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Chair: The Honourable John McKay



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• (1405)

[*English*]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): I call the meeting to order.

I see quorum. This is the ninth meeting of the public safety committee.

We have as witnesses, for the hour from two o'clock to three o'clock, Chief Ghislain Picard; Terry McCaffrey, president of Indigenous Police Chiefs of Ontario and chief of police with the Wikemikong Tribal Police Service; and Chief Doris Bill.

I'll call on the witnesses for their seven-minute presentations in the order in which they appear on the notice of meeting.

With that, Chief Picard, you have seven minutes, please.

[*Translation*]

Chief Ghislain Picard (Assembly of First Nations Quebec-Labrador): Thank you very much, Mr. Chair.

I know that, technologically, interpretation between French and English can be a challenge, so I will limit myself to making my presentation in one language. Obviously, I will be able to answer questions in English or French, if there are any.

Mr. Chair, members of the Standing Committee on Public Safety and National Security, first of all, I just want to say that I support the comments made earlier this morning by my colleague from British Columbia, Regional Chief Terry Teegee. As you heard this morning, he shares with me the responsibility for justice issues at the national level for the Assembly of First Nations in Canada. I would also like to thank the Huron-Wendat Nation for having me here today to make this presentation.

First of all, systemic discrimination must be seen as part of Canada's colonial past. Law enforcement played a major role in the colonization process. For example, it was the police who abducted our children and forced them into residential schools. It was the police who prevented our peoples from participating in their ceremonies and practising their spirituality. While others saw the police as a service for their protection and safety, our people saw them as the oppressors, so much so that in many first nations languages, as my colleague said earlier this morning, the word "police" is translated as "those who abduct us."

Despite constitutional guarantees, and after several Supreme Court decisions, first nations constitutional and treaty rights continue to be violated with impunity. While systemic racism and dis-

crimination are widely recognized and documented, some prefer to view them as the problems of others, denying that they are rooted in the very fabric of Canadian society. The right to protection and safety is something that other citizens can take for granted. However, we, the first nations people living on our territories, do not have these guarantees. This is primarily a human rights issue, but it also concerns the relationship between the justice system, the police and our peoples.

Why is the issue of the relationship between first nations peoples in Canada and law enforcement so difficult to address? The strained relationship between first nations peoples and the police has been the subject of extensive reporting since the 1960s and has been documented time and time again. Since 1967, at least 13 reports have examined this relationship. They have addressed all facets of the situation. Countless research reports have examined the issue. In every case, the conclusion is the same: Canada has failed.

Those who still doubt that the justice system has failed our people may want to take a closer look at our current reality. Numerous studies have confirmed that first nations people are more likely to be detained by the police following an arrest, most often on the basis of prejudice and racism. They are also more likely to be detained for long periods of time as part of the bail process. They are more likely to be sentenced to imprisonment and, too often, for long periods. They are more likely to be imprisoned for non-payment of fines. You can add to these deplorable facts that first nations people are more likely to be killed in police operations.

First nations women are not excluded from these statistics. A recent report published on the Service de police de la Ville de Montréal indicates that first nations women are a target group, as they are 11 times more likely to be arrested than white women. As the report of the National Survey on Missing and Murdered Aboriginal Women and Girls indicates, there are numerous reports of police abuse, excessive use of force, misconduct and racial profiling. These actions, taken by state officials responsible for public safety, are incompatible with their duties as peace officers and are indicative of systemic racism.

Now more than ever, the state must ensure that the police protect the public and that mechanisms are in place to do so. Over the years, despite numerous attempts to remedy the situation, the state has failed to adopt accommodation measures that truly mitigate the effects of imposing Canadian legislation on first nations peoples.

Issues of systemic discrimination against first nations are still not being addressed in a manner that reflects the urgency of the situation. Violence against first nations continues to make headlines. The time for rhetoric and political stasis is over; it is time to address the various issues that plague the justice and policing systems.

Other studies or surveys will not tell us more about what we already know. Canada must take immediate action, introduce a national plan and call on the provinces to formally recognize systemic racism. This action plan must also involve all levels of government to eradicate all forms of racism and discrimination against first nations peoples in institutions across the country, starting with police services.

The right way forward is to establish a national first nations justice and policing strategy and action plan. We need a collaborative engagement process to jointly develop legislation designed to implement necessary criminal justice and policing reforms. This task is before us. This is a national emergency. Systemic racism has gone on far too long.

In closing, I would also like to reiterate my support for the recommendations made by my colleague, Regional Chief Terry Teegee, before you this morning.

Tshinashkumitin.

• (1410)

[*English*]

The Chair: Thank you very much, Monsieur Picard.

Our next witness is Terry McCaffrey, president and chief of police at the Wikwemikong Tribal Police Service.

Please go ahead, Mr. McCaffrey.

Chief Terry McCaffrey (Chief of Police, Wikwemikong Tribal Police Service, and President, Indigenous Police Chiefs of Ontario): Good afternoon.

I would like to start by recognizing the two territories that we're meeting on this afternoon: the Wikwemikong unceded territory, composed of the Ojibwa, Odawa and Potawatomi peoples, and the territory of the Algonquin Anishinabeg Nation.

I would like to thank you all for the opportunity to appear before this committee to provide these submissions today on behalf of the Indigenous Police Chiefs of Ontario, also known as IPCO. My name is Terry McCaffrey and I am the chief of police for the Wikwemikong Tribal Police Service and the president of IPCO.

Over my 24-year policing career, it has been an honour to have served over 35 first nations communities across three provinces—Alberta, Manitoba and Ontario—all under a first nations policing program known as the FNPP.

IPCO is composed of nine self-administered indigenous police forces across Ontario. Those services are the Akwesasne Mohawk Police Service, the Anishinabek Police Service, the Lac Seul Police Service, the Nishnawbe Aski Police Service, the Rama Police Service, the Six Nations Police Service, the Treaty Three Police Service, the UCCM Anishnaabe Police Service and the Wikwemikong Tribal Police Service.

IPCO is a not-for-profit organization incorporated under the Canada Not-for-profit Corporations Act on September 16, 2019.

The vice-president of IPCO is Jerel Swamp, who is the chief of the Rama Police Service, and the secretary-treasurer is Roland Morrison, chief of police for Nishnawbe Aski Police Service.

IPCO advocates in unity for equality for our indigenous policing services. Our mission statement is that our nine stand-alone indigenous police services are standing together as one to advocate policing equity across our communities and our membership; essential service status; full parity with other Ontario police services, including wages, benefits and pensions; full and adequate staffing, equitable for our unique needs; legitimate recognition as the experts in indigenous policing; and policing that is fully autonomous.

For decades, self-administered first nations policing in the province of Ontario has been chronically underfunded. First nations officers have been forced to work in conditions that other officers throughout the province—and country, for that matter—would never be subjected to.

As policing programs, indigenous police services are not subject to any policing legislation, and our communities have not had the benefit of policing backed by the rule of law. The severe underfunding of indigenous policing creates a unity between the police service, the community, and political leadership in our combined advocacy to the federal and provincial governments for fair and equitable funding to ensure our indigenous police services can provide effective, efficient and culturally responsible policing to the communities we serve. We are proud that despite these serious impediments, we have managed to progress and have truly created a connection with our communities built on cultural respect and autonomy.

IPCO was pleased to hear Minister Blair say that first nations policing must be made an essential service and recognize that we have been overlooked for far too long. The June 23, 2020, edition of the *Toronto Star*, reporting on Minister Blair's comments about making first nations policing an essential service, discussed a report by the Council of Canadian Academies, which said that without indigenous policing services these many indigenous communities are stuck with a colonial policing model that overlooks indigenous cultural traditions and fails to create the necessary bonds of trust.

The IPCO services have made the effort to make sure that our policing services align with the values of our communities, instead of trying to force our communities to align with conventional policing values. We are the experts in culturally responsive policing.

A perfect example of our police services aligning with our community values is the recent first nations border closures and community COVID measures that have taken place during the current pandemic. In early March, first nations leadership was considering putting measures in place to close borders to protect the health and safety of community members. Political leadership made clear to indigenous police services that they did not want to rely on a delegation of power from the Indian Act, but rather wanted to rely on their inherent rights and requested that the police service enforce the border closures.

• (1415)

In consultation and collaboration with political leadership, our indigenous police services assisted in the creation of a governance model that was vested in the inherent right to self-government and relied on existing provincial legislation such as the Emergency Management and Civil Protection Act and the Trespass to Property Act for enforcement.

This governance approach was initially met with resistance. The Solicitor General for Ontario, Ms. Sylvia Jones, recommended that the community pass bylaws under the Indian Act for border closures, even though the Indian Act bylaws were devoid of any prosecutorial or adjudicative mechanisms. It was recommended that these bylaws could be used as teaching tools. This approach was wholly rejected by our communities. Our leadership wanted a governance process that allowed for enforcement of the border closures and community COVID measures.

After extensive correspondence by political leadership and IPCO to the Ontario Attorney General and Minister Jones, we were informed on July 13, 2020, by Attorney General Downey that the provincial government takes very seriously “the importance of ensuring that the emergency protection measures that are put in place in First Nations communities to ensure the safety and well-being of their members during this outbreak are effectively and consistently enforced.” This letter goes on to advise that the provincial government will prosecute any charges laid relating to border closures under the EMCPA and the Trespass to Property Act.

I understand that aspects of the indigenous policing model are not transferable to conventional policing. I also accept that the indigenous policing model is not perfect, but what we do have that at times some conventional police services lack, especially with racialized and indigenous communities, is trust.

The years of overpolicing of indigenous, Black and other marginalized people by conventional policing services have caused significant mistrust of police. We have seen this play out in the United States with the protests in the wake of the George Floyd death, as well as here in Canada with the recent police-involved deaths of an indigenous man, Mr. Rodney Levi, and an indigenous woman, Ms. Chantel Moore. Communities want accountability from the police.

Indigenous police services are accountable to our communities, and not just when there's a tragedy. We are responsible and accountable each and every day. That is what culturally responsive policing looks like in our indigenous communities. We design our services to be culturally responsive and we train our officers to provide culturally responsive policing services. This is our standard, and ultimately this is our strength.

As Sir Robert Peel set out in his nine principles of policing, in order for the police to properly perform their duties there must be public approval for police actions, and the more police engage in the use of physical force, the more public co-operation with the police will diminish. Our indigenous police services live these principles.

IPCO participated in this process today to offer a hand in friendship and reconciliation, despite our concerns about the lack of appropriate funding for indigenous police services, because we truly believe that community collaboration and culturally responsive policing engaged in by indigenous police services are models that could be helpful to rebuilding public trust and confidence in conventional policing here in our country.

Thank you very much for your time.

Merci. Kinanaskamitanow.

The Chair: Thank you.

We will go now to Chief Doris Bill, please, for seven minutes.

Chief Doris Bill (Kwanlin Dün First Nation): Well, *dä`nmch'e*, and good afternoon, I guess, where you are.

Thank you for the invitation to be a part of this very important conversation.

I look forward to sharing information about my community, the Kwanlin Dün First Nation, or KDFN, and summarizing a collaborative, community-driven approach we have created to address community safety concerns.

