



## ARCHIVED - Archiving Content

### Archived Content

Information identified as archived is provided for reference, research or recordkeeping purposes. It is not subject to the Government of Canada Web Standards and has not been altered or updated since it was archived. Please contact us to request a format other than those available.

## ARCHIVÉE - Contenu archivé

### Contenu archivé

L'information dont il est indiqué qu'elle est archivée est fournie à des fins de référence, de recherche ou de tenue de documents. Elle n'est pas assujettie aux normes Web du gouvernement du Canada et elle n'a pas été modifiée ou mise à jour depuis son archivage. Pour obtenir cette information dans un autre format, veuillez communiquer avec nous.

This document is archival in nature and is intended for those who wish to consult archival documents made available from the collection of Public Safety Canada.

Some of these documents are available in only one official language. Translation, to be provided by Public Safety Canada, is available upon request.

Le présent document a une valeur archivistique et fait partie des documents d'archives rendus disponibles par Sécurité publique Canada à ceux qui souhaitent consulter ces documents issus de sa collection.

Certains de ces documents ne sont disponibles que dans une langue officielle. Sécurité publique Canada fournira une traduction sur demande.

**User  
Report**

**Policing Services for  
Aboriginal Peoples**

**No. 1993-21**

**Aboriginal Policing  
Series**

**E  
98  
.P75  
M44  
1993  
c.2**

**Attorney General Canada  
Ministry Secretariat**

**Canada**

Vijay Mehta

Copyright of this document does not belong to the Crown.  
Proper authorization must be obtained from the author for  
any intended use

Les droits d'auteur du présent document n'appartiennent  
pas à l'État. Toute utilisation du contenu du présent  
document doit être approuvée préalablement par l'auteur.

## **Policing Services for Aboriginal Peoples**

**No. 1993-21**

The views expressed in this working paper are those of the author and are not necessarily those of the Ministry of the Solicitor General of Canada. It is made available as submitted to the Ministry of the Solicitor General.

Cat: JS4-1/1993-21  
ISBN: 0-662-60059-2

E  
98  
.P75  
M44  
1993  
c.2



**Policing Services For Aboriginal Peoples**

**A review of current trends and developments and an analysis of the impact on policing services for Aboriginal Peoples**

Submitted to  
Aboriginal Policing Directorate  
Solicitor General, Canada

Prepared by  
Mr. Vijay Mehta  
Canada Research Institute  
February 18, 1993

# TABLE OF CONTENTS

Section	Page
I. INTRODUCTION	
Introduction . . . . .	5
II. OBJECTIVE	
Purpose of the Study . . . . .	8
Objectives of the Study . . . . .	8
III. METHODOLOGY	
Approach to the Study . . . . .	10
IV. AN OVERVIEW OF ISSUES AND TRENDS	
Demographic Trends and Other Socio-Economic Conditions . . . . .	12
Urban Migration . . . . .	18
Language Factor . . . . .	20
Education Factor . . . . .	21
Aboriginal Offenders . . . . .	22
Aboriginal Self-Government . . . . .	23
Summary . . . . .	26
V. OVERVIEW OF RECENT EXAMINATIONS INTO POLICE-ABORIGINAL RELATIONSHIPS	
Royal Commission on the Donald Marshall, Jr., Prosecution . . . . .	30
Aboriginal Justice Inquiry of Manitoba . . . . .	31
Reports of the Saskatchewan Indian Justice & Metis Justice Review Committee . . . . .	32
Task Force on the Criminal Justice System and its Impact on the Indian and Metis People of Alberta . . . . .	33
Report on Aboriginal Peoples and Criminal Justice: Equality, Respect and the Search for Justice . . . . .	34
Summary . . . . .	35
VI. POLICING SERVICES FOR ABORIGINAL PEOPLES	
The Issues . . . . .	37
The Potential Solutions . . . . .	42
VII. CONCLUSION	
Conclusion . . . . .	49
Appendix	
Bibliography	
List of Contacts	

## LIST OF TABLES

Table	Page
IV-1. Aboriginal Population for 1960, 1991, and projected trend to 2000 . . . . .	13
IV-2. Aboriginal Population in Canada . . . . .	14
IV-3. Aboriginal Population by Age, 1981 - 2000 . . . . .	17
IV-4. Aboriginal Population: Major Urban Centres . . . . .	15
IV-5. Aboriginal Language - Comparative . . . . .	20
IV-6. Level of Education - Comparative . . . . .	21
IV-7. Aboriginal Offender Population by Regions . . . . .	22

---

**Section I**

**Introduction**

---

## I. INTRODUCTION

The purpose of this report is to provide focused, timely and meaningful information on the likely impact of current trends on urban Aboriginal policing issues to the year 2000.

Aboriginal peoples currently represent approximately three percent of the overall Canadian population. Within the general definition of **Aboriginal peoples**, are included status/treaty Indians, non-Status Indians, Metis, and Inuit peoples. In all categories of Aboriginal peoples, with the possible exception of the Inuit, there are further sub-categories. For example, Status Indians are represented by over 100 Tribal "Nations" situated on approximately 600 reserves across Canada.

Migration from reserves to urban areas has been increasing over the past several years and it is estimated that approximately 30 to 35 percent of all status Indians reside off-reserve. For some reserves, the percentage of non-reserve members exceeds 70 percent. It is further estimated that within twenty years, there are likely to be about two million Aboriginal peoples, accounting for nearly seven percent of the nation's inhabitants.

While Aboriginal peoples comprise only three percent of the Canadian population, they represent an estimated nine to ten percent of the inmate population in Canada. In several western Canadian correctional institutions, Aboriginal peoples comprise over 50 percent of the institutional population. Of that inmate population, approximately 70 percent of those inmates committed their offenses off-reserve.

This report will discuss the underlying factors, concerns and future issues that are likely to have significant impact on policing and law enforcement and on urban Aboriginal communities, because now, more than ever, there is a need to be proactive in anticipating off-reserve policing issues, and in finding ways to turn those issues into opportunities for improving the quality of police/urban Aboriginal services.

There are also a number of situational factors which will impact on policing services for Aboriginal peoples. Consequently, this report will further examine from a largely urban perspective the non-reserve regional, political and socio-economic context, identify current and future concerns, trends and developments, and assess their impact for law enforcement agencies



and urban Aboriginal communities. It will attempt to establish a common understanding of the existing environment and facilitate a more comprehensive response to policing services for Aboriginal peoples in the future. More specifically, the report will identify and provide information on key issues impacting on police organizations, Aboriginal groups, and municipal/urban communities who work with or encounter issues facing urban Aboriginal policing.

**Section II**

**Objective**

## **II OBJECTIVE**

### **Purpose of the Study**

The principal objective of this report is to identify key issues impacting on the provision of policing services for Aboriginal peoples residing in urban areas.

The report identifies and analyzes the regional, political and socio-economic context in which these issues are grounded and provides an accurate "overview" of off-reserve policing. It also identifies options for enhancing police services to Aboriginal peoples living in urban centres.

### **Objectives of the Study**

In support of the principal objective, two secondary objectives have been identified and are as follows:

- To provide a report which will serve as the basis of understanding on key issues and trends affecting policing services for Aboriginal peoples.
- To identify short-term, intermediate and future issues affecting urban Aboriginal policing.

---

**Section III**

**Methodology**

---

### **III METHODOLOGY**

#### **Methodological Approach**

The methodological approach selected for this study respects the unique and sensitive nature of the subject matter.

The report seeks to describe the police-Aboriginal relationship in a changing social context and to define it as a coherent, dynamic process. Linkages between the two principal components, law enforcement agencies and the urban Aboriginal constituency, are identified and described, and their impact on each other is reviewed.

A literature review of the political, economic and social policies and trends related to urban Aboriginal policing was undertaken to provide the context in which urban police services are developed, managed, delivered and supplied, on the one hand, and consumed or received, on the other.

After the literature review, key individuals who are involved in developing and shaping relevant policies and in managing and delivering police services to urban communities were interviewed. The purpose of these interviews was to determine their perspectives on the emerging issues. The information generated through the interview stage was assessed, analyzed and incorporated within the report.

