



Justice  
PO Box 2703, Whitehorse, Yukon Y1A 2C6

August 14, 2024

Heather Jones, Chief Coroner  
Yukon Coroner's Service  
[heather.jones@yukon.ca](mailto:heather.jones@yukon.ca)

Dear Ms. Jones,

**Re: Leon Joseph Marcel NEPPER – Inquest report recommendations**

---

Thank you for your letters of July 23, 2024, setting out the recommendations of the Coroner's Inquest Jury relating to the death of Leon Joseph Marcel Nepper. I am responding to both letters on behalf of the Department of Justice. Recommendations 1 to 3, directed to the Director of Facilities-based Corrections, have been adopted.

### **Recommendation 1**

The Whitehorse Correctional Centre (WCC) provides comprehensive medical and mental health assessments to all clients upon intake. Since October 2023, the Medical Intake Assessment Form and all applicable consent and release of information forms include a section to identify if a client has an existing advanced care directive.

If a client advises staff of a current advanced care directive, procedures are in place to ensure Health Services obtains a copy of this directive from the client's community health provider in accordance with the *Health Information Privacy and Management Act*. If an existing advanced care directive is located, the Manager of Health Services is notified, and the contracted physician is also informed.

Procedures are also in place to flag the absence of an advanced care directive for clients who present with medical conditions warranting their consideration or review of an advanced care directive with a physician.

Registered nurses completing the medical intake assessment are required to notify the Manager of Health Services if the need to consider making an advanced care directive is identified. The Manager of Health Services is responsible for ensuring that the client is provided with prompt support and access to the contracted physician to discuss an advanced care directive.

The contracted physician and the Director of Facility-Based Corrections may consult on managing a client's medical needs, and on the suitability of placement within WCC. If a client presenting at WCC requires immediate medical care that is outside of the scope of what can be provided at the facility, the client will be escorted to Whitehorse General Hospital.

## **Recommendation 2**

The standard of all provincial and territorial correctional facilities and for first responders without formal medical training is standard first aid including basic life support and basic airway management. All correctional officers are required to obtain certification in Standard First Aid with CPR C and recertify every three years. Additional staff training for medical-related incidents is currently being considered for future implementation.

Advanced airway management is an essential technique used by clinicians and other health care providers. The technique involves the use of specialized medical equipment and invasive procedures to open and maintain an airway. Advanced airway management training can be taught to licensed health care professionals such as physicians, registered nurses, and paramedics. Advanced airway management training is not available to persons who are not health care professionals. In relation to training for high stress scenarios, Mr. Nepper's case forms the basis for the current training and certification requirements for registered nurses within Health Services in order to prepare them for emergency situations in a correctional setting.

## **Recommendation 3**

The Health Services Unit conducts two mandatory training days per month to practice critical incident scenarios. Additionally, WCC conducts monthly drills involving Corrections and Health Services staff, which include "code blue" scenarios to prepare staff for collaborative emergency responses that support positive client outcomes.

## **Recommendation to the Deputy Minister of Justice and to WCC**

The Jury recommended that the Deputy Minister of Justice and WCC evaluate the suitability of facilities to house inmates and consider how the existing policies and facilities might be improved.

WCC was designated as a hospital in 1993, by order of the Minister of Health and Social Services, and in accordance with section 672.1 of the *Criminal Code of Canada*. Appropriate placement of clients with complex health care needs within the facility is currently assessed on an individual basis by the Manager of Health Services, WCC contract physicians and in consultation with corrections staff and the Director of Facility-Based Corrections. The Department of Justice continues to explore alternatives that would facilitate removing WCC's designation as a hospital without compromising client care, decreasing institutional safety, or increasing risk to the public.

The passing of Mr. Nepper highlighted the need for more effective assessment and monitoring of clients with complex health issues. Since 2018, WCC has advanced and implemented changes to policies respecting the intake process, the evaluation of a client's health status and medical need

throughout incarceration, and staff communication regarding client care and access to emergency training. To improve access to services, WCC has contracts in place with physicians and psychiatrists to provide 24/7 on-call services, on-site assessments, consultations, and treatment management. The contracted physicians work closely with staff to maintain continuity of care for individuals that have complex health needs.

For primary health care and advanced emergency care, registered nurses are available on site seven days a week from 5 am until 11 pm. Outside of these hours, a registered nurse is also available on call to attend the facility for urgent medical needs. Since 2022, registered nurses responsible for providing primary health care services and advanced emergency care are employed in an expanded nursing role. This means that registered nurses are required to maintain up-to-date certification and demonstrate competence in Basic Life Support (BLS), Advanced Cardiac Life Support (ACLS), Trauma Nursing Core Course (TNCC), advanced assessment skills and advanced airway management.

A WCC policy is in place directing the transfer of clients to Whitehorse General Hospital (WGH) in the event of life-threatening medical conditions. Routine diagnostic care, such as imaging services, is also provided at WGH. Additional facility options will be available at the WGH when the Mental Wellness Unit is completed and operational. The Mental Wellness Unit will provide an alternative location for clients that cannot be housed at WCC due to complex mental health needs that require forensic care.

WCC and the Department of Justice are committed to providing timely and responsive health services to the clients in our care throughout their incarceration, and to ensuring that clients are provided with the resources they need to formalize end-of-life wishes. The recommendations of the Jury are appreciated, and their implementation has improved practices relating to client care.

Yours truly,



Mark Radke  
Deputy Minister of Justice and Deputy Attorney General

cc. Tracy-Anne McPhee, Minister of Justice and Attorney General  
Ian Davis, Assistant Deputy Minister, Community Justice and Public Safety  
Kerri Kemp, Director of Facility-Based Corrections