I am not here today to dispute whether systemic racism in policing exists. While I can't say it is as widespread as it once was, I think we can all agree it is real and that it lives on in many of our communities and institutions today.

Given the global conversation, I would like to premise my words by saying I openly support those speaking out against systemic racism and I acknowledge the harmful effects it has had on the health and well-being of first nations people, and indeed other people of colour.

At the same time, I see value in our existing policing services. While I am not a supporter of the calls to defund policing services, I think reform is needed. Here at home, I am sure our police department could use some additional resources, given the increased crime in our area. In some cases the increased demands and inadequate resources have had a trickle-down effect, especially as it relates to prioritized calls and response times. Citizens have reported it can sometimes take an hour or more for an officer to show up, and there have been calls for which no officers attended at all.

To provide further insight, shortly after I was first elected in 2014, KDFN began looking for ways to deal with community safety concerns. I think the breaking point came after the murders of two people. These unfortunate tragedies were the catalyst for change. It brought to the surface many issues and challenges around being an urban first nation.

Through many discussions with our citizens, we learned of numerous break-ins and violent crimes. We heard from single moms who were sleeping with baseball bats by their beds, from elders who didn't feel safe going out for a walk and from citizens concerned with bootlegging and drug houses. Simply put, our community was crying out for change.

It was also made very clear that there still remained a strong distrust of the police. People are often reminded of the trauma from residential schools, the sixties scoop and forced relocations when dealing with the police, not to mention that the intergenerational fallout continues to be a challenge. As well, let's not forget about the unfinished business surrounding missing and murdered indigenous women and girls.

In many ways, the Truth and Reconciliation Commission, along with its 94 recommendations, and our constitutionally protected final and self-government agreements helped to establish the initial path forward.

The first step in any crisis is the admission that there is a problem, and there needs to be a demonstrated willingness to listen and participate in the hard discussions. That also means not being afraid to scrutinize your own environment. We cannot criticize if we are not willing to accept our own shortcomings. In our case, we chose to listen, learn from one another and put the words into action.

From the onset, we knew that if we were going to turn things around, we had to engage our community; and if meaningful change were to occur, it had to come from within. We also needed to reset and rebuild relationships with our community partners, so together, with the community's help, we created a comprehensive community safety plan.

We established an interagency working group of community partners including the RCMP; Bylaw Services; the Safe Communities and Neighbourhoods unit, or SCAN; Public Safety and Investigations; and the Correctional Service of Canada. We built an innovative community safety officer program, or CSO program, which launched in 2016.

It is the CSO program that I wish to highlight today. The program is designed to strengthen relationships. It works closely with law enforcement, provides early detection and de-escalation of con-

flict in the community, and is culturally responsive. It has been well received by our citizens.

• (1420)

I wish to be clear. The CSO program is not intended to replace the police. The four officers we have don't enforce the law but help to de-escalate in certain situations. They have also intervened in cases that could have ended badly, especially for women who were in unsafe situations.

It is a great example of conflict-free resolution. It has proven its worth not only to the community but to the RCMP, which has provided support to this program because it has been such a help. The CSO program frees up RCMP officers to do other work. The calls to service have been reduced significantly since the program started.

While funding continues to be an issue, the program has gained full participation of the Yukon government, the RCMP and many other community partners. We have learned a lot about each other in the process.

Any officer working in a first nation community needs to understand the dynamics, the culture, the history, and the trauma of our people. This is key to strengthening the connection and relationship with the community.

We remain committed to the process. Recently, we signed a historic document with the RCMP, defining a new relationship. The letter of expectation, or LOE, promotes a positive and co-operative relationship and provides policing priorities, goals, and strategies that are specific to the needs of KDFN.

Ultimately, it is about choosing a path where strong partnerships allow us to develop the kind of policing we know we need in our community. If we are truly going to make a difference, the justice system must create the space for community-borne safety initiatives like ours. I think we can agree that together we can bring about the much-needed change we seek.

Shàw nithàn, gùnàlchìsh, mahsi cho.

• (1425)

The Chair: Thank you, Chief Bill.

Our first questioner in the six-minute round is Monsieur Berthold.

[*Translation*]

Mr. Berthold, you have the floor for six minutes.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you very much, Mr. Chair.

First of all, I would like to thank each and every person who has testified before us since the beginning of the day. I'm only here as a substitute, but I can tell you that it's very informative. I'm learning a lot about your reality and systemic racism in aboriginal and Inuit communities. Thank you very much.

My first question is for Chief Picard.

The Minister of Public Safety and Emergency Preparedness is now promising legislation that would make aboriginal policing an essential service. There has been a lot of talk since this morning about the need to work together to combat systemic racism. If I am not mistaken, the chiefs of the Assembly of First Nations passed at least one resolution in 2018 to impress upon the federal government the importance of considering first nations policing as an essential service and of providing adequate funding and support, similar to what other police forces across the country receive.

Chief Picard, have you initiated discussions with the government on this bill promised by Minister Blair?

Chief Ghislain Picard: Thank you for your question, which is most relevant.

There is indeed a commitment. We are currently at the commitment stage. The next session will be held in the fall. Obviously, we hope that work will begin quickly in preparation for that session. As we all know, time is of the essence. Therefore, the sooner things are done, the more we will be able to table legislation that meets our expectations.

We had the opportunity to co-author a bill, which was a very successful experience for us. I am talking about Bill C-92, which deals with first nations children, youth and families, that is, aboriginal people. Of course, we would like to see things done in a similar way.

I should add that, for several years now, we have often maintained that our services should be recognized as essential. That being said, as the national executive, we recently passed a resolution stating that funding should be granted based on the needs expressed by the communities, and not just on a parity basis. I think this is an extremely important nuance.

In short, we hope that it will be possible, in practical terms, to get to the table quickly and begin the work.

Mr. Luc Berthold: Chief Picard, you say that a commitment to work with you has been made, but I would like to know if discussions have already begun.

• (1430)

Chief Ghislain Picard: We are still in the discussion stage with a view to agreeing on desirable conditions for engagement. We are not yet at the working stage.

Mr. Luc Berthold: Who do you think should be involved in this process so that the bill be well rounded when it gets to Parliament?

Chief Ghislain Picard: Nationally, we have political committees of chiefs that cover just about every sector. That's the way we usually operate. However, in this case, we did not agree that it would be a process similar to the one we already have. It could be another process, for example, a working group.

In the case of Bill C-92, there was a policy and technical working group, that is, a policy group of chiefs and a technical group of experts in the field of social services. This may be possible in this case as well.

Mr. Luc Berthold: Thank you very much.

My next question is for Mr. McCaffrey.

Mr. McCaffrey, in your opinion, did the RCMP burn bridges last June by refusing at the outset to acknowledge that there was systemic racism within its institution?

Did it jeopardize relationships with communities?

[*English*]

Chief Terry McCaffrey: That's a very difficult question.

I know that the RCMP have their best intentions when looking to serve indigenous communities. I've had many conversations with higher-level RCMP officers across the country about these very issues, but a lot of the discussion here is about police reform and how our police services are serving our indigenous communities.

One particular issue that comes up with the RCMP that I'll bring to light—they may not see it that way—is policing for the people by the people. There may be an individual who wants to work in their own community, but typically the policy is that they're not going back there. Here in Wkwemikong we are representative of our community: 90% of our officers are from here and have ties and roots here. Because of that, there is much more community connection.

As far as burning bridges goes, I can't specifically speak to that, but I think there's a lot more that conventional policing can do to build bridges.

The Chair: You have about 15 seconds. Should we just move on?

[*Translation*]

Mr. Luc Berthold: Yes. Thank you very much to the witnesses.

[*English*]

The Chair: Mr. Anandasangaree, you have six minutes, please.

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Thank you, Mr. Chair.

I'd like to thank all of our witnesses today.

At the end I will be sharing some time with Ms. Damoff.

Chief Picard started off with a historical perspective on policing. We've heard from a number of witnesses today about its impact on indigenous peoples and therefore the need and the call for more indigenous people to be police officers, but also, and more importantly, we've heard about self-determination with respect to policing.

I'd like to pose this set of questions to Chief McCaffrey as well as to Chief Bill. In terms of the confidence of the communities you serve, do you think it's better, far better, or exceptionally better than in relation to non-indigenous-led police services?

Chief Terry McCaffrey: I would like to speak to that.

I would say that it is far, far better. The reason is that what it boils down to is we do not come in with a different set of values from our community. We come in and we adapt our values of our police service to those of our community. That way we are aligning ourselves with our community and creating a strategic plan that specifically speaks to meeting the cultural responsiveness that our community needs. That in itself is being culturally responsive. That in itself is building partnerships with our community and making it so that at the end of the day, we are community members, not an occupying force. We are the community, and the community is us.

• (1435)

Chief Doris Bill: I totally agree. Our CSOs are not an enforcement body. That is the difference between our community safety officer program and the RCMP.

When we did a survey among our citizens, we asked them the question, "Do you want the CSOs to have enforcement powers?" They said loud and clear that they didn't.

Our officers are all indigenous. We have one woman, and a couple of them are now from our community. That is the difference. They are from our community, and our community knows and trusts these individuals. They have roots and ties to these people. Our people know that they can go to them and trust them. They work alongside the RCMP officers, and they act as a liaison between the officers and the communities they serve.

Mr. Gary Anandasangaree: For both of you again, what are some of the challenges you've faced, especially with recruitment and retention, as well as interaction with the RCMP or the police service of a jurisdiction? I guess for Mr. McCaffrey it would be the OPP.

Chief Terry McCaffrey: Yes, that's correct. Recruitment and retention for us specifically doesn't seem to be a problem. What it boils down to is that our community supports us. Because of that, we're able to work with our community and build recruiting sessions that are attracting people from our community. Right now, at this very moment in our detachment, I have two post-secondary students working as students. We build these processes into our service to allow for succession and to allow for a buildup of the service.

Again, and I'll speak to what Mr. Picard spoke about, in most indigenous cultures and languages, when you talk about police, it's the man who takes you away. We've changed the name of our police service here to be "*Enaagdawenjiged*", which means "those that help". By changing that frame and rebranding what it is we ac-

tually do, we are attracting more people to this profession to work for indigenous police services.

Chief Doris Bill: As for Kwanlin Dün, I don't think that recruitment so far has been a huge problem. People needed to know and to understand what the CSOs were and how they would operate. In terms of retention, it's still too early for us to really think about that. The program actually helps the RCMP. It helps the RCMP by diminishing the number of calls, and it has saved time and money. The RCMP, in turn, are able to focus on other things.

We'd gotten to the point where the RCMP had been the one-stop shop of law enforcement, but it doesn't have to be that way. There are some things that communities can do on their own instead of always going to the RCMP.

Mr. Gary Anandasangaree: Chief Picard, are these the forms of self-determination that you envisioned with respect to policing?

[Translation]

Chief Ghislain Picard: Clearly, what Mr. McCaffrey says is a perfect example of what we are looking for, which is to have our own institutions, as recognized by the United Nations in article 19 of the United Nations Declaration on the Rights of Indigenous Peoples.

[English]

The Chair: Thank you very much, Mr. Anandasangaree.