---

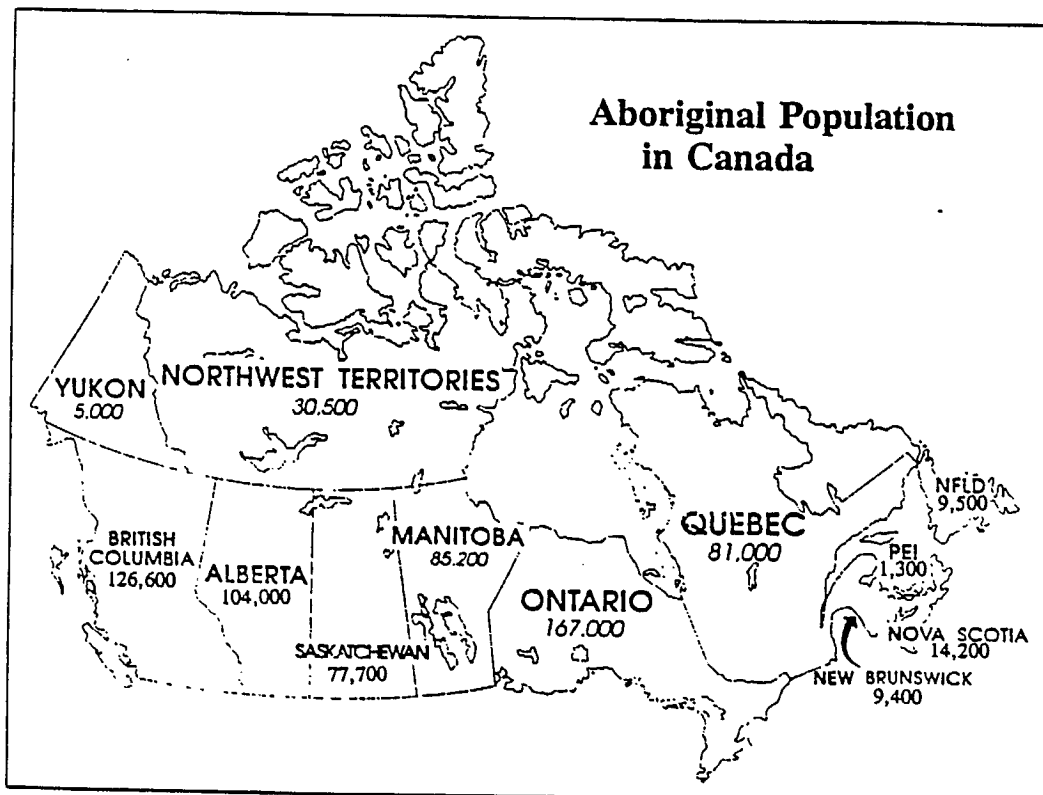
**Section IV**

**An Overview of Issues and Trends**

---

**Demographic Trends and Other**  
**Socio-Economic Conditions\***

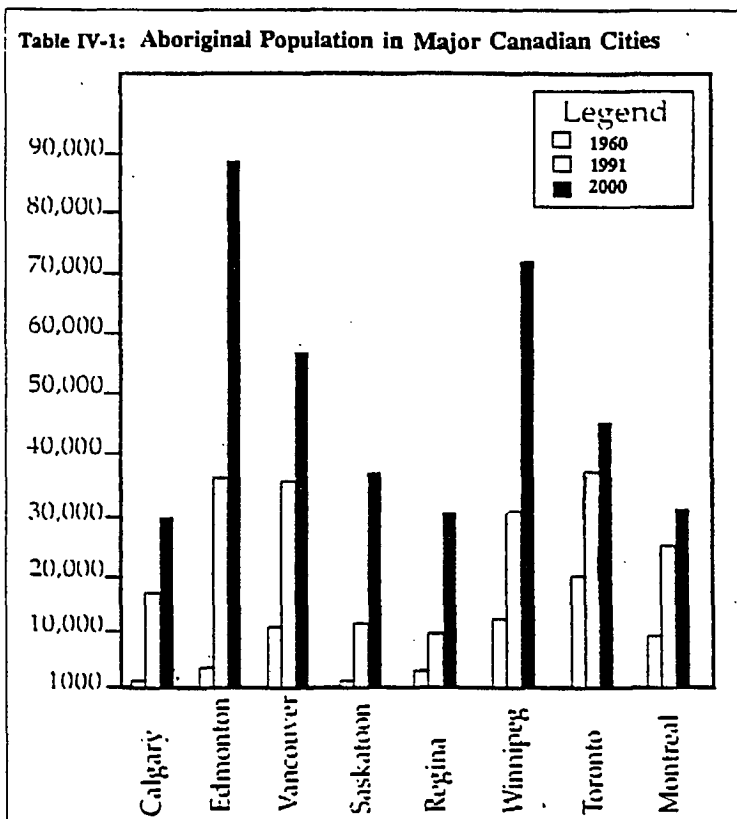
This section presents the reader with an overview of some characteristics of the current off-reserve population, trends in urban migration, and socio-economic conditions likely to affect policing services for Aboriginal peoples. Chart 1 provides a current snapshot of overall Aboriginal population in Canada.



\* 1991 Census

There are nearly 737,000 Canadians of Aboriginal descent representing 3% of the total population, of whom 549,000 are Indians, 152,000 Metis and 36,000 Inuit. Only 46% (326,000) reside on reserves or in Native settlements. Even among "status" Indians, whose benefits are tied to their residency on a reserve, only 56% remain on reserves, down from 87% in 1960 and 98% in 1950.

Aboriginal peoples are the fastest growing segment of the country's population, with a birth rate more than three times that of non-Aboriginal peoples. Within 20 years there are likely to be nearly two million Aboriginal peoples, accounting for 6.5% of the nation's inhabitants. Table IV-1 presents Aboriginal population for the years 1960, 1991, and the projected trend to the year 2000. Alberta's Aboriginal population is expected to quadruple by 2010 to almost 400,000, at which time they will form more than 13% of the province's anticipated 2.9 million residents.





The majority of Aboriginal peoples (55%) live in the four Western provinces, and an overwhelming number (76%) live in northern Ontario, the West and the two Territories.

Saskatchewan has the highest per capita population of Aboriginal peoples. Nearly one in 12 (7.9%) of the province's citizens is an Aboriginal, including 55,000 Indians, 26,000 Metis and 600 Inuit. Saskatoon has an Aboriginal population of 5.6%, accounting for the highest proportion of Aboriginal residents of any Canadian city. Manitoba is second with 7.7% of its population claiming Aboriginal ancestry. Alberta, with 104,000 Aboriginals, is third at 4.0%. Edmonton has the largest Aboriginal population of any major Canadian city; 34,500 Edmontonians (4.6%) are either Indian or Metis. It is further estimated that in the next two decades the Aboriginal population of Edmonton and Winnipeg will double. Within the same time frame, the Aboriginal population is expected to triple in Saskatoon and Regina. Demographers suggest this is a result of their proximity to chronically poor northern reserves. Table IV-2 identifies Aboriginal population in Canada, and Table IV-3 provides information on Aboriginal population in urban centres.

**Aboriginal Population In Canada\***

	<b>On-Reserve</b>	<b>Off-Reserve</b>	<b>Combined Aboriginal Population</b>
Male	89165	260105	349270
Female	82285	280180	362465
<b>TOTAL</b>	<b>171450</b>	<b>540285</b>	<b>711735</b>

\* 1991 Census Canada

**Table IV-2: Aboriginal Population in Canada**

In Ontario, the total recorded Aboriginal population is 167,375, accounting for 1.8 percent of the total population. Of this figure, the off-reserve Aboriginal population is 141,225, while on-reserve is 26,142. Toronto's Aboriginal population is 33,000, which comprises one percent of the city population; however, Aboriginal agencies estimate that given migration patterns and trends, the Aboriginal population is nearly 70,000. In a recent report, the Ministry of the Attorney General of Ontario estimated that 20 percent of Ontario's Aboriginal population live in Toronto.

Aboriginal representation in the provinces is dwarfed by that in the territories. Over 56% of the Northwest Territories' 54,000 residents are Native. So are 20% of 26,000 Yukoners. When the new territory of Nunavut is created, sometime before 1997, it will likely be nearly 90% Inuit.

The age breakdown of the off-reserve Aboriginal population is also significant. In 1981, the median age for off-reserve residents was ten years less than that of the Canadian population: i.e. where the average age of non-Aboriginal Canadian is 30 years, the average age of an Aboriginal person is 20 years. Table IV-4 summarizes the 1981 and 2000 breakdowns of the population by age.

**Population By Age: 1981 and 2000**

Ages	Population			
	Aboriginal Off-Reserve		Canada	
	1981	2000	1981	2000
0-14	37	27	23	19
15-34	29	45	20	22
35-64	30	23	48	46
65+	4	5	9	14

**Table IV-4: Aboriginal Off-Reserve vs. Canadian Population by Age - 1981 & 2000**

Among Aboriginal peoples, only 6 or 7 percent are over 55. In Canada's total population, that proportion is 20 per cent. Aboriginal urban communities have a tremendous number of young people, the result of a recent baby boom. Among urban Aboriginal peoples, 38 per cent are under 15, compared with 21 per cent of the whole Canadian population.

