

# **FNPGC** **2019** **CONFERENCE** **REPORT**



**FIRST NATIONS POLICE GOVERNANCE COUNCIL**

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**AUGUST 8, 2019**  
**CALGARY, AB**



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#### **PIPE CEREMONY**

*Male delegates who wanted to take part were asked to sit in a semi-circle on the ground where they participated in a Pipe Ceremony to open the conference.*



## WELCOME AND OPENING REMARKS

**Dan Bellegarde** provided a welcome to all of the Nations represented at the conference. He also welcomed non-Indigenous police forces with Indigenous members who were present.

**Violet Meguinis** welcomed everyone to the Tsuut'ina Nation and to Treaty 7 territory. She provided background on the Tsuut'ina Nation and recounted the story of Chief Bull Head, who, prior to signing Treaty 7, had already surveyed the lands where the Nation is now situated. When the Treaty was signed, the Crown tried to put the Tsuut'ina in another location, but Chief Bull Head was very adamant about having the lands he had originally scouted. At night, he would take his people and move them, bringing them to the lands the Nation sits on now. The Northwest Mounted Police got tired of moving people back and decided to let them have the lands that Chief Bull Head wanted.

"The Treaty was signed in 1877. We are the only First Nation in Canada to have a supplementary treaty of 1883 and that's where we got our lands," said Meguinis. "We're quite proud of that. I used to work in legislative procedures and we consider that our first sovereign act. Because of that, our Nation also has a long history of being Tosguna."

Meguinis explained that, in the days when they camped, Tosguna would provide law and order in the camps.

"When we say Tosguna, we are talking about our police officers," she said. "For us, Tosguna is one of those roles that we take very seriously and we maintain law and order. It's no longer a camp, it is Nation-wide now. We are very proud of our Tosguna."

Meguinis came from a long line of Tosguna



her father was a-- Chief of Police.

"We support them. They do their best. We know there's challenging times coming but we know that our Tosguna have the skills, the ability, and the fortitude to go ahead."

She concluded by again welcoming delegates to the territory.

**Keith Blake** reiterated the importance of the morning pipe ceremony and thanked Elder Alex Crowchild for being present. He stated that First Nations policing has challenges that are unique and unlike any other police force. Blake touched on issues with funding.

"We do the job because we have a passion for doing it," he said. "We do the job because our community has a high standard on how we deliver our police service. Our people that join our services are very committed. They are the ones who go well beyond what is expected."

Blake stated that Tsuut'ina Nation Police Service doesn't have the amount of funding, equipment or resources as traditional police services.

"What we have to do collectively is recognize that we have some amazing people working for our communities, in our services," said Blake.

He praised the governance of his commission.

"We have a long way to go to reach the same levels of parity and funding and support that other police services have, but that does not mean we are delivering a poor program. I believe it's unparalleled with what we have."

Blake expressed hope that the current funding model could be changed and said he was.

"It's well beyond time to start recognizing the First Nations policing program as an essential service that is funded no differently, not more, but equally, as other police services. Because, it's only fair - our communities deserve it. Our communities aren't asking for anything more than they would be getting in a neighbouring jurisdiction in this country - they're asking for the same and I think that's more than adequate to expect."

Blake noted that the funding model as it currently exists provides the responsive, reactionary policing, but doesn't provide what is really needed, community outreach and prevention to make the community safer and provide diversion programming. He thanked the supportive community who provides significant financial assistance to the service. The new police service building is just under two years old and was completely and wholly funded by the Nation.

"It speaks to the commitment they have to our service. It speaks to the commitment our community has to Tosguna," he said.





## DAN BELLEGARDE

File Hills Board of Police  
Commissioners

### KEYNOTE PRESENTATION

Bellegarde's presentation put the entire issue of peacekeeping into historical perspective. He showed some historical photos of members of the Cree Warriors Society to demonstrate that policing existed a long time before the Northwest Mounted Police and the current model of policing.

Bellegarde focused on inherent rights and how the placement of the First Nations people on their territories begins with the Creator. First Nations societies were effective at maintaining their way of life and in ensuring that they had an efficient family and social life, with their own governance, laws, and ways of hunting, healing, and knowing. There was no rigid separation of the spiritual and political life the way that church and state are separated today and the justice system was based on responsibilities to one another, rather than on punishment. This

different world view people held came directly into conflict with the Euro-Canadian system. Bellegarde stressed the need for structural change to accommodate First Nations systems of policing, dispute resolution and rehabilitation mechanisms that do a better job than the corrections systems that we have today, which, he said "seem to turn out more and more criminals and better criminals rather than turning out rehabilitated individuals back to our communities."