[Translation]

Ms. Michaud, you have the floor for six minutes.

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

I thank all three of you for your testimony.

I will now turn to you, Mr. Picard. Earlier, you raised the issue of essential service status. Do you feel that, through the Department of Public Safety, the federal government is fully assuming its responsibility to ensure that adequate security measures are provided to first nations people?

• (1440)

Chief Ghislain Picard: The original intention is very well received on our part. If the federal government, through Mr. Blair, intends to introduce, for example, a bill that recognizes our police services as an essential service on the same basis as other forces, other police services, that is a good start.

That being said, knowing that this jurisdiction is shared with several provincial governments, it will be important for the federal government to also be able to take a leadership role, so to speak, in influencing some of the ideologies or practices of these various provincial governments. I am thinking especially of the case of Quebec since, much like Ontario, it has a provincial police force that reports to the provincial government rather than to Ottawa. It will therefore be important to also ensure that we have the necessary climate for a good agreement.

Ultimately, what we really want is for communities that once had their own police service and no longer have it to be able to find those means as well.

Ms. Kristina Michaud: Thank you.

You were talking about leadership. Do you feel that the federal government, even though its responsibility is clear when it comes to first nations public safety, is somehow shirking its responsibilities by not providing the necessary resources to develop and maintain a well-trained and adequate security force?

Chief Ghislain Picard: It's not the first time we've said it. We have a federal program that has been in place since 1991. However, already 10 years after its creation, a number of Mr. McCaffrey's colleagues, including his predecessors, decried the program, criticized it and finally agreed that it was designed to fail from the outset.

I therefore believe that at this stage, this demonstration is no longer necessary. We know that this program should instead be a legislative framework, as in the case of other police forces in the country, and that it should be adequately funded according to need. It is important to state this here.

I think the federal government must go as far as it can to provide these bases for all our nations and communities. Having said that, I want to emphasize once again that the provincial level also has a responsibility.

Ms. Kristina Michaud: Thank you.

You also talked about Bill C-92, which created the Act respecting First Nations, Inuit and Métis children, youth and families, which recognizes first nations jurisdiction, including through child and family services. It can be argued that not all communities are necessarily at the same point.

Do you believe that all communities have been given the tools they need to adequately develop the infrastructure to provide appropriate training for social workers? That also includes financial logistics.

Chief Ghislain Picard: Indeed, if we are to move in that direction, we must make sure that we have all the necessary means to achieve our objectives and that we do not end up, as we did about twenty years ago, with a program that is clearly inadequate for all the communities we are called upon to serve.

Having said that, I believe the federal government needs to go much further with the Act respecting First Nations, Inuit and Métis children, youth and families, which you cite as an example. The Quebec government is challenging the act in the courts. I feel that the federal government would play its role a little more effectively

if it insisted on the fact that under this act, as could be the case in the legislative framework on indigenous policing, first nations are entitled to exercise their full autonomy and must have the capacity to do so. This is what we are looking for after all.

• (1445)

Ms. Kristina Michaud: Thank you.

Earlier, quite often the solution proposed was to allow civilian oversight in communities, to have a body that would be independent to oversee the conduct of the various police services.

What are your thoughts about it?

Chief Ghislain Picard: There is a big gap. Members of our communities, both those living in our territory and those in urban areas, do not trust the police. We need to find a way to restore that trust.

I gave the example earlier of the City of Montreal. A worrisome event occurred two months ago, in early May. An indigenous woman called for an ambulance, but instead of the ambulance, a contingent of 17 police officers was dispatched along with the City of Montreal's canine brigade.

Fundamental reform is needed, not only on the issue of justice, but also on the relationship between the police and members of our communities.

[English]

The Chair: We're going to have to leave it there, Madame Michaud. Thank you.

Mr. Harris, you have six minutes.

Mr. Jack Harris (St. John's East, NDP): Thank you, Chair.

Thank you for your presentations. The passion and the knowledge are very evident, and we're blessed to hear from you all today.

I think this issue is extremely important. I would like to start by asking Police Chief McCaffrey to tell us about use of force, which has been a big issue of course nationally in the last short while, as a long-term, big issue.

Does your police force get different training from other police forces, and what is the nature of that? How does your use of force training differ, and how do your operational activities with respect to use of force differ, if they do, from other police forces?

Chief Terry McCaffrey: Thank you very much for that question. I'm very happy to answer this.

There is no difference. Our officers are trained to the same standard that every officer in Ontario is trained to, and that goes for all IPCO representation, so 500 indigenous policing services officers across Ontario are all trained to the same standard in terms of use of force, in terms of de-escalation and everything else.

I think where we are more successful and why we have fewer incidents of having to use situations of force.... It comes down to our direct connection to the community and knowing that it's much better for us to try to de-escalate these situations. That might not be the case in a setting where you don't have a connection to the people you're serving, or not as close a connection, I would say, that indigenous policing has with our communities.

Mr. Jack Harris: Tell me, Police Chief McCaffrey, what is the relationship between your police force and the OPP in terms of backup? Do you have overlapping police jurisdiction within the areas you police, and how does that work?

Chief Terry McCaffrey: Absolutely, the OPP are definitely partners in policing with indigenous police services across Ontario. Commissioner Carrique and the men and women who serve with him in the Ontario Provincial Police are partners with us through and through.

What I can say, though, is that we are chronically underfunded, provincially and federally. It was kind of alluded to by Mr. Picard that this is a program, and it's been based on a program. When you look at how other mainstream policing is funded, they don't just take it upon themselves to say they trust that the police are going to do what they're going to do; it's based on legislation, whereas indigenous policing is based on a program. That's the area that needs to change, and that's the area we need to significantly look at.

Mr. Jack Harris: I take it that you would support the notion suggested by Chief Picard and Chief Teegee earlier today that there should be a national first nations justice and policing strategy overhaul to cover this issue.

• (1450)

Chief Terry McCaffrey: Absolutely, and organizations like IP-CO and the First Nations Chiefs of Police Association should be at that table as subject matter experts, and not brought late to the game like we often are.

Mr. Jack Harris: In 2018, the then minister of Public Safety and Emergency Preparedness announced up to \$291 million over five years in additional support for first nations and Inuit communities served under the first nations policing program, which identified 187 first nations policing agreements.

That doesn't seem to be a lot of money—\$58 million or \$60 million dollars a year over five years—for that many organizations. Is this an example of the inadequacy of funding? Is it standard? What do we have to do to fix it?

Chief Terry McCaffrey: That is standard. I think throwing a large number like that out there makes it seem as though there's a lot being put into things.

Larger organizations such as the RCMP and the OPP are also involved in that funding. What ends up happening is that, in the smaller indigenous services, we all end up fighting over the same scraps.

Mr. Jack Harris: It's also indicated by one expert report that a number of communities that wanted to proceed with indigenous policing were turned down or couldn't do it because of unavailability of resources.

How do we actually get there from here? How does a community go from being in a particular situation now to actually having an indigenous police service? How does that process work?

Chief Picard, maybe you could tell us what you think, from your perspective, of the AFN in Quebec and others.

The Chair: We have about 40 seconds to do that.

[*Translation*]

Chief Ghislain Picard: Several things are involved in that question. The key is to make sure we have the right conditions from the start. That's what we want with a bill that can recognize as a final and ultimate goal that first nations will have full jurisdiction over public safety.

[*English*]

The Chair: We're going to have to leave it there, Mr. Harris.

We're now moving on to the three-minute rounds.

I have 15 minutes' worth of people wanting to ask questions in about seven minutes, so I'm going to let it run over the clock, but that will effectively mean we'll bump the second set of witnesses down a little bit. Unless there's a deep objection to this, that's how I propose to run it, colleagues.

That said, Mr. Vidal, you may have three minutes, please.

Mr. Gary Vidal (Desnethé—Missinippi—Churchill River, CPC): Thank you, Mr. Chair.

I want to comment quickly on what an impressive panel of witnesses we've had today. I wish I had 10 or 15 minutes to ask each of you questions, but as you just heard the chair say, I have three minutes, so I'm going to focus quite quickly.

My first question is for President and Chief McCaffrey. I'm very impressed by your testimony and your resumé, Chief McCaffrey.

I want to talk for a minute about a tribal council in my northern Saskatchewan riding, which recently wrote to the Prime Minister asking about the creation of their own police force for the 12 first nations whom they serve. It's called the Prince Albert Grand Council.

I would like to have you offer any advice on frameworks or first steps or best practices that you would share, from your vast experience and knowledge, that would help them in the establishment of their own service.

Chief Terry McCaffrey: Absolutely. My experience with this would be that there would have to be a process. Currently, here in Ontario, first nations policing is not a part of the Police Services Act, but we're working on being legislated into it, which would allow us to become essential services.

That would be the first process, to ensure that it's written in there how the costing would take place, so a process is created for a community to step back and say, we don't want to be involved in these contract services—in Alberta or Saskatchewan, it would be the RCMP—but would like to start our own police service, and provincially we need your assistance to do this. That would start those discussions.

I've seen it happen with the Treaty Three Police Service in northern Ontario; they're the most recent example of this. They went from 23 officers to now being at 90 officers spanning 23 first nation communities across northwestern Ontario.

• (1455)

Mr. Gary Vidal: Thank you.

This is a quick question for Chief Picard and Chief Bill. I don't think it needs a difficult or long answer.

In your opinion, is the RCMP too Ottawa-centric? Are they disconnected from the reality of the differing local communities across the country?

The Chair: Be very brief, please.

Chief Doris Bill: Yes, I would think so. In the north, it's a bit different because the RCMP is the only law enforcement around. A lot of times some of the remote communities are left unpoliced. They don't have any officers. They don't have any police they can rely on. The community safety initiatives like this are where I see that these kinds of programs can help to offset that.

One of the things with the RCMP in terms of its policies.... I really feel that being stationed in the community for three years and then having to leave.... People get used to some of these officers. We just get them to a point where we would like to keep them, and then they leave and—

The Chair: Okay, I'm going to have to.... I apologize for cutting you off. Mr. Vidal has picked up on the Jack Harris technique of asking a very important question with about 10 seconds left and then leaving the chair to cut off people, which makes me extremely popular.

With that, I'm looking for Mr. Sikand.

You have three minutes, please. This is three minutes.

Mr. Gagan Sikand (Mississauga—Streetsville, Lib.): Thank you, Mr. Chair.

My question is for Mr. McCaffrey.

First of all, I want to thank you for your service. I also want to pick up on something that you said: that the police force was chronically underfunded or had difficulty accessing resources. I want to ask how the availability of financial resources affects the police forces in first nations and Inuit communities in terms of human resources, police facility services, and health and safety.

Chief Terry McCaffrey: Absolutely. The biggest area, obviously, is human resources. More officers provide more safety. This provides more safety and security for our communities, which ultimately, as we're all aware, is a human right. Currently, our indigenous communities across Canada do not receive the same safety and security that the rest of Canadians do.

I would say that the biggest shortfall when we're talking about funding is exactly that. It's human resourcing. Some of it is based on the factor of "pop per cop", population per officer being allotted for a different area. There are different factors that need to be considered in indigenous communities, like the fact that most of our communities are considered at the highest crime severity index. This means that we are dealing with much higher types of crime, which provides for more specialty-type work.