It is also interesting to note the age group of 15-34 will be the group most likely to come into conflict with the law. This 15 through 34 year old age cohort should be of special interest to police officials, as it includes those individuals who are potential offenders under the Young Offenders Act, those individuals who are subject to special risks of victimization related to drugs, alcohol and behaviour associated with youth gangs, and those individuals who exhibit a higher rate of criminal activity.

The potential implications of this age group for policing services both directly on the policing organization and indirectly through changes in demands for services include:

- An increase in offenses related to drugs, alcohol, behaviour associated with youth, thefts, and vandalism;
- An increase in traditional types of crime (breaking and entering, robberies); and,
- An increase in demands on service for policing, corrections and other components of the justice system dealing with Aboriginal peoples.

Knowledge of the basic demographic characteristics of urban Aboriginal populations is fundamental to understanding, planning and providing the policing services commensurate with the needs of the community. Police organizations must have knowledge of the characteristics of the population that is to be served, and must be able to predict how the population is likely to change over time.

<b>CITY</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Halifax</b>	1885	2035	3925
<b>Montreal</b>	10560	12135	22700
<b>Toronto</b>	15585	17365	32955
<b>Winnipeg</b>	12905	15415	28320
<b>Regina</b>	3885	4730	8615
<b>Saskatoon</b>	4710	5305	10015
<b>Calgary</b>	7180	8065	15245
<b>Edmonton</b>	13505	14440	27945
<b>Vancouver</b>	15375	16660	32030
	85590	96150	181750

Canada Research Institute: Aboriginal Population Database, 1991

**Table IV-3: Aboriginal Population - Major Urban Centres**

### Urban Migration

Given the demographic trends and other socio-economic conditions, it is obvious that urgent attention must be paid to Aboriginal peoples who are left behind the growth process and the economic progress that have benefited the vast majority of urban residents. While there has always been a poor and disadvantaged population in Canadian cities, there is widespread evidence that Aboriginal peoples are moving to, and forming a new distinctive disadvantaged group in urban centres.

Aboriginal peoples are turning away from their reserves to major urban centres. This movement is taking place amidst a backdrop of deep-seated need where on-reserve communities are unable to sustain or satisfy current requirements, and where off-reserve locations are already saturated by the national baby boom population.

This migration will affect and quite possibly change the delivery of overall police services provided to Aboriginal peoples living in urban areas. The following characteristics of a high migration band has been developed for review by both law enforcement officials and Aboriginal community representatives in order that they be made aware of such characteristics for future police-Aboriginal relations.

<b>HIGH-MIGRATION BANDS Characteristics</b>	
<b>BAND SIZE</b>	Less than 400 members
<b>EMPLOYMENT</b>	Tradition of working off-reserve; poor on-reserve opportunities
<b>URBAN PROXIMITY</b>	Semi-rural, urban - poor road access to urban centres for daily commuting
<b>EDUCATION</b>	Higher than average attainment. High proportion at integration schools
<b>LANGUAGE</b>	English or French spoken on reserve
<b>BAND GOVERNMENT</b>	In the process of being formulated

Economic restructuring, occupational competitiveness, technological changes and employment uncertainty have combined with social situations such as the absence of family support structure, or a social support network, alcohol and substance abuse, and dependence on welfare, to further disadvantage Aboriginal peoples in urban settings.

One further consequence of this new urban demography, again accentuated by associated changes in lifestyle, occupations and jobs, household incomes, has been the emergence of a more polarized social landscape. Up-scale elite neighbourhoods now co-exist with down-scale neighbourhoods and deteriorating public housing projects in a complex geographic mosaic. The old image of a visibly depressing, impoverished, and crime-ridden inner city surrounded by and increasingly homogenous and affluent suburban belt is changing. In its place is a new reality, a much more complex and varied social landscape, a landscape in which variations in social status are sharper, more distinctive, and less easily mapped. Our urban centres have become less homogeneous, and richer and poorer, at the same time.

Aboriginal peoples, to a large extent, have not been beneficiaries of any urban growth. The polarization between various groups could have serious public safety implications for the delivery of police services. Indeed, the problems of Aboriginal peoples who have migrated to urban centres includes increased alienation and conflict with the law. Law enforcement agencies therefore, face a formidable challenge in responding to Aboriginal needs while being subjected to a climate of continued fiscal restraint.

### Language Factor

One of ten Aboriginal persons living off-reserve has identified an Aboriginal language as their mother tongue. Table IV-5 provides information on Aboriginal language conditions.

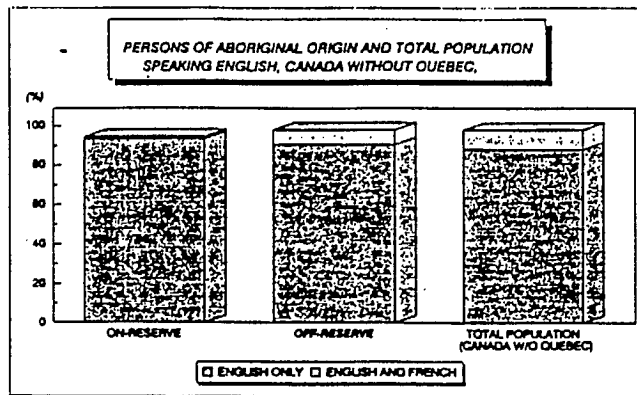
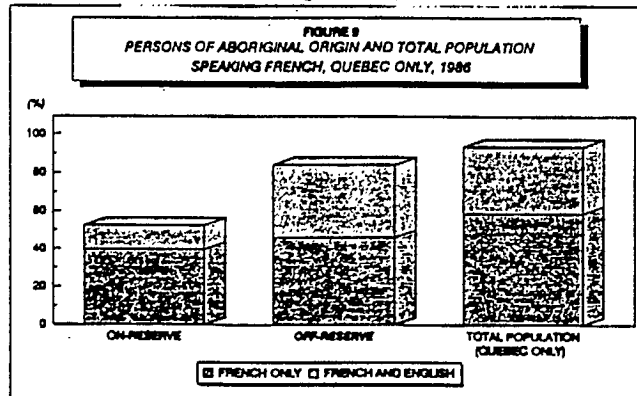


Table IV-5: Aboriginal Language Conditions



An understanding of political, education and language factors is critical to provision of effective, culturally appropriate police services to Aboriginal peoples.

Hence, law enforcement agencies need to develop an awareness of the political values and beliefs that inform Aboriginal culture, the education backgrounds of Aboriginal peoples, and the sense of linguistic alienation experienced by many Aboriginal peoples. Police serving Aboriginal peoples need to be aware of, and respond to these underlying factors.

Education Factor

The urban Aboriginal population is to a large degree more literate and educated than Indians living on-reserve. Although plagued by problems such as funding levels, recruitment and retention of teachers, adequacy of school facilities, equitable school standards, and a need for appropriate traditionally and culturally sensitive Aboriginal curricula, the educational characteristics of Aboriginal persons living off-reserve appear to be significantly closer to those of the Canadian population as a whole. Given the increasing migration of peoples from reserves to urban centres, police will encounter a broad range abilities.

Table IV-6 provides a comparison of the levels of education of Aboriginal peoples (on- and off-reserve) and non-Aboriginal peoples.

