

TRIPARTITE FORUM
SUB-COMMITTEE ON POLICING

MARCH 25, 1991

MINUTES

IN ATTENDANCE:	Peter Curley Allan Clark Francis Lamont Dwight Dorey John Toney Lynwood Peters	Ron Ferri Valerie Pryce Reg Maloney Bruce Clarke Dan Christmas Kit Waters (Chair)
REGRETS:	Bob Kells Lonnie Murray Grace Francis	Bernie Knockwood Merrill Prime

1. INTRODUCTION

Kit Waters welcomed everyone to the first meeting of the Tripartite Sub-Committee on Policing. She provided some background information regarding the establishment of the Tripartite Forum, the first meeting of which was held on March 6, 1991. At that meeting, three sub-committees were struck to deal with 1) discrimination and education; 2) formation of a justice institute, and 3) Micmac policing.

It was noted that a number of investigations/inquiries have been conducted in recent years which address issues related to native policing; e.g. the DIAND Indian Policing Policy Review, the R.C.M.P. Head Report, the report prepared by Scott Clarke for the Marshall Commission regarding policing on reserves, and the final reports of the Alberta Task Force and Blood Inquiry. Committee members expressed interest in receiving these documents as background information which would be useful as we begin our work. In view of the length of these documents, and to ensure a common understanding, it was agreed that brief summaries of selected documents would be presented at the next meeting.

2. ROLE OF SUB-COMMITTEE

After considerable discussion, the role of the Sub-committee was defined as follows: to examine and formulate recommendations for resolution of policing issues of mutual concern to the federal and provincial governments and the Micmac.

The following was agreed to as a general process for achieving Sub-committee objectives:

1. Define nature of issue;
2. Describe process to be adopted in addressing the issue;
3. Determine schedule; and
4. Identify resources required.

Committee members expressed concern that the forum not be used solely as a vehicle for discussion, but rather that it should be action oriented. A number of proposals have been put forward by the native groups, and it is now time to provide an indication of government's response. The government representatives on the Committee indicated that all options and proposals will be considered, and that a spirit of openness will prevail in all of the Sub-committee discussions.

3. IDENTIFICATION AND PRIORIZATION OF ABORIGINAL POLICING ISSUES

Dwight Dorey indicated that there would be overlapping issues between those defined by UNSI and the Confederacy and those of interest to the Native Council. He indicated that a needs analysis for off-reserve policing should be conducted, and that the Native Council would likely be submitting a proposal.

Lynwood Peters indicated that Bernie Knockwood would be presenting the Confederacy issues at the next meeting.

Chief Maloney indicated that his priority was the control by the band over the police force on the Reserve, be it the R.C.M.P. or another force.

Dan Christmas indicated that he would like a detailed response to the UNSI proposal. In order to facilitate the discussion of the UNSI report, a number of specific issues were identified for consideration at the next meeting:

- Accountability of police force;
- Appointment of Constables under the Nova Scotia Police Act, or as R.C.M.P. Special Constables, or other;
- Recruitment and training;
- Operational standards;
- Establishment of a Micmac Police Commission and its relationship to the Nova Scotia Police Commission;
- The enforcement of provincial statutes and band bylaws;
- Relationship between the native police agency and the R.C.M.P. (provision of special services);
- Style of policing;
- Disbursement of fines collected on reserves.

It was noted that Bob Kells, Policing Advisor to the provincial Deputy Solicitor General, is currently preparing a set of provincial policing standards. Inspector Kells will be invited to provide an overview of his work at the next meeting, as it relates to native policing.

Dan Christmas indicated that Jim Maloney would be a good resource to the Subcommittee and suggested that he be invited to attend one of our meetings.

4. NEXT MEETING

April 15, 1991, 10:00 a.m.
Department of Solicitor General
4th Floor, Joseph Howe Building
1690 Hollis Street
Halifax, Nova Scotia

TRIPARTITE FORUM
SUB-COMMITTEE ON POLICING

APRIL 15, 1991

MINUTES

IN ATTENDANCE:

Valerie Pryce	Allan Clark
Bob Kells	Francis Lamont
Lonnie Murray	Merrill Prime
Ron MacDonald	Bruce Clarke
Bernie Knockwood	Dan Christmas
John Toney	Dwight Dorey
Kit Waters	Jim Maloney (Guest)
Kathie Sears	
(Recording Secretary)	

1. INTRODUCTION

Kit Waters welcomed everyone to the meeting and introduced those who had not attended the first meeting, including Jim Maloney, who had been invited by Dan to address the Sub-committee.

Two items were added to the Agenda: a) the presentation by Jim Maloney; and b) Submission of a proposal by the Native Council.

2. MINUTES OF PREVIOUS MEETING

Val Pryce suggested the following amendment to the second sentence on page 2 of the Minutes - "The following was agreed to as a general process for the completion of a work plan." It was generally agreed that recommendations from the Sub-committee would be submitted for approval to the Tripartite Forum. With this amendment, the Minutes were accepted.

3. PRESENTATIONS

a) Indian Policing Policy Review

Val Pryce provided an overview of the consultations that had been undertaken during the past year. A Memorandum to Cabinet is now being drafted by DIAND and Solicitor General Canada. It is expected that funding will commence in the Fall of 1991. Val acknowledged that there was a backlog of proposals that had been on hold pending

the outcome of the policy review, but she stated that she will recommend that the UNSI proposal be given priority. Val distributed copies of the Policing chapter of the Alberta Task Force Report, as well as some draft agreements for aboriginal policing which are now in effect.

b) R.C.M.P. Programs

Inspector Peter Curley provided a summary of the Report on Aboriginal Policing Services prepared by Assistant Commissioner R.H.D. Head; an overview of law enforcement services provided by the R.C.M.P. to accredited Canadian Police Agencies; and a description of the Aboriginal Policing Program. Copies of Inspector Curley's reports were distributed at the meeting. A general discussion followed on the difficulties associated with the recruitment and training of native R.C.M.P. officers.

c) Scott Clark Report

Kit Waters summarized the policing research completed by Scott Clarke for the Marshall Inquiry. It was generally agreed that inadequate resources have severely limited the effectiveness of many native police forces - the Chapel Island situation was cited as an example.

d) Nova Scotia Policing Standards

Inspector Bob Kells described the work he is doing in developing a provincial standard for policing. He is targeting this Summer for the distribution of the standards to all police departments for review. Kit Waters indicated that the Province has developed a minimum standard training continuum. Bob Kells gave his assurance that native groups would be consulted on the policing standards.

4. PRESENTATION BY JIM MALONEY

Jim Maloney outlined the training program he has developed for tribal police officers in British Columbia. The program operates in conjunction with the B. C. Justice Institute, and has attracted applicants from Manitoba and Alberta. The training prepares the officers for a role that is 85% peacekeeping and 15% enforcement. Recruitment of individuals for the program is the responsibility of the Tribal Councils. Bands in close proximity have pooled resources to fund the training of tribal police officers.

5. NATIVE COUNCIL PROPOSAL

Bruce Clarke distributed a document outlining Mi'kmaq policing issues as well as a proposal for a research project. Clarification of a number of items in the policing issues document was requested. Bruce undertook to provide this clarification, with specific reference to items 2(e), 2(i) and 2(m).

Dan Christmas indicated that the Native Council proposal should be seen as complementary to the UNSI proposal.

Although it was generally agreed that work must be done on the constitutional issue, everyone felt that the other work of the Sub-committee should not come to a halt pending resolution of that issue. Bruce Clarke stated that he hoped at the May 8th meeting of the Tripartite Forum to get funding approval for the constitutional study and to obtain governmental response to the recommended changes listed in Section 2 of the Mi'kmaq Policing Issues document.

Dwight Dorey distributed a funding proposal which was developed to address items 1 and 3 of the Policing Issues document. As no one had an opportunity to review the proposal in depth, it was tabled for discussion at the next meeting of the Sub-committee.

6. DISCUSSION OF UNSI PROPOSAL

Dan Christmas reminded committee members that this is really the third proposal for the establishment of a tribal police force. He reiterated that the goal of the Mi'kmaq is to exercise their own self-government, and not be subject to either provincial or federal legislation. He stated that he would like to have a response to the UNSI proposal from federal and the provincial government officials by the May 8th meeting. His goal is to have a Mi'kmaq Police Commission in place by September 1991.

7. NEXT MEETING

It was determined that a further meeting of the Sub-committee is required prior to the Tripartite Forum. It was scheduled for May 3, 11:00 a.m., 3rd Floor, Joseph Howe Building, Halifax.

TRIPARTITE SUB-COMMITTEE ON POLICING

MAY 3, 1991

MINUTES

ATTENDANCE:

Allan Clark (Chairman)
Bob Kells
Francis Lamont
Bruce Clarke
Dwight Dorey
Martin Suo
Kathie Sears
(Recording Secretary)

Lonnie Murray
Merrill Prime
Bernie Knockwood
Ron MacDonald
Valerie Pryce
John L. Toney

REGRETS:

Kit Waters
Peter Curley
Grace Francis

Dan Christmas
Reg Maloney

1. INTRODUCTION:

- Allan Clark opened the meeting and welcomed Martin Suo from Solicitor General Canada. Mr. Suo will be attending the Sub-Committee meetings for Ron Ferri.

2. MINUTES OF PREVIOUS MEETING:

- Peter Curley's name was omitted in error from the list of the attendees. Val Pryce qualified her statement in the minutes of April 15th (last paragraph, page 1) to read "It is expected that funding will commence in the Fall of 1991 pending Cabinet approval." With these amendments, the Minutes were accepted.

3. NATIVE COUNCIL MI'KMAQ POLICING ISSUES:

- Bruce Clarke provided some clarification of a number of items contained in the policing issues document. He also provided copies of his April 23rd correspondence to Kit Waters.

- Bob Kells distributed copies of notes prepared by Peter Curley in response to the issues raised in the Native Council document. Considerable discussion followed regarding Peter's comments. With regard to Item 1 in Peter's notes, Martin Suo stated he was unaware of correspondence to Ottawa in 1990 suggesting amendments to the R.C.M.P. Act, but he advised that this issue has been raised in other areas of Canada and is currently being addressed. Martin also requested clarification regarding the personal suitability factors used by the R.C.M.P. in determining candidate recruitment. He indicated that he and Peter would review this and report back to the Sub-Committee. John Toney suggested that the R.C.M.P. should have aboriginal representation on the Interview Board when screening native applicants.
- Bruce Clarke asked Martin if Peter's notes should be viewed as the Federal response to the proposal. Martin Suo advised that Peter Curley's comments are reflective of the Federal Solicitor General's view. With respect to the Provincial position, Allan Clark stated that he would like Kit Waters to be present when the position of the Province is presented.
- Some discussion followed regarding the definition of "Police Commission" as contained in the Native Council document. Bob Kells provided some information re the Nova Scotia Police Commission and the Boards of Police Commissioners, as defined in the Nova Scotia Police Act. There was some debate regarding the merits of establishing a single Mi'kmaq Police Commission as opposed to a Board for each region. Val Pryce advised that a study by the Ontario First Nations will be completed at the end of August, and that this information will be provided to the Sub-Committee. John Toney suggested that the Sub-Committee could obtain expert advice from the Ameridian, as this model is already in place.
- In order that the Tripartite Policing Sub-Committee not be weighed down by discussions regarding Constitutional issues, it was recommended that the Tripartite Forum be asked to strike a separate Sub-Committee to address these issues.

4. PROPOSAL OF THE CONFEDERACY OF MAINLAND MICMACS:

- Bernie Knockwood distributed copies of the Confederacy proposal to committee members. Bernie stated that we should be clear about addressing policing issues, and not try to remedy all social problems. He stated that what is required is the enrichment of existing programs. He believes that the issues contained in the UNSI proposal are not well understood by all Mi'kmaq communities, and that there is a need to further educate the Mi'kmaq before putting a specific policing system in place.

- It was generally felt that the needs analysis requirement articulated by Bernie dovetailed with the proposal submitted by the Native Council. It was recognized that this study has already been completed for the UNSI Bands and that a recommendation for specific policing models has been formulated.
- Committee members agreed that no one model of policing would be acceptable to all Bands and that flexibility in approach is essential. Dwight Dorey was concerned that the UNSI and Confederacy proposals dealt with on-reserve Mi'kmaq only and that the Native Council wants to ensure that the off-reserve issues are addressed.
- Allan Clarke noted that a proposal for a needs analysis has been submitted to the Justice Sub-Committee and wondered if we should consider amalgamating requirements within one proposal. Bruce Clarke requested that the Native Council Proposal on policing, submitted at the last Sub-Committee meeting, be withdrawn, and that he would talk to Dan Christmas prior to the May 8th meeting of the Tripartite Forum to consider an amalgamated proposal.
- Bob Kells indicated that the province would be submitting a written response to the proposals and that some issues which require resolution include provincial jurisdiction on reserves and the appointment of Mi'kmaq Police Officers under the Nova Scotia Police Act.

5. RECOMMENDATIONS TO TRIPARTITE FORUM:

- It was agreed that the following two (2) recommendations would be submitted to the Tripartite Forum at the May 8th meeting:
 - a) That the needs assessment, proposed by the Justice Sub-Committee, include a component on policing issues in order to assist in a determination of policing requirements as requested by the Confederacy of Mainland Mi'cmacs and by the Native Council of Nova Scotia.
 - b) That agreement in principle be given to the creation of a Regional Mi'kmaq Police Force in Cape Breton and that approval be provided to the Sub-Committee to proceed with the development of an implementation plan. The implementation plan would address such issues as enabling legislation, role and membership

of a Police Commission, staffing and training requirements, liaison with other police forces, costs and implementation timetable.

6. **NEXT MEETING:**

The next meeting was scheduled for Thursday, May 30th at 9:00 a.m. in the 3rd Floor Boardroom, Joseph Howe Building.

05/91/KW/cd/574

TRIPARTITE SUB-COMMITTEE ON POLICING

MAY 30, 1991

MINUTES

ATTENDANCE:

Kit Waters (Chair)
Lonnie Murray
Martin Suo
Francis Lamont
John L. Toney
Bernie Knockwood
Bruce Clarke
Dwight Dorey
Kathie Sears
(Recording Secretary)

Allan Clark
Bob Kells
Ron MacDonald
David Perrier
Reg Maloney
Peter Curley
Dan Christmas
Carol Burns (guest)

1. INTRODUCTION:

- David Perrier, Chairman of the Nova Scotia Police Commission, was introduced as a new member of the Tripartite Forum Policing Sub-committee.

2. MINUTES OF PREVIOUS MEETING:

- Page 2, third sentence amended to read: "**With regard to item (1)**" as opposed to item (1). With this amendment, the Minutes were approved.

3. BUSINESS ARISING FROM THE MINUTES:

- Peter Curley issued an apology to Bruce Clarke for any misunderstanding that may have arisen as a result of his submission to the Policing Sub-committee, dated May 3, 1991. Ron MacDonald indicated that he had a very informative meeting with Peter Curley, and as a result, had a much better appreciation of the programs currently offered by the R.C.M.P.
- Martin Suo indicated that amendment to the R.C.M.P. Act is not required in order to permit an Indian band to contract with the R.C.M.P. Some further investigation is required to determine whether amendments to the Indian Act or provincial legislation are required. A legal opinion from the federal and provincial Departments of Solicitor General will be requested, and, if possible, presented at the next meeting of the Sub-committee. Martin indicated that administrative agreements may be a viable option as an interim arrangement until legislative amendment is effected.

- With respect to the federal position on policing issues, Martin indicated that this would be articulated in the policy document to be released in June.
- Martin indicated his concern that the Native Council document did not adequately reflect the programs which are currently in place. He indicated he was not of the view that the Sub-committee was proceeding too quickly, and that in fact he feels the momentum that has been established is extremely positive.
- Martin distributed information regarding the R.C.M.P. Complaints Commission. It was agreed that Dave Perrier would provide an overview of the provincial procedures for handling public complaints against the police at the next meeting.