We are developing situations in our detachment where we're creating crime units and we're not funded for those, where I need to create a domestic violence coordinator and we're not funded for that. It's "Here are your program dollars; figure out how to make it work."

The reason our services make it work is that we love our community.

Mr. Gagan Sikand: Thank you.

With whatever time I have left—

The Chair: You have one minute.

Mr. Gagan Sikand: Ms. Bill, I represent a riding in the GTA. I am wondering how you would implement your program in a metropolis.

Chief Doris Bill: Much like we did here. We started by having a conversation in the community, really building strong partnerships with the City of Whitehorse, the RCMP and any enforcement agency that had a connection to our community. We reached out to them and really worked on those relationships. We've made some progress. We still have a ways to go; I'm not going to say that everything is perfect. You do it by building strong relationships, and you go from there.

• (1500)

The Chair: Thank you, Mr. Sikand.

Mr. Uppal, you have three minutes, please.

Hon. Tim Uppal (Edmonton Mill Woods, CPC): Thank you.

Thank you, witnesses, for bringing forth some very important testimony.

I will start with Mr. McCaffrey.

What strategies should be developed to attract and recruit more young aboriginals and first nations into the RCMP? I know you touched on this, but I think it's very important that we move forward with this.

Chief Terry McCaffrey: I think what a lot of this boils down to is removing barriers. There are a number of barriers, especially in our indigenous police services, that we have been allowed to remove so that we can attract more, recruit more and be more successful in getting our recruits to the training environments.

That being said, if we're looking to hire for a northern Ontario community, just the fact of their being able to get testing—to come out from their community and have to go to, say, Thunder Bay, for example, to get some testing done—could be an enormous barrier for somebody who could potentially be a lifelong, 30-year officer who would serve your community well. That being said, if I can just quickly touch on anything, it's at that recruiting level that we need to remove barriers.

Some other things, too, like the psychological examinations that are being done, are systemically flawed. Some questions are in there that will put you on the wrong side of the curve immediately, like “Do you see spirits?” I've heard that question. Well, indigenous people will attend ceremonies, and this is a firm belief. Immediately it's systemically flawed in some of those areas. They need to be looked at in a complete reform to allow for our people to be hired.

Hon. Tim Uppal: Thank you.

Now, with all of your experience, have you been approached by the RCMP to give advice, or do you know other people who have been?

Chief Terry McCaffrey: No, I have not been approached personally from a professional standpoint at this point. I have extended my services, like I am today, to the commander in Manitoba. As well, I have informal colleagues with the RCMP to share some of these ideas with, as well as the CACP. I also sit on the Canadian Association of Chiefs of Police's policing with indigenous peoples committee.

There are avenues, and discussions are taking place at those levels.

The Chair: Thank you, Mr. Uppal.

Madame Damoff, you have three minutes, please.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair.

Thank you to all of our witnesses.

In three minutes, I don't have time to ask you all the questions I'd like to ask, but I would like all of you to give some thoughts and maybe provide those in writing.

How do we ensure that we get enough women applying to be officers in first nations policing so that we don't make the mistakes of other police services where women are under-represented? If you can give that some thought, and if all three of you have thoughts on that, could you provide those to me?

Chief Bill, what you're doing in community is a model that I've heard about. It's a real pleasure and honour to meet you. I commend you for what you're doing.

We've talked a lot about investing more in police. Your model relies on community safety officers. I'm wondering, are police really the right people to be responding to mental health calls, to be responding to some of these things? Should we be putting more into policing, or should we be putting more into services and individuals who can work in communities to deal with mental health issues and other social issues, as opposed to sending the police to those calls?

Chief Doris Bill: I think the CSO program is designed to bridge that gap between the RCMP and the police. The police can't spend a whole lot of time when someone is suicidal or has a mental health breakdown, whereas our CSOs can stay with the individual, ensure that the individual gets the necessary help they need, and stay with that individual for whatever amount of time is required. It's incredibly important.

In terms of the resources, we're funded by the federal government, Yukon government and a bit of our own. We find that it doesn't quite fit anywhere under any particular program because it's not an enforcement body. That's the difficulty we've had. I've always said that government needs to put more resources towards community-based initiatives like this.

The RCMP has its role. They have the crime reduction unit here, which is very effective. That unit goes after drug dealers who are trafficking, drug dealers specifically, not vulnerable people. That should be the RCMP's role in the community. We can take care of those nuisance calls. We can take care of our people when they have mental health issues and stuff. In many cases, the CSOs help to de-escalate those types of situations.

Sometimes people are under incredible stress. When they see CSOs, they calm down immediately. They've saved a number of young women from really unsafe situations. I think they're the eyes and ears of the community, and that's what communities need.

• (1505)

The Chair: Madame Michaud, you have a minute and a half.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

My question is for Mr. Picard.

While I don't want to question the idea of indigenous communities being responsible for safety, I would like to know whether, in your opinion, a real problem with training, awareness or ignorance of indigenous culture exists at the core, and as a result, approaches have always been out of touch with indigenous peoples' realities.

Chief Ghislain Picard: A report submitted to the City of Montreal earlier this year indicates that the level of sensitivity to indigenous realities may indeed be clearly insufficient. We spoke to the mayor of Montreal, Valérie Plante, who ended up stating that systemic racism and assimilation existed on the Montreal police force. We spoke with Ms. Plante just a few days ago.

I feel this situation shows that there is a huge gap between our communities and the police forces concerned, whether municipal or provincial. So there is a lot of catching up to do. As the chief of police told us a little earlier, for awareness purposes, we will need tailored programs.

[English]

The Chair: Thank you, Madame Michaud.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

[English]

The Chair: Mr. Harris, you have the final minute and a half.

Mr. Jack Harris: I'd like to ask a question of Chief Picard with regard to Quebec. I asked about the OPP relationship with the indigenous police forces that he's involved with. Is there a similar relationship between the Sûreté du Québec and tribal or indigenous police forces in Quebec? Does that relationship work well, or is there work to be done that you think should be undertaken as part of a new type of relationship?

Chief Ghislain Picard: We would certainly like to have the same kind of relationship as the OPP has with a number of tribal organizations in Ontario, but the relationship has been strained somewhat in recent years; I would even go further than that, to 1990 and the Oka crisis. My colleague this morning referred to that situation.

We have a relationship to build. This is not to say there aren't some situations where our communities rely on the SQ and there's harmony. It is positive, but we can't say the same for all communities. Definitely, there's a relationship to be strengthened between the Sûreté du Québec and our communities, especially those that have their own police service. That being said, all of our communities would like to have that opportunity or that privilege.

The Chair: Thank you, Mr. Harris.

With that, I'll bring our questioning to a close. I take note that when our parliamentary committee is functioning well, there are two characteristics. One, we have thoughtful witnesses and thoughtful questions; and two, there isn't much partisanship. Indeed, this afternoon and this morning have been a prime example of a well-functioning parliamentary committee, so I want to thank colleagues and I want to thank the witnesses for their contribution to this study.

We will suspend while we change the panel.

• (1510) _____ (Pause) _____

• (1510)

The Chair: We are ready to go.

We have with us, for our fourth and final panel today, Dr. Jeffrey Schiffer from Native Child and Family Services of Toronto. It's good to see you again, Dr. Schiffer.

We also have Akwasi Owusu-Bempah, assistant professor with the department of sociology at U of T.

Is that UTSC or U of T?

Mr. Akwasi Owusu-Bempah (Assistant Professor, Department of Sociology, University of Toronto, As an Individual): It's Mississauga.

The Chair: That's too bad. If you were from Scarborough, you really would be an expert.

Mr. Akwasi Owusu-Bempah: I'll see myself out then.

Voices: Oh, oh!

The Chair: As well, we have with us Allen Benson, chief executive officer of Native Counselling Services of Alberta.

With that, I'll call on Dr. Jeffrey Schiffer for a seven-minute presentation.

Dr. Jeffrey Schiffer (Executive Director, Native Child and Family Services of Toronto): Good afternoon, members of the committee. Thank you for the opportunity to provide some testimony.

My name is Jeffrey Schiffer. I'm a Métis person. As the chair has said, I'm currently the executive director of Native Child and Family Services of Toronto.

I want to start by acknowledging the Algonquin territory that you're all gathered on today, as well as the traditional territory of the Wendat, Haudenosaunee and Anishinabe people from which I join you.

I applaud you for calling a series of hearings to discuss systemic racism in policing. This is an issue that we can trace back to the very inception of Canada.

As you're all aware, our nation is built on treaties. Canada today in fact derives its legal status as a nation from treaties. As numerous national commissions, inquiries and reports have noted, the indigenous signatories of these treaties had very different understanding of the implications of these agreements.

Policing in Canada emerged in part as a mechanism to enforce and expand colonization. The North-West Mounted Police, created in 1873, occupied a central role in managing and containing indigenous populations as European settlement advanced. They played a central role in forcibly relocating indigenous people to reserve lands established by the Crown and also in removing indigenous children from their families to be placed in residential schools. For almost 150 years, police in Canada have been utilized to enforce colonial interpretations of the original treaties and to implement Canadian law, which sometimes is not congruent with the vision of a shared nation that was initially promised to indigenous peoples.

We're at a crossroads today in Canada. As RCMP Commissioner Brenda Lucki has stated, "systemic racism is part of every institution, the RCMP included". Our national, provincial and territorial, and municipal police services remain ensnared in the historical momentum of the racism and colonial ideologies that framed their creation so long ago. This is evident in the persistent statistics that reveal indigenous people being more frequently questioned and investigated by police, more often subject to violence, sexual exploitation and death at the hands of police, and being starkly over-represented in the criminal justice system.

In an era of truth and reconciliation, these problems are becoming more acute, rather than getting better. Just as one example, since April 2010, the indigenous population in prisons has grown by nearly 44%, whereas the non-indigenous incarcerated population in Canada has declined by almost 14% over that same period.

Research tells us that the crossroads we're at today provides a fleeting opportunity of significant magnitude. The shock that's in our system at present, due to COVID-19 and global coordinated protests against systemic racism in policing, provides a unique opportunity for change.

I believe we have a responsibility as leaders to ensure public safety and national security that's not only evidence-based, but also framed in reconciliation, equity and diversity. We must ask ourselves, what does the data tell us about where police services succeed and where they fail? What possible pathways lie before us for innovation that can lead to better outcomes for indigenous people across Canada?

In May, Regis Korchinski-Paquet, a 29-year-old black and indigenous woman, fell to her death from her 24th-floor apartment when police were responding to a mental health crisis. In June, Chantel Moore, a 26-year-old indigenous mother, was fatally shot by police during a wellness check. A week later, 48-year-old Rodney Levi, an indigenous man with a history of struggles with mental health, was shot and killed by the RCMP in responding to a call about an unwanted guest at a residence.

These three deaths are small pieces in a much larger picture. A study released in June revealed that while indigenous people make up roughly 5% of the population, 38 of the last 100 people killed by police in Canada were indigenous. In the decade spanning 2007 to 2017, indigenous people accounted for more than a third of the people shot to death by RCMP officers.