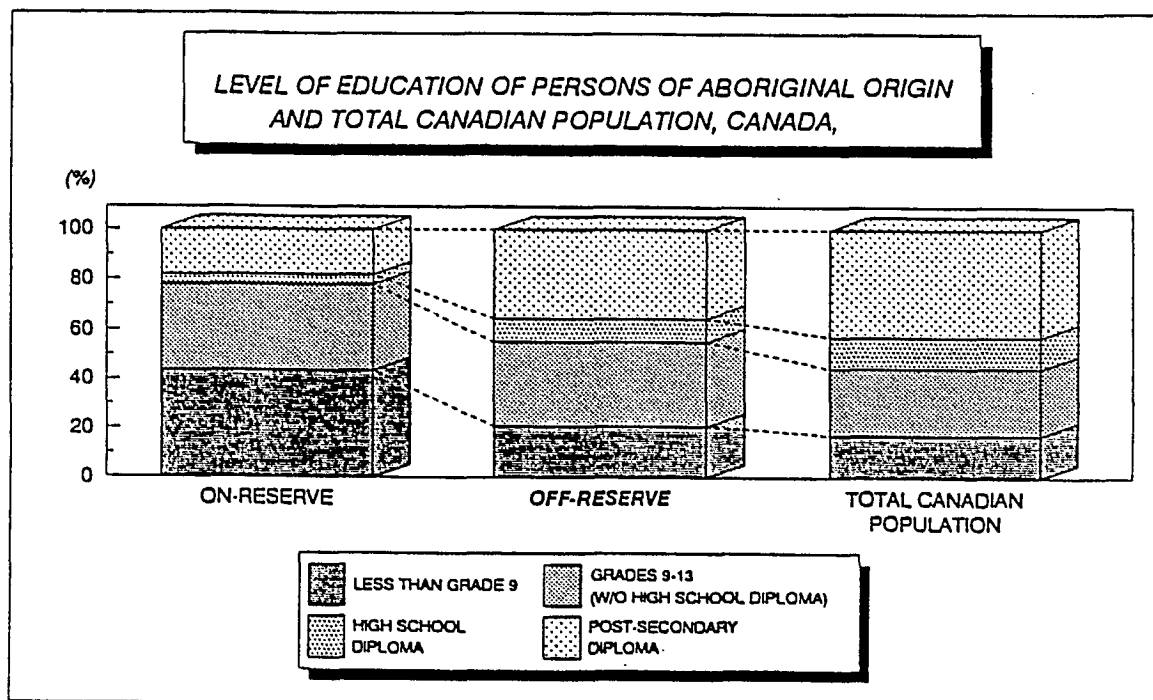


Table IV-6: Aboriginal Education



**Aboriginal Offenders**

The need to address the complex and specific issues of Aboriginal peoples in urban areas is important, given that approximately 70 per cent of all Aboriginal inmates are in institutions for crimes committed off-reserve.

Moreover, the numbers are growing. The rate of growth of the Aboriginal offender population has exceeded that of the general inmate population every year since 1982-83. For example, the Prairie region has the largest growth rate of Aboriginal offenders and in March 1987, Aboriginal offenders comprised 31 per cent of the offender population in the Prairies.

The difficulty here lies in the creation of national policies, programs and standards; the issue is complicated by the variation in the proportion and numbers of Aboriginal offenders from region to region. Table IV-7 highlights the range of Aboriginal offender population by regions.

**REGIONAL DISTRIBUTION OF ABORIGINAL INMATE POPULATION  
 AS A PERCENTAGE OF THE TOTAL INMATE POPULATION\***

Region	Total Inmate Population	Aboriginal Inmate Population*	Aboriginal Inmate As Percentage of Total Inmate	Distribution of Aboriginal Inmate Population by Region
Pacific	1531	208	13.5	18.1
Prairies	2231	730	32.7	63.5
Ontario	3383	146	4.3	12.8
Quebec	3475	28	.75	2.3
Atlantic	1025	33	3.2	2.9
National	11873	1143	9.6%	100.0%

\* Includes provincial inmates in federal institutions  
 Source: Correctional Service of Canada Population Profile Report : 1990

Table IV-7: Aboriginal Offender Population by Regions

### Aboriginal Self-Government

An appreciation of the political aspirations of Aboriginal peoples is essential, as these developments will have significant implications for the way in which police services are provided to Aboriginal peoples.

The current Aboriginal political viewpoint on self-government is founded upon a host of historical concepts involving Aboriginal rights to the land, nationhood status, treaties, the British North America Act (BNA), the Indian Act, and the Canadian Constitution. These Acts in themselves are not perceived as a basis for Aboriginal self-government but they are a clear indication that all levels of government recognize the special status and rights of Aboriginal peoples.

Many Aboriginal peoples believe that they have a right to self-government as sovereign nations who have never given up their authority and nationhood, and that such jurisdiction is of a nature that no one or no other government has ever taken or can take from them. Aboriginal peoples argue that most of the political and social institutions imposed on them do not meet their needs. Indeed, they suggest that they alone are in a position to develop the types of structures suitable for their own governments.

Current Aboriginal political expectations revolve increasingly around the following four areas:

- Settlement of land/treaty claims;
- Enhancement of local control;
- Facilitation of relationships with government departments; and,
- Establishment of government-to-government relationship with Canada and the Provinces.

To the extent that it serves as a basis for comparative analysis, Aboriginal peoples are determined now, more than ever, to attain a level of political recognition which they believe has been granted to more "newly arrived Canadians." Though they have been socially, economically, and politically quarantined, they continue to seek a recognition of self-government and their place in the larger Canadian society, where heightened political awareness would assure them special recognition within the framework of the Canadian Constitution.

Governments are shaped by and in turn shape the physical and social settings in which they are created and operate. In relation to their immediate community settings, Aboriginal governments are

responding or need to respond to issues and forces that arise from social and cultural trends, economic development, the land claims question, history and tradition, and political decision making patterns. There is an overwhelming possibility that Aboriginal controlled police programs, whether on or off-reserve, will be a contingency of Aboriginal self-government. This substantial re-ordering of legislative powers will have significant impact on the treatment of Aboriginal peoples within the Canadian justice, corrections and police systems, while attempting to address the following questions:

- The types of policing services Aboriginal peoples require;
- Weaknesses of existing off-reserve policing services and possible solutions;
- The extent to which the Aboriginal urban community can participate, or have responsibility for their own policing;
- Through what processes Aboriginal peoples will assume control over policing services, and how quickly should developments occur;
- Criteria needed to determine requirements for levels of policing services directed at Aboriginal peoples; and,
- The roles and responsibilities of the federal and provincial governments.

Finally, though political strides and efforts continue, the recent failure to ratify the negotiated Charlottetown Accord leaves many of these political governance issues unresolved.

A summary of socio-economic conditions is provided in the following Table\*, and serves to point out additional inequities impacting on urban Aboriginal peoples.

<p><b>Child Welfare:</b> The proportion of Aboriginal children in care has risen steadily to more than five times the national rate.</p> <p><b>Education:</b> Only 20 per cent of Aboriginal children stay in school to the end of the secondary level; the comparable national rate is 75 per cent.</p> <p><b>Income:</b> The average income of Aboriginal people is one-half to two-thirds of the national average.</p> <p><b>Unemployment:</b> The unemployment rate among Aboriginal peoples is about 35 per cent of the working age population; in some areas it is as high as 90 per cent.</p> <p><b>Prisoners:</b> Aboriginal peoples are over-represented in proportion to their population in federal and provincial penitentiaries. In Manitoba, Saskatchewan and the North, Aboriginal peoples represent more than 40 per cent of the prison population. The proportion of Aboriginal youths who are considered delinquent is three times the national rate.</p> <p><b>Death Rate:</b> Despite improvements over the past 10 years, the death rate among Aboriginal peoples is two to four times the rate for non-Aboriginals.</p> <p><b>Causes of Death:</b> Accidents, poisoning and violence account for over 33 per cent of deaths among Aboriginal peoples, as compared with 9 per cent for the Canadian population as a whole. Aboriginal peoples die in fires at a rate that is seven times that for the rest of the Canadian population.</p> <p><b>Violent Death:</b> The overall rate of violent deaths among Aboriginal peoples is more than three times the national average.</p> <p><b>Suicide:</b> Aboriginal deaths due to suicide are almost three times the national rate; suicide is especially prevalent among Aboriginal youths aged 15 to 24.</p> <p><b>Infant Mortality:</b> The infant mortality rate (up to the age of four weeks) among Aboriginal children is 60 per cent higher than the national rate.</p> <p><b>Life Expectancy:</b> If an Aboriginal child survives its first year of life, it can expect to live 10 years less than a non-Aboriginal Canadian. The life expectancy of Aboriginal women, for example, is 60.2 years, while non-Aboriginal women can expect to live 76.3 years.</p> <p><b>Hospital Admission:</b> Aboriginals use hospitals about 3 to 3.5 times more than the national population.</p>
--

\* Canada Research Institute: Aboriginal Conditions Database, 1991

### Summary

The urban Aboriginal population is changing greatly in its numbers and characteristics and the concomitant rapidity of migration to urban centres will have significant impacts for policing and law enforcement. For example, the Aboriginal population is younger than the rest of the Canadian population. Levels of education and other characteristics also differ dramatically when the two populations are compared. These demographic differences raise questions about the treatment of Aboriginal peoples within the Canadian justice, corrections and police systems. They indicate the relative need for such services as health care, child care, and education. They point to the significance of promoting adult literacy as a matter of urgent attention. They portray a labour force with very different characteristics from the general Canadian labour force.