"Right across the country, First Nations are becoming involved in Nation-building exercises," said Bellegarde. "Everything from economic development to education to retention of languages, reaffirmation of our Treaty rights, revitalization of culture. All of these things are happening and right in the

middle of it are the police services that we have, whether that be from the RCMP or whether they be internally from our own self-administered policing services, our peacekeepers or otherwise. That Nation-building that we're going through right now, in various forms across the country, requires a taking back of responsibility and the justice system has to be reformed and transformed in our territories."

Bellegarde discussed the issues facing communities including bootlegging, sex trafficking, elder abuse, domestic abuse, drug trafficking and the opioid crisis.

"The responsibility is coming back to the community and to the family," said Bellegarde. "The federal government's public policy of destruction of governance and destruction of cultural realities of First Nations for the past 150 years is being turned back and we are now starting to take the responsibility that we should have had all along."

Communities with strong language, cultural, and institutional base where they control their own institutions like policing have very few instances of suicide and a lower level of domestic abuse because of the harmony within the community. Bellegarde stressed that cultural revitalization is critical to ongoing peace and harmony and must accompany control of First Nations' institutions.

There are two types of agreements different methods of policing First Nations communities. The first is the RCMP Community Tripartite Agreement. Some of these arrangements work, but most, according to Bellegarde, do not. Self-administered policing is the second agreement, where the community manages their own policing, under provincial legislation.

"Again, self-administration, not self-control," emphasized Bellegarde. "Self-administered is a long way from inherent rights implementation."

There are 38 self-administered police forces and 32 of them are in Ontario and Quebec. It's not fair or good enough to transport the RCMP policing model into First Nations communities.

"It never worked, it's not working now, it will not work in the future," said Bellegarde, who stressed that, while he has a great deal of respect for the RCMP, every police service has its own culture.

While police services often engage in cultural sensitivity training, Bellegarde said that cultural sensitivity means far more than simply going through the motions.

"Cultural sensitivity means more than going to a Pipe Ceremony or walking in the Grand Entry in a Pow Wow or participating in a sweat ceremony," he said. "Cultural sensitivity means understanding the worldview of the people. It means understanding the governance of the people, the kinship ties and how that manages social functions in the community. It means understanding the role of Elders and a whole lot more."

Bellegarde showed a video about understanding Treaty rights and inherent rights and positioning policing models within those frameworks.

**"Self-administration, not self-control."**





## LEARNING FROM VARIOUS JURISDICTIONS SESSION

This session featured panel discussions that showcased strategies from various Nations with regard to good practices of incorporating governance and culture in creating safer communities.

### **Tsuut'ina Nation**

Bellegarde dictated three things that must occur in order to have an effective police force - strong leadership with a vision, strong competent civil servants - that is to say the people who manage and run the program - and an informed and supportive membership which comes with strong leadership and a competent staff.

"If you have all three, you're in a good place," said Bellegarde.

Bellegarde then reintroduced Meguinis to

speak to her experience with police governance.

Meguinis spoke to her experience as a retired teacher and her experience with the Tsuut'ina Consultation Department working on major projects and governmental programs. She said she was privileged to be raised in a cultural setting. Both of her parents are residential school survivors and instilled in her the importance of language, culture, and a value system.

Meguinis said that it can be a challenge for

First Nations communities to balance data and research with what communities know about natural law, stating that progress is not possible without taking both into consideration and making informed decisions. Language, culture, and beliefs should be incorporated into what is done on the Nations. These connections have to be made in order to move forward.

Her term will be a nine-year one and this continuity is a best practice for police governance. The staggered departure of other board members, rather than having a large portion of the board exit at once, helps to ensure overlap and again, ensure continuity. Two Council members also sit on the commission so that there is a direct line to leadership and open communication is maintained.

Meguinis said that funding is one of the biggest barriers to an impactful police force. In Canada, the Tsuut'ina Police Service is considered a program, rather than an essential service.

"We're not programs," she said. "When you label it programs, it minimizes who we are."