4. HIGHLIGHTS OF TRIPARTITE FORUM MEETING:

- Kit Waters provided an overview of the Tripartite Forum discussions. The meeting was held on May 8th in Sydney.
- Terms of Reference for the Forum were approved.
- Policing Sub-committee Recommendation 1 (Needs Assessment - Confederacy, Native Council), and Recommendation 2 (Approval in principle to establish a regional Mi'kmaq Police Force in Cape Breton), were approved.
- A third recommendation submitted at the Tripartite Forum meeting by Dan Christmas was also approved. This recommendation is as follows:
"Recognizing the desire of the Shubenacadie Band to contract directly for policing services, the Sub-committee requests approval to determine what impediments currently exist to effecting such contractual arrangements."
- A sum of \$50,000 was approved to fund the needs assessment for policing services and the court worker program needs assessment, as defined by the Justice Sub-committee.
- The sum of \$20,000 was approved to fund the implementation plan with respect to the establishment of a regional Mi'kmaq force in Cape Breton.
- It was agreed that a Finance and Administration Sub-committee would be established. It was proposed that Ministerial attendance be requested at the next meeting of the Tripartite Forum and that a Memorandum of Understanding be signed at that time. The next meeting of the Forum is scheduled for late June or early July.

- A discussion followed with respect to Recommendation 3 - direct contracts between the Band and the R.C.M.P. It was agreed that a needs analysis is required to determine the number of officers that are required to police Shubenacadie at an adequate level. Peter Curley indicated that he would request that staff of the R.C.M.P. Planning Branch meet with Reg Maloney and his Council to determine manpower requirements. It was agreed that this issue would be included as an agenda item at the next Sub-committee meeting, and at that time, legal and policy issues will be addressed and a strategy for determining manpower requirements will be discussed.
- Bruce Clarke noted that constitutional issues were not addressed at the last meeting of the Tripartite Forum and requested that this topic be raised as an agenda item at the next meeting of the Forum.

5. NEEDS ASSESSMENT (CONFEDERACY/NATIVE COUNCIL):

- The proposal for the court worker needs assessment, submitted by Don Clairmont, was reviewed by the Justice Sub-committee on May 29. The Policing Sub-committee reviewed this proposal and compiled a list of tasks and objectives (appended to the Minutes) which we will ask to have incorporated in Don Clairmont's proposal. It was determined that prior to the initiation of Stage 2, Dr. Clairmont would be asked to make a presentation to the Sub-committee regarding Stage 1 findings and an outline of his methodology for Stage 2. It was agreed that the study would be overseen by a Steering Committee composed of: Justice Canada (representative to be appointed), the Province - Allan Clark/Kit Waters and Dan Christmas as Chair of the Justice Sub-committee.
- Bernie Knockwood reiterated his view that community education is key. Dan Christmas agreed and indicated that he envisioned a second project to follow which would consist of a community consultation, wherein different policing options would be presented to community groups for their review. It was recognized that much of the information required by Don Clairmont could be obtained in Ottawa, and accordingly, that any requests for out-of-province travel would require the approval of the Steering Committee.

6. REGIONAL POLICE FORCE

- DEVELOPMENT OF IMPLEMENTATION PLAN:

- It was determined that UNSI would prepare a proposal for a policing consultant who would be responsible for the development of the implementation plan. Dan indicated that he would consult with Lonnie Murray and Bob Kells in the preparation of this proposal. This document will be presented to the Sub-committee at the next meeting.

7. OTHER BUSINESS:

- Dwight Dorey reported on his recent meeting with Chief Superintendent Dickens, who has recently been appointed to the position of Director, Aboriginal and Community Policing. Superintendent Dickens spoke of the changes in the R.C.M.P. approach to aboriginal policing, and encouraged the Mi'kmaq to develop a long-term strategy for policing. He indicated his concern that R.C.M.P. native constables did not appear to be moving up in rank, and that he was determined to address this issue.

8. NEXT MEETING:

- A subsequent meeting was scheduled for June 27/rescheduled for July 3 at 10:00 a.m.

TRIPARTITE SUB-COMMITTEE ON POLICING

JULY 3, 1991

MINUTES

ATTENDANCE:

Kit Waters
Martin Suo
Francis Lamont
Allan Clark
Peter Curley
Ron MacDonald

John Fox (attending on
behalf of Val Pryce)

Lonnie Murray
Bernie Knockwood
Bruce Clarke
David Perrier
Dan Christmas
Merrill Prime
Kathie Sears (Rec. Secretary)

1. MINUTES OF PREVIOUS MEETING:

The following comments from Val Pryce regarding the Minutes were communicated via a memo to Francis Lamont:

- First page, last paragraph - The R.C.M.P. Act enables the R.C.M.P. to contract with band, not vice versa - any legal opinions will have to be verified by DIAND Legal Services - administrative agreements are viable options.
- Page 3, first paragraph - the Shubenacadie issue should be dealt with at a working group level.

With these amendments, the Minutes were approved.

2. FEDERAL INDIAN POLICING POLICY

John Fox provided an overview of the policy, which had been announced by the Solicitor General and the Minister of Indian Affairs and Northern Development on June 27, 1991. The three major points contained in the federal communique are as follows:

- The federal government to commit an additional \$116.8 million toward Indian policing services over the next five years.
- Need for full Indian participation in the delivery of policing services.
- Recognition that there is shared federal/provincial jurisdiction on-reserve.

The attached communique provides details of the policy as reviewed by John.

With respect to the issue of standards, John indicated that the federal government was not willing to legislate with respect to on-reserve police, and that the officers must meet provincial standards.

Ron MacDonald indicated his concern that the policy does not address off-reserve policing. Martin Suo indicated that this Tripartite Forum was committed to examining off-reserve policing needs, and that the Solicitor General Canada, as well as the Province of Nova Scotia, has committed resources for the needs analysis being undertaken by Don Clairmont, which will address off-reserve requirements.

Dan Christmas expressed his disappointment that the most significant concern to UNSI (namely, the role of the province in policing) was not remedied in the federal policy. After considerable discussion, a proposal for the joint appointment of Mi'kmaq police officers (i.e. the province to appoint under the provincial Police Act and the band to appoint under the Indian Act) received approval in principle from all participants. Dan was of the view that if these terms of joint appointment were reflected in a Memorandum of Agreement, then this might be acceptable to the band councils.

3. NEEDS ASSESSMENT (CONFEDERACY/NATIVE COUNCIL)

Dan Christmas provided an update on the progress of the needs assessment. Membership of the Steering Committee is as follows: himself as Chair, Allan Clark, Kit Waters and Kathy Kulisek (Justice Canada). Don Clairmont met with federal representatives last week and was very pleased with the information he received. Don's major contacts in the Mi'kmaq community are to be Bernie Knockwood, Dan Paul, Dwight Dorey and Dan Christmas. The contract in the amount of \$50,000 is to be administered by UNSI on behalf of the Tripartite Sub-committee. Representatives of the three Mi'kmaq organizations will be involved in the hiring of consultants to work with Don Clairmont. Recommendations are expected by November.

4. COMPLAINTS PROCEDURE - POLICE ACT

In response to the request at the last meeting, Dave Perrier provided an overview of the three-step process for handling complaints against police officers. Dan suggested that consideration be given to appointing a Mi'kmaq to the Police Review Board as an alternate in cases where a Mi'kmaq individual submitted a complaint against a police officer. He also suggested that the Code of Conduct for police should be examined to ensure it promotes sensitivity to cultural differences. Dave Perrier indicated that he would bring these recommendations to the attention of the Minister.

5. MI'KMAQ REGIONAL POLICE FORCE - PROPOSAL FOR CONSULTANT

Dan Christmas provided an overview of his proposal. He indicated that although he felt the second and third components of the terms of reference (i.e. development of a tribal police force and training of officers), are to be considered planning activities, he believes that the first component (i.e. establishment of a police commission) should be in place by the end of the contract. He believes that the establishment of a police commission is most important, and that this group (rather than UNSI) would take over the leadership for the establishment of the tribal police force itself. Bernie suggested adding training of the police commission as an additional task.

With respect to time frame, Dan was hopeful that if the consultant could commence work in September, that the Board of Police Commissioners could be in place by December.

With respect to the training of the police officers, Peter Curley indicated that negotiations with the R.C.M.P. for the use of their training facilities was a distinct possibility, in light of the low demands on that facility this year. Allan Clark cautioned that we should not underestimate the time required to provide trained officers, based on his experience with the training of staff for Family and Children's Services.

A number of names were discussed as potential consultants, including Al Ross and Professor Chris Murphy. It was agreed that a working group would be struck to finalize the terms of reference and invite proposals from potential consultants. Membership of the working group is as follows: John Toney (Chair), Francis Lamont, Bob Kells, Peter Curley or his designate.

6. SHUBENACADIE - DIRECT CONTRACT WITH R.C.M.P.

Peter Curley indicated that Tom Lowe of the R.C.M.P. Planning Branch would be meeting with Reg Maloney in late July to discuss manpower requirements. Peter also circulated a document which outlines the R.C.M.P. projections for the resourcing requirements of reserves. Peter cautioned that these figures were approximations only.

Martin Suo provided an overview of a legal opinion prepared by a solicitor in his department regarding direct contracts between a band and the R.C.M.P. Although one option would appear to be the amendment of provincial legislation to deem Indian reserves "municipalities" for the purposes of the Act, there was some concern expressed by both native groups and the province regarding this option. It was generally felt that an administrative agreement (as opposed to legislative change) would prove a more expedient response to this issue.

**7. RESPONSE OF DEPARTMENT OF SOLICITOR
GENERAL TO NATIVE COUNCIL ISSUES**

Kit Waters circulated a document outlining the Department's response to the Issues document submitted by the Native Council. It was generally conceded that inadequate resources are a significant impediment to the achievement of many of the objectives as outlined in the document.

8. RECOMMENDATIONS TO TRIPARTITE FORUM

No decisions from the Forum are required at this time.

9. SUBSEQUENT MEETING

Don Clairmont will be asked to provide a report at the next meeting.

TRIPARTITE SUB-COMMITTEE ON POLICING

SEPTEMBER 10, 1991

MINUTES

IN ATTENDANCE:

Val Pryce	Merrill Prime
Lonnie Murray	Bob Kells
John Toney	Francis Lamont
Reg Maloney	Ron MacDonald
Peter Curley	Allan Clarke
Kit Waters	Roger Hunka
Martin Suo	Gilles Larocque
Don Clairmont (guest)	Kathie Sears

1. INTRODUCTION

Introduction of Roger Hunka, attending on behalf of Dwight Dorey, and Don Clairmont, consultant who has been contracted to conduct the needs assessment for the Native Court Worker Program and native policing issues. Martin Suo introduced Gilles Larocque, who will be representing Solicitor General Canada on the Sub-committee, since Martin has been reassigned to the Western provinces.

2. MINUTES OF PREVIOUS MEETING

Accepted as circulated.

In response to a question from Ron MacDonald concerning financing for Tripartite participation, Allan Clarke indicated that a letter from his Minister would be signed shortly and that funding for Tripartite participation would be forthcoming.

**3. NEEDS ASSESSMENT (CONFEDERACY/NATIVE COUNCIL)
- STATUS REPORT BY DON CLAIRMONT**

Don distributed a Status Report which summarized progress to date on the project. He indicated that Stage 1 of the research had not yet been completed, in part because of the delay in start-up and some difficulty in finalizing the selection of research assistants. He anticipated that work would commence on Stage 2 during the last week of September/first week of October. Community survey instruments

will be completed shortly; it is anticipated that approximately 300 persons, selected through a representative probability sample, will be interviewed by the research assistants. Don proposed that the research assistants be hired for 12 weeks as opposed to the 9 weeks originally anticipated. Their weekly salary will be decreased so that the overall expenditure would remain as estimated in the original proposal. This recommendation was approved by the Sub-committee. Don estimated that the research would be completed by the end of December; the Sub-committee agreed to an extension of the contract, if required.

4. MICMAC REGIONAL POLICE FORCE - UPDATE

At the request of Dan Christmas, Kit Waters distributed copies of a draft proposal from UNSI for a Micmac policing consultant. John Toney provided an overview of the proposal. The working group will issue a request for proposals in order to secure a policing consultant to undertake the work as outlined in the proposal.

5. ABORIGINAL POLICING CONFERENCE - REPORT

Peter Curley indicated that feedback from participants had been favourable to date. Final conference report will not be available for approximately six months. Peter agreed that copies of the recommendations would be circulated to the Tripartite Sub-committee participants as soon as possible. On behalf of the Sub-committee, Kit Waters congratulated Peter for his excellent work in organizing the conference.

Allan Clark, who had just returned from the Whitehorse conference, agreed to prepare a summary of the conference for distribution to the Sub-committee.

6. CHANGES TO EXISTING POLICE FORCES IN NOVA SCOTIA

Ron MacDonald distributed a brief entitled, "Changes to Existing Police Forces: Where Do We Go From Here". Ron stated that the Native Council was not looking for a response from individual Sub-committee members to the paper, but was hoping for an endorsement of the recommendations by the Tripartite Forum. It was agreed that the paper should be circulated to the Chiefs of Police and that a presentation be made at the upcoming annual meeting. The Native Council will contact Lonnie Murray to make the necessary arrangements.

7. AUTHORITY FOR BANDS TO CONTRACT DIRECTLY WITH THE R.C.M.P.

Martin Suo stated that the two federal departments (DIAND/Solicitor General) would agree on a list of specific questions on which a legal opinion would be based. Once the legal opinion from the federal government is complete, it will be forwarded to the provincial government for response.

TRIPARTITE SUB-COMMITTEE ON POLICING

DECEMBER 16, 1991

MINUTES

IN ATTENDANCE:

John Toney	Merrill Prime
Francis Lamont	Bruce Clarke
Allan Clarke	Val Pryce
Don Clairmont	Brian Lynch (guest)
Roger Hunka	Bill Smith (guest)
Dan Christmas	Clarence Smith (guest)
Bob Kells	Joe MacNeil (guest)
Gilles Larocque	Kit Waters
	Kathie Sears

1. INTRODUCTION

The guests were introduced to the Committee. One item was added to the agenda; i.e. Band contracts with R.C.M.P. Roger Hunka distributed copies of a brief that was presented by Dwight Dorey at the Annual Meeting of the Nova Scotia Chiefs of Police Association.

2. MINUTES OF PREVIOUS MEETING

Accepted as circulated.

3. ORGANIZATIONAL CHANGES - DIAND AND SOLICITOR GENERAL CANADA

Clarence Smith presented an overview of the new organizational structure within DIAND. On December 12 a Treasury Board submission was approved calling for the transfer of the administration of Indian Policing Programs from DIAND to Solicitor General Canada, effective April, 1992. Val Pryce assured that there would be no slippage in programs as a result of the transfer, and that current funding arrangements and programs would not be affected adversely. DIAND will continue to play a role in linking with the Indian Communities. DIAND officials are encouraging Bands to talk to Solicitor General representatives regarding the new administrative structure. Dan Christmas voiced some concern regarding the transfer, based on negative experiences that had resulted from transfers in other program areas. It was agreed that these concerns should be expressed at the Tripartite Forum Meeting, and that a request should be made for the Federal Government to provide a detailed transitional plan as it relates to the transfer within the Atlantic Region.

4. NEEDS ASSESSMENT (CONFEDERACY/NATIVE COUNCIL)

Kit indicated that the contract for the study had been extended to January 15 with no increase in resources. Dan and Kit both indicated that Don's work had extended well beyond the requirements of the contract and that this work had resulted in the gathering of important information for the study. It was therefore proposed that an additional expenditure of \$6,000 be requested from the Tripartite Forum to reimburse Don for his out-of-pocket expenses. Approved by the Committee.

Don provided an overview of progress to date with the study. Approximately 550 interviews have been conducted, and Don indicated that he was very pleased with the quality of the interview results. Don indicated that he anticipated the completion of the report by mid-January. The Committee expressed their approval of the progress that has been made to date on this project.

5. MICMAC REGIONAL POLICE FORCE - UPDATE

Dan Christmas indicated that he had received three Band Council resolutions (from Eskasoni, Chapel Island, and Membertou). Dan distributed a proposal submitted by Emerson Kaiser to perform the duties of consultant for the Micmac Regional Police Force. Dan expressed his thanks to Bob Kells, Francis Lamont, Peter Curley and Don Clairmont for their assistance as members of the working group. Funding for this project in the amount of \$20,000 has already been approved by the Tripartite Forum. It was agreed that the necessary additional funding would be requested from the Tripartite Forum at the meeting on December 17.

6. COMMUNITY LEGAL ISSUES FACILITATOR PROJECT - NATIVE COUNCIL

Roger Hunka presented the proposal, which calls for the establishment of aboriginal justice committees in each zone of the Native Council. Some concern was expressed about the potential for duplication of existing structures (e.g. R.C.M.P. Consultative Committees). Some members also felt that we should await the results of the Clairmont study and then consider this proposal in more detail. It was agreed that this item would be brought to the Tripartite Forum and that the policing sub-committee would endorse the concept outlined in the proposal for further discussion following the results of the Clairmont study.

