

# First Nations policing in Ontario

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**T**he Ontario Provincial Police (OPP) is committed to engaging organizational resources to develop appropriate levels of understanding in the area of Aboriginal issues. The ultimate goal is to enhance service delivery and assist First Nations in the development of their local police services. The following is a description of the more salient initiatives the OPP is involved in with respect to Aboriginal peoples and service delivery.

## History of First Nations Policing Agreements

In response to a need for an improved policing service to First Nations communities, an Ontario task force on policing was established in 1972. Subsequent to a comprehensive review, a federal-provincial-First Nations tripartite policing agreement was reached in 1975. The agreement specifically delegated the responsibility of the administration of that agreement, then known as the Indian Constable Program, to the Ontario Provincial Police. The First Nations and Municipal Policing Bureau (FNMPB) of the OPP currently manage this responsibility.

Self-government initiatives of the 1980's, bolstered by the Constitution Act of 1982, led to the Ontario First Nations Policing Agreement (OFNPA) of 1991. This tripartite arrangement embodies the agreed upon terms negotiated by representatives of the Provincial Territorial Organizations (PTO) and independent Indian Bands that represent First Nations in Ontario with the Federal and Provincial governments. In addition to the many terms of the agreement, a provision was established whereby the participating 87 First Nations communities could negotiate a transfer of policing responsibilities to autonomous First Nation police services.

Since 1991, fifty-five First Nation communities have negotiated and implemented a total of seven self-policing arrangements. These arrangements include the Anishinabek, Nishnawbe-Aski, and United Chiefs and Council of Manitoulin (UCCM) regional police services, and single community police services in Akwesasne, Lac Seul, Six Nations and Wikwemikong. Amongst others requests, two PTOs, Grand Council Treaty #3 and the Association of Iroquois and Allied Indians have made formal requests to enter into self-policing negotiations.

The benefits of the Ontario First Nations Policing Agreement have been enormous, however, not all has gone well. Currently, there does not exist a signed document that reflects the contemporary wishes of all parties. The last signed agreement expired on March 31, 1996. Negotiations have subsequently been slow and frustrating for all parties. First Nations' negotiators maintain their request for governments to provide additional funding to enhance the overall program and increase the First Nation Constable complement appropriately. As an interim measure they have asked for an overall complement increase of 19 officers. To date the parties have developed a framework for a future agreement, however, final seal and approval may not be realized for some time.

## First Nations Constables

The Ontario Police Services Act provides that the Commissioner of the Ontario Provincial Police can appoint First Nations Constables (FNC) for the purpose of servicing First Nations communities. Currently, there are approximately 310 FNCs in the province of Ontario, 83 of whom continue to be administered by the First Nations and Municipal Policing Bureau of the OPP pursuant to the terms of the Ontario First Nations Policing Agreement. The majority of officers are administered by and are accountable to the terms of the seven self-policing agreements mentioned earlier.

## First Nations Policing Section

The administrative First Nations Policing Section (FNPS) operates within the organizational parameters of the First Nations and Municipal Policing Bureau of the OPP at General Headquarters in Orillia, Ontario. In partnership with First Nations communities, and consistent with their aspirations, negotiated policing agreements and protocols, the First Nations Policing Section is committed to facilitating a smooth transition of services to self-policing. The section consists of one Inspector (manager) and four Sergeants. The sergeants are assigned on a full-time basis to coordinate one of the following: budget and equipment, community initiatives, liaison officers, and training and human

resources. Other responsibilities of the First Nations Policing Section include: administration of payroll and benefits for First Nations Constables, civilian support staff and OPP officers, providing culturally sensitive training to First Nations Constables, equipment and vehicle procurement, interaction with field liaison officers to ensure that service delivery to First Nations communities is optimal, maintaining a liaison with First Nations Chiefs of Police, and reporting to the Ontario First Nations Police Commission. To date, the transition of services to Aboriginal self-policing appears to be progressing exceedingly well with the support of the above-mentioned services.

### **Aboriginal Operations Liaison**

Since 1975 the OPP has maintained administrative liaison services with the First Nations Policing Section. In 1995, Inspector Jim Potts was appointed full-time to an operational role in First Nations Policing Section, accountable directly to the Deputy Commissioner — Operations. In 1998 Inspector Ronald George was appointed to a similar role. Together, they maintain ongoing contact with the Aboriginal community across the province, in addition to providing support to the Commissioners' Select Liaison Council on Aboriginal Affairs (CSLCAA) and keep watching for developing Aboriginal matters relevant to policing services.