First Nations police services need real change and the Tsuut'ina Police Service's commission actively engages in lobbying efforts to try and bring about change. The Prime Minister stated that there's no other relationship more important than the relationship the government has with Indigenous peoples, yet this statement isn't translating into fair and equitable treatment for First Nations police services.

Just one example of a change needed is in the way that emergency services are

dispatched. The Tsuut'ina Police Service's dispatch is still with the RCMP and if someone dials 911 from the Nation, there is lost time in connecting with emergency services, and this gap in time could mean the difference between life and death.

Meguinis is incredibly proud of the relationship that the Tsuut'ina Nation has built with the City of Calgary. The borders of Calgary and the Tsuut'ina Nation touch and as a result, the two communities impact each other, so it only makes sense to work collaboratively. Building relationships between the Calgary Police Service and the Tsuut'ina Police has enabled the Nation to get extra assistance and resources within the hour when needed.

Supporting the vision of the community requires developing their own legislation and own laws, but they still must have the authority to enforce those laws, necessitating a police service and a court system. The challenge is that some of the laws developed by the community are seen only as bylaws.

The challenge, Meguinis said, is to do more with less money. The Tsuut'ina Nation is a thriving community with much planned economic development and it will be a challenge to meet the needs of new tenants, residents, and businesses with only so much money. Costco is opening on the Nation and there are huge developments happening on the lands. Ways of enforcing need to be looked at and one consideration is taxation of businesses in order to fund this enforcement.

"It's easy to say we need sovereignty but to put it into practice is a challenge," said Meguinis.

## Keith Blake

Blake introduced members of the Tsuut'ina Police Services, Inspector Steve Burton, Brittany Ouellette, Crime Prevention Coordinator, and Sergeant Dawn Blake.

Blake gave a history of the Tosguna, speaking to their existence as protectors of the camp. They still held this role when the RCMP came in, but in 2004 the Tsuut'ina Nation was fully accredited as a self-administered First Nations Police Force. In the beginning, there were two community officers and two RCMP officers to support the transition to a self-administered service. In 2013 there were 11 sworn police officers and today, there are 25. That growth came primarily through the financial support of the Nation. Sixteen of the 25 officers are completely funded by the Nation, and nine are split through funding from the federal and provincial government.

The Tsuut'ina Nation is a landmass of 120 square miles. Blake said that, while the



Nation has done an amazing job at infrastructure, it can be a challenge to get where they need to go quickly, without roadways that necessarily allow them to do that. The population living on the Nation is approximately 3,000 people. The Nation is situated uniquely, sharing three borders with the City of Calgary which allows for prime real estate to attract economic development.

“From a policing perspective, that poses some significant challenges,” said Blake. “Our officers are what we would consider a traditional, rural, First Nations policing service where our calls for service are based within our community. Now we will start to see visitors coming and requiring our assistance in public safety. It’s a daunting task.”

Blake said it becomes very difficult to think to the future when the officers aren’t sure what the funding model will be next year.

“Our officers cannot say they’re confident that our service will be there next year or they’ll be there next year because that funding is not secure,” said Blake.

The Tsuut'ina Police Service does not want to be a training ground for people to come, gain experience, and then leave. Blake stressed the need to be competitive and be able to keep good people in the long-term.

Some of the ways in which the service has countered funding insecurity has been by government grants. Blake said the service had infused hundreds of thousands of dollars into its policing budget that wouldn’t have been there without grant applications. He stressed the need for First Nations police services to work together to share these opportunities so that many communities and their local police





services can take advantage of these grants.

### **Dawn Blake**

The Tsuut'ina Community Response Unit looks at the grassroots of policing and where they can make the most impact and leave the largest impression. They have tried to identify portfolios where resources are most needed, starting with a school resource program to have officers available daily for children and give them a positive impression of the police service. Crime prevention education was undertaken and routine traffic stops became more about education and less about enforcement. Specific officer portfolios were dedicated to addressing the needs of the community. Dawn has seen the commitment in officers. She cited that many weren't born on the Nation but have been invited to weddings, birthdays, funerals and community events.

Blake described an interaction with a community member that she had known for many years and stressed that these personal

connections with individuals assist in policing.

"He knew I cared," she said. "He knew I knew his mom, he knew I knew auntie, he knew I knew everyone in his family. And, he knew he was probably going to be in more trouble with me, not the Dawn of policing, but the Dawn in "mom-mode" that kicked in."