7. BAND CONTRACTS WITH R.C.M.P.

Gilles Larocque distributed a policy paper prepared by the Ministry of Solicitor General which addresses the issues raised by the sub-committee regarding the ability of the Shubenacadie Band to contract with the R.C.M.P. It was agreed that a working group would be struck to begin negotiations regarding a new relationship between the Band and the R.C.M.P. The working group is to be composed of representatives from the Band, the R.C.M.P., the Provincial Department of Solicitor General and Solicitor General Canada.

7. RECOMMENDATIONS TO TRIPARTITE FORUM

- a) Request that the Federal Government provide a detailed transitional plan for the transfer of the administration of Indian Policing from DIAND to Solicitor General Canada.
- b) Additional expenditure of \$6,000 for the Needs Assessment Contract.
- c) Additional allocation of \$35,000 for the Micmac Regional Police Force Project.
- d) The concept contained in the Community Legal Issues Facilitator Project proposal be endorsed for further discussion at the Tripartite Forum following the results of the needs assessment.

TRIPARTITE SUB-COMMITTEE ON POLICING

FEBRUARY 13, 1992

MINUTES

1. MINUTES OF PREVIOUS MEETING

Accepted as circulated.

2. REPORT ON TRIPARTITE FORUM MEETING

Kit Waters reported on the Forum meeting held December 17, 1991 with respect to the discussion related to policing issues:

- . With respect to the proposed transfer of responsibility for aboriginal policing policy from DIAND to Solicitor General Canada, it was agreed that a letter should be written to the appropriate authority asking for a detailed plan of the transfer.**
- . The Forum approved an additional expenditure of \$6,000 for the Needs Assessment Study being conducted by Dr. Clairmont.**
- . The Forum approved an additional allocation of \$35,000 for the Mi'Kmaq Policing Consultant.**
- . The Forum recommended acceptance of the CLIF Project for further development by the justice and policing sub-committees.**
- . It was agreed that the Solicitor General Canada would be invited to appoint a representative to the Tripartite Forum.**

3. TRANSITIONAL PLAN - ABORIGINAL POLICING

Gilles Larocque provided an overview of the arrangements for the transfer of responsibilities for the federal Indian Policing Policy from DIAND to Solicitor General Canada. A backgrounder was distributed to participants. Some salient points are as follows:

- . Transfer effective April 1, 1992.**

- **On request from any Band the two Departments will hold information sessions to discuss the transfer.**
- **All funding arrangements currently in effect with DIAND to be honoured.**
- **There is to be no delay in the distribution of funding for existing programs.**

Some discussion followed with respect to the implementation of the transfer in the Atlantic Region. Questions were raised regarding the availability of Solicitor General personnel in this region to respond to policing issues. Gilles Larocque undertook to provide an Atlantic Regional Implementation plan to Tripartite Sub-committee members.

4. MI'KMAQ REGIONAL POLICE FORCE - UPDATE

Dan Christmas introduced Emerson Kaiser who has been hired by UNSI to perform the duties of Mi'Kmaq Policing Consultant.

Mr. Kaiser reported that since commencing duties on January 3rd he had a series of meetings with the Advisory Committee (representing the Cape Breton Bands) and the Working Group. Mr. Kaiser was pleased to report that the Advisory Committee was becoming increasingly knowledgeable about policing issues.

5. BAND CONTRACTS WITH R.C.M.P. - UPDATE

Peter Curley reported that a meeting had been held on February 12th with Reg Maloney, representatives of the R.C.M.P. and other members of the Tripartite Sub-committee. It was agreed that Chief Maloney would outline the quality of police services required to meet the needs of his Band, and that a memorandum of understanding between the Band and the R.C.M.P. would be developed. It was acknowledged that, ideally, Chief Maloney desires the Band to have full control over policing as one aspect of self-government. Dan Christmas expressed the view that there is currently an opportunity to gain ground quickly through interim solutions worked-out between the R.C.M.P. and the Band.

6. NEEDS ASSESSMENT (CONFEDERACY/NATIVE COUNCIL)

Professor Don Clairmont presented his preliminary findings to the sub-committee, indicating that his final report should be available within the next two weeks. Don anticipates addressing the following issues in his final report:

- . Review of progress that has been made with respect to the Marshall recommendations.**
- . Alienation of Mi'Kmaq from municipal police forces responsible for policing reserves.**
- . Satisfaction regarding service provided by R.C.M.P. on the mainland.**
- . Recommendation that Halifax Police Department should hire a Mi'Kmaq individual to perform a liaison function, with that person to be housed within the police force.**
- . Some commentary regarding the adequacy of cross-cultural training.**
- . Need for jurisdictional clarification regarding Band bylaws.**

Don distributed copies of his preliminary findings, and requested that participants contact him by February 21st with their comments.

7. NEXT MEETING

It was agreed that the two (2) major items for discussion at the next meeting are Don Clairmont's final report and CLIF. Next meeting tentatively scheduled for March 6th at 9:00 a.m.

03/92/kw/868

TRIPARTITE SUB-COMMITTEE ON POLICING

APRIL 28, 1992

MINUTES

IN ATTENDANCE:

Gilles Larocque
Bruce Clarke
Bob Kells
Lonnie Murray
Kit Waters

Francis Lamont
Dan Christmas
Peter Curley
Dave Perrier

1. MINUTES OF PREVIOUS MEETING

Accepted as circulated.

As follow-up to the item regarding the transfer of aboriginal policing responsibilities to Solicitor General Canada, Gilles indicated that a workshop on First Nations Policing was being planned for mid-June, 1992. This workshop is being co-sponsored by the Assembly of First Nations and Solicitor General Canada.

2. MI'KMAQ REGIONAL POLICE FORCE - UPDATE

Dan indicated that an Advisory Committee has been formed with representatives of the five Cape Breton bands. Emerson Kaiser will be working full-time until the end of June, following which he will be working on a part-time basis. The workplan has been accepted by the Working Group and Advisory Committee. Completion of the final report will be delayed somewhat because of the need to obtain a legal opinion regarding some issues. Emerson and an Advisory Committee member are presently in British Columbia visiting the training institute there. The Advisory Council have had six meetings to date, and are addressing such issues as operational requirements of the force, code of ethics and recruitment standards. Dan indicated that the original mandate of six months provided to the Advisory Committee by the Chiefs has been extended to 12 months, in order to fill in the gap until the Board of Police Commissioners is established. The total projected operating budget for year one is \$2.16 million, and the capital budget \$2 million. The total staff complement is expected to be 32.

Dan indicated that six trainees, funded by CEIC, will be working with the Eskasoni force from April to September. Peter indicated that they would be appointed supernumerary special constables on May 1st.

As a result of the extension of the mandate of the Advisory Committee for an additional six months, Dan indicated that an increase in resources for this project would be required. He submitted a budget for an additional \$48,000. The Sub-committee recommended that the Tripartite Forum be requested to approve the additional budget allocation of \$48,000 for the fiscal year 1992-93.

3. POLICE ACT AMENDMENTS

Bob indicated that amendments to the Police Act had been introduced in the legislature on April 16th. The main objectives of the amendments are to facilitate the restructuring of the Department and the Police Commission, to provide for regionalization and to enable the establishment of native police forces. Dan voiced his concern, after a preliminary reading of the amendments, that First Nations constables were yet again to be considered "special constables". Bob indicated that the powers granted to the First Nations constables would be the same as those granted any other constable. Nonetheless, Dan indicated that the "special" designation was of concern to the Mi'kmaq people. In order to discuss these and any other concerns with regard to the legislation, it was agreed that Christine Mosher, departmental solicitor, would meet with Bruce Wildsmith. It was also indicated that a further opportunity for input into the legislation would be provided at law amendments. It was further agreed that Bob would make a presentation regarding the Police Act amendments to the Advisory Committee during the upcoming tour of the Cape Breton bands.

4. SHUBENACADIE BAND DIVERSION PROJECT

Dan provided some information regarding the diversion project, which is expected to commence operation shortly. It was agreed that it was important to ensure that all police forces were informed of the project, as participation is open to any member of the Indian Brook Band, irrespective of the place of arrest.

5. PROJECT EVALUATION

Kit circulated draft Terms of Reference for project evaluation, which had been prepared by Bruce Wildsmith. The importance of evaluation for all Tripartite projects was recognized by Sub-committee members. They were asked to review the draft Terms of Reference and provide their comments to Kit.

6. BAND CONTRACTS WITH R.C.M.P.

Copies of a legal opinion prepared by Bruce Wildsmith were distributed to the Sub-committee members, as well as correspondence from Gilles Larocque, providing information on policing models available under the federal Indian Policing Policy. Peter Curley indicated that on April 7th Inspector Kelly Palmer met with Chief Reg Maloney to discuss the issue of R.C.M.P. policing of Indian Brook. It is intended that a Memorandum of Understanding will be drafted to specifically outline the responsibilities of both the band and the R.C.M.P. Peter was advised that Reg has allocated some space in the new community centre for the use of the R.C.M.P. as a satellite office. Reg will be sending a letter, indicating the amount of rent he is requesting.

7. CLAIRMONT STUDY

Sub-committee members indicated that although the report contained valuable and comprehensive information about Mi'kmaq attitudes toward policing and policing requirements, there was a need for the report to focus more clearly on key findings and to highlight the recommendations. It was agreed that an "editorial board", composed of Dan Christmas, Kit Waters and Dave Perrier, would meet with Don Clairmont to review our concerns and make recommendations for the preparation of a Highlights document which would focus on the major findings of the research.

8. COMMUNITY LEGAL ISSUES FACILITATOR PROJECT

Bruce stated that the proposal had been reviewed by the Justice Sub-committee. It was their view that the concept was interesting, but needed more work. Accordingly, a sub-committee has been set up to provide further input to the proposal. A request was made for representation from the Policing Sub-committee. It was agreed that Peter and Bob would participate in this sub-committee.

9. OTHER BUSINESS

Francis undertook to provide sample bylaws that have been prepared by his department.



Re: what chief sent over

Action to Date:

From its initial response in February 1990 the Nova Scotia Government recognized the Tripartite Forum (**Recommendation 22**) as the cornerstone for addressing the issues raised by other recommendations dealing with Native justice issues.

The Provincial and Federal Governments agreed to provide financial support to the Forum and to Native political organizations contributing to it. In March of 1991 the Forum held its first meeting. Subcommittees on justice and policing established at that time have been active.

Work in progress includes:

Towell

- (1) A needs assessment and project plan for a justice worker program (**Recommendation 24**) conducted by Dr. Don Clairmont of the Atlantic Institute of Criminology. This report is nearing completion. It is anticipated that a justice worker program could be administered by a Micmac controlled agency (**Recommendation 21**).
- (2) Also included in Dr. Clairmont's study is an assessment of policing needs for the Confederacy of Mainland Micmac bands and the Native Council (off-reserve). The Union of Nova Scotia Indians had already done a study of its own. The Department of Solicitor General, the provincial agency responsible for policing, has accepted the concept of a Micmac regional police force. Legislative changes to this end were introduced by the Solicitor General in April 1992.
- (3) The Tripartite Forum funded the hiring of a policing consultant in January 1992 to develop the terms of reference for a Mi'kmaq Board of Police Commissioners and an operational plan for a tribal police force for the five Cape Breton Bands.
- (4) A proposal for an on-reserve adult diversion pilot project presided over by a committee of Micmac community leaders (**Recommendations 22 and 29**) has been approved by the Tripartite Forum for the Shubenacadie Band at Indian Brook (see also **Recommendation 18, p. 12**). It is hoped this pilot project will provide valuable lessons for other native communities.

A new Human Rights Subcommittee of the Tripartite Forum was formed in December 1991. It is examining human rights issues and efforts to reduce racial discrimination.

Generally, the Tripartite Forum is working well. Unfortunately, one of the three Native political organizations (The Confederacy of Mainland Micmacs) invited to participate has chosen to withdraw. However, relations between the Provincial Government and the Confederacy continue to be cordial and it is anticipated that they will contribute ideas and expertise to the implementation process.

TRIPARTITE SUB-COMMITTEE ON POLICING

JULY 13, 1992

MINUTES

IN ATTENDANCE:

David Perrier
Merrill Prime
Ken Byrt
Bruce Clarke
Don Clairmont
Emerson Kaiser
Lowell Meisner

Allan Clark
Peter Curley
Bob Kells
Roger Hunka
Francis Lamont
Kit Waters

1. INTRODUCTIONS

Kit Waters introduced Inspector Ken Byrt, who will be assuming the position of Co-ordinator, Aboriginal Policing/Visible Minorities, R.C.M.P. as a result of Peter Curley's transfer to Edmonton. The committee expressed their appreciation for the contribution that Peter has made to the Sub-committee and congratulated him upon his promotion. Inspector Lowell Meisner, Human Resources Division, Halifax Police Department, was invited to today's meeting to give a presentation on a pilot project being proposed for his department.

2. MINUTES OF PREVIOUS MEETING

Approved as circulated.

3. CLAIRMONT REPORT

As requested at the last meeting, Kit, David Perrier and Dan Christmas met with Don Clairmont to discuss the content of the Highlights document. Don indicated that he was prepared to write this report, and provided an overview of the information that would be contained in it as per the guidelines provided to him by the sub-committee. He stated that he would clarify the Cape Breton research data, using results of the interviews and vignettes to provide an appropriate context to explain the choice of policing option. With regard to the issue of a possible referendum, both Don and Emerson stated that this was not being contemplated, and that in other cases where municipal units have decided to make a change in policing (eg. Louisbourg), a referendum was not required.

Don further agreed to elaborate on his recommendations regarding the type of training that should be provided to non-native police officers.

.../2

Peter recommended that consideration be given to additional remuneration to compensate Don for the extra work involved in the preparation of the Highlights document. It was agreed that Allan, Dan, Kit and Don would meet to discuss an appropriate amount. Don indicated that the Highlights document would be completed by the end of July. A discussion of the recommendations contained in Don's report will be deferred until the next meeting in order to provide an opportunity for a review of the Highlights document.

4. HALIFAX POLICE DEPARTMENT - PILOT PROJECT PROPOSAL

Inspector Lowell Meisner stated that he had met with Dan, Roger and Don Clairmont to discuss the possibility of establishing a position of civilian native liaison worker in the Halifax Police Department. This recommendation had been contained within the Clairmont report. Lowell indicated that Chief Vince MacDonald is committed to establishing better communication between the force and the Native community. Halifax Police Department had developed a special training program for 10 visible minority and Native candidates which will commence this Fall.

Lowell indicated that the objective of the civilian native liaison officer position, ultimately, is to ensure that members of the Native community living in Halifax receive better policing service. It is proposed that a full-time position be established to work out of the Human Resources Division of the police department. The job specification and selection process will be developed in consultation with the Native community. Roger Hunka commented on the positive nature of this initiative on the part of the largest municipal police force in the province.

There was some discussion regarding the relationship between this proposal and C.L.I.F., but it was agreed that the two proposals would be considered separately. It was moved by Roger Hunka, seconded by Bob Kells that the sub-committee approve in principle the proposal for the establishment of a civilian native liaison worker in the Halifax Police Department and that the full proposal and budget would be considered at the next meeting of the sub-committee.

5. UNAMA'KI TRIBAL POLICE - UPDATE

Emerson Kaiser submitted his report on the Unama'ki Tribal Police in June 1992. Representatives of the federal and provincial governments indicated that they were preparing their lists of issues in preparation for the negotiations. Preliminary discussions will be scheduled for September. The sub-committee commended Emerson for the very thorough job he has done.

.../3

6. POLICE ACT AMENDMENTS

Following the last sub-committee meeting, Christine Mosher met with Bruce Wildsmith to discuss his concerns regarding the draft amendments. As a result of these discussions, a number of changes were made. Bruce addressed the Law Amendments Committee and indicated his support for the amendments. The legislation passed on June 30. Bob Kells discussed the changes that had been made and distributed copies of the amendments to the sub-committee. Gilles Larocque stated that the legislation should be viewed as a major achievement, as it is the first of its kind in Canada to meet all the requirements of aboriginal policing. He asked to see a draft of the Ministerial appointment letter, as this will be important for the Unama'ki negotiations.