Both Potts and George recognized the need for development in the area of educating police personnel with respect to Aboriginal issues. Accordingly, they take every opportunity to provide lectures on Aboriginal history, culture and social issues. In so doing, they meet the needs associated with the belief that enhanced service delivery is necessarily associated with increased understanding of complex social and cultural Aboriginal issues.

### **The Commissioners' Select Liaison Council on Aboriginal Affairs**

In 1996, OPP Commissioner, Thomas B. O'Grady (retired) and Deputy-Commissioner Z. Zacardelli, Royal Canadian Mounted Police (RCMP), "O" Division,<sup>2</sup> jointly established the Commissioners' Select Liaison Council on Aboriginal Affairs. The creation of this council of respected Aboriginal people from across the province followed an acknowledgement by both O'Grady and Zacardelli that well informed Aboriginal people could provide them with invaluable insights and advice. The Aboriginal council is comprised of one representative from the Oneida of the Iroquois Nation, Serpent River First Nation, Nishnawbae-Aski Nation, and one Elder of Grand Council Treaty #3. Gwen Boniface,

the current OPP Commissioner, maintains the council as an advisory body that meets with her on a regular basis.

### **The Western Region First Nation Strategy**

While the OPP considers future means of enhancing service delivery to Aboriginal people in Ontario, a number of more localized strategies are being developed and employed within the organization. Clearly, there are many local initiatives being engaged in the different regions under OPP jurisdiction, however, one in particular has caught the attention of regional commanders and managers.

The Western Region First Nation Strategy Committee was created by the Western Region Commander of the day in 1997 (now Commissioner Gwen Boniface). The impetus for the creation of this committee was a perceived need to enhance the regional service being delivered to Aboriginal people. Certain assumptions were quickly made:

- service needed to be improved,
- all Aboriginal people in the region were the potential subjects of OPP service delivery,
- as a matter of internal development, participating OPP members would have to review the issues and develop appropriate strategies themselves.

The members of this committee are committed to meeting on a monthly basis to discuss relevant issues and planning. Subsequent to defining terms of reference, the committee decided to take the meetings to regional First Nation communities. The primary goal of this development was to demonstrate to the communities that Aboriginal issues are a priority for the OPP, and to facilitate learning by giving the officers an opportunity to see and experience firsthand the Aboriginal community.

Early in the deliberations the committee unanimously agreed that a need to increase the level of understanding of Aboriginal issues by police officers existed, in this case frontline members of the OPP. The committee struck a sub-committee to examine local training options. Subsequent to a recommendation of the sub-committee, the group designed a strategy to hold several one-day seminars regarding Aboriginal issues. These sessions are constructed so those attending officers hear a three and one-half hour morning presentation on a variety of Aboriginal issues. In the afternoon session identified members of the local Aboriginal community speak to the officers about issues that specifically concern that community. The idea is that the morning presentation helps the officers to understand the information received in the

afternoon. Equally important however, is that the officers are developing linkages, which will begin or add to the process of developing relationships which will improve their abilities to deliver service. These sessions seem to be doing very well, and are generally received positively by the First Nations.

### **The Future**

In summary, times are changing and efforts on the part of the OPP to improve service delivery to Aboriginal people will reflect a commitment to stay current with the rapidly developing issues. The initiatives undertaken by the OPP outlined in this article are but a small attempt to improve

understanding in this area. The question is, does education improve the relationship between service provider and recipient? Furthermore, does an agent of service delivery who lacks understanding of a racial group more often exhibit racist behaviour toward that group? If the answers to these questions are yes, then the opposite is also true, that when knowledge increases, the number of incidents characterized by racism will diminish. Accordingly, the pursuit of education and the resulting elements of understanding and improved service delivery to the Ontario Aboriginal community is a reasonable goal for all police service organizations.

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<sup>2</sup> "O" Division encompasses all of the Province of Ontario with the exception of the National Capital Region (Ottawa). The RCMP policing responsibilities in "O" Division addresses only Federal Statutes.

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