Mounting evidence is telling a story. It's telling us that police officers are struggling to manage with wellness checks, mental health crises and a variety of other calls and interactions, particularly when indigenous people are involved. Recent studies reveal that typical responses used by police services to address these challenges aren't effective.

In a large study assessing data from over 700 private sector establishments between 1971 and 2002, researchers investigated the impacts of police service initiatives in training, promoting inclusion and establishing institutional responsibility. Of these three strategies, training was found to be the least effective, and while these strategies had some positive impact when deployed together, the research found that systemic racism in policing is driven by a constellation of individual, group, institutional and social elements.

• (1515)

In short, police services may not have the capacity to resolve structural racism themselves. Support from government and community-led organizations will be critical if we're to action the change of seeing better outcomes in this area.

Recent calls to defund police are grounded in the evidence-based recognition that some work currently done by police services can be done more effectively with fewer resources by community-led organizations. For me, it's less about defunding police and more about a thoughtful consideration of how resources might be reallocated to community organizations to take on some of the work related to community safety, mental health response and victims services for indigenous people and racialized communities.

I would like to put three recommendations before you, before I finish today.

First, I recommend that the federal government work with the provinces and territories, municipalities and indigenous communities to reallocate funding and service responsibilities related to mental health and victims services to indigenous organizations. Second, I recommend that some specific funding be allocated to mental health response and victims services for indigenous people. The need is particularly pressing in urban centres like Toronto, where we're seeing massive and rapid growth in our indigenous community. Finally, I recommend that the federal government create an indigenous-led working group to better examine the service needs related to mental health and victims services for rapidly growing urban indigenous communities.

With that, I would like to thank the members of the committee for the opportunity to appear as a witness today. I look forward to answering any questions you might have later on.

• (1520)

The Chair: Thank you, Dr. Schiffer.

Professor Akwasi Owusu-Bempah, you have seven minutes, please.

Mr. Akwasi Owusu-Bempah: I am Professor Akwasi Owusu-Bempah, with the University of Toronto, as we have established.

I'd like to thank the committee, as well, for the opportunity to speak before you today, and Dr. Schiffer for his comments.

In addition to my own research on issues of race and policing, I've worked in operational police policy and, indirectly and directly, with police agencies on matters relating to race, racism and questions of equity. I have interviewed and surveyed members of the general public on their perceptions of and experiences with racism in policing, and conducted similar interviews and research with populations most subject to police attention. I have also spent a considerable amount of time conducting research with and working with racialized officers on the issues they face in the policing world. My comments today reflect not only my academic research but also these professional and practical experiences.

I think it's important in the context of the discussion we're having today to talk about some definitional issues. We're talking about systemic racism here. I think it's wise to think about differences among structural, systemic and institutional racism, each of which is relevant in the Canadian context.

From my perspective, when I'm thinking about issues of systemic racism in policing, I think more about structural racism, which describes a system in which policies, institutional practices, cultural representations and other norms work in varied and often reinforcing ways to perpetuate racial inequality. The key part here is that structural racism acknowledges the role that our history and culture have played in creating a social system that privileges whiteness over non-whiteness. Rather than looking at individual institutional practices, structural racism understands racism as being embedded in the fabric of our social, economic and political systems.

Institutional racism refers to institutional policies and practices that, intentionally or not, produce outcomes that constantly favour or disadvantage certain groups over others.

We see structural racism play out in policing when we consider why certain racial groups come into contact with the police more frequently than others, just by virtue of who they are and where they live. Racism in various sectors of our society influences the nature of police work, of course. Most members of our society would expect a heightened police presence in areas where crime is higher. If black and indigenous people suffer racial discrimination in the employment and education sectors, thus increasing levels of poverty and the likelihood that they live in disadvantaged neighbourhoods with higher levels of crime and violence, it follows that these people will have greater exposure to the police, and by extension, police stop and search practices, arrest, use of force, etc.

We see structural racism, for example, play out when we look at arrests for minor drug offences. Evidence from Canada and other jurisdictions suggests that members of different racial groups use drugs at relatively similar rates, yet we see stark racial differences in drug possession arrests. While some of these differences can likely be attributed to officer behaviour and institutional policies and practices, the heightened police presence in the lives of black and indigenous people also plays an important role. So much remedy here lies outside the realm of policing.

It's my belief that the government should follow the call of the Canadian Association of Chiefs of Police to first decriminalize, and then later legalize and regulate other substances. This would take away the need for the police to address these minor issues.

From my perspective, an example of institutional racism in policing would include the privileging of enforcement-oriented forms of policing over community policing efforts in performance reviews and consideration for promotion. If officers are evaluated on the number of arrests they make, rather than on the extent to which they build strong ties with communities, then officers will be inclined to make arrests, warranted or not, rather than engaging in other activities that may serve to engender public safety. Efforts to increase arrests are likely to involve going after low-hanging fruit, often minor infractions in higher-crime neighbourhoods. Again, racial differences in housing patterns and the greater presence of certain racial groups among those experiencing poverty, combined with the presence of racial stereotypes in our society, will converge to produce racially disparate outcomes.

Now of course there is overlap between structural-systemic racism and institutional racism, and I have no doubt that in the two

or three minutes I have been speaking, I've confused some of you. I'm happy to follow up later.

I think it's important to acknowledge that a significant proportion of Canadians believe that racism is a feature of Canadian policing. My colleague Scot Wortley and I have just finished the third in a series of studies examining racial differences in perceptions of the police in the greater Toronto area. We find that between 60% and 80% of black, white and Asian people in the greater Toronto area feel there is discrimination in policing. I know that similar studies have been conducted across the country with similar, although perhaps not quite as extreme, results.

My own work demonstrates that these negative perceptions stem from both personal and vicarious experiences. My own work demonstrates that black people, more than white people, felt they had been mistreated by the police during their last encounter, that the police were disrespectful and that their interactions lacked what we would call procedural justice.

• (1525)

We have evidence on differences in terms of treatment after the stops as well. Research conducted recently by my colleague Kanika Samuels-Wortley from Carleton University shows differences in police discretion, and in particular, the extent to which young racialized people are offered diversion programs. We note that diversion is offered to white youth to a greater extent than it is to black and to indigenous youth.

I won't go into police use of force in great depth, because that has been covered, but we know, similar to the indigenous situation, that, for example in Toronto, black people are not only much more likely to be the recipients of police use of force, but they're also subject to greater force. For example, in shootings, there are many more shots fired by the police than when the individual is white and the threshold for using that force is lower.

I would suggest, or I'd argue, that we need a national database that captures police use of force incidents. We do not know the full extent to which the police are using force at the moment, because this data is not systematically collected by our policing agencies, and thus not made available to the government, to policy-makers and to researchers like me.

It's important that we look at the experiences of racialized officers themselves. Many police services across the country have made great efforts to increase the diversity of their workforce, and I mean diversity in terms of what all their officers look like, but unfortunately, my own research tells me that racialized officers do not feel that they are taken into the police subculture and brought into the police brotherhood. I use the term "brotherhood" there purposefully. They're overlooked for task and area assignments, and too often passed over for promotion.

A full examination of the extent to which individual, institutional, and systemic or structural racism impacts upon Canadian policing is not possible without access to racially desegregated police data. This data must extend beyond key indicators, such as stops and searches, and arrests, to include information about the outcome of police activity.

We need information about hit rates from stops, and the number of charges that are dropped by the Crown. We need information on the experiences of racialized officers. I commend the Canadian Association of Chiefs of Police and Statistics Canada for announcing that they will be collecting race-based policing data, but that must be comprehensive data. If it is just cursory data, the data collected will very easily be used to further stigmatize already stigmatized groups and could lead to the creation of further marginalizing policies.

Thank you.

The Chair: Thank you for that, Professor Owusu-Bempah.

Our final witness is Mr. Benson, for seven minutes, please.

Dr. Allen Benson (Chief Executive Officer, Native Counselling Services of Alberta): Thank you to the committee for the invite. I'd also like to thank and acknowledge the clerk and his office for all the work going into setting this up. I appreciate it.

I am a member of the Beaver Lake First Nation in Treaty 6 territory, and I want to acknowledge that I'm on that territory. I was reminded yesterday by a priest and an elder that while I'm on Zoom meetings, I should acknowledge that I'm in the Creator's space, so I'll do that.

I'm the president of the National Associations Active in Criminal Justice and, as of Monday, the former chair of the Family Violence Death Review Committee in Alberta. I have experience working in Australia implementing some of the recommendations from the Wood inquiry. The RCMP actually assisted the Government of Australia in that inquiry. I was heavily involved in community engagement while I worked for the Premier of New South Wales. I'm also, at present, the facilitator for dialogue with the Alberta chiefs. Last week we had a meeting with our provincial justice minister and four federal ministers, including Minister Blair and another member of Parliament, Pam.

I'm going to speak from all of that experience on a number of different topics, and I'll try to be as brief as I can. Rather than read my notes, I'm going to highlight some key things.

The first thing I'd like to talk about is the use of force. As I've been involved in many investigations and reviews of complaints against the police that have come through my office, I'd like to

talk about the Criminal Code. Section 25 of the code allows law enforcement to use force in the course of their duty, and section 26 makes it a crime for police to use excessive force. However, the definition of what is a reasonable use of force is very vague. Because of that, provincial police forces and municipal police forces have their own legal frameworks, so there's no consistency across the country. That creates a challenge.

We need to review the various definitions of "reasonable use of force" and create a federal standard that's incorporated not just in the Criminal Code but in the national police act. A clear definition is important for understanding what the use of force is. A standard needs to be created with input from civilians, women, first nations, Inuit, Métis and many other minorities across this country. That input is very important.

The video of Chief Allan Adam being taken down is a good example of how the police can review recordings and determine that reasonable force was used. According to their standard, reasonable force was used in his case, while most Albertans and Canadians decried that use of force as excessive. The definition of "reasonable" needs to resonate with police and civilians.

The review of incidents should be done from the perspective of an independent process. Municipal, provincial and federal police services need a more independent body that reviews complaints and that reports to municipal, provincial and federal governments. Historically and currently, the work of the police complaints commission for the RCMP has not made a substantive change in the way indigenous people experience police services nationally. The commission needs to be more inclusive, more accessible and more transparent, with the ability to impose sanctions in some cases.

Reviews also need to be accessible. The current processes are complicated and difficult to navigate for many Canadians. All Canadians need to be able to understand and access the process for complaints. Their complaints need to be taken and addressed in respectful ways.

Reviews should also allow for meaningful and engaged indigenous participation in the entire independent review process. This means including indigenous leadership on the team or commission, indigenous expertise in decision-making positions and hiring indigenous investigators.

● (1530)

The review body needs to be composed of indigenous, non-indigenous and other minorities that have a broad expertise, along with other Canadians in policing and social justice. For transparency, the independent review process needs to be detailed and be made available to Canadians with few exceptions. These exceptions need more clarity.

There need to be clear consequences. The consequences of excessive use of force, racism and abuse of power need to be meaningful and transparent to the public. Investigative bodies must be able to recommend sanctions in some cases and have the authority to impose these sanctions.