Blake indicated that exposure was needed with youth to continue to build these personal connections. She cited the success of daycare engagement sessions where officers read to children. A culture shift is needed from the old "Sit down and be quiet or the cops will get you" trope that parents tell their children, and the daycare programs are shifting the culture of fear of police officers to children asking "When are the police coming to read to me again?"

"We're in a position of trust and opportunity

opportunity to make a difference,” she said. “We are no longer the police — we are part of the community.”

Blake emphasized the need to change the stigma that police only exist for the purposes of enforcement.

### **Brittany Ouellette**

Brittany spoke to the Elder programming initiatives such as home visits and the “tea with Tusgona” events. Elders haven’t had the best interaction with police owing to historical trauma and so the focus is on positive interaction and relationship building in order to change future perspectives.

The Tsuut’ina Police Service received a grant for \$75,000 for two Elder Engagement Officers. She noted that the root cause of elder abuse is often isolation. To combat this, the Tsuut’ina Police Service holds Elder socials once per month at their office. They were also able to provide 14 tickets to the Calgary Stampede Rodeo for Elders in the community and their grandchildren. Elders in the community have also been provided with Naloxone kits to combat opioid overdose and training to use these kits. This was a partnership with SafeWorks in Calgary and it has been extremely successful.

There has also been specific programming implemented for women and girls. The police service received a grant from the province to provide some of this programming. It focuses on offering education sessions to young Indigenous women on domestic violence and sexual exploitation and provides resources to assist victims with exiting lifestyles of domestic violence and sexual exploitation as well as breaking the cycle of inter-generational trauma.

Brittany also spoke to greater community programming. This year marked the 14th year of providing a Calgary Stampede breakfast. A community survey was collected at the breakfast and more than 400 responses were received. Brittany said this provided an anonymous way to tell police how to improve and allowed community members to recommend programming and educational opportunities that were of interest.

There was also an Animal Assistance Program that featured a partnership with AARCS to rehome animals as well as providing free spay and neutering, medical attention and food for pets. Naloxone training sessions are put on regularly and these are well-attended sessions.

The police service attends every single community event and is newly active on social media. Their sites are monitored roughly 12 hours per day and there is a private Facebook group for Nation members that allows the service to connect with community members about alerts and upcoming events.

### **Steve Burton**

Steve said that these things don’t happen without committed people. He touched on the challenge of recruiting people who may not have had a positive experience with policing in the past. He expressed thanks that Chief of Police Keith Blake values behavioural sciences and urged people not to get caught up in the “Hollywood-ization” of it, stating its value in assessing risk for health and wellness and prevention of suicides.

### **Brittany Ouellette**

Ouellette spoke to the specifics of grant funding. In the last month, the Tsuut’ina Police Service has been able to get close to \$200,000 in funding for community



programs.

"If you only take one thing away from the presentation today, it's to apply for grants for your service," she said.

There is currently a grant in place for close to \$1 million per year for the next five years to focus on youth violence prevention and youth mental health.

### **Keith Blake**

Blake provided information about the Peacemaker's Court. It's about repairing relationships and repairing the harm that's been done, and isn't focused solely on punishment.

He lauded the visionaries in his Nation who wanted to create a court system that was reflective of the community's values, history, tradition, and culture. It was welcomed by

the community and took a lot of work, combining intense research with plenty of hard work by many levels of the local government. The Province of Alberta has agreed to meet the needs of this court, and to Blake's knowledge, this is the only instance of such an arrangement.

A First Nations judge and crown prosecutor are appointed to the court and the court workers that support the system are also First Nations. The surrounding people and involvement are Indigenous people. The court focuses on resolution through collaboration between the victim and the offender. The victim has to be supportive of the process taking place. It looks to having the parties involved getting together to discuss the problem.

***"Justice isn't about punishment and retribution," said Blake. "It's about healing."***



The victim takes an active role in the process, looking toward resolution as opposed to a verdict. The role of police in the peacemaking court is to recommend a person into this system prior to charge. Police are in the best position to engage the victim and offenders at early stages in the process.

“There’s not one person in the criminal justice system that hasn’t first been dealt with by police,” said Blake. “We are the common denominator in justice and we are responsible and have a large part to play in diversion if that is appropriate.”

The court is currently located in Calgary and is a healing circle court, specific to Tsuut’ina. It is being transitioned to an on-Nation court, to remove some of the pressure of travelling to Calgary. Blake cited a high amount of non-appearances due to the difficulty of getting to Calgary. When the court is on-Nation, Elders will be able to attend. They are an integral piece of restorative justice and their presence is highly impactful.