7. C.L.I.F. UPDATE

Bruce Clarke indicated that a meeting to discuss the C.L.I.F. proposal was scheduled for 1:00 p.m. on July 13. Peter recommended that Lowell Meisner and Don Clairmont attend the meeting.

8. SHUBENACADIE - R.C.M.P.

Peter Curley indicated that he and Kelly Palmer had met with Chief Reg Maloney and Council to discuss the proposed agreement and office accommodation arrangements. Peter indicated that he was still awaiting a request in writing from Reg. Gilles Larocque stated that he was prepared to meet with Reg to facilitate the resolution of this matter, and Peter agreed to arrange for such a meeting.

9. OTHER BUSINESS

Roger Hunka brought to the attention of the sub-committee an open letter from Constable Dale Sylliboy (Truro Police Department) which was copied to the Millbrook Band Council, Tripartite Sub-committee on Policing, Attorney General of Nova Scotia, and the Royal Commission on Aboriginal Peoples. In his letter, Constable Sylliboy complains that the aboriginal summer student hired by the Truro Police Department was not placed under his supervision. The view of the sub-committee was that the Tripartite Forum is not an appropriate venue for the discussion of union/management or specific personnel issues. It was felt, however, that the general issue of the role of aboriginal officers within municipal police departments was an important one, and that the forum might consider undertaking some research in this area. It was agreed that a letter would be sent by the Chair of the sub-committee to Constable Sylliboy reflecting the views of the sub-committee.

.../4

Gilles Larocque provided an overview of the First Nations Policing workshop which was held in Calgary in June. Gilles indicated that the workshop offered a good opportunity for aboriginal groups from across the country to compare First Nations Policing projects. He stated that Emerson Kaiser's presentation on the Unama'ki Tribal Police was very well received.

Allan Clark noted that the Finance Committee would be meeting soon, and that it was important for the sub-committees to determine their budget requirements for this fiscal year and the next.

In closing, Gilles Larocque noted the absence of Mi'kmaq representatives at the meeting and urged that every effort be made to ensure their attendance at these discussions.

A further meeting will be scheduled following the receipt of Don Clairmont's Highlights document.

kw/035

TRIPARTITE SUB-COMMITTEE ON POLICING

AUGUST 26, 1992

MINUTES

IN ATTENDANCE:

Lonnie Murray	Bob Kells
Gilles Larocque	Serge St. Pierre
Joe MacNeil	Ken Byrt
Lowell Meisner	Kit Waters
Roger Hunka	Tim Mattin
Allan Clark	Noel Doucette
Dan Christmas	

1. INTRODUCTION

Chief Noel Doucette of the Chapel Island Reserve was introduced as a new member of the Sub-committee. Chief Doucette chairs the Advisory Committee overseeing the establishment of the Unama'ki tribal police.

2. MINUTES OF PREVIOUS MEETING

Gilles Larocque's name was omitted in error from the attendance list for the previous meeting. Minutes were approved with that amendment. Further to the Minutes, Kit distributed a letter sent to Constable Dale Sylliboy on behalf of the Sub-committee.

3. HALIFAX POLICE DEPARTMENT - PILOT PROJECT PROPOSAL

Correspondence from Inspector Meisner, providing details of the Native Community Police Worker Project, was circulated to the Sub-committee. Approval in principle for the project had been granted at the July 13th meeting, subject to a review of the full proposal and budget. Gilles indicated that Solicitor General Canada would only be able to contribute to the project if it could demonstrate a "national perspective" by virtue of research which would be generated or through its contribution to policy development.

Lowell provided details of the municipal contribution to the project; i.e. full secretarial support, administrative support, training facilities, office space.

It was agreed that evaluation of the project was critical and must be included in the budget. Lowell indicated that Don Clairmont had been asked to prepare a research overview and that the costs of evaluation would be added to the budget.

After some discussion, it was agreed that the budget could be reduced by, for example, using furniture provided by the provincial government. In addition, concern was expressed regarding the training budget allocation in that the amount of training reflected was probably excessive for the first year of the project.

Lowell stated that a job description would be prepared in consultation with Roger Hunka and Dan Christmas. Kit indicated that the job specification would be required in order to submit the proposal to Tripartite for approval.

It was agreed that the proposal would be further refined to reflect the comments of the Sub-committee, and that the adjusted budget figures would be forwarded to Joe MacNeil as soon as possible in order that the proposal may be presented to the Tripartite Forum at its upcoming meeting.

4. CLAIRMONT REPORT - FINAL REVIEW

The Committee expressed overall satisfaction with the report and approved its submission to the Tripartite Forum. It was agreed that some minor revisions remain to be done; i.e. correction of the map and some typographical errors. It was further agreed that a foreword would be prepared and that a summary of recommendations would be provided at the end of the report.

With respect to cover design, the Committee agreed that it should be some variation on the logo used by Roger Hunka for the Human Rights sub-committee materials. A recommendation will go forward to the Tripartite Forum for an additional payment of \$3,000 to Don Clairmont for preparation of the Highlights document; and an allocation of \$7,000 for publishing and distributing the report.

5. MUNICIPAL AGREEMENTS FOR POLICING RESERVES

Gilles gave details of the municipal agreements which provide authority for payments to municipalities to the provision of policing services to reserves for the period 1989 to 1994. In Nova Scotia these agreements apply to Sydney and Truro for policing of Membertou and Millbrook. Gilles indicated that further discussions would occur with the Province regarding these agreements.

Noel Doucette stated that he had spoken to Chief Lawrence Paul of Millbrook, who informed him that the Confederacy had approved funding for a number of individuals to receive police training at the Justice Institute in Mission, B.C. Gilles confirmed that a request for funding for police training had been received by Solicitor General Canada. Bob Kells indicated his concern that this training would not be recognized under amendments to the Police Act made on June 30, 1992.

Kit indicated that Chief Paul has not contacted the Department of Solicitor General to discuss any plans for police training or any other matters relating to policing.

6. C.L.I.F. - REPORT ON JULY 13TH MEETING

Roger provided an overview of the revised C.L.I.F. pilot project proposal. The proposal now calls for the establishment of C.L.I.F. offices in three regions - Truro, Halifax and Bridgewater.

There was some discussion about the relationship between the C.L.I.F. project and the court worker program. Roger indicated that the role of the C.L.I.F. facilitator is to serve as an interface between the native community and the justice system, whereas the court worker represents accused persons.

Ken indicated that the R.C.M.P. supports the C.L.I.F. project, and Gilles also indicated his support. Allan stated his concern that there may not be sufficient money in the budget to support the C.L.I.F. project. Joe indicated that both the court worker project and C.L.I.F. will require additional funding to that which is presently available in the Tripartite budget.

It was the view of the Sub-committee that the proposal be recommended for acceptance by the Tripartite Forum, subject to the availability of funds.

7. RECOMMENDATIONS TO TRIPARTITE FORUM

Recommendations to the Forum to be submitted by the Policing Sub-committee were summarized as follows:

- Payment of \$3,000 to Don Clairmont for the Highlights document.
- Expenditure of \$7,000 for the publication of the Clairmont report.
- Establishment of Native Community Police Worker Pilot Project in the Halifax Police Department (budget to be finalized by Sub-committee consisting of Lowell Meisner, Allan Clark, Kit Waters, Dan Christmas, Roger Hunka, Romola Trebilcock).
- Establishment of C.L.I.F. project in three locations (Halifax, Bridgewater and Truro).
- Additional expenditure of \$48,000 for the Unama'ki police force project, as a result of the extension of the mandate of the Advisory Committee for an additional six months (Minutes of April 28, 1992 meeting).

Kit agreed to circulate the final recommendations once the budget figures for the Halifax project are finalized.

8. OTHER BUSINESS

Noel felt that there were some training issues associated with enforcement of forestry and fisheries legislation and felt that the Sub-committee should address these.

Joe indicated that the bylaw submitted for the creation of Unama'ki had been reviewed by DIAND, and that the LR&T unit felt the bylaw needed reworking. Dan and Emerson will follow-up on this matter. Joe also indicated that DIAND has agreed to assume the costs of training for bylaws once the Unama'ki officers are appointed.

9. NEXT MEETING

To be scheduled after the Tripartite Forum meeting.

Nova Scotia



**Department of
Solicitor General**

PO Box 2599
Halifax, Nova Scotia
B3J 3N5

Our phone no:

Our file no:

MEMORANDUM

HW
FROM: *per:* Kit Waters, Director,
Policy, Planning & Research

TO: Committee Members
Tripartite Sub-Committee on Policing

DATE: September 1, 1992

Attached for your information are the Sub-committee recommendations to be presented to the Tripartite Forum on September 3. I believe that they represent all of the recommendations formulated since the last Forum meeting was held in December 1991. If you have any amendments or additions please fax me as soon as possible (424-0546).

KMW/kas
Attach.(1)

RECOMMENDATIONS
OF THE POLICING SUB-COMMITTEE
TO THE
TRIPARTITE FORUM
SEPTEMBER 3, 1992

1. That an expenditure of \$3,000 be approved for Don Clairmont in payment for the preparation of a Highlights document 'Native Justice in Nova Scotia'.
2. That an expenditure of \$7,000 be approved for the publication of the two-volume report 'Native Justice in Canada' and the Highlights document (500 copies of each).
3. That an additional expenditure of \$48,000 be approved for the Unama'ki Tribal Police project.
4. That approval for an expenditure of \$48,100 (1992-93) be granted for the establishment of a native community police worker pilot project in the Halifax Police Department.
5. That approval be given for the establishment of the Community Legal Issues Facilitator Project in three locations (i.e. Halifax, Bridgewater and Truro).

kmw/08/92/060

NEWS RELEASE

Thursday, October 1, 1992

**U.N. PROCLAMATION SIGNED AND COURT DIVERSION AGREEMENT
FINALIZED AT TREATY DAY CEREMONY**

Premier Don Cameron and Micmac Grand Chief Ben Sylliboy today signed a proclamation recognizing the United Nations General Assembly designation of 1993 as the International Year for the World's Indigenous People.

The signing ceremony took place at Province House in Halifax at a gathering of native and provincial leaders marking Treaty Day 1993.

The proclamation declares the theme for 1993 to be "Indigenous People--A New Partnership". The United Nations' goal in 1993 is to recognize the value and diversity of indigenous cultures and to raise public awareness of indigenous cultures around the world.

The proclamation also urged "all Nova Scotians to make it their moral and social responsibility to become aware of the circumstances of indigenous people throughout the world".

Also at this gathering, an agreement creating the Shubenacadie Adult Court Diversion Program was signed by Indian Brook Reserve Chief Reg Maloney, Attorney General/Solicitor General Joel Matheson and the Hon. Guy Leblanc, Minister Responsible for Aboriginal Affairs in Nova Scotia.

This pilot project will see eligible native people who have been charged with certain criminal offences voluntarily diverted from the regular criminal court system to appear before a community-based Micmac Justice Panel hearing. The Justice Panel will determine the disposition of the case which may include such things as having the offender make restitution to the victim and/or the community; pay a fine; do community service; participate in counselling or treatment programs; or some combination of these.

The decision of the Micmac Justice Panel will reflect the standards of the native community based on Micmac heritage and tradition. Once the offender has completed the terms set down by the Panel, the charges in the criminal court will be withdrawn by the Crown.

Details on this pilot project as to the eligibility of native people; which offences are covered; etc. are available from Peter Spurway, Communications Officer, Department of Attorney General (see below).

Contact:
Peter Spurway
N.S. Department of Attorney General
424-6811

Bernie Francis
Linguistic Consultant

424-7782

November 3, 1992

Mr. Roger Hunka, Chairman
Sub-Committee on Human Rights
c/o Native Council of Nova Scotia
P. O. Box 1320
Truro, Nova Scotia
B2N 5N2

Dear Roger:

I appreciate your providing news-clippings which relate to the resignation of Constable Dale Sylliboy from the Truro Police Force.

I know we all agree that the Tripartite Forum should not become involved in specific complaints such as the one between Constable Sylliboy and his former employer. However, I do share your view that it is indeed regrettable that there is now not a single aboriginal police officer employed by a municipal police department in this Province. The Millbrook Band Council proposal to establish a sub-office on the Reserve may be a useful step towards meeting the policing needs of that community. I look forward to discussing this at future sub-committee meetings and hope that as a group we can develop other effective strategies to ensure native communities have the necessary input in determining their policing arrangements. It seems that this is one of the most promising ways to address the alienation that appears to be symbolized by the Sylliboy resignation.

Yours very truly,

Kit Waters, Chairperson
Sub-committee on Policing

KMW/kas/147
cc: Dan Christmas
Allan Clark

TRIPARTITE SUB-COMMITTEE ON POLICING

FEBRUARY 10, 1993

MINUTES

IN ATTENDANCE:

Allan Clark	Bill Smith
Christine Mosher	Kit Waters
David Perrier	Roger Hunka
Dale Sylliboy	Darliea Dorey
Lowell Meisner	Joe MacNeil

1. MINUTES OF PREVIOUS MEETING

Approved as circulated. In business arising from the minutes, Bill Smith indicated that an R.C.M.P. sub-office in Shubenacadie was officially opened in January 1993.

Allan Clark presented an update on the Tripartite Forum, indicating that all recommendations submitted by the Policing Subcommittee were accepted (providing the necessary funds are made available by provincial and federal governments). On the recommendation of the Tripartite Forum, a Review Committee was established with a mandate "to begin a review of the Tripartite process in order to address identified problem areas and affirm mechanisms and procedures to improve this consultation vehicle". A further meeting of the Forum is tentatively scheduled for March, pending recommendations forthcoming from the Review Committee.

2. NATIVE COMMUNITY POLICE WORKER PROJECT

Lowell Meisner provided an overview of the progress to date. Lowell thanked Roger Hunka and Dan Christmas for the assistance they had provided in drafting the job specifications and participating in the interview panel. Thirty (30) applications were received, 4 individuals were interviewed with Darliea Dorey as the successful candidate. Darliea is to officially commence employment on February 15. It is expected she will devote much of her first month on the job to training activities. A press release will be issued by the Halifax Police Department the week of February 15. The wording has been approved by Solicitor General Canada and the Provincial Department of Solicitor General. Joe MacNeil asked that Debbie Adams (DIAND) be sent a copy of the release. Lowell indicated that he had met with Don Clairmont to discuss the format for the evaluation.

3. C.L.I.F. UPDATE

Roger Hunka distributed copies of the C.L.I.F. brochure. He advised that the following staff had been hired: Dale Sylliboy and Fran Hillier (Halifax); Valerie Whynot (Bridgewater), and Amelia Jesty (Sydney). Roger introduced Dale as the co-ordinator of the project. Roger indicated that intake forms had been developed and that Dr. Ray Carlson (Maritime School of Social Work) will be undertaking the evaluation. Roger indicated that a Monitoring Board, composed of representatives from the native community and the justice system, will be responsible for overseeing the activities of the C.L.I.F. project. It was determined that Bob Kells and Ken Byrt would serve as representatives from the Policing Subcommittee on the Monitoring Board. Roger indicated that community committees would be established in the various areas to provide support to the C.L.I.F. workers. There was some discussion about the relationship between the R.C.M.P., Community Advisory Committees and the proposed C.L.I.F. Committees. Bill Smith indicated that R.C.M.P. divisional policy is currently being drafted.

4. UNAMA'KI UPDATE

Christine Mosher reported that Tripartite negotiations are currently underway, with contentious issues being the police complement and funding levels. At a meeting with the Chiefs in December, Solicitor General Joel Matheson indicated the Province was willing to support a maximum complement of 15. A further negotiation session is scheduled for February 22.

5. REQUEST FROM FINANCE AND ADMINISTRATION SUBCOMMITTEE:
Plans for 1993/94

Joe MacNeil indicated that a meeting of the subcommittee is scheduled for February 15 to discuss the budget for 1993/94. Joe stated that it was important for total approved annual budgets to be adhered to and that additional funding requests not be made in mid year.

There was some discussion of the most appropriate mechanism for reviewing projects for approval or termination. It was agreed that such decisions should ideally be based on subcommittee recommendations in conjunction with the recommendation of an independent review person/expert evaluator.

In reviewing the projects for the upcoming year, the following recommendations were made by the subcommittee:

- Approval of the C.L.I.F. budget should be the responsibility of the Justice Subcommittee. (C.L.I.F. should report on relevant policing matters to the Policing Subcommittee but recommendations regarding budget should be finalized by the Justice Subcommittee)

- Total proposed budget for the Native Civilian Liaison Worker (HPD) - \$68,605

There was some discussion regarding the need to allocate additional funds for the Unama'ki Advisory Committee, in case the Tribal Police Force is not operational by April 1, 1993. It was proposed that an amount of approximately \$25,000 be proposed, to be verified with Dan Christmas.