From a first nations police point of view—and I'm going to speak about my interaction with the chiefs and federal and provincial ministers and recent follow-up with the chiefs—there needs to be a more equitable and consistent funding for self-administered first nation police services. These services must be recognized as essential services, as are other police forces, in federal and provincial legislation.

Inherent to this funding is the negotiation of an agreement with first nations that recognizes the right of first nations to police their communities or to negotiate the delivery of police services by the RCMP or in some cases by provincial authorities.

Further, the chiefs in Alberta region have requested direct negotiations and involvement in the development of any policies, legislation around first nation policing or criminal justice reform.

I'd like to just make a reference to the Siksika Nation. On that nation there are approximately 8,000 people. The hamlet next to Siksika has a population of just over 200 people. The police detachment is located in that hamlet of 200 people. They have 20 officers.

Those 20 officers provide police services—very little by way of police services, but police services, nonetheless—to Siksika First Nation. The question of everybody in that whole region is, why isn't that detachment on the reserve and serving the biggest population of the whole region? That's just one example of many challenges around policing from outside the community.

• (1535)

The Chair: Unfortunately, Mr. Benson, we're going to have to leave it there. Time is a tyranny here.

I'm going to ask Mr. Vidal to start the six-minute round.

Mr. Gary Vidal: Thank you, Mr. Chair.

Again, I want to make the comment I made earlier, that we've had such an impressive round of witnesses all day today. I want to express our appreciation to each of them for taking the time and making the effort to come and share their knowledge and experience with us.

I want to start with Dr. Owusu-Bempah. Would you please comment on the pace of the federal government's implementation of various reports tabled on policing, racism, and the missing and murdered indigenous women and girls?

Mr. Akwasi Owusu-Bempah: In choosing my words carefully, I would call it almost glacial.

There appear to be efforts made towards some progress in some senses, and I'm not seeing that progress made in the actions of the membership at the federal level of policing. While there are numerous initiatives, whether in hiring or in community consultation and such matters, intended to ameliorate many of the problems that have been discussed by the speakers, including me, just now, I don't think we're seeing the same in terms of action with respect to how members of the public are being treated. That's my general sense.

Mr. Gary Vidal: Thank you for that.

I'm going to follow up with you with one more question before I move on.

We've talked a lot today about and I've asked some questions about good relationships and how they're vital in order to build good policing policy—or good community policing policy, to be maybe more specific. In your opinion, what are the top priorities that the RCMP could work on this summer—get right to work on—in order to improve relationships with various communities throughout the country?

Mr. Akwasi Owusu-Bempah: I think the most important thing to consider when we think about relationship building between the police and the communities they serve is that you can spend countless hours trying to foster good relations and all it takes is one high-profile case of abuse to undo all of that work. That's the reality.

What progress could be made in the immediate...? I would like to see a clear signal from the commissioner on exactly how systemic racism, as she now understands it, is going to be addressed, and for that to begin to be rolled out over the summer. I think many of us in the academic world, as well as others watching, were quite shocked given, again, all of the recommendations that have been made and all of the talk around addressing issues of, I would say, diversity, because “diversity” is often used.

I think we need to recognize that issues of racism are different from issues of gender discrimination, which are different from issues of discrimination for sexual orientation. The fact that, in 2020, the commissioner of the RCMP could not articulate what systemic racism is has done nothing to appear to the public that the service is doing something to address systemic racism. I think a statement with clear plans on how that's going to be dealt with needs to be—

• (1540)

[*Translation*]

Mr. Luc Berthold: Mr. Chair, I have a point of order. We've had no interpretation for the last few minutes.

[*English*]

The Chair: Have we lost translation?

Okay, perhaps you could just hold that for a second.

While we're fixing translation, Professor Owusu-Bempah, perhaps you could move a little closer to your microphone. Apparently there's a bit of a problem.

Okay, we'll start again.

Mr. Akwasi Owusu-Bempah: Table a plan to address excessive use of force. Table a plan to address the release of race-based data, which the RCMP has been reluctant to release. Address the community relations strategy, and recognize, again, that one high-profile case of police abuse is going to undo good work that's done.

Mr. Gary Vidal: Thank you for that.

I'm going to ask Dr. Schiffer to answer the same question. I think I'm going to be able to squeeze in the rest of my questions.

Dr. Jeffrey Schiffer: Is it the same question about actions that could be immediately taken?

Mr. Gary Vidal: Absolutely, yes.

Dr. Jeffrey Schiffer: Fantastic.

As my colleague just said, a world of community relations can be taken down by one negative case. What we are seeing, particularly in the indigenous community, is that a lot of the cases that go wrong happen when we have law enforcement officers trying to intervene around mental health crises. What we do know is that the intergenerational relationship between indigenous people and law enforcement impacts an interaction before it has already started. We also know that law enforcement officers, whether they're with the RCMP or the police, don't have a lot of training in de-escalation around mental health and certainly not training in support that's indigenous-specific.

I think taking some of these problem areas where police services struggle and shifting them over to community-based organizations that already know how to do that well would remove the possibility of those interactions going wrong, and limit the number of times that we would see those emerging. I do think that a thoughtful consideration of where police services are struggling and our capacity to empower community-led groups to take on some of that work would make significant change.

Mr. Gary Vidal: Thank you.

I think you've left me just enough time to ask Dr. Benson a question as well.

Dr. Benson, Dr. Schiffer actually alluded to it in his answer. Could you talk briefly about the quality of training for officers when facing cases of mental health?

Dr. Allen Benson: Right now, in reviewing what exists, there needs to be some changes. There is a lot of new research and new programs that are available for professionals in addressing mental health, especially around the intervention field. I think there needs to be a review of the training that's there now and an update of it.

The Chair: Thanks very much, Mr. Vidal.

Madam Damoff, you have six minutes, please.

Ms. Pam Damoff: Thank you to all of the witnesses who are here. I'm actually going to start with Dr. Schiffer.

Dr. Schiffer, you and I have talked about a pilot. I know you were involved in the development of the Kwanlin Dün model of community safety officers. We haven't talked a lot about the urban context for indigenous peoples, but we know most indigenous peoples actually live in urban settings. I know you're working on a model that would put community safety officers in settings where they're interacting with indigenous peoples. Certainly, that model could be translated over to black Canadians in urban settings as well. Could you tell us a little about that?

Dr. Jeffrey Schiffer: Yes, I'd be happy to. Thank you.

A few years ago, I did lead the Office of Indigenization at the Justice Institute of British Columbia, which is responsible for training every municipal police officer in the province of British Columbia. During my time there, I did have the opportunity to support the development of the Kwanlin Dün First Nation community safety officer program. That program has received a lot of media attention and has been really positively received in the community. I'm not only seeing a sharp reduction in the calls for police officers.

It's also building positive relationships and attending to a lot of the cultural stuff that I've been talking about.

Those officers are not police officers. They're community safety officers. However, when we were building the curriculum for that program, we asked, "What are the needs in this community?" and said, "Well, we know that this community is struggling with mental health challenges. We know that this needs to be de-escalated through a particular means." When I think about the 7,000 unique individuals who we support every year in the city of Toronto at Native Child and Family Services of Toronto, I know that many of them have had very negative impacts with policing.

I referred to a study in my testimonial earlier. It was a study that was done out of the States, but it really showed that about \$8 billion is spent every year in the States on police training, and that training has not been shown to change behaviour in officers. Training in itself is something that does not work unless it's deployed with a number of other structural changes.

We've been working on a pilot at Native Child, in collaboration with the community and partners here, to look at what it would be like to have safety officers who are specialized in victim services and mental health be first responders to be able to work with and de-escalate some of the situations that often go wrong with police. We do know that police will need to be involved some of the time, but I do think that we could take a number of these cases off the hands of the Toronto Police Service. What that does, as well, is free up officers for more critical tasks that they often struggle to find time to address.

I think it's supporting police officers to really focus on the things they do well, while also making room for community-led solutions that we know lead to better results.

• (15:45)

Ms. Pam Damoff: We're talking about systemic racism in policing, and there's been a lot of talk about funding. Do you think we should be putting funding into these types of resources, rather than funding more police—resources that can deal with mental health, addiction, sexual assaults and domestic violence? Police are not necessarily the best people to be supporting those individuals who are the victims of crime.

Dr. Jeffrey Schiffer: That's exactly what I'm saying. I'm saying that we need to put some thoughtful consideration into what police do well because we need them in our society, and there are many things they do very well. However, there are also other things that they're just not set up to do and aren't trained for. We can pour tons of money into trying to get them set up to do that in a good way and effectively, and that's been the strategy, but that strategy has not been successful.

We've seen through pilots like Kwanlin Dün that when we shift the focus to community-led programs that deal with some of the things like mental health, victim services and family violence, we spend less money and get much better results. This has been done in reserve communities, but it has not been done in any substantial way in Canadian urban centres. When we think about the shifting indigenous demographics, with the vast majority of indigenous people living in [*Technical difficulty—Editor*] communities, I think we have a real opportunity here to fund some pilots that will lead to real innovation and, quite frankly, save lives, because indigenous people are dying in cities like Toronto when these interactions go wrong.

Ms. Pam Damoff: Dr. Benson, first I want to thank you for your 40 years of advocacy and work. I really enjoy working with you and the knowledge that you have.

When you and I spoke, you were talking about two things that need to change with the RCMP. One is oversight, and the other is discipline. You spoke a bit about the oversight piece, but you didn't speak a lot about how both of those need to be done in tandem in order to make changes in the RCMP. I wonder if you could elaborate on that a little bit.

Dr. Allen Benson: Thank you.

The last piece of my talk was around consequences. We've acknowledged, in a number of cases where our organization has been directly involved with the RCMP in managing and dealing with complaints over the many years, that where consequences occurred, we saw a change in community relations. It was more transparent in the community. In the Wood inquiry with the New South Wales police, where consequences were developed and addressed and it became a public document, I think a lot of change happened right after that point. We saw a police establishment wanting to engage better with the community and looking for better ways of doing business. There was more training implemented with the police.

I think consequences are important. In all matters of our society, there have to be consequences for wrongdoing. I think the challenge we have around that is that there's not enough clarity about the use of force, and it's not consistent across the country.

The Chair: Thank you for that, Madame Damoff.

Madame Michaud, you have six minutes.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

My thanks to the witnesses for their speeches.

I will speak to you, Mr. Owusu-Bempah. You made an important distinction between systemic racism and institutional racism. From the start, we have talked a lot about systemic racism and making recommendations. Will the means proposed make it possible to eliminate both systemic racism and institutional racism, or do we need a two-step strategy?

• (1550)

Mr. Akwasi Owusu-Bempah: Thank you for your question.

[*English*]

I will need to wait for the translation.

[*Translation*]

Ms. Kristina Michaud: It didn't work. Should I start over?

[*English*]

Mr. Akwasi Owusu-Bempah: I just need a translation on that, sorry.

[*Translation*]

Ms. Kristina Michaud: I was on the French channel. I can repeat my question.

Can you hear the interpretation?

[*English*]

Mr. Akwasi Owusu-Bempah: I don't have it coming through for me.

The Chair: Okay, so if it's not coming through for the witness, then we'd better go back to square one.