### **Steve Burton**

Burton spoke to the connection that mental health and addiction have. He stressed that education of officers is important and that this link should not be overlooked. Can support community through this recognition.

### **Onion Lake Cree Nation**

Jolene Carter, Justice Coordinator, Tara Waskewitch, Youth Prevention Coordinator, and council member Hubert Pahtayken discussed the Onion Lake Gang and Drug Strategy and the drug and gang problems that are facing their community.

Carter said that Onion Lake is plagued by

drug dealers and that this problem is heightened because large cities like Edmonton and Saskatoon only a few hours drive from the Nation. In 2018, a Drug Task Force team was created and the Nation adopted a strategy based on helping the community and those in it get away from drugs and gangs. The strategy involves working closely with neighbouring communities. In May 2017 a Drug and Gang Forum was held in concert with surrounding communities where leaders learned from each other and shared strategies about what worked, what didn’t work, and how they could work together going forward.

Waskewitch said that it was important to create a trusting relationship with gang members and drug dealers so that they come forward with information and receive the assistance they need to leave the lifestyle. She emphasized that this relationship doesn’t need to be punitive in all cases.

Pahtayken recounted his harrowing experiences with the up-close-and-personal impacts of drugs and alcohol on his friends, family members, and community. He shared remembrances of family members committing suicide and overdosing and stressed the negative influences of drugs. Pahtayken expressed frustration at the laws of the Onion Lake Cree Nation being referred to as bylaws. “Municipalities refer to their laws as bylaws,” he said. “We aren’t a municipality. We are a Nation within a nation. We call ours the Onion Lake Laws.” He stressed that the only way to solve community issues is to create community laws.

Pahtayken also expressed that the Onion

Lake Fire Rescue Peacekeepers are a multi-dimensional force, cross-trained in various techniques. He indicated the difference between the Nation's forces and the RCMP, municipal fire departments and municipal emergency services, stating that, owing to their cross-training, Onion Lake might just be the safest place to have a heart attack.

"If the RCMP shows up, they're just going to secure the scene. Medical can show up but they're not going to enter the building until the place is secure so they're just standing outside. Onion Lake Fire Rescue Peacekeepers are trained in all components," he said, citing their monthly trainings in vehicle extrications and first aid, among skills. He echoed the collaborative approach with surrounding communities, saying it was the only way to stop drug dealers and gang members from setting up shop in nearby areas.

***"There's not one person in the criminal justice system that hasn't first been dealt with by police,"***





### **TSUUT'INA POLICE SERVICE**

FNPGC Conference delegates were offered a tour of the impressive new headquarters





## ANDREW GRAHAM

Queen's University

# GOVERNANCE WORKSHOP ON BOARD CHALLENGES

The context in First Nations governance is different, but the basics of board governance remain the same.

Graham stressed that the one takeaway from his session should be that the governors have a specific job to do and that job has certain characteristics that are very important. Those characteristics are providing a direction, supervision, assessing behaviour, protecting the independence of police, and making sure that they are supported. But, he stressed "that doesn't mean that you are a cheerleader. That doesn't mean that you're in love. It means that you are in a relationship that is a business-like relationship and if you do anything, your job is to make the Chief look good." Making the Chief look good means

holding them accountable. The job of the board is to have a successful Chief, not to be their cheerleader.

"It's a tougher job to be insisting that the Chief perform to a high level than it is to say 'I believe the Chief in everything that he does and I will never question it,'" said Graham.

Graham stressed that there were things happening in pre-settler times that still need to be considered and understood when looking at public safety in a holistic way. Pre-colonial First Nations policing that was taking place before colonization needs to be recognized for the holistic community-building that took place under its model. Graham indicated that he had read every single Treaty and in none of those treaties

***There is the mistaken impression that if you challenge the chief, you're not being respectful and not "getting along."***

did it say that public safety and policing would be the responsibility of the RCMP or their predecessors. Rather, it said that the Chiefs undertake to provide for the safety of their communities and that the Queen undertakes to protect those communities from intrusion. That inherent right that the Chief has still exists and is also an inherent responsibility. Operating as a self-administered police department is a step toward self-determination, but is not self-determination per se.