Particular social groupings within Aboriginal communities often take on critical cultural roles that have socio-cultural impact. Elders hold a particularly important place in Aboriginal communities, whether on or off-reserve. They play significant educational, historical, and political roles as they pass on the wisdom of their peoples. The focus on the roles of women in Aboriginal communities, the social circumstances they experience, and the key cultural responsibilities they retain is also of significance in developing police services for urban Aboriginal peoples.

Cultural issues and their relation to the aspirations of Aboriginal self-government deserve careful attention. This is particularly true of matters relating to language and education factors, and their effect on political discourse in particular. When Aboriginal peoples discuss and debate critical political issues with other Canadians, the two groups may fail to communicate because key words may mean very different things to each. Words such as "government", "politics", and "sovereignty" do not readily translate into Aboriginal languages. As a result, their use to describe and analyze Aboriginal self-government can be either misinterpreted or misleading. A greater awareness of this possibility and attention to the words, images and concepts that various Aboriginal peoples use to describe their political ways are necessary in order to effect or provide effective policing services.

Police services serving Aboriginal peoples have to make a considerable investment in relationship building with Aboriginal communities. In spite of continuing efforts, tension still exists between the police and the urban Aboriginal community. While there may be considerable dispute about

its degree or its causes, there is little argument about its existence. The rapid migration to urban centres, the age cohort that is most likely to come into conflict with the law (15-34), the alienation of urban Aboriginals coupled with the lack of opportunities present police departments with immediate challenges.

The complete range of expertise required to meet these challenges may not be readily available within police structures. Consequently, it may be necessary to consider the use of specialized resources to assist urban police departments in coming to terms with shifting patterns in Canadian urban life.

Additionally, law enforcement agencies should recognize the strong possibility that the next few years will see two developments:

- Continuing restrictions on the resources available for policing services; and,
- Changes in the nature and levels of demands for policing services.

These two developments will assume significant importance for policing services to the year 2000.

---

**Section V**

**Overview of Recent Examinations into Police-Aboriginal Relationships**

---

## V Overview of Recent Examinations into Police-Aboriginal Relationships

### Commissions, Inquiries, Task Forces on Aboriginal Justice, Police and Corrections

This section provides an overview of recent examinations into the relationship between Aboriginal peoples and the justice system. Remarkably, there have been more than fifty-two government-sponsored justice studies since 1967, when the Canadian Corrections Association released an initial report entitled Indians and the Law.

The various studies have led to exhaustive recommendations on Aboriginal justice, corrections and police issues, many of which have been, or are being implemented. Interestingly, the same recommendations are echoed in nearly all the reports. The redundancy of these recommendations serves to highlight the continuing concerns of the current system as well as the need for effective, meaningful change.

In this section efforts have been taken to provide a snapshot of the recommendations of the following reports directed at Police-Aboriginal relationships:

- Aboriginal Justice Inquiry of Manitoba;
- Royal Commission on the Donald Marshall, Jr. Prosecution;
- Saskatchewan Indian Justice and Metis Justice Review Committees;
- Report of the Task Force of the Criminal Justice System and its Impact on the Indian and Metis People of Alberta; and,
- Report on Aboriginal Peoples and Criminal Justice: Equality, Respect and the Search for Justice.



Authority	Subject	Date
Province of Nova Scotia	The Royal Commission on the Donald Marshall, Jr., Prosecution	1989
<b>Objective</b>		
The Royal Commission was to determine why Donald Marshall, Jr. was wrongfully convicted and to make recommendations to ensure that such a miscarriage of justice did not happen again.		
<b>Findings &amp; Recommendations</b>		
<b>General:</b>		
<ul style="list-style-type: none"><li>. The criminal justice system failed Donald Marshall, Jr., at every point from his arrest and conviction up to and beyond his acquittal by the Supreme Court of Nova Scotia;</li><li>. This miscarriage of justice could have been prevented if those involved had displayed professional and/or competent behaviour in discharging their responsibilities; and,</li><li>. The fact that Marshall was Aboriginal contributed to the miscarriage of justice.</li></ul>		
<b>Specific:</b>		
<b>Policing:</b>		
<ul style="list-style-type: none"><li>. That the Police Commission "be provided with sufficient resources to enable it to fulfil properly the leadership, training, information and assessment roles that constitute its mandate";</li><li>. That visible minority group members be recruited by the RCMP and municipal police departments;</li><li>. That police departments develop outreach programs and liaison roles in order to provide visible minorities with greater access to and more positive interaction with the police;</li><li>. That law enforcement agencies in conjunction with the Departments of the Attorney General and Solicitor General should adopt and publicize a Policy on Race Relations committed to employment equity, the elimination of inequalities based on race, and the reduction of racial tensions between these Agencies/Departments and the communities with which they interact;</li><li>. That cross-cultural training programs be established with a view toward developing Aboriginal specific components; involvement of more Aboriginal communities in such programs; and, mandatory training for those involved in Police-Aboriginal situations;</li><li>. An affirmative action policy be encouraged to support Aboriginal peoples in meeting the police recruitment requirement;</li><li>. Aboriginal police instructors be employed as regular member staff in law enforcement agencies;</li><li>. A recognition that a major population shift is occurring across Canada, with the result that many Aboriginal Canadians are living off-reserve;</li><li>. Monitoring and evaluation take place among police officials assigned to high pressure policing functions associated with Aboriginal policing, in order to detect cases of frustration, unsuitability and/or "burn out"; and,</li><li>. Nova Scotia police departments support and participate in any community-based "diversion" and crime prevention programs with Aboriginal communities.</li></ul>		

Authority	Subject	Date
Province of Manitoba	Aboriginal Justice Inquiry of Manitoba	1991
<b>Objective</b> <p>The objective of the Manitoba Inquiry was "to inquire into, and make findings about, the state of conditions with respect to Aboriginal peoples in the justice system in Manitoba" and to suggest ways in which these conditions might be improved. The Inquiry was asked to consider all aspects of the J.J. Harper and Helen Betty Osborne cases and to make any additional recommendations that it felt appropriate with respect to those cases. The Commission's scope included all components of the justice system, including policing, courts and correctional services.</p>		
<b>Findings &amp; Recommendations</b>		
<b>General:</b>		
<ul style="list-style-type: none"><li>. The justice system was insensitive and inaccessible and had failed the Aboriginal peoples of Manitoba on a massive scale;</li><li>. Incremental changes to the justice system would be insufficient to address the current problems; and,</li><li>. A separate justice system for Aboriginal communities be established.</li></ul>		
<b>Specific:</b>		
<b>Policing:</b>		
<ul style="list-style-type: none"><li>. Utilize a community based policing approach in Aboriginal communities;</li><li>. Establish employment equity programs to achieve greater Aboriginal representation;</li><li>. Strengthen and review cross-cultural education programs;</li><li>. Recognition by police agencies of the right of Aboriginal peoples beyond the normal aspects of policing;</li><li>. Review to effect systemic changes in Manitoba's policing, courts and overall justice system;</li><li>. Develop a "police file" on critical areas that need to be resolved in policing Aboriginal matters;</li><li>. Provide training, counselling and education programs to police officials on aspects of Aboriginal culture;</li><li>. Re-training any member of the police establishment found to have intolerant, culturally biased or prejudiced attitudes towards Aboriginal peoples;</li><li>. A Police Advisory Committee be set up to help establish programs, priorities and recruitment efforts on behalf of the Aboriginal agenda; and,</li><li>. Testing procedures be put in place to screen for radical and cultural insensitivity by all police officials.</li></ul>		

<b>Authority</b>	<b>Subject</b>	<b>Date</b>
Province of Saskatchewan	Report of the Saskatchewan Indian Justice & Metis Justice Review Committee	1992
<b>Objective</b> <ul style="list-style-type: none"><li>. Indian Justice Review Committee - to examine ways to make changes within the present criminal justice system, and to encourage expansion of the positive changes already underway, resulting in a system of justice that is more fair and equitable to Indian peoples.</li><li>. Metis Justice Review Committee - to facilitate consultation on the criminal justice system as it relates to Saskatchewan Metis peoples and communities and to prepare recommendations relating to the delivery of criminal justice services to these communities.</li></ul>		
<b>Findings &amp; Recommendations</b>		
<b>Specific: Policing</b> <ul style="list-style-type: none"><li>. That police services implement employment equity programs to achieve Aboriginal participation equivalent to the Aboriginal proportion of the province's population;</li><li>. Establish an Aboriginal liaison/cultural relations officer position within the Saskatchewan Police Commission;</li><li>. Introduce, monitor and refine cross-cultural and sensitivity training for all law enforcement officials;</li><li>. Law enforcement agencies review their mandates and obligations to respect Aboriginal culture, needs and spirituality;</li><li>. On-site visits to Aboriginal communities be conducted with Native policing members and Aboriginal organizations;</li><li>. An Aboriginal-specific police agenda be defined, and further, that regional and national conferences be undertaken to address all issues;</li><li>. Re-establish information channels with law enforcement agencies to respond to the needs of Aboriginal communities in Saskatchewan; and,</li><li>. A manual be published outlining Aboriginal treaty rights, hunting and fishing rights, and Native self-government positions to members involved in policing Aboriginal Canadians.</li></ul>		