6. OTHER BUSINESS

Joe stated that a meeting to discuss Band Bylaws was scheduled for February 11. It was agreed that Christine Mosher and a representative from the R.C.M.P. would attend on behalf of the Policing Subcommittee.

7. NEXT MEETING

To be scheduled for mid June.

VINCENT J. MACDONALD
CHIEF OF POLICE

CITY OF HALIFAX



1975 GOTTINGEN STREET
HALIFAX, NOVA SCOTIA B3J 2H1

ADDRESS ALL CORRESPONDENCE
TO THE CHIEF OF POLICE

File 93-06-03-0269

POLICE DEPARTMENT

TELEPHONE 902-421-
FAX # 902-421-2708

June 3, 1993

Mr. Allan Clark, Co-ordinator
Aboriginal Affairs, Nova Scotia
Ms. Kit Waters, Director
Policy, Planning & Research
Co-chairs of the Tripartite
Sub-Committee on Policing
3rd Floor, Joseph Howe Building
Halifax, NS

Dear Sir/Madame:

The following is the Civilian Native Community Police Worker
Interim Report ending March 31, 1993.

Since commencing employment, on February 15, 1993, as the Halifax
Police Department Civilian Native Community Police Worker,
Ms. Darliea Dorey has been predominantly involved in job related
training and workplace orientation. A list of these related
activities is included with this Report, see Appendix A.

Ms. Dorey has also been actively involved with a number of in-
house committees and community organizations.

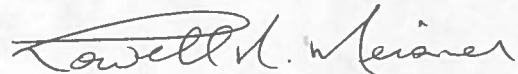
Mayor's Committee on Race Relations
Halifax Police Department Race Relations Committee
MicMac Friendship Centre
Native Council of Nova Scotia Electoral Committee
C.L.I.F.
Aboriginal Justice Committee
Canadian Mental Health Association of Nova Scotia
Youth Alternative Society
Visible Minority Review Committee

Ms. Dorey has also related to the writer that her position is
already having a positive influence on how the Aboriginal
Community is beginning to view the Halifax Police Department.
Traditionally, the Police Department is viewed as a place where
Aboriginal people would not go.

Since this position was created it is Ms. Dorey's observation that Aboriginal people are approaching the Halifax Police Department with a greater degree of comfort. She has dealt with a number of inquiries from the Aboriginal community ranging from employment and recruitment to social issues. In one instance she was consulted by an individual in regards to a housing problem. It appears that her role is expanding into the referral and public consultation areas of the Community Based Policing Model.

The demand for Ms. Dorey's services has been increasing steadily and most recently she has received requests from Henson College, Probation Services, MicMac Friendship Centre, and the Maritime School of Social Work, to speak on Aboriginal issues. It appears that the Civilian Native Community Police Worker project is allowing the Halifax Police Department to make positive strides in providing better service to the Aboriginal Community.

Sincerely,



Lowell N. Meisner, Inspector
Human Resources Division

lnm:mhb

attachment.

Appendix A:

Civilian Native Community Police Worker

The following is an overview of the training Ms. Darliea Dorey has taken part in since she has been engaged in the role of Civilian Native Community Police Worker.

February 15, 1993	Commenced Employment
February 15-20, 1993	Basic Workplace Orientation
February 22-March 8, 1993	Media Relations Training (in-house O.J.T.)
March 9-11, 1993	Racism Cross-Cultured Training Department of Solicitor General
March 15-26, 1993	Cross Cultural Educator's Training Canadian Police College, Ottawa

Future plans will involve Ms. Dory's attendance at Instructional Techniques Course, Media Relations Training and Effective Presentation Course.

It is also planned that Ms. Dorey take part in a Ride Along Program in order to facilitate her orientation to Patrol Operations and the police culture.

Civilian Native Community Police Worker

Expenses up to March 31, 1993

	Feb.	Mar.
Salaries		3,218.88
Benefits		1,373.43
Sundry		607.70
Office Supplies	184.34	41.01
Receipts	18,011.46	18,000.00

VINCENT J. MACDONALD
CHIEF OF POLICE

CITY OF HALIFAX



1975 GOTTINGEN STREET
HALIFAX, NOVA SCOTIA B3J 2H1

ADDRESS ALL CORRESPONDENCE
TO THE CHIEF OF POLICE

File 93-06-03-0269

POLICE DEPARTMENT

TELEPHONE 902-421-
FAX # 902-421-2708

June 3, 1993

Mr. Allan Clark, Co-ordinator
Aboriginal Affairs, Nova Scotia
Ms. Kit Waters, Director
Policy, Planning & Research
Co-chairs of the Tripartite
Sub-Committee on Policing
3rd Floor, Joseph Howe Building
Halifax, NS

Dear Sir/Madame:

The following is the Civilian Native Community Police Worker
Interim Report ending March 31, 1993.

Since commencing employment, on February 15, 1993, as the Halifax
Police Department Civilian Native Community Police Worker,
Ms. Darliea Dorey has been predominantly involved in job related
training and workplace orientation. A list of these related
activities is included with this Report, see Appendix A.

Ms. Dorey has also been actively involved with a number of in-
house committees and community organizations.

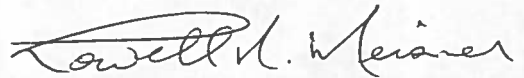
Mayor's Committee on Race Relations
Halifax Police Department Race Relations Committee
MicMac Friendship Centre
Native Council of Nova Scotia Electoral Committee
C.L.I.F.
Aboriginal Justice Committee
Canadian Mental Health Association of Nova Scotia
Youth Alternative Society
Visible Minority Review Committee

Ms. Dorey has also related to the writer that her position is
already having a positive influence on how the Aboriginal
Community is beginning to view the Halifax Police Department.
Traditionally, the Police Department is viewed as a place where
Aboriginal people would not go.

Since this position was created it is Ms. Dorey's observation that Aboriginal people are approaching the Halifax Police Department with a greater degree of comfort. She has dealt with a number of inquiries from the Aboriginal community ranging from employment and recruitment to social issues. In one instance she was consulted by an individual in regards to a housing problem. It appears that her role is expanding into the referral and public consultation areas of the Community Based Policing Model.

The demand for Ms. Dorey's services has been increasing steadily and most recently she has received requests from Henson College, Probation Services, MicMac Friendship Centre, and the Maritime School of Social Work, to speak on Aboriginal issues. It appears that the Civilian Native Community Police Worker project is allowing the Halifax Police Department to make positive strides in providing better service to the Aboriginal Community.

Sincerely,



Lowell N. Meisner, Inspector
Human Resources Division

lnm:mhb

attachment.

Appendix A:

Civilian Native Community Police Worker

The following is an overview of the training Ms. Darliea Dorey has taken part in since she has been engaged in the role of Civilian Native Community Police Worker.

February 15, 1993	Commenced Employment
February 15-20, 1993	Basic Workplace Orientation
February 22-March 8, 1993	Media Relations Training (in-house O.J.T.)
March 9-11, 1993	Racism Cross-Cultured Training Department of Solicitor General
March 15-26, 1993	Cross Cultural Educator's Training Canadian Police College, Ottawa

Future plans will involve Ms. Dory's attendance at Instructional Techniques Course, Media Relations Training and Effective Presentation Course.

It is also planned that Ms. Dorey take part in a Ride Along Program in order to facilitate her orientation to Patrol Operations and the police culture.



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

International Year of
the World's Indigenous People

A New Partnership



Année internationale
des populations autochtones

Un nouveau partenariat

Your file Votre référence

Our file Notre référence

February 21, 1993

E-4115-1(IGA10)

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

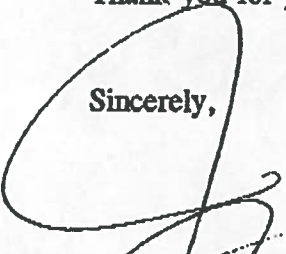
Dear Ms. Waters:

**Nova Scotia/Mi'kmaq/Canada Tripartite Forum
Finance & Administration Sub-Committee Meeting
Sheraton Halifax Hotel, 1919 Upper Water Street
Halifax, Nova Scotia
March 3, 1994 from 9:00 a.m. - 12:00 (Noon) - Annapolis Room**

Enclosed is a copy of the proposed agenda for the above mentioned meeting.
If you have recommendations for additional items, please advise.

Thank you for your cooperation and I look forward to our meeting on the 3rd.

Sincerely,


J. P. McNeil
Intergovernmental Officer
Indian & Inuit Affairs
Atlantic Region
P. O. Box 160
Amherst, Nova Scotia
B4H 3Z3

Post-It™ brand fax transmittal memo 7571		# of pages > 2
To Kit Waters	From Joe McNeil	
Co. NS Sol Gen.	Co. DIAND - ARO	
Dept.	Phone # 902-661-6348	
Fax # 902-424-0546	Fax # 902-667-9947	

Encl.

c.c. Francis Lamont, A/Mgr., Financial Arrangements, DIAND
Dougal MacDonald, A/Mgr., Program, Planning & Allocation, DIAND

Canada

Printed on recycled paper - Imprimé sur papier recyclé

**Nova Scotia/Mi'kmaq/Canada Tripartite Forum
Finance & Administration Sub-Committee Meeting
Sheraton Halifax Hotel, 1919 Upper Water Street
Halifax, Nova Scotia
March 3, 1994 from 9:00 a.m. - 12:00 (Noon)**

PROPOSED AGENDA

- 1) 93/94 Budget
94/95 Budget

- 2) Independent Chair

- 3) Multi-Year Funding

- 4) Annual Report

TRIPARTITE SUB-COMMITTEE ON POLICING

June 4, 1993

MINUTES

IN ATTENDANCE: Allan Clark
David Perrier
Darliea Dorey
Terry Elliott
Dale Sylliboy
Gilles Larocque
Christine Mosher
Dan Christmas
Merrill Prime

Dan Paul
Roger Hunka
Lowell Meisner
Ken Byrt
Bruce Clarke
Don Clairmont
Bob Kells
Joe McNeil
Lonnie Murray

OBSERVERS: Heather Miller
Barry Mason

Colleen Keyes

1. INTRODUCTION

Bob Kells introduced Inspector Terry Elliott as the new Executive Director, Policing Services, Department of Justice.

2. MINUTES OF PREVIOUS MEETING

Approved as circulated.

3. UNAMA'KI TRIBAL POLICE FORCE UPDATE

Dan Christmas indicated that the five Cape Breton Chiefs had replaced the Advisory Committee as the negotiators to obtain an agreement for the tribal police force. The negotiations reached an impasse at the February 1993 meeting, with the size of the police force being the most contentious item (i.e. the Chiefs were proposing a complement of 19; the provincial and federal governments 15). Dan indicated that the Chiefs had met with Solicitor General Doug Lewis in Ottawa in March, but that little progress was made at that meeting. A positive feeling has emerged from informal discussions over the past two months and negotiations are scheduled to recommence on June 10 and 11.

Gilles Larocque indicated he was very pleased that negotiations were scheduled to recommence. This view was shared by Christine Mosher, chair of the provincial negotiating team.

4. NATIVE/CIVILIAN LIAISON OFFICER PROJECT

Inspector Meisner tabled the Progress Report for the period ending March 31, 1993. Lowell stated that although the emphasis during the first six weeks of the project has been on training for Darliea, she has already established liaison with a number of in-house committees and community organizations.

Don Clairmont tabled his report on the evaluation framework for the project. The major products/activities to be measured and evaluated will include the following:

- An Aboriginal Awareness/Sensitivity Training Program to be delivered within the Halifax Police Department
- A directory of native organizations to assist police officers in communicating with native referral agencies
- Establishment of an Advisory Liaison Committee, composed of police representatives and native people
- Evidence of greater awareness/sensitivity to native issues on the part of police officers, and on the native side, more satisfaction with and positive assessment of policing services.

Darliea provided an overview of her work to date, indicating that in consultation with Ron Knockwood of the R.C.M.P. and Gary Martin of Halifax Police Department, a training syllabus has been drafted. She also indicated that a directory of native organizations has been completed. She stated that she and Constable Martin had met with a group of women to discuss violence against women and that she has been invited to participate in a number of sensitivity training sessions.

Moved by Bruce Clarke, seconded by Dan Christmas that the Progress Report on the Civilian Native Community Police Worker Project for the period ending March 31, 1993 be accepted. Motion carried.

Committee members felt that more time was required to review the evaluation framework. A Review Committee was appointed to conduct a detailed review and report back to the subcommittee. Members of the Review Committee: Kit Waters, Romola Trebilcock (Solicitor General Canada), David Perrier, Terry Elliott, Lowell Meisner, Allan Clark and a representative from the Friendship Centre.

5. C.L.I.F. UPDATE

Dale Sylliboy tabled a report on the progress of the C.L.I.F. Project since its start-up in November 1992. Dale indicated there had been some confusion to date regarding the population served by C.L.I.F. and its role.

Dale advised that Department of Justice staff (Correctional Services and Victim Services) had agreed to provide training for C.L.I.F. staff and that P.L.E. had already provided some training. Aboriginal Justice Committees have been established in the three target areas with representatives from the justice system and the community. A Monitoring Board, chaired by Fred Honsberger (Department of Justice) has been established to oversee the C.L.I.F. Project. Professor Ray Carlson of the Maritime School of Social Work has been contracted to conduct an evaluation of the C.L.I.F. Project.

6. REPORT TO TRIPARTITE FORUM

Joe McNeil stated that recommendations to the Forum for funding must first be discussed at the Subcommittee level and availability of funds within the relevant provincial and federal departments confirmed.

It was agreed that an expenditure of \$68,600 be recommended for funding to the Forum for the second year of the Native Civilian Liaison Officer Project within the Halifax Police Department (1993/94).

An amount of \$75,500 had been approved for the Unama'ki Project for 1992/93. Dan Christmas indicated that some monies (estimated at \$25,000) would be required to support the work of UNSI while an agreement for the tribal police force is being negotiated. It was agreed that, although no additional specific recommendation for funding is to be presented at the June 9th meeting of the Forum, the Subcommittee would advise the Forum that additional funding may be requested by UNSI to support their participation in ongoing negotiations for the establishment of the Unama'ki Tribal Police Force.

Dan Paul indicated that the Mainland Bands were looking at the concept of establishing a tribal police force at some point. It was agreed that the Tripartite Forum should be advised that funds may be requested at some future date for a feasibility study for the establishment of a tribal police force on the mainland.

7. OTHER BUSINESS

Dan Christmas requested that the R.C.M.P. provide an update on their response to the recommendations of the Clairmont Report. Ken Byrt provided a summary of some of the activities recently undertaken:

- Establishment of a satellite office at Indian Brook
- Reallocation of one provincial position to Whycomomagh
- Assignment of Constable Ron Knockwood to Ken Byrt's office (to be involved in recruitment, training and community policing)
- Establishment of Aboriginal Advisory Committees
- Hiring of three new aboriginal members since September 1992
- Processing of 6 individuals for the Constable Development Program
- Processing of 3 female aboriginal members
- Placement of 28 students in the Summer Ride Along Program in cooperation with the various Bands

The Committee welcomed the progress that has been made the R.C.M.P. and suggested that Ken formalize the response to the Clairmont Report in writing.

Bruce Clarke inquired regarding the progress that had been made with respect to the formation of aboriginal advisory committees to the municipal police departments. Bob Kells indicated that the former Solicitor General had written to each police chief requesting that such committees be established. Terry Elliott stated that he would follow-up with the police chiefs to ascertain the progress that has been made.

The difficulty in recruiting native officers to serve on municipal police forces was discussed. It was noted that there is an important difference between the R.C.M.P. and municipal forces in that municipalities do not have the resources to sponsor recruits while they are being trained at the A.P.A.

Ken Byrt raised the issue of Tripartite funding for the R.C.M.P. sub-office at Indian Brook. It was noted that the Tripartite Forum could not fund the rental of the space because it is an ongoing operating cost. However, it was agreed that a Tripartite agreement (with funding on a 52%/48% basis) could be negotiated. It was agreed that Allan Clark would coordinate the negotiation of such an agreement.

It was brought to the committee's attention that Gilles Larocque would be returning to a position with the Department of Indian Affairs and Northern Development effective June 21. On behalf of the committee, Kit thanked Gilles for his contribution to the work of the committee in general and for his participation in the negotiations with the Unama'ki Tribal Police Force.