Today, this translates into boards that, when providing governance to the police service, are not only challenged to ensure that the Chiefs are running a police service but are delivering public safety. He stressed that the board's responsibilities are not responsible for interfering in the day-to-day operations of the Chief. Governance is thinking about the

future, to determine what the mission of the organization is and to safeguard that mission. Graham stressed the difference between governance and management, and the absolute necessity of holding a Chief to account.

There are flaws in a lot of board's thinking and they are often worried about offending the Chief by evaluating them. It is the job of the board to evaluate the Chief and to be seen evaluating the Chief. Boards have public accountability to do so.

There are a few impediments to achieving success on a board. One of the biggest problems is the board's time. Volunteer board members are generally involved in multiple things in the community and only have so much time.

Boards can get caught up in individual events. A really good board member asks how these individual events can lead back to the main target.

There is the mistaken impression that if you challenge the chief, you're not being respectful and not "getting along." Boards should obviously be personally respectful, but if they are not getting answers from the chief, they should continue to press until they get one. Chairs should have to carry the weight of ensuring the board gets answers.

Nose in, fingers out is a core rule of police governance. Boards should know what is going on without worrying about whether the information they are requesting is operational. Where boards get into trouble is when they try to micromanage, according to Graham.

"The classic 'fingers in' is 'I want you to do a patrol on west 35th every two hours,' — that's what' gotta happen," said Graham, who provided a better way. "'Chief, I'm getting a lot of feedback that we've got a traffic problem down there and we seem to have some congestion and some safety issues — would you look into it and report back to me?'" is different. It's holding them to account but it's not telling them what to do. There's a fine line."

"But, deference is almost worse than rudeness," said Graham, emphasizing the need to hold the chief to account.

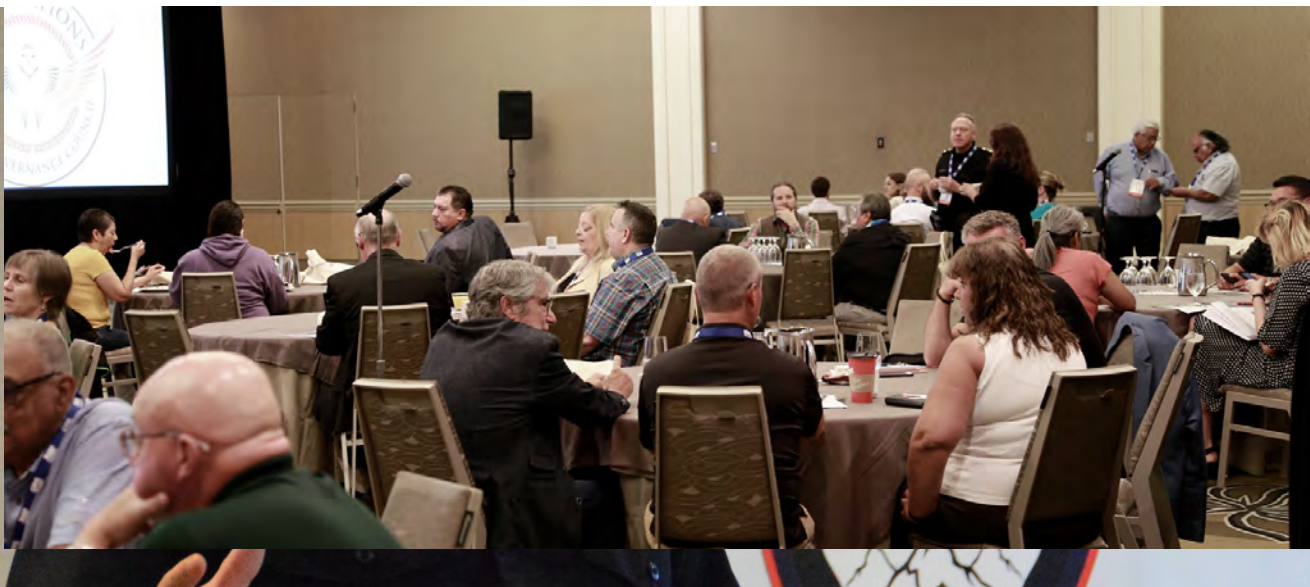
"You're not there to defend the service, per se, because you want to find out if there's something you should know about," he said. "But on the other hand, you may find yourself defending the service, because you know about it."

The chief can't keep boards abreast of absolutely every small detail that is going on, but they should be keeping boards abreast of major events that are happening.