Authority	Subject	Date
Province of Alberta	Task Force on the Criminal Justice System and its Impact on the Indian and Metis People of Alberta	1991
<b>Objective</b>		
<ul style="list-style-type: none"><li>. The objective of the Task Force was: to complete a review of the criminal justice system in Alberta as it relates to Indian and Metis peoples and to provide a report for the Solicitor General of Canada, the Attorney General of Alberta and the Solicitor General of Alberta, which identifies any problems and proposes solutions to ensure the Indian and Metis peoples receive fair, just and equitable treatment at all stages of the criminal justice process in Alberta. The scope of the inquiry encompassed the criminal justice system only and its effects upon Indian and Metis people in urban, rural, reserve and isolated areas.</li></ul>		
<b>Findings &amp; Recommendations</b>		
<b>General</b>		
<ul style="list-style-type: none"><li>. Aboriginal peoples do not comprehend the justice system; and,</li><li>. The Criminal Justice System is much too obtuse and removed to serve Aboriginal needs.</li></ul>		
<b>Specific:</b>		
<b>Policing:</b>		
<ul style="list-style-type: none"><li>. Community policing programs that are Aboriginal-specific be established in Aboriginal communities in urban areas;</li><li>. Native Friendship Centres and Law Enforcement agencies work jointly in the assistance of its Aboriginal constituency;</li><li>. Formation of an urban Aboriginal affairs committee to resolve community policing issues;</li><li>. Police formalise a link with off-reserve Aboriginal communities;</li><li>. Establish guidelines to inform Aboriginal communities of their rights, and appropriate police conduct;</li><li>. Define a complaints mechanism for Aboriginal-Police process;</li><li>. Develop a comprehensive policy framework on Aboriginal policing programs;</li><li>. Increase and enhance cross cultural recruitment and training; and,</li><li>. Increase the number of Aboriginal peoples employed in police enforcement agencies.</li></ul>		

Authority	Subject	Date
Law Reform Commission of Canada	Report on Aboriginal Peoples and Criminal Justice: Equality, Respect and the Search for Justice	1991
<p data-bbox="247 468 359 499"><b>Objective</b></p> <ul data-bbox="273 520 1422 592" style="list-style-type: none"><li>. To study the Criminal Code and related statutes and to examine the extent to which these laws ensure that Aboriginal persons and persons who are members of cultural or religious minorities have equal access to justice and are treated equitably and with respect.</li></ul> <p data-bbox="247 613 586 644"><b>Findings &amp; Recommendations</b></p> <p data-bbox="247 665 349 696"><b>General:</b></p> <ul data-bbox="273 685 780 789" style="list-style-type: none"><li>. Present system fails Aboriginal peoples; and,</li><li>. Two parallel paths,<ul style="list-style-type: none"><li>a) reform the current system,</li><li>b) establish an Aboriginal justice system.</li></ul></li></ul> <p data-bbox="247 830 349 861"><b>Specific:</b></p> <p data-bbox="247 882 349 913"><b>Policing:</b></p> <ul data-bbox="273 903 1460 1411" style="list-style-type: none"><li>. The police should be "more involved in and accountable to the communities they serve";</li><li>. Community based external policing or autonomous Aboriginal police forces should be facilitated wherever they are desired;</li><li>. Establish programs with the intent to bring more Aboriginal persons into all aspects of the criminal justice system, including as police, lawyers, judges, probation officers and correctional officials;</li><li>. Recognition of the right of Aboriginal peoples to use their own languages in all court proceedings, plus supporting legislation to ensure that interpreters be provided to any suspect needing assistance, in relation to dealing with police officers;</li><li>. Equal recognition of Aboriginal spirituality within policing institutions be secured by legislation;</li><li>. Establish a formal process that recognizes Aboriginal peace officers to mediate disputes involving Aboriginal peoples in conflict with the law;</li><li>. Provide oversight capacity to an Aboriginal Police/Justice Forum, with a broad mandate to deal with any matters relating to Aboriginal persons in the justice system; and,</li><li>. Endorse Aboriginal communities to oversee their Native constituency.</li></ul>		

### Summary

Common themes and consistent recommendations are found in the above studies. The following four issues identified in all reports are presented in a "nutshell":

- Aboriginal peoples should be closely involved in the planning and delivery of police services to Aboriginal peoples;
- All non-Aboriginal staff in the justice system engaged in providing services to Aboriginal peoples should be required to participate in some form of cross-cultural training designed to familiarize them with the special needs and values of Aboriginal peoples;
- More Aboriginal peoples must be recruited and trained for service functions throughout the justice system; and,
- In providing police services, emphasis should be placed upon prevention, diversion and alternatives to imprisonment.

---

**Section VI**

**Policing Services for Aboriginal Peoples**

---

**VI Policing Services for Aboriginal Peoples**

**The Issues**

It is now legitimate to ask what implications the information contained in this report has for the delivery of police services to a steadily increasing urban Aboriginal community. In addressing this question, a number of suggestions to a response have already been inferred. It is advisable now to consider the following underlying factors that will have specific impacts on the level, nature and demands for police services to Aboriginal peoples.

Policing Services for Aboriginal Peoples				
Underlying Factors Affecting Off-Reserve Policing				
Social	Economic	Demographic	Political	Other
<ul style="list-style-type: none"> <li>• Health conditions</li> <li>• Inadequate housing</li> <li>• Lack of employment and income support</li> <li>• Inadequate access to education and health resources</li> <li>• Disorganized and inadequate social services</li> </ul>	<ul style="list-style-type: none"> <li>• Absence of opportunities for economic advancement</li> <li>• Unemployment</li> <li>• Deficits</li> <li>• Fiscal restraint</li> <li>• Regional economic disparity</li> </ul>	<ul style="list-style-type: none"> <li>• Population Growth and Trend</li> <li>• Geographic Location</li> <li>• Multi-ethnic population</li> <li>• Youth and Aging</li> <li>• Urban migration</li> </ul>	<ul style="list-style-type: none"> <li>• Self-government</li> <li>• Local control</li> <li>• Sensitivity to the aspirations and values of aboriginal peoples</li> <li>• Land Claims</li> <li>• Enhancement of relationship with Provincial and Federal governments</li> </ul>	<ul style="list-style-type: none"> <li>• Recidivism</li> <li>• Substance/Alcohol Abuse</li> <li>• Family Violence</li> <li>• Spousal Assault</li> <li>• Incarceration</li> <li>• Re-integration</li> </ul>

These underlying factors will have important implications for the provision of police services to urban Aboriginal peoples throughout Canada. Some of the expected implications are:

- Increased need for attention by police agencies to secure and manage staff with Aboriginal background (including training, employment, etc...);
- The lack of opportunities available to urban Aboriginal people leading to societal alienation and conflict with the law;



- Migration trends of Aboriginal peoples to urban areas;
- The formalization of Aboriginal self-government processes could impact on existing policing arrangements; and,
- Increases in the proportion of criminal justice clients (offenders, victims, and the general public).

Each generation of police recruits is open to both unprecedented opportunities and constraints as they relate to Aboriginal peoples. The urban centres and the police respond to and reflect societal dimensions - socio-economic, institutional, cultural, demographic - but are not mere passive products. The police is a medium for an urban process that is itself a creative force within the urban arena, and which reverberates on its region, the system of cities as a whole, and society in general.

It is true that police organizations must respond to changing times - that is, they must adapt effectively to a rapidly changing environment. The salient characteristics for such change include: the encouragement of innovation; visible acknowledgment of good performance; articulated purpose and mission; adaptable people as members; effective management of change; collaborative climate; minimal constraints; strong client orientation; and built-in feedback mechanisms. Adaptability is considered to be learnable and necessary - by both organizations and individuals. Workable, winnable strategies for providing policing services to Aboriginal urban communities include diagnosing and exposing existing police culture; training in managing change; team building to examine barriers to innovation and adaptiveness; clarifying mission and developing vision; and improving performance and communication, both internally and externally.