The committee also thanked Bob Kells for his participation - Bob will be assuming his duties as the Federal Policing Officer at "H" Division, R.C.M.P. on June 7.

**The Civilian Native Community Police Worker in the Halifax
Police Department: An Interim Evaluation Report**

Prepared for the Tripartite Subcommittee on Policing

Meeting on June 4, 1993

Don Clairmont

The Project and the Evaluation Task

Introduction

Comprehensive research on issues of policing and native people in Nova Scotia has recently been completed for the Tripartite Forum on Native Justice in Nova Scotia (Clairmont, 1992). With respect to the metropolitan area, especially Halifax city, the research pointed to a number of problems and challenges. It also indicated the existence of an important 'window of opportunity' to effect there an excellent police-aboriginal relationship and to develop programs that could be utilized by other departments; to that end it advanced the recommendation that the Halifax Police Department (HPD) submit a proposal for 'a native civilian member project'. The chief purposes of the project would be (a) to establish strong ties and multiple linkages between the police and various interests in the native community, (b) to assist internal HPD changes in areas such as sensitivity training, awareness of and response to new initiatives in the aboriginal community (e.g., self-government initiatives and others), and (c) to effect positive change in native perceptions of and attitudes towards the policing service and ensure that the service provides equality in all respects to the native person. In submitting such a proposal the Halifax Police Department accepted the challenge posed, seeing it as consistent with and an important supplement to the initiatives it had already developed with respect to race relations and to the recruitment and training of black and aboriginal police cadets.

The key circumstances which together accounted for the native community police worker project are:

- 1) the recommendation from the Tripartite Forum's research
- 2) the fact that the Halifax area has the largest concentration of native people in Nova Scotia according to the 1991 census (see below for details); this population is growing. It is diverse and has special needs and concerns as indicated by the Tripartite research.
- 3) the argument that the kinds of needs and concerns in the local native community can be best met through HPD's taking on a civilian native employee whose efforts can

be directed effectively by HPD. This thesis rests on the low level of native crime and of police-native contact, the potential seriousness of communication and awareness gaps, the widespread perception in the native community that the policing service is insensitive to native needs and demands, the need to have a strong native presence within HPD and finally the strategic argument that a civilian position can effectively be the vehicle for change and collaboration in the native-police relationship.

4) the commitment by HPD to community-based policing and the provision of an ethnoculturally sensitive policing service as specified in the departmental mission statement.

The general objectives of the native community police worker project as noted in the HPD proposal are:

- 1) to ensure that native people receive the same quality of policing service as other citizens and to ensure that there is full appreciation of native policing needs and options as the native population of Nova Scotia moves towards greater self-government.
- 2) to effect high levels of liaison and other linkage with the native community in all its diversity.
- 3) to improve police human resources' programming including sensitivity training, cultural awareness/knowledge and recruitment.
- 4) to effect an policing environment, internal and external to the police department, which native people can appreciate as fully responsive to them.

The specific plan to achieve these general objectives called for the following:

- 1) a civilian native employee working full-time out of the Human Resources Division for a three year period.
- 2) the person selected to meet standards set through the collaboration of HPD and native representatives (UNSI, NCNS and MFC)
- 3) a formal job description to be developed in advance of hiring process.

The civilian native community police worker project represents the first time that HPD has hired a civilian specifically to relate to a designated ethno-cultural community and to assist the department in effecting appropriate change, both internally and externally, as regards its relations with the area's growing aboriginal population. No such program exists elsewhere in Atlantic Canada though research (and recent constitutional agreement) has indicated pertinent problems and challenges exist and will increase in the future. Apparently too the project, focused on the off-reserve situation, would represent a first under the aegis of the Solicitor General, Canada. Since this project represents a 'first' in so many ways, (though the Edmonton Police Service has had a native civilian community worker for fourteen years), it is important to ensure that it is thoroughly evaluated. This is especially important given its collaborative (i.e., police-native community) character and the prospect that this program could become a model for other areas.

The thrust of the evaluation during the first phase will be as follows:

- 1) assess the project's goals and objectives, as well as perceived problems to which it is directed and the strategies to be employed; this would require information from within HPD and across the stakeholder groupings in the native community
- 2) establish measurable indicators for the project's goals and objectives
- 3) assess the training provided the native civilian in relation to the above and the accompanying job description
- 4) monitor the civilian performance through a time budget accounting and on the basis of measures developed through 1 and 2 above
- 5) determine the short-term assessments of the initiative, both internal to HPD (e.g., awareness, impact on policies) and in the native community (e.g., local leaders, university students, Friendship Centre students, band leaders especially at Indian Brook and Millbrook).
- 6) specify an evaluation framework for the multiyear project
- 7) in collaboration with HPD and the native community to determine, and then proceed with, appropriate research instruments and feedback policies

It is anticipated that in the first fiscal year of the project a significant amount of the civilian native's time will be spent on required start-up training and orientation as set out in the project proposal. It can be noted that a large and comprehensive study has just been completed of police-native relations in the area and that research provides valuable baseline information as to contact, attitudes and perceptions among a large sample of the metropolitan aboriginal population. In subsequent years of the project it will be important to obtain comparable information in order to determine certain types of possible change. Precise formulation of evaluation objectives for years two and three will be developed during year one.

Review of Issues on Natives and Policing

The literature on natives and policing has been largely one of describing and assessing specific programs or policing alternatives (see for example Social Policy Research Associates, 1983; Depew, 1986). Apparently few in-depth studies exist of programs such as various band constable systems; there is virtually total dependence upon key informant interviewing with almost nil community surveying and very little 'hard' data. More in-depth evaluative research is available on the RCMP '3B' program (see sources cited in Havemann, 1984; also God's Lake Review, 1986 and Head 1989). The academic literature is also scarce. Griffiths and Yerbury (1984) provide a useful overview of the natives and policing literature and add the very good observation that the great diversity of native communities is not taken into account in assessments of policing arrangements and options. There are several significant position papers on policing native people, most notably Indian Affairs' Task Force on Policing (1990) and the Head report (1989). Of course there have also been several public inquiries in recent years.

One of the main issues that has emerged from academic research concerns the simultaneous under and over policing of native people; that is natives are over-arrested for social disorder crimes because of visibility and high police-to-population ratio etc while significant under-reporting of serious violence among native people also exists. The

combination of the external police-court system and the internal community control system has usually been shown to deal poorly with social disorder problems in the native communities (see for a recent example Auger et al, 1991). Studies have generally shown that natives have much less favorable attitudes to police even when residential patterns and broad socio-economic differences are controlled for (see Skoog et al, 1980). Little contact has usually been reported between police and natives apart from policing incidents and generally researchers have found that the common images each have of the other are 'the drunks and the aliens' respectively (Depew, 1986, p.36). Consistent with this difference of perspective it has been reported that "most studies [up to the mid-80s at least] done for or by indigenous organizations approve of autonomous policing while those done by or for government agencies appear to prefer policing by special constables" (Harding, 1990 p.7).

A common policy advocated in recent years has been community-based policing and policing which emphasizes problem-solving more than reactive enforcement. This has been usually seen as especially appropriate in native communities partly for cultural reasons and partly because they still are meaningful communities (see Depew, 1986). Virtually all inquiries, commissions and reviews have emphasized that perspective and its associated policies. With the recent emphasis on native self-government these latter policies have been simultaneously reinforced and rendered ordinary rather than radical agenda items.

Perhaps the two most influential policy documents in recent years have been the Head report and DIAND's 1990 Indian Policing Policy. Head (1989) undertook a major assessment of native policing arrangements and issues for the RCMP. He emphasized that the RCMP had to adjust to native realities or else: "we will either adapt or we will be out of the policing business as we now know it" (p.52). He emphasized the need for communication and feedback and for native input on objectives, adding "community-based policing with local police advisory committees must be considered a necessity" (p.79). In the offreserve, observing that there was little native input and lots of stereotyping, he recommended special programs be developed in concert with friendship centres, summer student programs etc. Also he urged police flexibility with respect to possible diversion programs.

The 1990 federal Task Force Report, Indian Policing Policy, has indicated the federal government's position, basically that Indian communities must have a say in how they are policed, must be assured comparable quality and level of policing services as in the broader society and must be allowed to generate innovative models of policing that are appropriate to their circumstances; all this is presumably to be accomplished within the parameters of the Canadian justice system and without political interference in the delivery of policing services by band governance authorities.

The Law Reform Commission in its 1991 report on natives and justice reiterated most of the above points about accountability, community-based policing and autonomy (see recommendations 8(1) to 8(7) p98). The 1991 Alberta Task Force on the Criminal Justice System makes similar points while emphasizing too the preference among native people for a community-based policing style. This report calls for the RCMP to fully effect this style of policing, to have workstations on reserves that want them, to ensure that all officers, not just native ones, are involved in the native communities and to give attention to the enforcement of band by-laws. Recommendations also applicable to the offreserve include the adoption by police forces of protocols such as the Anunga Rule (mentioned as well in several inquiries) when questioning native suspects, more native recruitment into policing and more effective cross-cultural training. It was acknowledged that this "enhanced policing is costly but it's worth it" (Alberta, 1991, p2-61).

Commissions and Inquiries such as the Marshall Inquiry (1989), the Blood Inquiry (1991), the Manitoba Inquiry (1991) and the Osnaburgh-Windigo Report (1991) have usually been sharply critical of police bias and have stressed the need for more native collaboration in if not direction of policing. The Marshall Inquiry explicitly decried a two-tiered justice system in Nova Scotia and held that police racism was behind Marshall's wrongful prosecution. Over half of its 82 recommendations dealt with policing where themes bearing on sensitivity training, anti-racism and minority contact, recruitment and promotion were highlighted. These supplemented other specific recommendations for a greater presence of and sensitivity to native persons (and Blacks) throughout the justice system. The Blood

Inquiry reported limited positive contact and sharp differences in perceptions and perspectives between police and native people. It noted a lack of knowledge of protocol on the part of the police and like other inquiries (e.g., Head, 1989) reported the finding that RCMP performance evaluation criteria are focused too much upon crime control activities. The report emphasized that native people rejected the 'response to complaint' style of the RCMP and wanted a genuine community-based policing style which was said to be more consistent with tribal culture. The Osnaburgh-Windigo Report emphasized the need for innovative police response to the problems of family violence and alcohol abuse. It too talked of more community control and generally supported the direction of the 1990 Indian Policing Policy Review. The Manitoba Inquiry's report has recommended quite sweeping changes in native policing but these while presented with more force and urgency do not appear inconsistent with the general directions of 1990 Review. They call for greater and immediate aboriginal control of policing including a regional aboriginal police force and a province-wide aboriginal police commission.

With the recent self-governing thrust the policy emphasis has swung more to community input and control and this means more attention gets directed to the culture and structure of native communities. An example of this change in focus is the recent work of LaPrairie and her associates (1991) in collaboration with the James Bay Cree. Perhaps the greatest relevance of the extant literature on this score is with respect to the issue of favoritism. The 1990 Policing Review called for the independence of policing practice from band governing authorities and this concern about reconciling 'local' and 'unbiased' policing has been commonly raised in both the academic and the policy literature (Havermann, 1984; Depew, 1986; Blood Inquiry (1991), Osnaburgh-Windigo, (1991)). Head's research also indicated that RCMP commanders in the field were not supportive of native policing autonomy on these grounds (i.e., social pressure, conflicting interests, the limits of professionalism in a small village). The position of native persons is less clear though the few studies that have been done suggest that for the present at least there is widespread support for some continuing presence of provincial / state police as a backup at the minimum (Gibson Group, 1991). Still, despite the potential for concentration of power at the chief and

band level, this problem would certainly not be unique to native communities and strategies such as 'training, defined authority and suitable recruitment' will be crucial as Grant (1990) has suggested. In any event few commentators doubt the trend for autonomous native policing will reverse itself.

Recent literature has indeed focused more on issues that arise as native people or native societies assume greater participation and control in the policing of their communities. While self-government and the 'native perspective' are the larger programmatics, the major advantages of such a situation in the eyes of native policing leaders (Silverman and Nielsen, 1992) are defined as more effective role models ("seeing Indians in uniform builds respect for the law among the young and proves natives can prosper in mainstream society"), more effective policing ("native officers can defuse explosive situations involving individuals who may not trust a non-native officer") and more sympathetic policing ("the band police tend to be more flexible in their approach and are more likely to give a guy a break").

A major issue focuses on the extent to which a different policing style, one informed by native traditions and 'communitarianism' (see LaPrairie, 1992) can be developed and autonomously sustained in native societies. While most researchers emphasize the compatibility of current native social problems and expectations of policing, as well as 'traditional responses', with the community-based policing perspective pervasive now in policing circles, they often suggest that in native societies there is much erosion of community and limited requisite community resources (eg, Brodeur, 1991; Depew, 1992). Clearly a lot of community development is deemed to be required (LaPrairie, 1992). In that regard it is interesting to note that most studies have reported a high police to population ratio on the reserves, something that Hyde and others (Hyde, 1992) contend results in overpolicing and putting resources into policing that might better be spent on other services. In the offreserve situation the focus has remained more one of communication and collaboration purveyed through sensitivity training, recruitment policies and liaison networks.

Policy Responses

The major federal government response to the issues discussed above, as indicated in a variety of reports, position papers and documents, has been to emphasize the policy of providing a policing system for native people that yields equitable service, is attuned to their needs and demands and is built upon collaboration and communication in what might be termed 'agenda setting and policing prioritization'. Whether this is to be achieved via support for a parallel and largely separate policing service or through adequate incorporation of these imperatives within existing policing structures will presumably be a function of several factors such as the size of the native community, the linkages among first nations, whether on or off reserve and so forth. There appears to be an openness to heeding native wishes and preferences on this matter of option, at least in the case of native reserve communities. This federal response has been evident in two major areas, namely moving responsibility for policing from the Department of Indian Affairs to the Solicitor General, and the adoption by the RCMP of the policy of disinterestedness as to which option is selected while nevertheless being committed to an enhanced policing service for native people along the lines of the imperatives noted above. In province after province tripartite forums have been established for the federal government to negotiate with their provincial government counterparts and leaders of native organizations the specifics of change.

At the level of specific policing jurisdictions there have been across Canada a number of initiatives relevant to this Halifax PD project whether by municipal police departments or RCMP detachments. The Edmonton Police Service fourteen years ago hired a native person "to act as a civilian community service officer" and liaise with a diversified native community within and beyond the city of Edmonton. That person, who has continued on in the position, noted that he found it necessary over the years to develop his knowledge of policing and of law as well as his skills in public speaking (Edmonton Journal, February 24, 1990). The Calgary Police Service established an aboriginal liaison portfolio in 1979 and since then has folded it into a larger multicultural liaison unit which has eight police officers. The Metropolitan Toronto Police Force has an Intercultural unit similar to that of Calgary Police where officers specialize in proactive police work with specific ethnocultural communities; in 1992 there were at least two aboriginal officers (both of sergeant rank)

serving the metropolitan native population in this way. The Vancouver Police Department began its storefront project in 1991 in conjunction with the Native Liaison Society. Two non-native officers comprising the departmental Native Liaison Unit are police representatives on the board of the Native Liaison Society and work with native civilians, paid and volunteer, in the storefront operation; the officers have general police responsibilities in the storefront area in addition to their responsibilities regarding native liaison.

Little information is available on the above (and other) policing initiatives though the Aboriginal Policing Directorate, Solicitor General Canada, has recently published a series of seven reports, inventories of programs in the areas of aboriginal police officer development, aboriginal cultural awareness, increasing access to policing services, police-community communication and liaison, youth, substance abuse, and meeting the needs of victims and offenders (Aboriginal Policing Series, 1992). For the most part the available material deals with initiatives advanced by various RCMP detachments and even there the information is scanty and the evaluations scarce. Clearly there is increasing concern with the quality of the policing service provided to native people. Overall there have been three chief areas of focus, namely recruitment (via employment equity and summer employment initiatives such as that offered for example by the Edmonton Police Service and the RCMP generally), cultural sensitivity training (via regional conferences and local detachment workshops by the RCMP or for example Vancouver PD's intercultural training program), and communication/liaison (via storefront projects, the formation of advisory groups and other outreach programs). The lack of available evaluation studies limits any assessment of these initiatives nor is it usually clear precisely what was implemented. Evaluations of cultural awareness programs, where noted, were usually limited to a simple post-training questionnaire and most such training programs were 'one-shot affairs'; for example the Vancouver PD intercultural training was given to all departmental members and then the program was terminated. Personal testimonies as well as occasional community awards indicated that some of these initiatives may have been quite successful but there are also reports (equally limited in substance) which suggest problems in visibility as regards the local native community and of marginalization vis-a-vis the everyday policing operation.

