Ullyett: I think we'll have to provide that number to ensure its accuracy rather than merely give the Committee conjecture.

Hon. Mr. Kent: So it's my understanding that there was a course offered publicly for corrections training. Is it still being offered? Are you familiar with that course?

Mr. Ullyett: I'll turn that question over to Mr. Riches, Madam Chair, if you'll permit that.

Hon. Mr. Kent: Just some details about the frequency as well, if you have that, and then we can cover off a few of the other questions — the frequency and if it leads to any form of recognized accreditation.

Mr. Riches: The course itself is no longer offered. It was offered on a pilot basis with the NISJ public offering. It was offered twice, I believe, and there was no certification offered with it. It was really a peace officer preparation course. It was done in partnership with the NISJ. It hasn't been delivered since.

Hon. Mr. Kent: What types of expectations are there for ongoing training for WCC staff and what are the key areas of focus for that training?

Mr. Ullyett: Well, a number of the key areas would certainly, from the evidence we have given today, relate to First Nation cultural training, First Nation history — and mental health first aid is another key piece of training. Then there is another whole battery of basic training that correctional officers need to have in terms of appropriately

engaging with inmates. Once again, Madam Chair, Ms. Râtel would be able to provide a bit more detail.

Ms. Râtel: There is a lot of training that correctional officers need that has to be recertified — first aid training, use of batons, self-defence — but I am drawing a blank. I could probably list more. So we spend a lot of time doing refresher training and keeping correctional officers recertified. Then there are operational training needs like fire drills, contingency plans and those kinds of things. We train people on an ongoing basis in that respect. We are obviously always refreshing people in terms of our policies. We have a lot of policy and it is always good to go over the policies and make sure everybody is aware of them. We have case management training that is on-line that our correctional officers and our probation officers do. There is really a lot of training that needs to be done on an ongoing basis. I am not sure if I have answered your question, sir.

Hon. Mr. Kent: Yes, thank you very much.

I know you mentioned this earlier with respect to the correctional officer basic training, but I just want to touch on paragraphs 110 and 112 of the Auditor General's report. Paragraph 110 of the report addresses the training of correctional officers and, according to this paragraph, the department's policy manual requires that correctional officers take correctional officer basic training when they're hired and that basic training, which is about 200 hours, was updated in 2014.

Further, in paragraph 112 the report says that, for the most part, correctional officers who were working at the Correctional Centre in 2013-14 had taken the required correctional officer basic training.

Can you just outline for the Committee, perhaps — whether it's numbers — how many correctional officers didn't have that required basic training and if there is a plan to ensure that they all receive it, and whether that has been fully implemented?

Mr. Ullyett: Our numbers, I believe, have changed a little bit even in the past year or so. Again, Ms. Râtel would have a good sense of the percentage or numbers, if only anecdotally, and if that is the case, we will provide the exact numbers and percentages.

Ms. Râtel: I am afraid I don't have those numbers. If they were coming from the Auditor General's report, perhaps the auditors could respond to that.

I would say that it is a matter of policy that all correctional officers have to take the correctional officer basic training and the shadowing. There may have been some staff who — I won't conjecture.

Mr. Riches: I can confirm that all correctional officers at the Correctional Centre received the basic training. There may have been record-keeping issues when we were reporting, but I can tell you that all of the correctional officers at WCC have received the basic training.

Hon. Mr. Kent: My last series of questions is with respect to paragraph 113 of the Auditor General's report, which says, "...training in First Nations cultural heritage was provided as a three-hour component of Correctional Officer

Basic Training. Department officials told us that they intend to deliver a new 16-hour course on the cultural heritage of Yukon First Nations to correctional officers, starting in November 2014. We also found that the correctional centre has a training strategy outlining action items, milestones, progress to date on the action items, and expected outcomes."

Can you just confirm for me that the new 16-hour course was the one you spoke of earlier with Yukon College and the Northern Institute of Social Justice? I know we talked a little bit about elders being involved in that training. Is there any additional First Nation expertise at the college or NISJ that you would know of that they would have used?

Mr. Ullyett: The first part — yes, it is the 16-hour program. If the Committee wishes, we could table the summary of that training so they can have a better look at it. As to the second part of your question — whether there is any additional training that is provided or added on through the college, again I would turn to my colleague, Ms. Râtel.

Ms. Râtel: The training we are referring to is that NISJ training.

Hon. Mr. Kent: I guess, just to follow up — the second part of that question was: Was there any additional Yukon First Nation expertise incorporated into the training beyond what we talked about with respect to a fairly extensive involvement of elders in that?