"There is a real obligation on the part of the chief to make sure that the board is aware of those things that could have a major impact upon the board's functioning or the reputation of the force or concern for public safety in the community," said Graham. "You want to preserve police independence from political interference. That's why boards were created in the first place. That three-person board created in 1848 in Toronto was created to protect the police service from undue influence and direction by the mayor. Police must be independent, yet fundamentally accountable."







## REPORT: TOWARD PEACE, HARMONY, AND WELL-BEING: POLICING INDIGENOUS COMMUNITIES

Harley Crowshoe and Jérôme Marty presented a report, convened by the Council of Canadian Academies. The CCA assembled 11 experts from Canada and abroad with knowledge and experience in Indigenous law and public policy, criminology, psychiatry and mental health, and policing services.

The report examines policing in Indigenous communities and the unique challenges that are distinct from policing in non-Indigenous communities.

Marty explained that the CCA is an independent, non-governmental organization that was created by the federal government almost 15 years ago to answer big questions.

Marty brought reports to share with the conference. He said that there are no recommendations in the report.

“We never produce recommendations,” he said. “It is up to the audience, the sponsor, and other groups, to find the recommendations that are behind the report.”

*Why this report?* Marty said that, in 2014, the CCA did a report on general policing and the report did not include Indigenous policing. At the end of the process, the experts who sat on that panel thought there was a need to dive into Indigenous policing and another

report was convened.

***"The report is very timely," said Marty. "It is being published at a time when Canada is reviewing and restoring its relationships with Indigenous people. We felt that it is a good document to contribute to that discussion."***

The charge, or the purpose of the report, was to build on the previous report on policing and to identify the leading practices in policing that could be applied to Indigenous policing. To answer the question, the CCA invited experts from academia, past police officers and from several Indigenous communities throughout the country.

Marty said that almost no data existed on Métis communities.

**There were a number of topics that were out of scope for the panel. The out of scope topics were:**

- evaluation of the First Nations Policing Program (FNPP)
- causes of the overrepresentation of Indigenous people in crime statistics and the justice system
- policing and gender

**The topics that were in scope were:**

- considering all types of Indigenous communities — on-reserve, off-reserve, urban and rural areas, First Nations, Inuit and Métis
- considering all policing arrangements in Indigenous communities — FNPP, arrangements in the north with the Inuit
- legal context in which policing is operating in

Harley Crowshoe said it was an honour to be a part of the expert panel and that the two-year process was a journey for all involved. The panel all served as volunteers and

brought a broad range of interdisciplinary knowledge to the table. More than half of the panel were Indigenous and were able to share their knowledge from an Indigenous lens.

**The panelists were as follows:**

Kimberly R. Murray (Chair)  
Jimmy Sandy Akavak  
Harley Crowshoe  
Mylène Jaccoud  
Laurence J. Kirmayer  
Eileen Luna-Firebaugh  
Naomi W. Metallic  
Kent Roach  
Philip C. Stenning  
John William Syrette,  
Norman E. Taylor

Crowshoe discussed the methods that the panel used and said that they considered published peer reviewed literature, media reports, unpublished data provided to the panel by Public Safety Canada and on-site visits and conversations with police forces and local community members.

Crowshoe said the in-person visits were very valuable.

"It exposed panel members to lived experiences, values and perspectives that are not always captured in the public literature," he said.

Relationships were essential to the report. The title of the report, "Toward Peace, Harmony, and Well-Being: Policing Indigenous Communities" invokes Indigenous values. Purple, the colour of the cover of the report, is a healing colour in many communities.

"The report was informed throughout by a number of Indigenous teachings," said Crowshoe. "We met at a number of locations throughout Canada and we acknowledged

the land that we were on.

We were guided by prayer, ceremony and traditional teachings as we moved forward. As a panel member, I think this was so important and we were able to get to know each other, gain an understanding of what we bring to the table and the knowledge that we share, but also it gave us an opportunity through ceremony, through prayer and through Indigenous teachings, it grounded us, gave us focus and helped us move forward within this process.”

Elders provided input on the title which Crowshoe said was incredibly valuable.