In Nova Scotia the Marshall Inquiry can be regarded as a watershed in police-native relations (Commissioners' Report, 1989). The bulk of the Marshall Inquiry's recommendations dealt with policing issues. The thrust of the Royal Commission was clearly to enhance the quality of policing for native people within the existing policing structures. There was no mention of a separate native policing service; rather the focus was on the three areas cited in the previous paragraph namely recruitment, cultural awareness and sensitivity (including anti-racism) and communication / liaison. Following in the wake of the Marshall Commission was the 1991 Atlantic Aboriginal Policing Conference, a tripartite collaboration of the RCMP, the Atlantic Canada Chiefs of Police and leaders and spokespersons in the Atlantic aboriginal community. Review of the conference proceedings (Proceedings, 1992), especially its recommendations, indicates the primary emphasis was on more cultural awareness and sensitivity, and greater collaboration and communication. Recruitment issues were also noted as was the concern of reaching middle management and NCOs in policing because of their centrality in shaping the character of everyday police work / service.

Policy responses in Nova Scotia represent a 'mixed bag' in relation to the imperatives advanced by the Marshall Inquiry and the Atlantic Aboriginal Conference. The RCMP has established an aboriginal advisory committee which links 'H' Division's commanding officer and the Aboriginal Policing Unit's leadership with a few native leaders and monitors the progress of cultural training programs, recruitment programs and other aspects of aboriginal access to policing services (e.g., community offices, advisory boards). There is evidence of modest change supplemented by more far-reaching long-range plans. The RCMP leadership in Nova Scotia also has reiterated its commitment to the federal policy of disinterestedness with respect to a separate tribal police force and has indicated a willingness to support whatever option the native community selects. At the municipal level the developments thus far have generally been modest indeed with respect to recruitment (there are no aboriginal municipal police officers), Liaison (e.g., advisory boards) or cultural awareness and sensitivity. However with the post-Marshall reorganization of the provincial policing services has come a multicultural awareness course being offered throughout the province, provincial standards for dealing with slurs and stereotypes, a province-wide policy for recruitment and

perhaps most importantly a two-person auditing team that could monitor progress on the various recommendations advanced by the Marshall Inquiry and the Aboriginal Policing Conference and accepted by government. Under the auspices of the Tripartite Forum on Native Justice a number of policing-relevant initiatives have been advanced which realize and in some ways go beyond the Marshall Inquiry's recommendations. These include the tribal police force system for the first nations in Cape Breton, the CLIF program aimed at communication and liaison between police and offreserve native persons and of course the project dealt with in this evaluation, the civilian native community police worker in the Halifax Police Department.

Policing and Native Persons: Metropolitan Halifax

Recently completed research for the Tripartite Forum (Clairmont, 1992) has established that the Mi'kmaq population in the Halifax metropolitan area has increased considerably over the past decade if one uses census figures for ethnocultural self-identity. The metropolitan Halifax area has been a magnet for native artisans, professionals and intellectuals, students etc just as it has been for non-native equivalents. However the effect of changing census' official recording procedures has been to uncover a very large number of persons with some aboriginal kinship relationship. But it remains unclear precisely how the increasing numbers will impact on the demand for native-based or native-oriented policing services especially as in the census data there appears to be insignificant differences overall between native and non-native socio-economic status (e.g., income, education, level of employment) and as the metropolitan Halifax native population is much more 'multiple origin' than 'single origin' aboriginal in self-designation. As noted in the 1992 report, "the metro Halifax area appears to have emerged as a major centre for native activity. Its aboriginal grouping as a whole appears to be similar in socio-economic and socio-demographic characteristics to the general metro Halifax population". Data comparing 'single' origin and 'multiple origin' native persons in the area remain to be examined.

Previous research has also found that the incident of native crime and court problems

(e.g., probation, provincial incarceration, use of Legal Aid services) is quite modest in the metropolitan Halifax area. Police officers, court and corrections officials and native knowledgeable all reported very little criminal justice problems among native persons in the metropolitan area. At the same time in the 1991 survey metro Halifax native persons, [disproportionately 'single origin North American Indian in self-identity, university students and trainees from the reserves], were much more likely than the non-metro offreserve respondents to report victimization fears and worries and neighbourhood social problems; both groupings though reported high levels of concern about the lack of recognition of native rights, prejudice and employment opportunities, The metro Halifax native subsample reported levels of fear, worry, local social problems and victimization that were comparable to though slightly greater than those found among the general Halifax population but it is unclear how much that difference is accounted for simply by sample characteristics (i.e, different age and sex structures).

Metro Halifax offreserve respondents in the 1991 survey reported comparatively high levels of contact with police on policing business within the previous two years (i.e., almost 70%). They were, overall, rather critical of the policing services available to them and perceived the police to be prejudiced against native people. In these respects they were dramatically different from respondents in the offreserve subsample outside the metropolitan Halifax area. Clearly the differences between the metro and non-metro offreserve native subsamples reflect differences in age, level of education, experience of living on reserve, and preference for reserve living. Respondents having these latter characteristics were more critical of the policing service and, as noted, respondents such as these were more common in the Halifax area subsample. Interestingly it was also found that real and sensed vulnerability -actual victimization or the fear of it- was an important factor in the more negative assessments of the metro offreserve respondents. In comparison with adults respondents from non-native households in the Halifax area, it was found that the metro offreserve respondents invariably and often by considerable margin reported less satisfaction and more negative assessments as regards evaluation of their police contact, assessment of police performance on the standard policing functions and assessments of police-community

relationships. More analyses are required to determine the degree to which such differences at the aggregate level are simply masking the effects of age, education and socio-economic status differentials.

Offreserve metro Halifax dwellers were often critical of the style of policing they received, one which in their view emphasized arrests and was not as helpful as desired in instances of family violence. Virtually 90% of the respondents perceived police-native communication as poor. They wanted a policing service that got more to the roots of problems, one where there was more collaboration and engagement with native persons. Perhaps because so many of the 1991 survey's metro Halifax subsample were 'temporary' metro residents and were oriented to their reserve native community, this grouping was more likely than offreserve persons outside the metropolitan area to express support for indigenization (i.e., more native officers) and for initiatives effecting more native control of policing.

Turning to leaders' viewpoints, offreserve local leaders were generally positive about the policing service available to native people but they were more guarded in their views in the metro Halifax area and clearly more critical in the Central region of Nova Scotia. In the former area several local leaders compared HPD favorably with other Nova Scotian police forces and generally the relationship between police and the native community, as succinctly stated by one local native leader, might be described as "almost good but also brittle"; brittle was considered in the sense that a single negative incident could have a major impact on police-native relationships. Linkages between the police and the native community were indicated to be fairly weakly developed. Local metro native leaders, like their counterparts elsewhere in the province, advanced demands for more indigenization, public education and liaison, demands that likely to increase as native self-government initiatives are increasingly launched throughout Nova Scotia.

It was also reported that in the 1992 report that in the metro Halifax area "at present there are no native officers nor any native liaison committee nor have rank-and-file officers

There have been a number of significant recent developments in the metro Halifax area that bear on the native-police relationship. The Shubenacadie Band at Indian Brook has begun its diversion program for band members, Clearly the large number of band members attending university and working in the Halifax area as well as the heavy Indian Brook-Halifax 'traffic' for recreation and so forth make it imperative for Halifax police to be aware of the diversion program and establish closer linkages with native organizations. The Tripartite Forum has also funded two programs which in part aim at closer linkages with police namely the Community Justice Worker Project administered through the MicMac Friendship Centre and the CLIF Demonstration Project administered through the Native Council of Nova Scotia. Other pertinent programs are presumably on the verge of implementation including the Mi'kmaq Legal Services Project (i.e., courtworkers and justice workers) and the Unama'ki Tribal Police Service in Cape Breton (officers of the tribal police will have provincial police officer status).

The window of opportunity represented by developments in the Halifax Police Department also has been enlarged. Virtually all police management including NCOs and roughly half the entire police complement have now taken the multi-day provincially-sponsored training in multiculturalism (including roughly a day specifically on aboriginal issues). The department has also been exposed to courses at the Canadian Police College dealing with First Nations and Multicultural awareness respectively. Moreover HPD's chief has accepted an appointment as chairperson of the multicultural / race relations subcommittee for the Canadian Association of Chiefs of Police. The HPD cadet recruitment program has been successfully implemented though no aboriginal person is among the group of trainees. A summer youth employment program has been continued and several native youths have been selected to date.

Evaluation Framework

In this first phase of the Civilian Native Community Police Worker Project emphasis has been on literature review (especially review of the policy literature), perusal of relevant

documents and reports (e.g, HPD's Job Fact Sheets, reports of the MFC's Community Justice Worker) and interviews of key persons at HPD and in the local native community. A list of the persons contacted and materials examined is given in the appendix to this report.

Goals and Objectives

The goals and objectives of the project have been noted above. One part of the evaluation in phase one has been to assess these objectives basically by determining what agreement exists about them and how they are translated into products and activities that can be 'measured' and evaluated. There seems to be agreement among all concerned that the products and activities would be chiefly, and at least, the following:

- 1) an aboriginal awareness / sensitivity training module(s) that would be tested through delivery at HPD and which subsequently might be utilized by other police organizations in Nova Scotia.
- 2) a directory, manual or concise file of native organizations (e.g., functions, contact people) and other useful information (perhaps a bibliography of books and reports) which could be utilized by HPD officers for greater cultural awareness, in communicating with native referral agencies and for providing a better police service to native persons.
- 3) the establishment of an advisory liaison committee composed of police representatives and native people which could among other things consider issues such as recruitment and discuss matters such as how HPD programs might be brought to the native community (e.g., which programs would be most useful, what adjustments might be required in them) and the kinds of input the native community might bring to HPD (e.g., marking treaty day).
- 4) some indication of a greater awareness of and sensitivity to native issues and concerns on the part of HPD officers, especially those in certain key roles (see below) and, on the native side, more satisfaction with and positive assessment of the policing effort, especially again on the part of those in key roles as defined below.

While the above four items appear to be the chief 'products' expected of this project it is also clear that people in both the policing and the native communities expect some recruitment of aboriginal people into both police and civilian roles within HPD.

All these 'products' can be measured and form a solid basis for evaluation.

The Civilian Native Worker Role

Another important aspect of the evaluation in phase one has been to assess through clarification and the development of precise operationalizations the role responsibilities of the civilian native worker. In September 1992, well in advance of the hiring process, a job fact sheet was prepared in HPD's Human Resources for the new role (see appendix). Discussions were recently undertaken with Human Resources personnel (the unit to which the native civilian role is attached), and the civilian native worker simultaneously, to determine the specifics of the role responsibilities. The responsibilities include liaising with native organizations on a regular basis, promotion of awareness of native culture and issues internally at HPD, participating in the development of sensitivity programs at HPD, assisting in Human Resources' functions such as recruitment, training etc, maintaining an up-to-date directory of organizations and agencies that impact on the native community and policing services and enhancing the police-native community relationship through the above means and where possible by identifying barriers and strategies to transcend the barriers.

Fleshing out these responsibilities it was observed that liaison would have several dimensions, chiefly attending meetings periodically at organizations such as MFC, CLIF, Native Council zone meetings and the Native Learning Centre, attending relevant City and HPD meetings, and participating in outreach activities to bring departmental programs to the attention of native persons. Because of the salience for HPD policing of the Indian Brook community it was thought too that some contact should be developed with the Shubenacadie Band. Liaison is of course a two-way street and accordingly it was considered important for civilian native worker to consider introducing certain native programs and activities to the department as well. Within HPD it would be expected that the civilian native worker become

involved in a minor and supportive way with certain proactive activities already being undertaken by officers (e.g., school liaison) and in other special projects. The role responsibilities appear overall to be a good fit to the major goals and objectives of this project as detailed above.

HPD Structure and Operation

An important aspect of the evaluation strategy in phase one has been to examine the structure and operation of HPD to explore potential linkages for the new role of civilian native worker and to answer the question, 'If there is to be an impact internally where should one look for it and should it be measured?'. What are the key role and functional areas to focus upon? One key unit is of course Human Resources. This is the unit to which the civilian native worker is attached and this is the unit that deals specifically with recruitment, in-service training, certain community liaison etc. In the first phase officers in that unit were interviewed at length about the role and their views and assessments will be monitored throughout the project.

Another key focus area in HPD is the community relations and crime prevention coordinator / zone race relations officer in each of the three zones into which HPD divides its general patrol function. This particular role's responsibilities as specified in a HPD Job Fact Sheet dated March 14, 1992 includes "responsible for liaison with minority groups" and "supervise and educate the First Nations, Minority and Police Youth Workers". These three officers have had significant experience in aboriginal and minority affairs through formal courses and various conferences / special activities. They constitute both a key resource for the civilian native worker and a major depository for the achievements wrought over the next few years. It will also be important to do followup interviews with the Bravo zone inspector since this officer meets regularly for coordination purposes with the three specified constables. Thirdly there are the community constables or village constables operating out of the Charlie Zone storefront. Their responsibilities according to a March 14 Job Fact Sheet include "recruitment of visible minorities and aboriginals" and "to seek out

and identify community problems and develop solutions to those problems". These constables have regular if modest contact with staff and students at the MicMac Friendship Centre located just down the street from the storefront police office and they too could be considered both a resource and a depository vis-a-vis the civilian native worker project. The community constables and the race relations zone coordinators were interviewed in the first phase and their views and assessments will be monitored throughout the project. Finally there are other specific roles at HPD which appear particularly salient to focus upon from the perspective of the goals and objectives of this project, namely officers doing school liaison at the Halifax universities (where there is a significant native presence) and those involved in specific programs such as sexual assault and wife battering accomplished (recall the high levels of victimization reported by metro native persons in the 1991 survey).

It is also desirable when examining / evaluating internal HPD change to identify the key functional areas salient for this civilian native worker project. These appear to be proactive police work of the sort specified above, recruitment and training, voluntary linkages (i.e., HPD has in each zone an advisory committee and a support or auxiliary team), bookings (see below) and possibly interrogation. Taken together these represent the functional areas where one could anticipate a significant contribution of the civilian native worker project.

In sum then a key evaluation strategy for subsequent phases of this project will be to conduct interviews and monitor views and assessments of the key police roles and functional areas identified above. In addition there may be a small sample of officers, no more than 25 in total, drawn from the staffing lists that would be interviewed in the summer of 1993 and each summer thereafter. An alternative strategy being considered would be to focus on a few squads; the advantage of the latter tactic is that it would facilitate a more interactive evaluation effort with group presentations and discussions. It can scarcely be expected that the civilian native worker would have directly (as opposed to indirectly through sensitivity lesson plans and outreach) a major impact on the rank and file officer. Indeed if this is anticipated implementation strategies will have to be developed such as the civilian native

worker's focusing on possibly Charlie zone squads (where there is already more police-native interaction) and attending zone and squad meetings.

The Local Native Community

Within the local area there are several important organizations and roles that are significant from the perspective of this project. The CLIF Demonstration Project includes in its stated mandate "to consult with the police in the zone and identify policing concerns". Tawaak Housing has well over one hundred units of housing for native persons in the area, many of whom are young adults who could be well-served by a more native-oriented policing effort, whether via employment opportunities or in relation to victimization. On the basis of the 1991 survey described earlier it is clearly important for HPD to relate more effectively to native university students through their informal association as well as through the Transition Year Program and the Native Learning Centre at Dalhousie. Other possible organizational linkages could include the Native Council's zone committees and the local committee of the Native Women's Association of Nova Scotia.

The MicMac Friendship Centre has several important roles which provide sources for evaluation of the impact of the project in the native community. Indeed currently it is these MFC-based roles which have the most dealings with HPD. The key roles, in addition to the director, include a Native Justice Worker (who has an advisory committee that could but does not at present include a police representative), a crisis intervention officer and an employment officer. The reports of the Justice Worker indicate that there have been some complaints by native persons concerning their treatment by the police; she has also reported a modest level of offenses among native persons in the area, apparently no more than fifty criminal offences over the last eighteen month period. The MFC staff has identified bookings and interrogation as two areas of frequent native-police contact and potential conflict and complaint. The bookings 'problems' concern having access to a person in the HPD cells and, more frequently, initiatives by the police to facilitate a person's release from the cells. The interrogation 'problems' concern conventional issues (do I have to talk etc?) and, rarely,

language facility.