Mr. Ullyett: Madam Chair, Ms. Râtel would know that best.

Ms. Râtel: My understanding is that the development of that training was exclusively drawn from Yukon experts, yes.

Hon. Mr. Kent: With respect to the training strategy at the Whitehorse Correctional Centre, it outlines action items, milestones, progress to date on those action items, and expected outcomes. Is there any progress to report so far? Is there a report that you've put together with respect to the training strategy at WCC?

Mr. Ullyett: Madam Chair, as to the question about whether there is a report card, Mr. Riches would be best placed to speak to that.

Mr. Riches: We have a workplan process that we use at the Correctional Centre. One of the workplans we create annually is the training workplan for the Whitehorse Correctional Centre. That is monitored throughout the year and reported out on throughout the year by the Correctional Centre. That workplan is completed by the end of the fiscal year. The reporting process we have is within the workplan process for the training at the Correctional Centre.

One of the things we did when we did the staffing arrangement for the new Correctional Centre was develop new shift schedules in cooperation with the union and the employees of the Correctional Centre. There are four days of in-service training built into the shift schedule for all correctional officers at the centre. Part of that is the implementation of that in-service training throughout the year.

We also deliver training on weekends in the morning. The inmates aren't woken up until later on weekends. There is a

lot of training going on there all the time and it's reported out on through that workplanning process.

Hon. Mr. Kent: I would like to thank the officials from Justice for appearing here today and providing answers to my questions and colleagues' questions.

I have just one quick question for the Assistant Auditor General. I think that these audits provide us, as legislators, and our public officials with an opportunity to improve any operations that they have. I know that you recently completed another audit, or a similar audit, in Nunavut, I believe. I am kind of interested in how we compare, in your opinion, or if there are comparables that you could identify for us. It is always good for us to see how we stack up against our northern neighbours in particular.

Mr. Berthelette: We completed similar audits in both Nunavut and in the N.W.T. I think it is fair to say that each of the three territories have different challenges in terms of the issues surrounding corrections. I noted in particular in Nunavut that the issue there was with the Baffin Correctional Centre and the impact that the Baffin Correctional Centre had on the ability of the corrections officials to deliver services in that particular territory. Here, because of the investment that has been made in the Whitehorse Correctional Centre, corrections officials here do not face, any more, the same challenges as their colleagues do in Nunavut. I think it goes to the point that infrastructure is important. Good infrastructure helps lead to better delivery of programs and services. I think the investment that has been made in this territory was a good investment.

In terms of other issues, I think the three territories are sufficiently different that a comparison would probably not be fair. I do note, however, as the Auditor General said, I think, when he was in Yellowknife, that issues with respect to mental health are to be found in all three of the territories, particularly addictions. I don't think correctional services are particularly well placed to deal with issues related to addictions and mental health. I think that in all territories — and in each of the provinces — more effort needs to be put into the issue of mental health and addictions. I think that is the only comment I would make about the three territories.

Chair: We are a little bit ahead of schedule, so there is an opportunity for any of the Committee members, if there is a question that has come to mind as you have heard the questions raised by your fellow Committee members, to raise it. I will make a couple of minutes available.

Ms. Stick: I have a couple of quick questions. It is interesting because one of them just came out of what Mr. Berthelette said. I wanted to ask: What services are available to individuals in the Correctional Centre with mental health difficulties?

Mr. Ulyett: I can speak to that. There are a number of services that we have at the correctional facility. We have a psychologist on contract. Maybe I should step back a bit and say that we do have a health centre within the correctional facility, staffed by experienced nurses who are there approximately 16 hours per day, so that is the focus. We have a medical doctor on contract and have had for some number of

years. We have a psychologist on contract who undertakes screening, assessment and referrals for the treatment of inmates with mental health issues. We also have a psychiatrist on contract to provide medication management for those inmates who need medication. There is one-to-one counselling available for clients as well.

The physician we have on contract — and case management staff — works closely with Mental Health Services and also the Yukon Review Board when it is necessary to ensure secure services in the case of an inmate who is mentally ill.

We also have, in a community context, the Community Wellness Court. As important — or maybe even more important than that court itself — is the overlay of services that are provided through the Justice Wellness Centre, one of which is Mental Health Services. I can tell the Committee that all Corrections branch staff are provided with training with respect to working with mentally ill clients, so our staff have at least a fundamental or basic understanding of working with those who suffer from mental illness.