Mr. Greg Fergus: Mr. Chair, I think Professor Owusu-Bempah might not have his microphone on the English channel.

The Chair: Do you want to just check that, Professor Owusu-Bempah? There's a little global thing at the bottom.

Mr. Akwasi Owusu-Bempah: Yes, sorry, I didn't have that. You're correct.

The Chair: Thank you.

Mr. Fergus has spent way too much time on Zoom.

Mr. Akwasi Owusu-Bempah: Thank you very much.

Could you repeat the question? I'm sorry about that.

The Chair: Let's go back to square one here, and we'll just restart the clock.

[*Translation*]

Ms. Kristina Michaud: I will repeat my question, then.

Mr. Owusu-Bempah, you made the necessary distinction between systemic racism and institutional racism. We have talked a lot about systemic racism since we began our study. We have proposed various solutions and recommendations. Because a fairly sizeable distinction can be made between the two concepts, should the strategy be in two stages, or will the means proposed be able to curb both systemic racism and more institutional racism?

[*English*]

Mr. Akwasi Owusu-Bempah: I think there's an important distinction between perhaps institutional racism and then definitely structural racism. We can put systemic with structural, but there are various forms of inequality present in our society, as I said at the outset, that lead to policing outcomes and that produce racially disparate outcomes in policing.

As I said, discrimination in education and employment creates an environment in which the police, even if they're acting impartially or in an unbiased manner, are likely to produce outcomes with a racially differential impact. Given that the police are state agents, I think that needs to be considered in the context of the work that you're doing.

Is it fair that, just because of where I live or my experiences with poverty, I am more likely to be criminalized for doing something that my peers, who are more privileged, are not criminalized for doing?

I think you should look at and examine institutional policies and practices within policing that also produce racially disparate outcomes, which, again, may on the surface seem race-neutral, like the practice of street checks, for example. Then, importantly, as I mentioned at the outset, there are policies that use various things like street checks or even arrests as a performance measure and some of the risk assessment tools or the way in which release decisions are made when we consider whether or not an individual has a fixed address.

There are various institutional practices within policing that produce racially disparate outcomes, and various phenomena in our society that the police have to address, which also produce racially disparate outcomes. I think that both need to be examined in the context of the work that you're doing, because, if we just focus on what the police are doing themselves, without considering what's happening in the society in which they work, we are still going to have high rates of use of force and violence inflicted upon black and indigenous people. They are a product of institutional practices, but they are also a product of societal practices.

This is why Dr. Schiffer was talking about de-tasking: the more we can remove the presence of police from the lives of marginalized people in instances they don't need to be there, the less likely we are to have these negative outcomes.

[*Translation*]

Ms. Kristina Michaud: Thank you.

We are talking about various very important concepts. I'm thinking of the various training courses that must be provided to police officers.

I learned it in a sociology of gender course at university, but society in general is not very aware of what intersectionality is and how it affects people who experience several situations at once.

Do you feel this type of concept should be defined in the training officers receive?

• (1555)

[*English*]

Mr. Akwasi Owusu-Bempah: Absolutely. You know, I'm a relatively light-skinned African Canadian with a high level of education and a fairly high income. That would make my experience different from my father's in terms of experiences with the police. Although I would tick the box "black", my father was much darker, had an accent and lived in very different circumstances than I do. That would be different again from a young indigenous female,

who might be different from an elderly Asian female. I do an exercise in my inequality and criminal justice class on exactly that.

Intersectionality is important. None of us come into the world with just one identity. There are multiple aspects to our identity. When it comes to experiences of oppression, for many the axes of oppression are multiple and overlapping. Again, when we think about the fact that racism in our society increases problems of mental health, then we have the intersection of race and mental health that's very prevalent—for example, in the deaths of many African Americans in the Toronto area, they've been called, of course, because of mental illness.

So yes, it should be examined.

The Chair: Madame Michaud, you have one minute.

[*Translation*]

Ms. Kristina Michaud: All right.

Statistics Canada has announced that it will begin collecting racial data on victims of crime and those accused of crime. It seems that it will not include data on use-of-force incidents in police services; you mentioned that.

Do you believe Statistics Canada should go further in collecting this kind of data? Why do you feel it's important?

[*English*]

Mr. Akwasi Owusu-Bempah: On the race data specifically, yes, I do. It has been collecting some from police agencies that provide that data to them. Others have a policy not to provide the data.

Again, going to your intersectionality point, the more data we can collect, the better. I understand that's not always practical in the context of the work that the police are doing, but again, although I've advocated for the collection of race-based data for the better part of a decade and a half, if we don't do it properly it could be quite dangerous.

The Chair: Thank you, Madame Michaud.

Mr. Harris, you have six minutes.

Mr. Jack Harris: Thank you, Chair.

I want to echo Mr. Vidal's point that we have an impressive group of witnesses, and not only on this panel; that's been all day. It's good that we were able to hear about your experience and hear your knowledge.

Professor Akwasi Bempah, you gave a detailed description of the difference between structural racism, systemic racism and institutional racism. I think I get it, after listening carefully.

One of the problems we have as politicians, in talking to a variety of people, including police officers, retired police officers and RCMP officers, is that they feel that, when we're talking about systemic racism, they're being accused of being racist. Being called racist in our society, of course, is a very negative thing. Is there a simple way of getting through to the people who feel they're under threat and are being called out, just in general, and saying to them what needs to be said to have them understand that they could be part of the solution or be stuck with being part of the problem?

Mr. Akwasi Owusu-Bempah: Just to clarify, my name is Owusu-Bempah.

Mr. Jack Harris: I'm sorry.

Mr. Akwasi Owusu-Bempah: If we're going to address issues around diversity and inequity, I think I should make that clear. Don't apologize; there are a lot of syllables there.

Your point is very, very well taken. We saw this in the United Kingdom, when Macpherson released his report noting that the London Metropolitan Police were institutionally racist. Even though the word "institution" was in the term, police officers took that as an affront to the work they do.

If we're going to talk about institutional racism, I think providing clear examples of the way in which seemingly race-neutral practices and policies have a racially disparate impact can be a clear way of demonstrating that to officers. A lot of the work that's done now focuses on implicit bias. I think that's more comfortable for officers, because it takes the responsibility away. If clear demonstrations of how a practice, when applied equally or appearing to be applied equally, still produces racially disparate outcomes can be demonstrated to police officers, I think they will do a better job of accepting how institutional racism, for example, impacts upon policing. I would suggest the same would be true for structural racism, too.

• (1600)

Mr. Jack Harris: Thank you.

I think your example of the reward system within policing in terms of recognizing the number of arrests versus various other ways of resolving incidents does reflect on that too, because it forces police officers down a particular path that they perhaps don't even realize they're being directed towards. I think some of these examples are quite useful.

Also, I'm very conscious, and this is one of the reasons I was so keen to have this whole study go forward, that we are at a point.... You say you've been working for a decade and a half on some of these issues, in particular data and whatnot. As a result of well-known current events, we are at a point where there is a chance to seize the opportunity to try to implement some systemic solutions to what we are recognizing as systemic problems. It's encouraging that 85% of Canadians see it as a systemic problem, particularly in policing.

It's a version of the questions Mr. Vidal asked. Are there specific systemic solutions that are practical to see happening? You talk about national statistics, and you had fairly granular expectations in terms of what was expected. Is there a practical way of instituting that at a national level? What mechanism would there be? Would

there be a Stats Canada role, or should there be some other national standard or national law that would compel this?

Mr. Akwasi Owusu-Bempah: Yes, this should most definitely be standardized using standardized racial descriptors. The Province of Ontario recently, as part of the Anti-Racism Act, put forth data [*Technical difficulty—Editor*] standards, which I think provide a good model. What would need to happen is simply a box on the UCR, the uniform crime reports, for example, that would capture race, so the racial categories that would be utilized—there are about a dozen in Ontario—would make their way onto the forms and into the databases that police use and collect.

I should note that although this is not done in a systematic fashion at the moment, we know from all the attention to police carding that the police have been collecting racial information across this country on the people they come into contact with. What we don't have is that being done in any kind of uniform fashion, and what we don't have is that being done throughout the different types of work the police do, and it's not reported to Statistics Canada.

From my perspective, that would take a bit of computer programming to ensure that the databases were proper, as well as the changing of fields in those databases and the forms used. It's a relatively simple thing to do. I say "relatively" purposely.

Mr. Jack Harris: Is that a province-by-province issue, Professor Owusu-Bempah, or is it something that can be done nationally?

Mr. Akwasi Owusu-Bempah: It can be done nationally in the uniform crime reporting system. It's a system of reporting information on criminal incidents to Statistics Canada that 99% of police agencies currently use. The whole purpose of that is that all police agencies across the country are sending this uniform data to Statistics Canada. It's simply a matter of updating that information to capture race.

What is different is some of the other forms of information the police capture. When we talk about carding or street checks, although similar forms are used, this is information that is collected about individuals the police come into contact with not necessarily when there has been an incident, but they want to collect information about an individual. There's less uniformity in that sense. Many people would argue that this [*Technical difficulty—Editor*] should be eradicated, and that's what we see in Ontario—not the eradication of street checks or carding, but their heavy regulation—so the numbers have come down substantially.

The Chair: Okay, we're going to have to leave it there, Mr. Harris. Thank you very much.

Mr. Berthold, you have three minutes, please.

[*Translation*]

Mr. Luc Berthold: Thank you very much, Mr. Chair.

My question is for Professor Owusu-Bempah.

You have had the opportunity—it came through in your remarks—to see what is happening elsewhere in the world in terms of interaction between racialized groups, indigenous communities and law enforcement.

Are there any countries Canada can learn from, or does it need to develop an entirely new system that incorporates the methods of racialized groups and indigenous communities?

• (1605)

[English]

Mr. Akwasi Owusu-Bempah: That is an excellent question, and I would like to hear from some of the other speakers on this.

My sense is that we wouldn't necessarily be able to take a model that's been developed in any one nation. We would have to pick pieces of practice from specific policing agencies, for example. We heard about the example of community support officers, basically, that [*Technical difficulty—Editor*] on the west coast, but that have also been implemented in the United Kingdom and the United States and have shown great promise and a reduction in the use of force. Actually, when unarmed, semi-uniformed individuals are doing patrols, it still has a similar deterrent effect, so that's a good practice.

The Las Vegas police department, for example, instituted a policy several years ago mandating officers to the extent that they could: if they engaged in a pursuit, they would not engage in use of force, because we know that if their sympathetic nervous system was up and their adrenaline was rushing, they would be more likely to use more force. Their officers also undergo a hundred hours of de-escalation training.

There are models and there are best practices, but as I've said, there's no one national jurisdiction that I would say we could borrow from. What we need to do is find the best practices from individual jurisdictions.

The Chair: You have one minute left, Mr. Berthold.

[Translation]

Mr. Luc Berthold: Mr. Schiffer, do you want to add anything else?

[English]

Dr. Jeffrey Schiffer: I would agree with what's already been said. I can really only comment around indigenous peoples, but I would say that each first nation, along with Métis and Inuit people, has very long traditions of justice and public safety within their own cultures. For thousands of years before contact, they had systems established to maintain community safety and wellness and address crime in their communities. I think we have some good models there that are still alive and well within the knowledge base of the indigenous people and that can be brought into the contemporary scenario to develop things. That's what we did with Kwanlin Dün, drawing from the example in the Yukon from the Kwanlin Dün First Nation.