In responding to the need for enhanced police-urban Aboriginal relations, a number of realities should be pointed out, including the persistence of hierarchy and dominance in the Canadian policing system, and the struggle for more liveable environments by Aboriginal peoples. There are several social, economic and cultural attributes which cause Aboriginal peoples living in urban centres to come into direct conflict with police agencies.

They are as follows:

- Alcohol;
- Unemployment;
- Poverty;
- Welfare;
- Education;
- Recreation Facilities (absence); and
- Relationship between Aboriginal people and police.

Courtesy of the Liquor Control Board, 1990

A consequence of migration to urban centres is the increased risk of contact with the law. The following table offers incidents of contact by police officers and urban Aboriginal peoples.

INCIDENT		CONTACT	
		Most frequently Cited Official Contact Between Police Officers and Urban Aboriginal Peoples	
		Regular Member (Police) (217)	Special Constable (Aboriginal) (60)
Alcohol related		41.9	21.7
Traffic (non-alcohol related)		12.4	1.7
Community Relations (Preventive)		3.7	15.0
Violence		3.2	3.3
Domestic Incidents		2.8	1.7
Property Offenses		2.3	1.7
Routine Service Calls		20.3	43.3
Provincial Statutes (General)		1.4	0
Criminal Code (General)		8.8	3.3
Other		3.2	8.3
<b>Total</b>		<b>100%</b>	<b>100%</b>

A comprehensive approach to the provision of policing services to Aboriginal peoples would rely not only on the growing knowledge of the nature of crime and disorder in urban areas but on an understanding of the three components of urbanization: demographic - the increase in the urban proportion of the country's population; structural - the redistribution of population and economic functions among cities in a changing urban system; and behavioural - the effects that urbanization has on the behaviour of Aboriginal peoples.

The confluence of Aboriginal peoples in urban areas is resulting in changes in societal attitudes, principles and structures, and is posing questions of particular priority to police services; these include the following:

- What are the limits of a police agency's ability to ensure that appropriate cultural, racial and linguistic groups are represented in its personnel complement and training? Indeed, there are growing concerns about the ability of police agencies to satisfy increasing demands for representative and responsive Aboriginal services in light of the overwhelming range of differences that are represented by urban Aboriginals;
- To what extent will Aboriginal peoples, particularly urban Aboriginals with differing belief structures influence or impact on police structures and policies? To what degree does existing police policy or police services legislation conflict with the interests or beliefs of urban Aboriginals? and,
- Will urban communities that are currently divided along ethnic and cultural lines come together to form a stronger political voice? What then will be the impacts of such an outcome on police services and policies?.

An issues matrix, identifying concerns related to police agencies and urban Aboriginal communities identifies the priorities that are fundamental to the long-term enhancement of policing services to Aboriginal peoples. It is presented as an action plan for both the police agency and the urban Aboriginal community.

<b>Policing Services for Aboriginal People</b>	
<b>Police Agencies</b>	<b>Urban Aboriginal Community</b>
<p><b>The Need to Change</b></p> <ul style="list-style-type: none"> <li>■ Potency of demands for change</li> <li>■ Nature of demands on system</li> <li>■ Source of demands for change</li> <li>■ Why change?</li> </ul> <p><b>Organizational Culture</b></p> <ul style="list-style-type: none"> <li>■ Culture track</li> <li>■ Management skills track</li> <li>■ Strategy - structure track</li> <li>■ Team - building track</li> <li>■ Organization culture based on               <ul style="list-style-type: none"> <li>- Quality</li> <li>- Productivity</li> <li>- Creativity</li> <li>- Support</li> </ul> </li> </ul>	<p><b>Communication</b></p> <ul style="list-style-type: none"> <li>■ Information related to contact with police officers</li> <li>■ Rights and obligations</li> <li>■ Cultivate role models</li> <li>■ Develop forum for enhanced police-Aboriginal relations</li> </ul> <p><b>Socio-Economic</b></p> <ul style="list-style-type: none"> <li>■ Impact of migration to urban centres</li> <li>■ The need for technical training, specialized expertise</li> <li>■ Urban centre is no panacea</li> <li>■ Inherent problems</li> <li>■ Provide training, education and an avenue for Aboriginal culture while in the urban environment</li> <li>■ Specific opportunities available to urban Aboriginals</li> <li>■ Levels of opportunity</li> </ul>
<p><b>The Need to Adapt</b></p> <ul style="list-style-type: none"> <li>■ Innovation</li> <li>■ Collaborative climate</li> <li>■ Client orientation</li> <li>■ Team building, especially external units</li> <li>■ Clear vision</li> </ul> <p><b>Community-based Policing</b></p> <ul style="list-style-type: none"> <li>■ Solution - driven</li> <li>■ Community-based policing</li> <li>■ "Buy in" by Aboriginal communities</li> <li>■ State-of-the-Art knowledge base and profile of Aboriginal urban community</li> <li>■ Emphasis on mediation, restructuring or dissolution in addressing urban Aboriginals</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>■ Aboriginal vs. police culture</li> <li>■ The police as an ally</li> <li>■ Impartiality of the Law</li> <li>■ Emphasis on traditional approaches to law enforcement</li> <li>■ Aboriginal control over certain infractions"</li> <li>■ Institution or Systemic racism</li> <li>■ Community-driven alternatives</li> </ul>

### **The Potential Solutions**

In facing the above issues, Canadian police agencies possess enormous strengths. Its officers are well paid, education levels are high, training is extensive, buildings are modern, and communications are state-of-the-art. The analytical capacity of police departments is growing, as is the development of information-bases and information-management systems. Officers, by and large, are knowledgeable, not just about operational matters but about the policies and strategies of policing. Police forces are becoming self-conscious in the best sense and policing has a tradition of creating responsible, non-political bodies to supervise the police both with respect to individual behaviour and organizational policy.

The challenge now is to grasp the opportunity to make intelligent innovations in order to respond to the needs of an emerging urban Canada, an urban Canada where convulsive changes are underway, and where policing solutions must be formulated in response to these changes.

In order to respond to the need for enhanced policing services for Aboriginal peoples, the following suggestions are offered.

#### **■ A Partnership in Growth**

Aboriginal peoples have often put forward the concept of a living partnership in growth. It is, in fact, a method of developing a living partnership of policing services which would adopt a matrix organizational structural, where teams consisting of members of police, fire, public and social services agencies, provincial and federal departments would work together on a formal basis to deliver the necessary and appropriate policing services to urban Aboriginals.

Such an team approach would provide long-term benefits for the partnership between police in urban centres and the Aboriginal peoples. More problem solvers would be available, with different backgrounds, viewpoints, and opportunities for contact with the Aboriginal peoples thereby improving the chances of early identification and complete analysis of problems.

Because they would report to different bureaucracies, members of these living partnership teams would act as a check on one another, reducing many of the potential problems involved in the initial phases of problem solving. Finally, the teams would provide a unified contact point for frustrated Aboriginal peoples, who would otherwise be unable to negotiate their way through the city or urban bureaucracy. With problem solving partnership teams linked to community and/or Aboriginal organizations, the opportunities for cooperative efforts increase dramatically.

Benefits of innovations such as the living partnership approach provide tested, practical approaches for police agencies frustrated with putting band-aids on symptoms. By responding to recurring problems and by working with other agencies, businesses, and the public whenever possible, police agencies have begun to develop an effective strategy for reducing crime and other troubling conditions in our cities.

#### ■ Community Based Policing

Community policing, sometimes known as community based policing or community-oriented policing is regarded as the best and most appropriate response by policing to the challenges and problems encountered in dealing with urban Aboriginal peoples.

Aboriginal urban communities have placed questions on policing within a broader context of social, cultural, economic, demographic, political, and indeed spiritual change. As a result, the place of the Aboriginal person in contemporary approaches to policing and the very status of police agencies assigned the task of providing services to Aboriginal peoples must now be carefully considered from first principles.

In this regard, implementing community based policing involves more than simply changing how law enforcement officials respond to a particular community's needs. Less obviously, it also means changing the very culture of police organization in support of this type of policing.

The following elements are conducive to successful community based policing:

- The role or mission of the police in society becomes fundamentally one of peace officer rather than as law enforcement officer involved in crime control;
- In a community based partnership, the police must adopt as the cornerstone an ability and openness to consult with the local community;
- The police must be proactive, i.e. anticipate trouble areas and prepare contingency measures;
- Police must develop a strategy to understand and address the root causes of crime;
- The police must develop new partnership with members of their communities, and work jointly with social agencies in a cooperative response in dealing with urban issues;
- Because Aboriginal peoples believe they are constant victims or targets of police officers, it is important that police reduce this fear of being victimized;
- In a successful community based approach, police must be granted the responsibility and autonomy to respond in a very specialized way to unique urban or neighbourhood situations;
- Police structure and organizational frameworks must change to accommodate community based ideals; and finally,
- In order to be successful, it is important that the police be accountable to the community in which they serve.