We are also part of participating in the national mental health strategy that has gone on for some time through the Mental Health Commission of Canada. Ms. Râtel would be able to speak more specifically as to what impact that has on our day-to-day services that we provide at the correctional facility, but those are the main services that we provide for those with mental health issues.

Ms. Stick: I have two more questions. The next one would be: With all the staff, including probation officers and staff at the Whitehorse Correctional Centre, how many of those individuals identify as First Nation?

Mr. Ulyett: In 2014-15 — I may have said this in my opening remarks — let me just check my notes, Madam Chair, to make sure I am providing accurate information to the Committee. Between March 1, 2014 and March 1, 2015, 67 percent of inmates reported that they were of First Nation ancestry.

You said staff — sorry. The number is approximately eight percent, I believe, of our staff being of First Nation ancestry. I'm just going to look down the line to my colleagues. If you don't mind, I would like to turn it over to Ms. Râtel.

Ms. Râtel: We have made several concerted efforts to hire First Nation correctional officers. We have done specifically directed recruiting. We have worked with the — I'm sorry, the name has just gone out of my head. We have worked with other government agencies to try to recruit First Nation correctional officers.

I think it is very challenging for First Nation people to work in the Correctional Centre. This has become clear to us through experience. The greatest challenge is that they are connected to the offenders. A lot of them are known to them as friends or extended family, and I think this creates an additional challenge and many of them find that they don't want to continue with the work. We have been very successful in the past in recruiting First Nation correctional officers, but the retention is more of an issue. I think that is what it boils

down to. Working with offenders is very challenging — baseline — but, when they're friends or relatives, I think that creates another layer for First Nation correctional officers that is even more challenging.

Ms. Stick: My last question has to do with the computer — I think you called it the JEIN project, which is a way of keeping statistics. It was stated that this piece — the correctional piece — will not be in place until 2017.

I guess my question is: Do you feel this is okay? In the interim, what are you doing to collect those statistics? It would seem to me that statistics are what we base programs and that type of thing on — and who is coming back to the Correctional Centre. Is there a piece in place now that is collecting that data, or do you think that it's okay that it's in 2017 for this piece?

Mr. Ullyett: I may leave the second part of the question — as to what are we doing now to collect the statistics — to my colleagues, but in terms of the first question, our so-called JEIN project, that is a project that has four main modules. One is the Sheriff's Office, which is in place. Another is Victim Services, which is in place. The two big modules are the criminal courts piece and the corrections piece.

Yes, we would like to complete both of those components sooner than 2016 for the criminal courts piece and 2017 for corrections, but we are working with a budget that we have been provided. So both financial and human resources, which are quite substantial and I am not complaining at all — it is quite substantial — the effort to change a paper-based system into a fully functional electronic system that a number of agencies can tap into. In my view, we are moving just about as fast as we can with respect to the remaining two modules of this project. It is unfortunate that it is still two years away, but nonetheless, we are making good progress. As to what we are doing in the meantime, I would ask that you point that question to my colleague, Ms. Râtel.

Ms. Râtel: We continue to collect data by hand to do our quality assurance measures. We are collecting data on statistics that are of particular interest, like our segregation statistics, which we have published for the 2014 calendar year. We will do that again at the end of this calendar year. We do have a couple of little ACCESS databases that we try to use, but you have to balance the resources that are being put into the big fix against spending additional resources to try to fill the gap in the meantime. We will do the best we can.

Chair: Before I adjourn this hearing, I would like to make a few remarks on behalf of the Standing Committee on Public Accounts. First of all, I would like to thank all of the witnesses who appeared before us today — before the Public Accounts Committee. I would also like to thank the officials from the Office of the Auditor General of Canada and, of course, the Committee clerks, for their help.

The purpose of the Public Accounts Committee is to help ensure accountability for the use of public funds. I believe that the Committee made progress toward accomplishing that task today. The Committee's report on these hearings will be tabled in the Legislative Assembly, and we invite those who appeared before the Committee, and other Yukoners, to read

the report and communicate to the Committee their reaction to it.

I would also like to say that today's hearing doesn't necessarily signal the end of the Committee's consideration of the issues raised in the Auditor General's report. The Committee may follow up with the department on the implementation of the commitments made in response to the recommendations of the Auditor General and of the Committee itself. This could include a follow-up public hearing at some point in the future. With that, I would again like to thank all those who participated in and helped to organize this hearing.

I now declare the hearing adjourned.

The Committee adjourned at 2:51 p.m.

The following brief was tabled June 9, 2015:

*Opening Remarks — Public Accounts Committee:
Auditor General's Report on Yukon Corrections — Deputy
Minister Tom Ullyett*