



## What is the history of this issue and how does it impact First Nations?

There have been numerous incidences of police misconduct and use of excessive force against First Nations' individuals, as outlined by numerous inquiries and commissions, starting with the *Royal Commission on the Donald Marshall, Jr., Prosecution* in 1989, the Neil Stonechild Inquiry in 2004, the Viens Inquiry in 2019, and the Bastarache report in 2020.

The First Nations Policing Program (FNPP) was established in 1991 to address many concerns regarding the troubled relationship between First Nations and Canadian police. Unfortunately, the FNPP did not live up to the expectations and aspirations of First Nations since many First Nations policing services were chronically underfunded, leading to reduced capacity for First Nations police to properly fulfill their duties. Many First Nations leaders, Chiefs of Police, and academics mainly attribute these shortcomings to the fact that the FNPP is a governmental program with no legal or statutory backing. As such, many First Nations have called for legislative changes to recognize First Nations policing as an Essential Service.

## How has the AFN's recent advocacy affected this area?

In 2020, Statistics Canada announced their commitment to gather data on Indigenous and ethno-cultural groups in police reported crime statistics on victims and accused persons. This was a welcomed announcement as it reflected one of the recommendations made by the AFN to the House Standing Committee on Public Safety and National Security (SECU).

Also in 2020, Bill Blair, Minister of Public Safety and Emergency Preparedness, announced a commitment to co-develop a legislative framework that would recognize First Nations policing as an Essential Service. This announcement was welcomed and reflected the long-term advocacy efforts of First Nations to replace the FNPP.

During the 2020 AFN Annual General Assembly, the Chiefs-in-Assembly passed various resolutions that mandated the AFN to assist in reforming the justice system and to co-develop legislation that would recognize First Nations policing as an Essential Service. Resolution 06/2020, *Support for Advocacy on Systemic Racism in Canada*, made calls for the federal government to create concrete steps to combat systemic racism in criminal justice and other systems by developing First Nations-led oversight committees; implementing zero-tolerance policies for excessive use of force; support restorative, trauma-informed and culturally sensitive practices with First Nations police services; and updating RCMP practices and policies to include harm reduction and mental health support. Further, Resolution 07/2020, *Calls to Reform and Address Institutional Racism in the Justice System*, calls for the development of legislation that

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recognizes First Nations Police Services as an Essential Service with the proper financial support for infrastructure, new community policing services, and adequate equipment, supplies, and salaries.

In March of 2021, the AFN held a National Forum on First Nations Policing and Justice in which participants expressed their vision for what Essential Services legislation could look like. Many indicated that Essential Services must include reforms to police governance, stable funding for First Nations police services, the establishment of long-term solutions, support for victim services and community-based policing, and the recruitment of First Nations people into First Nations policing services. In addition, the AFN established a technical committee to provide advice on the development of legislation and policies that will ensure equitable and stable funding for First Nations police services.

### **Where do we hope to go in the future?**

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The AFN is working to fulfill the mandates provided by the Chiefs-in-Assembly and is engaging in work for the creation and implementation of legislation that recognizes First Nations Police Services as an Essential Service.

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