Community based policing can logically be extended to a host of officers with enforcement powers, including the police, municipal, regional and conservation officers.

■ **Police-Aboriginal Complaints Mechanism**

Recommendations on Aboriginal justice, corrections and police issues are reiterated in the nearly fifty-two government sponsored studies on the subject. Many questions continue to exist regarding what is best for police-Aboriginal services. However, in light of the treatment of Aboriginal peoples in conflict with the law, a complaint mechanism, if instituted with objectivity could help alleviate both the undue and burdensome hardship suffered by the Aboriginal community as well as the tremendous loss of resources and respect for police officials.

A comprehensive complaints mechanism process established by key stakeholders would serve the following:

- Examination of submissions at the Police-Aboriginal complaints process level;
- Determine the process of settlement;
- Review where the complaints process is broken off;
- Assess strengths and weaknesses of the process and possible ways of improvement;
- Assess patterns which have caused delays and avoidable aggravations in the process;
- Determine the extent to which process has been implemented as promised;
- Assess the impacts and effects which the process achieved, including the extent to which the "settlement" ameliorated the felt grievances; and,
- Include a commitment to involve the Aboriginal community in the review process.

**Sensitivity Training, Representative Recruitment and Culturally-Appropriate Education**

Recommendations in nearly every one of the fifty-two government-sponsored justice studies on Aboriginal issues have supported sensitivity training, representative recruitment and culturally-appropriate education on Canada's Aboriginal population.

The need to recruit, promote and train qualified Aboriginal persons to positions in the policing community is imperative. Sensitivity training, representative recruitment and



culturally appropriate education from both the Aboriginal community as well as the police agency is beneficial for policing services to Aboriginal peoples living in urban centres.

Police training programs must include relevancy, currency, flexibility and specificity in addressing the needs of a very distinct urban community.

Concerns have been expressed about police lack of understanding and sensitivity to Aboriginal culture and values, and, in some cases, about overt discrimination as Aboriginal peoples continue to believe they are more likely than non-Aboriginal people to be arrested and charged.

Finally, many police departments do not have Aboriginal members proportionate to the Aboriginal population in their jurisdiction. As well, many lack the recruitment and training programs necessary to address this situation.

#### **Urban Off-Reserve Aboriginal Policing: Community Participation**

In many urban Aboriginal communities, Aboriginal citizens are without formal mechanisms which allow them to voice their policing concerns to the police.

In large urban centres, police agencies are focusing on cross-cultural training to assist non-Aboriginal officers to understand and appreciate differences between Aboriginal and non-Aboriginal cultures. As well, a number of police agencies are developing mechanisms to allow the Aboriginal community to advise police on issues of concern and to assist in resolving Aboriginal/police problems. In this regard, Police/Aboriginal consultative groups are helping to strengthen the police/community relationship.

In an effort to enhance community participation, the Canadian Association of Chiefs of Police (CACCP) established a Policing with Aboriginal Peoples Committee composed of chiefs of police and members of the Aboriginal community. The purpose of this committee is to provide a forum to discuss issues of mutual concern and to share information on Aboriginal policing initiatives. In addition, the Ministry of the Solicitor General has initiated the Aboriginal Policing Series, a program designed to address research and policy issues of

concern to police, governments, and Aboriginal communities. The series is intended to be of practical value to police officers working in Aboriginal communities.

### **Acknowledging the Existence of Bias**

Police agencies ensure that recruits do not display an overt bias which would make them unsuitable to be an officer. What is apparent however, is that changes occur after joining the police agency. There continue to be significant evidence that police officers who are constantly in contact with the public develop strong feelings and beliefs as to attributes of individuals, based on factors such as appearance and ethnic background.

The correction of this situation is not an easy process. It would be easy to simply consider it unacceptable and attempt to develop regulatory processes aimed at eliminating it. But what is evident here is not so much a symptom of personal belief as evidence of a developed culture and value system within the organization.

The working experience of many police officers exposes them to an extremely selective cross section of the urban population. Consequently, in the absence of balancing factors, attitudinal bias towards urban Aboriginals may creep in.

It is important that this be recognized and acknowledged. This will, in turn permit very specifically targeted remedial action, rather than broad initiatives targeted at a whole range of issues. While training may be a composite of such action, support systems and groups, mandatory interaction with more representative cross section of the urban Aboriginal community and other targeted initiatives should be considered.

---

Conclusion

---

Effective policing services require focused attention on sub-groups of the population as defined by such characteristics as education, language, labour force, status, gender, income, ethnicity, and migration patterns. This detailed knowledge is required in order to plan for police services that can be improved to serve a specific constituency. Consequently, the detailed information provided in this report will form an essential component in the delivery of policing services to Aboriginal peoples.

This report bridges the needs of very diverse interests including all major urban centres, law enforcement agencies, urban Aboriginal communities, as well as, and to a lesser degree the federal and provincial government departments with responsibility for Aboriginal policing services. It identifies sociological, economic, demographic and political changes affecting Aboriginal peoples in urban areas which require attendant changes from policing services.

This broad-based approach must now respond to adaptation of human, financial and creative resources to specific emerging urban problems. It is hoped that the potential solutions offered in this report will serve as a catalyst in fostering and enhancing Police-Aboriginal services.

Finally, while illuminating and diagnosing the limits of our knowledge on Police-Aboriginal urban issues, this report offers potential remedies. Thus, while the state of information on Aboriginal urban movement remains largely underdeveloped, preliminary though it may be, this report is a useful step forward.

**BIBLIOGRAPHY**

Attorney and Solicitor General Canada. The Royal Commission on the Donald Marshall, Jr. Prosecution, Province of Nova Scotia, September 1989.

Canadian Bar Association, Aboriginal Rights in Canada: An Agenda for Change, August 1988.

Canadian Law Information Council, Legal Services for Native People in Canada, Occasional Paper Number 6, November 1982.

Canadian Police College, Policing Native Communities, June 1987.

Canadian Police College, Community Policing and Aboriginal Communities, September 1988.

Cawsey, Robert Allan, Task Force on the Criminal Justice System and its impacts on the Indian and Metis People of Alberta, March 1991.

Commission des droits de la personne du Quebec, Investigation into relations between police forces, visible and other ethnic minorities, November 1986.

Dumas, Jean, Current Demographic Analysis: Report on the Demographic Situation in Canada, 1988, Ministry of Industry, Science and Technology, 1990.

Head, Robert H.D. Policing for Aboriginal Canadians: The R.C.M.P. Role, Royal Canadian Mounted Police, November 1989.

Indian and Northern Affairs Canada, Indian Policing Policy Review: Task Force Report, January 1990.

Indian Justice Review Committee, Report on the Saskatchewan Indian Justice Review Committee, Province of Saskatchewan, October 1992.

Manitoba Justice Inquiry, Public Inquiry into the Administration of Justice and Aboriginal

People, November 1991.

Mehta, Vijay S., Public Policy Issues Affecting First Nations Governance, Canada Research Institute, November 1991.

Metis Justice Review Committee, Report on the Saskatchewan Metis Justice Review Committee, Province of Saskatchewan, August 1992.

Newby, Liza, Native People of Canada and the Federal Corrections System: Development of a National Policy - A Preliminary Issues Report. Correctional Service of Canada, December 1981.

Ontario Native Women's Association, Breaking Free: A Proposal for Change to Aboriginal Family Violence, December 1989.

Royal Commission on Aboriginal Peoples, National Round Table on Justice Issues, October 1992.

Solicitor General Canada, National Workshop: First Nations Policing June 27-29, 1992, July 1992.

Solicitor General Canada, First Nations Policing Policy, April 1992.

**List of Contacts**

<b><u>Name</u></b>	<b><u>Organization</u></b>
Ms. Lynda Clairmont	Solicitor General, Canada
Mr. Ron Ferri	Solicitor General, Canada
Ms. Lee Seto-Thomas	Native Council of Canada
Ms. Carole Blackburn	Royal Commission of Aboriginal Peoples
Mr. Charles Nixon	Federal-Provincial Relations Office
Mr. Rolland Pangowish	Assembly of First Nations
Mr. Vincent Chiang	Ministry of Solicitor General, Ontario
Mr. Phillip Stenning	University of Toronto
Ms. Gabrielle Dumont	Metis Council of Canada
Ms. Sylvia Maracle	Ontario Native Council on Justice
Mr. Don Clairmont	Dalhousie University