### **THREE KEY THEMES EMERGED FROM THE REPORT:**

- Self-determination
  - Indigenous communities must have real choice over police forces, not simply be handed choice one or choice two
- New funding framework
  - Adequate resources to build and sustain capacity for self-determined policing and takes into account community remoteness and current state of economic development
  - Change in conceptualization from program delivery model to one of essential service
- Importance of relationships
  - Change must be rooted in respectful and trusting relationships which requires police to come from a place of understanding and humility and draw on practices from the community they are policing within
  - Stronger relationships between Canada and Indigenous people

### **STRUCTURE OF THE REPORT:**

- First five chapters set up context, last

three focus on leading practices to guide the way forward

### **MAIN FINDINGS:**

#### **Chapter 2: Policing Indigenous Peoples: History and the Colonial Legacy**

- Historical context is crucial to understanding the current state of affairs
- Acknowledging past harm is key to moving forward
- Impact of colonization continues to reverberate in Indigenous communities
- Confronting history is part of the challenge

There are four key periods of history:

- Pre-contact (Pre-1500)
  - Acknowledge these societies had their own systems of government
  - No pan-Indigenous way of defining these systems
- Era of Alliances (1500 - 1800)
  - Mutually beneficial treaties and alliances secured economic benefits for Europeans and Indigenous peoples
  - Coexistence without assimilation
- Discrimination and Assimilation (1800 - 1960)
  - Indigenous system was challenged and undervalued at this time
  - Process of colonization and introduction of formal policing systems
  - Treaty system meant to control and acquire land

Gathering strength (1960 - present)

Indigenous people are reasserting their rights, redefining relations with Canada Commissions and inquiries happening

“What became clear throughout the research into the fourth time period is that in Canada, it has often been crisis which has been the impetus for change in Indigenous and settler relations,” said Crowshoe.



### **Chapter 3: Indigenous Community Safety and Well-Being**

- Improving safety and well being in Indigenous communities is not solely dependent on police but they can be part of the broader solution
- Opportunity for policing approaches that reflect holistic views already embedded in Indigenous cultures

#### *Limitations:*

- Data does not allow for comprehensive assessment of safety and well-being of Indigenous communities
- Data presents signs of systemic discrimination and excludes factors like social and cultural values

### **Chapter 4: The Current Constitutional, Legal and Policy Context**

- Researchers appreciated having lawyers on the panel — it was helpful in understanding the language
- Policing in Indigenous communities is embedded in a complex legal and policy context
- Policing informed by treaty commitment and the Crown's fiduciary duty to Indigenous, and international documents such as The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
- Because of lack of clarity in terms of jurisdictions, policing has been managed as a program rather than an essential service
- Recent political and legal developments call increasingly for self-determination
- Six out of ten provinces have specific provisions relating to policing in Indigenous communities
- Eight out of ten provinces, many municipalities and all territories, have a

### **Chapter 5: Current Realities for Policing in Indigenous Communities**

- FNPP is the primary instrument for policing on reserve
- FNPP meant to support and provide additional resources to existing resources, yet in some communities it became the main resource instead of augmenting existing resources

Many limitations were identified including under-resourcing and under-funding and these conditions have led to the lack of trust currently being observed between Indigenous people and police.

### **Chapter 6: Putting Relationships at the Centre of Community Safety and Well-Being**

- Most promising ways to promote safety and well-being involve building relationships among police, other service providers and community members
- Police can promote mutual respect between Indigenous and non-Indigenous communities
- Promising practices:
- Inclusion of Indigenous knowledge and values
- Focus on social determinants rather than enforcement
- Principles that could help support:
- Role of elders — all panel members agreed that elders are a key component to community well-being
- Inclusion of healing
- Promotion and protection of cultural values
- Need to be able to understand language and values

#### *Challenges to community safety and well-being:*

- Access to resources and services
- Communication and trust
- Training

- Panel found that with the diversity of communities and cultures, there is a need to expose police to local values of the community they will be policing
- Remoteness
- Police well-being
  - We have to look after the well being of the police too — for some communities it impacts their well being to have to police the people they know so well

### **Chapter 7: Toward Change**

- Three main points:
  - Policing is a core element of self-determination and communities need to have the ability to have meaningful choices that support self-determination
  - Requires resources and consideration of specific community needs
  - Opportunity for change is rooted in the need for respectful and trusting relationships

### **CONCLUSION:**

Safety and well-being needs that are most critical in the community are best identified by the community itself

***“What became clear throughout the research into the fourth time period is that in Canada, it has often been crisis which has been the impetus for change in Indigenous and settler relations,” said Crowshoe.***



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