



FIRST NATIONS POLICING AND PUBLIC SAFETY

OVERVIEW

The Assembly of First Nations (AFN) and Canada signed a Memorandum of Understanding on Joint Priorities in June 2017, which identified policing and community safety issues affecting First Nations as the first joint priority. To accomplish this task, the AFN has initiated discussions with Public Safety Canada (PS) and Emergency Preparedness to ensure the interests of First Nations are kept safe, while protecting the rights of First Nation citizens.

The Justice Portfolio, held by Regional Chief Terry Teegee, is focused on reducing the high rate of First Nations individuals involved in the criminal justice system, as well as eliminating gaps in government services provided to First Nations.

First Nations policing and public safety has been championed by Regional Chief Ghislain Picard. He has advocated for program and funding enhancements of the First Nations Policing Program to enable First Nations police agencies to provide services comparable to that of the Royal Canadian Mounted Police (RCMP) and other provincially regulated agencies.

On June 12, 2016, the AFN and the RCMP signed a Relationship Building Protocol. The AFN and RCMP are working towards jointly identifying possible incidents and issues of discrimination in the RCMP and developing a long-term strategic response. The AFN and RCMP are also assessing possible enhancements in services provided to First Nations.

At present, PS is currently funding the First Nations Policing Program (FNPP) in the amount \$522.5 million. There are 185 police service agreements covering 1,299 negotiated police officer positions in over 450 First Nations and Inuit communities across Canada.

A number of AFN resolutions call on the federal government to address gaps in First Nations policing. Resolution 01/2017, *Four Corner Table Process on Community Safety and Policing*, calls for the establishment of a multilateral table to promote community safety and eliminate racism and violence encountered by First Nations in urban areas.

UPDATE

On January 10, 2018, the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, announced that the

federal government will invest additional funds for the FNPP. An additional \$291.2 million will become available in 2018 to

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address past chronic underfunding for equipment, salaries and infrastructure. The federal funding commitment is long-term in scope and will include a 2.75% annual escalator to address inflation.

In addition, \$44.8 million is slated for release beginning in the fiscal year 2019–2020 to recruit up to 110 additional officer positions. Of this amount, a portion over five years will be provided to the RCMP to pay for policing services provided pursuant to Community Tripartite Agreements. The remaining portion over five years was added to Self-Administered Agreements and Municipal Agreements to ensure their continued operations.

Self-Administered Police Service agreements were being negotiated before their expiry on March 31, 2018. A one year extension is available in the event that an agreement cannot be reached before that time. In addition, FNCP Services Framework Agreements have been automatically extended to March 31, 2019.

The announcement comes after AFN Resolution 45/2017, *Federal Investments in First Nations Policing Services*, which directed the AFN to urge the Government to ensure First Nations police services are viewed as essential services. Currently, the FNPP is classified as a discretionary program which permits its underfunding in comparison to municipal and provincial police forces.

On November 15, 2018, Minister Goodale announced at the Federal-Provincial-Territorial Meeting of Ministers Responsible for Justice and Public Safety, in St. John's, that \$80 million will be provided for First Nations policing infrastructure. Further, Minister Goodale stated that he is open to discussions about transforming the FNPP into a legislated essential service.

The AFN is monitoring legislative processes with respect to Bill C-59, *An Act Respecting National Security Measures*. Currently, with the Standing Senate Committee on National Security and Defence, the Government's package of proposed measures represents improvements to Canada's national security framework intending to make Canada more secure, its agencies more accountable and its laws more just. In order to ensure First Nations collective and individual rights are respected, the AFN will continue to monitor and participate in legislative processes relating to Bill C-59.

The AFN will continue to monitor Bill C-71, *An Act to amend certain Acts and Regulations in relation to firearms*. This bill proposes changes to the transportation of restricted and prohibited firearms, background checks, transfer of non-restricted firearms, and record keeping requirements in an effort to reduce gang violence. The AFN will continue to monitor legislative processes regarding Bill C-71 and advocate for the protection of our Aboriginal and Treaty rights, such as our right to hunt, that may be impinged under this proposed legislation.

NEXT STEPS

- As directed by Resolution 107/2017, *Support of the First Nations Chiefs of Police Association Resolution Calling for First Nations Policing to be Entrenched as an Essential Service* and Resolution 44/2018, *Enhancing and Supporting Tribal Police Services in First Nations in Canada*, urge the federal government to classify First Nations policing as an essential service and fund First Nations police services equitably when compared to other police agencies.
- Continue to participate in discussions regarding the First Nations Policing Program in order to advance the Joint Priority identified in the AFN-Canada Memorandum of Understanding signed in June 2017. A work plan is currently being developed this year to undertake activities to implement Resolution 45/2017, *Federal Investments in First Nations Policing Services* with PS. Further, a protocol between the AFN and PS to enable technical staff to advance policing and community safety priorities is being developed. Lastly, the AFN and PS are working jointly to produce a gap-analysis report on issues facing First Nations police services and research to outline funding needs.
- Continue to engage with the RCMP on developing a strategic response to the issues of racism and discrimination as outlined in the AFN-RCMP Relationship Building Protocol (Protocol). This is further supported through the recent agreed upon deliverables outlined in the AFN-RCMP 2018 Annual Report.
- Develop a strategic working relationship with the new RCMP Commissioner, Brenda Lucki, to continue to implement initiatives outlined in the Protocol.