I think where it gets more complex is in urban Canada, where we have large urban indigenous populations that are very diverse. We

are serving maybe 80 or 90 different first nations at any given time in the city of Toronto, and there's a lot of complexity there. That's why we focus on community engagement and building these programs in collaboration and co-developing them, in fact, with the communities they're intended to serve.

The Chair: Thank you, Mr. Berthold.

Now we have Madame Khera.

I'll just say to the Liberals on the panel that no one has indicated to me who the next Liberal speaker is. If I could get that information, it would be helpful.

Madame Khera.

Ms. Kamal Khera (Brampton West, Lib.): Thank you, Chair. I believe that Gary Anandasangaree is going to be the next speaker.

Once again, I want to let everyone know that it has been truly compelling testimony from all of our witnesses. Thank you for being here and for your testimony.

Professor Owusu-Bempah, I want to talk to you a bit more about the race-based data. We know that race-based data collection within policing could be extremely helpful for improving public accountability and for informing police policies and practices, such as the use of force.

Recently, StatsCan said that we'll now begin to collect data on victims of racism and victims of crime and also on people accused of crime. In my riding of Brampton West, I proudly represent one of the most diverse communities in the country, the largest racialized community in the country, and I've certainly heard about the importance of collecting race-based data. I'd like you to perhaps touch a bit more on why that's so significant.

Could you also talk a bit more about any of the considerations in how we collect that data and how it is used, and certainly any concerns about privacy or ensuring that it is not used to further tarnish the community or to reinforce any racist stereotypes? You alluded to that earlier. If you can perhaps shed some light on how to balance that, that would be really helpful for the community, and also on perhaps what more needs to be done within the RCMP in terms of race-based data collection.

Thank you.

• (1610)

Mr. Akwasi Owusu-Bempah: Thank you for the question.

On the whole, I see the benefits of race-based data collection in allowing us, first and foremost, to develop a more comprehensive picture of how members of different racial groups experience policing. The data could be useful for identifying racial disparities in policing outcomes. That doesn't necessarily mean discrimination. As I've said, there are a variety of factors within our society that increase the likelihood that members of certain racial groups are going to come into contact with the police and perhaps engage in crime.

It could also be useful to identify areas of discrimination, as I've said, such as issues related to contact with the child welfare system. Studies from B.C. show that children who come into contact with child welfare are more likely to come into contact with the justice system than they are to graduate from high school. We can start to connect the experiences through social institutions, so that rather than simply looking at policing as a problem area, we can look at solutions before we get to the area of policing.

We can also identify potential discrimination, as I've said, in policing outcomes. Some of what we've seen is with respect to stops as well as arrests. It seems that the threshold for initiating stops with African Americans in the United States, for example, is lower, as is the threshold for effecting an arrest. When we look at what we would call the "hit rates" or the success rates for finding contraband, weapons or drugs, they're lower with black individuals than they are with white individuals, because the police are, again, using a lower threshold. That's where we can look at practices, and likewise with arrests.

If we see, for example, that for every 10 white people arrested, eight of those cases go to trial, versus two for black people, and that the Crown decides to drop the charges in six of those cases of black people, then we might start to look at whether those charges should have been laid in the first place, if the Crown deems there not to have been enough evidence. These are the types of things we can start to do.

As I said, it needs to be comprehensive so we're not just looking at the rates of stop and search. How do we—

The Chair: Thank you.

Thank you, Madame Khera.

Ms. Kamal Khera: Thank you.

The Chair: I'm sorry to cut people off, but we are well over time.

Mr. Morrison, you have three minutes, please.

Mr. Rob Morrison (Kootenay—Columbia, CPC): Thank you, Mr. Chair.

It's been great conversation today, all day.

My question is for Allen Benson. Allen, you have an extensive background. I'm really curious about some demographic issues. What's been happening in the last 20 years, and what do you, with your experience, see happening in the future with either urbanization or rural communities?

Dr. Allen Benson: Well, I think there are a couple of things. In Alberta, I've seen some real change where municipalities, first nations and Métis settlements have engaged in some real conversations about community safety and rural crime, and partnering on some service delivery issues around mental health and addiction. I've seen changes occurring that we haven't seen in a long time. This has primarily been driven by the Canadian Federation of Municipalities over the last couple of years.

On the municipal level, we have some real challenges. I'll use Edmonton as an example. We have trained 1,400 city police officers on historical and intergenerational trauma. We've seen some

real changes occur. Just yesterday, we had the senior deputies at my office for a discussion about carding. We have seen changes in community engagement with the police at the municipal level.

The problem we have, really, is when we have incidents of abuse by police officers. There was another one yesterday in Edmonton. It tears apart all the building that occurs. Our speakers earlier spoke about this. We think that engaging the community on other levels is very important, such as addressing mental health together and not having officers respond to these things.

As past chair of the family violence death review committee, I saw a lot of these challenges. When we had family violence experts intervene, we had fewer charges, fewer arrests and fewer accusations of abuse, as well. We've actually seen reductions in deaths where there's better intervention outside of the police. That's important to recognize.

The other thing is that we had an RCMP cadet program that was initiated by a couple of RCMP officers with the largest first nations in Canada, the Hobbema first nations, which include four bands. That program has been expanded in smaller centres, and now is being looked at as an urban strategy where we engage minorities in working with police officers on this cadet strategy. That's real community engagement.

I think—

• (1615)

The Chair: Unfortunately, it seems, Dr. Benson, I end up cutting you off way too many times. I'm sorry.

Dr. Allen Benson: That's okay.

The Chair: Mr. Morrison, we'll have to leave it there.

With that, we're going to Mr. Anandasangaree for three minutes, please.

Mr. Gary Anandasangaree: Thank you, Mr. Chair.

I really appreciate all the witnesses today.

I'm going to try to leave some time for Mr. Sikand, but this question really is for Professor Owusu-Bempah.

Racial representation is quite important. We see some transformation taking place. Peel, City of Toronto and now City of Ottawa police services are led by racialized individuals, and I think within the service itself there are more people who are getting into the system.

How important is it? Is that the solution, and what more needs to be there to change the structures as opposed to individuals?

Mr. Akwasi Owusu-Bempah: This is a very good question.

I think that what we would term our representative bureaucracy may be good to help improve perceptions of the police and also perhaps to facilitate good community relations, provided that those racialized officers are policing communities that they're familiar with. I know that a study from a few years ago with the RCMP found, for example, that black officers were being taken from Toronto as their depot and placed in Nova Scotia to communities they had no familiarity with.

Racialized officers are most definitely not the silver bullet, even when they make it to the top of the services they work for. Evidence from the United States, for example, demonstrates that in some jurisdictions African Americans are more likely to be shot by African American police officers than white police officers because those African American officers are deployed to African American areas.

Again, we need to look at the larger structural issues that cause many of the problems that we're talking about. Unfortunately, racialized officers still have to go out and operate in a society in which there are a number of social problems that lead members of the communities they may represent into contact with the police.

Mr. Gary Anandasangaree: Thank you, Professor.

I'm going to yield my time to Mr. Sikand.

The Chair: He has one minute.

Mr. Gagan Sikand: I'd like to continue along that line of thought. Here in Mississauga we have a minority that's our police chief, which is awesome. In Toronto, although he just retired, we had a police chief who was of colour as well. However, my concern is that, once they take that uniform off, things are very different for them. Even with that uniform on, there are probably people in their ranks who perhaps don't necessarily abide by or obey their power per se if they're perpetrating these things to Canadians.

Could you continue on how we could do a better job of dismantling any kind of systematic discrimination?

The Chair: That's an extraordinarily complicated question that you have 13 seconds to answer.

Mr. Gagan Sikand: I'm sorry about that.

Mr. Akwasi Owusu-Bempah: It's important to examine the culture of policing and the way that informal social networks within policing continue to privilege white officers at the expense of non-white officers. Hockey and golf and who you drink beer with make a huge difference as to your experiences as a police officer and your level of success, and that needs to be closely examined.

Mr. Gagan Sikand: Thank you for your answer.

The Chair: Madame Michaud, you have one and a half minutes, please.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

My question is for Mr. Schiffer.

We spoke at length about training earlier. You shared your doubts about the effectiveness of training.

As part of an action plan that the federal government could undertake, what model would you propose to replace the existing one?

[*English*]

Dr. Jeffrey Schiffer: I do think that training is important and it is effective, but it's not effective when that's the only strategy that's utilized. There are some studies that have shown that, if you're going to put all your eggs in the basket of training, you shouldn't expect it to yield many results.

Yes, we need more training. I heard one of my colleagues mention how there's been some training already done about intergenerational trauma. That sort of stuff is very important, but I think it needs to be accompanied by many of the other things we've been talking about, such as a focus on recruiting diverse officers and on increasing accountability, and some of the larger structural shifts that we've been talking about in terms of changing systems and ways that will lead to better results.

I think the problem with training is that sometimes it's an easy solution. We think that, if we bring in some training to a bunch of officers, they're going to start acting differently. What the research is telling us is that this is simply not the case; it needs to be paired with other strategies.

• (1620)

The Chair: Thank you, Madame Michaud.

Mr. Harris, you have the final minute and a half.

Mr. Jack Harris: Thank you, Mr. Chair.

I'm interested in the panellists' views on the issue of police training. We have heard, obviously, evidence from the RCMP depot of six months of training. It was suggested earlier this afternoon that the training is 13 weeks in Ontario. I know some requirements are diplomas in police studies, etc., as part of the training, taking several years.

Would each of you just comment briefly on...? Let's start with Professor Owusu-Bempah. Would you give us your views on that?

Mr. Akwasi Owusu-Bempah: Less training needs to focus on the officers' ability to swim, use a firearm or engage in high-speed pursuits, and more needs to focus on de-escalation and how to interact with members of the public.

Mr. Jack Harris: Thank you.

Mr. Benson, would you have a comment on that?

Dr. Allen Benson: I agree. I think the other point is that we need to be more inclusive around understanding mental health, and the fight-or-flight that comes from mental health challenges, especially people affected by trauma.

The Chair: Finally, Dr. Schiffer.

Dr. Jeffrey Schiffer: The only other thing I would add is that we should probably take a look at whether or not we want police doing everything they're doing right now, and whether we want to reallocate some of the services to other community organizations, because that obviously would change any training portfolio that we would want to deploy. I do think that other organizations are well-positioned to do some of the mental health work.

Meegwetch.

The Chair: On behalf of the committee, I want to thank Dr. Owusu-Bempah, Dr. Schiffer and Dr. Benson for an extraordinary panel. We've now had four extraordinary panels. From sitting in this chair and watching the intensity of engagement among the MPs, I can see that you are really influencing the direction of the committee. I want to thank you for that.

Before my staff cuts me off because I am going to say the A-word, I look forward to seeing you tomorrow morning. I believe it's at 11 o'clock, and you will need new sign-in material in order to be able to access the meeting.

The meeting is adjourned.

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