As in the case of HPD sources noted above the evaluation strategy would be to do followup interviews with these key role players in the native community and monitor their views and assessments over time. It may well be desirable, as in the case of HPD, to also monitor over time a small sample, no more than 25, of native persons drawn from Tawaak Housing and Native Council lists. It may be noted that the metropolitan native population effectively reached by these evaluation strategies will be especially the self-identified single origin native person with close ties to the bands. In light of the potential relevance of the civilian native project for Indian Brook residents it would be useful to interview key persons there such as the chief, band manager and the diversion officer.

Initial Project Phase

The initial phase of civilian native community worker has followed the specific plan outlined in the introduction to this report. There was a job description developed prior to the hiring process and it represented a collaborative effort between HPD officials and leaders of the participating native organizations. The position was advertised extensively in newspapers in and outside metropolitan Halifax; advertising materials were sent to all bands and the participating native organizations and a poster was put up at Indian Brook. Thirty applications were received and a committee consisting of an Human Resources sergeant and the executive directors of UNSI and NCNS winnowed the list down to four and then collectively interviewed the four candidates; the four candidates were from Indian Brook, Millbrook and the Annapolis Valley. The person finally selected was a consensus choice and she was hired as of February 15, 1993. A strong, forceful woman and a self-starter who lives on reserve, she had a background of leadership with the Micmac Friendship Center, the Native Council of Nova Scotia and the Nova Scotia Native Women Association.

In the short time since assuming the position the civilian native community police worker has been largely in training, taking courses such as the Canadian Police College's

program (a two week multicultural training course which is regarded well by disinterested observers), the Nova Scotian provincial three day course on the same theme, other more specific and shorter programs (see the schedule of activities in the appendix) and spending time with each of the three zone race relations coordinators. One of her supervisors, commenting on the training, apparently told her she was to receive "all we can teach you about the subculture". Observers in the policing, government and native circles have generally acknowledged the value of such training if the native civilian is going to avoid marginalization within HPD and be able to relate to the officers. Moreover it is highly useful training given that the number one priority of her job is apparently to develop lesson plans for a training module dealing with aboriginal culture, social organization and current issues and concerns. At the same time there has been some engagement already with respect to the major goals and objectives of the project in that some preliminary work has been done on the training module with an HPD officer and an RCMP aboriginal unit officer, liaison activity has taken place (see schedule of activities) and an outreach program has been implemented for a small group of native women.

The reaction thus far to the civilian native worker appears to be positive among key persons in HPD and in the native community. All HPD officers interviewed thus far (see appendix) have welcomed the appointment and a similar positive response has been found among all native leaders interviewed. In the native community the enthusiasm has been as much for employment prospects as it has been for policing concerns per se. One MFC staff member explained her enthusiasm as follows: "we have a lot of native persons coming to us interested in policing as a profession. This will open up more doors" (North End News, March 5, 1993). The civilian native worker has commented that within the first two months she has already had a handful of native persons contacting her about non-police employment at HPD. Along with the positive reaction has come some expression of concern, or better, some suggestions. Several HPD officers, and other respondents too, have stressed the value of getting involved with the everyday policing operations (e.g., getting out of the building and onto the street, exhibiting solidarity with field officers by 'working the cycle' etc) if there is to be much internal impact. Another informed observer stressed that if the worker

was to be persuasive at HPD "she would have to know her stuff regarding the native community so that police could judge her informed and valuable". Practical suggestions included having the civilian native community worker attend the monthly meetings of the three race relations coordinators held by the Bravo Zone inspector, developing a regular schedule for contacting native organizations and an open-ended form to guide regular sessions with key contacts, and meeting with native university students regularly.

Looking Ahead

The task of evaluation over the next two years will be to assess the extent to which the project's goals and objectives, as operationalized above, have been effected and the factors that have facilitated or hindered that attainment. In evaluating the cultural awareness / sensitivity training module it will be important to ask what aspects of aboriginal culture, social organization and current issues are to be emphasized, how is the training to be delivered and how it, in trial form, was received.

Liaison, outreach and better police-native relations can be evaluated on all three dimensions or levels of 'the organizational' (i.e., structures and activities), 'the behavioural' (e.g., complaints, applications etc) and subjective assessments.

Throughout the project there would be a time budget monitoring of the civilian native community worker role. Unless one knows what has been implemented evaluation is basically a useless exercise. There will be interviewing and monitoring of key role players and functional areas in HPD as these have been identified above. Similarly the equivalents in the local native community will be studied. In all these cases the evaluation would explore persons' views of project, areas of perceived change and look for evidence of change at the organizational, behavioural and subjective levels. The information would be fed back if possible to the project team in such a way as to maintain the confidentiality and anonymity of sources. In addition there would be small samples drawn generally from HPD and the native community as specified above in order to gauge if there has been any larger impact. As noted earlier these particular evaluation strategies -the samples- are still being assessed.

APPENDIX

Contacts

Schedule

CONTACTS: FIRST PHASE EVALUATION

PERSONS

Romola Trebilcock, Aboriginal Policing Directorate, Solicitor General Canada, Ottawa (two meetings, both in Ottawa)

Al Swim, Policing Services, Nova Scotia

Kit Waters, Policing Services, Nova Scotia

V. MacDonald, Chief, Halifax Police Department

L. Meisner, Inspector, Human Resources, Halifax Police Department (seven times)

F. Beazley, Sergeant, Human Resources, Halifax Police Department (six times)

M. Burns, Sergeant, Human Resources, Halifax Police Department (four times)

D. Dorey, Civilian Native Community Worker, Halifax Police Department (four times)

G. Martin, Constable, Race Relations Coordinator, Alpha Zone, Halifax Police Department

A. Boudreau, Inspector, Bravo Zone, Halifax Police Department

D. Rent, Constable, Race Relations Coordinator, Bravo Zone, Halifax Police Department

G. Legge, Inspector, Charlie Zone, Halifax Police Department

D. Lysens, Constable, Race Relations Coordinator, Charlie Zone, Halifax Police Department

D. Christmas, Executive Director, Union of Nova Scotia Indians (several times)

R. Hunka, Executive Director, Native Council of Nova Scotia

C. Hagan-Deschamps, Tenant Relations Officer, Tawaak Housing Association (a meeting with the tenants association group itself is scheduled for June 5)

R. Knockwood, Constable, Aboriginal Unit, R.C.M.P.

J. Nibby, Diversion Officer, Shubenacadie Band at Indian Brook (several times)

D. Sylliboy, Director, CLIF Demonstration Project, Native Council of Nova Scotia (twice)

G. King, Director, MicMac Friendship Center

M. Francis, Crisis Intervention Worker, MicMac Friendship Center

G. Christmas, Native Justice Worker, MicMac Friendship Center

In addition to the above I have discussed the project with two members of the local metropolitan native community and am trying to meet with a variety of other key contact persons such as Christine Metallic, Job Placement and Training Officer, Micmac Friendship Center and leaders of the MicMac Learning Center, Dalhousie University.

OTHER SOURCES

Reports of the Native Justice Worker, MicMac Friendship Center (these reports refer to the justice worker's activities, assessments and caseload over the past two years).

CLIF Demonstration Project (this report refers to the activities of this Halifax-based demonstration project funded by the Tripartite Forum on Native Justice in Nova Scotia and administered by the Native Council of Nova Scotia).

Native Justice in Nova Scotia, Don Clairmont (these reports refer to research completed on behalf of the Tripartite Forum).

Centre for Police-Race Relations, Ottawa (these reports refer to articles and other information on police-race relations in Canada).

Vancouver Police and Native Liaison Society's Storefront Project (I have arranged for interviews of the native civilians, two full-time and several volunteers, and the two non-native VPD officers who collaborate in maintaining a storefront operation serving native persons in downtown Vancouver; the interviewing is still on-going).

SCHEDULE

Civilian Native Community Police Worker

February 15-19, 1993	Orientation, Halifax Police Department
February 16, 1993	Meeting - Native Council of Nova Scotia Zone, Digby
February 18, 1993	Meeting - Native Council of Nova Scotia, Truro
February 23, 1993	Meeting - Micmac Friendship Centre, Halifax
March 9-11, 1993	Cross Cultural Training, Lord Nelson, Halifax
March 9, 1993	Mayor Advisory Committee on Community & Race Relations
March 14-26, 1993	Police College, Ottawa
March 27, 1993	Meeting - Native Council of Nova Scotia Board of Directors
March 30, 1993	Meeting - Micmac Friendship Centre, Halifax
March 30 - April 8, 1993	Charlie Zone
April 8, 1993	Meeting - HPD Race Relation
April 13, 1993	Meeting - Don Clairmont
April 13 - 23, 1993	Alpha Zone
April 20, 1993	Mayor Race Relation Committee Meeting
April 21, 1993	HPD Race Relations Meeting
April 27 - 30, 1993	Brava Zone

(1) MAJOR RESPONSIBILITIES

Proactive: Referral, Public Consultation/Education

Coordinate and assist the Department's efforts in establishing strong ties and multiple linkages between the police and various interests in the native community and to assist internal departmental changes in areas such as sensitivity training, awareness of and response to new initiatives in the native community. To assist in creating effective positive change in native perceptions of the policing service and ensure that the service provides equality in all respects to the native person.

REPRESENTATIVE DUTIES:

- Develop and present sensitivity programs to educate the police on native culture and issues.
- Responsible to liaise with the native community.
- Maintain an up to date directory of social and government agencies that impact on the native community and policing services.
- Participate in various native community organizations.
- Enhance the image of the Halifax Police Department in the native community.
- Identify barriers to effective native/police relations and develop strategies and make recommendations to remove these barriers.
- Assist in the recruitment of natives to the policing profession.
- Liaise with native community agencies and other police departments to maintain an information network.

JOB ENVIRONMENT

- Many duties are performed in an office atmosphere on-site at the Halifax Police Department.
- Some duties will be performed out of the office atmosphere in presence of the public.

TRIPARTITE FORUM
SUBCOMMITTEE ON POLICING
REPORT FOR 1992/93

June 9, 1993

TRIPARTITE SUBCOMMITTEE ON POLICING

REPORT FOR 1992/93

The mandate of the Tripartite Subcommittee on Policing is to examine policing issues of mutual concern to the federal and provincial governments and the Mi'kmaq and recommend project or policy initiatives to improve policing services in Nova Scotia. Membership of the committee includes representatives from a number of provincial and federal government departments, police agencies, the Union of Nova Scotia Indians, Native Council of Nova Scotia and Confederacy of Mainland Micmacs. During 1992/93 the subcommittee met on four occasions; April 28, July 13, August 26 and February 10.

One project, the Unama'ki Tribal Police Force, was continued from the previous year, two new projects were approved; i.e. the Native Community Liaison Officer in the Halifax Police Department and the Community Legal Issues Facilitator Project. The Clairmont Report was completed and widely distributed throughout Canada.

Unama'ki Tribal Police Force

An operational plan for the Tribal Police Force, funded by the Tripartite Forum and prepared by Emerson Kaiser was submitted to the Unama'ki Advisory Committee, chaired by Chief Noel Doucette, in June 1992. Negotiations for a Tripartite agreement to establish the Force commenced in September 1992 with two additional formal negotiation sessions taking place in November 1992 and February 1993. Unfortunately, the talks reached an impasse at the February session as the parties could not agree to the number of police officers which would constitute the Force. Informal discussions since then have created an atmosphere of optimism and a further negotiation session is scheduled for June 10/11.

During 1992/93, the Forum approved total funding of \$75,500 for this project.

Clairmont Report

The three volume report "Native Justice In Nova Scotia" was submitted to the Tripartite Forum in September 1992. The recommendations of the report with respect to policing (attached) were comprehensive. Professor Clairmont identified the need for greater emphasis on community-based policing; recruitment of more native police officers; cultural sensitivity programs; satellite offices on reserves; and the establishment of police - native advisory committees.

The Forum approved an expenditure of \$3,000 for the preparation of a Highlights document by Professor Clairmont and \$7,000 for the publication and distribution of the report.

Native Civilian Liaison Officer Position

The Clairmont Report recommended that municipal police departments hire native civilian liaison workers to promote the recruitment of native officers and assist in building partnerships between the police and the native community. A proposal for such a project was submitted by the Halifax Police Department to the Subcommittee on Policing and approved by the Tripartite Forum in September 1992. The objectives of the project are as follows:

- To ensure that native people receive the same quality of policing service as other citizens and to ensure that there is full appreciation of native policing needs and options as the native population of Nova Scotia moves toward greater self-government.
- To effect high levels of liaison and other linkage with the native community in all its diversity.
- To improve police human resources programming including sensitivity training, cultural awareness/knowledge and recruitment.
- To effect a policing environment, internal and external to the police department, which native people can appreciate as fully responsive to them.

Dan Christmas (UNSI) and Roger Hunka (Native Council) provided assistance to the Halifax Police Department in drafting the job specification for the liaison officer position and participating in the interview panel. Thirty applications were received, four individuals were interviewed with Darliea Dorey as the successful candidate. Ms. Dorey commenced employment on February 15, 1993. Even within the short period of her employment, Ms. Dorey has observed that aboriginal people are approaching the Halifax Police Department with a greater degree of comfort. The reaction of the police officers has also been positive.

Professor Don Clairmont has been contracted to conduct an ongoing evaluation of the project. Funding of the project in the amount of \$48,100 for 1992/93 was approved by the Tripartite Forum in September 1992, adjusted to \$36,022.92 due to the delay in start-up.

Community Legal Issues Facilitator Project

Staffing of the CLIF project, approved by the Tripartite Forum in September 1992, commenced in November, with facilitators hired for the Halifax metro area, Bridgewater and Sydney. Representatives of the Tripartite Subcommittee on Policing participate in the Monitoring Board which oversees the project.

R.C.M.P. Sub-office - Indian Brook

The Clairmont Report recommended that satellite offices be established by the R.C.M.P. on reserves to promote more effective liaison between the Force and the Native community and to improve police response to incidents occurring on reserves. An R.C.M.P. sub-office in Indian Brook was officially opened in January 1993.

Amendments to Police Act

Proposed amendments to the Nova Scotia Police Act were presented to the Subcommittee on Policing for discussion. Among other elements, the legislation provides for the establishment of native police forces. With significant input from the Subcommittee, further amendments were made to the Bill and the legislation was passed June 30, 1992. The Solicitor General Canada representative on the Subcommittee stated that the legislation should be viewed as a major achievement, as it was the first of its kind in Canada to meet all the requirements of aboriginal policing.

Plans for 1993/94

The Subcommittee will continue to examine the Clairmont report and promote program and policy initiatives aimed at improving the delivery of policing services to the native community.

It is hoped that the coming year will see the establishment of Unama'ki Tribal Force which will operate under the direction of the Unama'ki Board of Police Commissioners.

Further positive impact is expected from the Native Civilian Liaison Officer position in the Halifax Police Department as it enters its first full year of operation. Specific outputs/impacts anticipated include the following:

- An aboriginal awareness/sensitivity training module to be tested through delivery at the Halifax Police Department for subsequent use by other police departments in Nova Scotia.
- A directory of native organizations (including functions and contact people) to be used by Halifax Police officers for greater cultural awareness, to improve communication with native referral agencies and to assist in providing a better police service to native persons.
- Establishment of an Advisory Liaison Committee composed of police and native representatives to consider issues such as recruitment and improve policing services.

- Greater awareness of and sensitivity to native issues and concerns on the part of Halifax Police officers, and on the Native side, more satisfaction with and positive assessment of policing services provided.

The Confederacy of Mainland Micmacs has indicated that the feasibility of establishing a Tribal Police Force on the mainland will likely be examined.

TRIPARTITE SUBCOMMITTEE ON POLICING

COMMITTEE MEMBERS

Mr. Dan Christmas
Executive Director
Union of Nova Scotia Indians

Chief Reg Maloney
Shubenacadie Band Council

Chief Noel Doucette
Union of Nova Scotia Indians

Mr. Dwight Dorey, President
(Alternate: Roger Hunka)
Native Council of Nova Scotia

Mr. D. Bruce Clarke
Solicitor,
Native Council of Nova Scotia

Inspector Ken Byrt
Co-ordinator
Aboriginal Policing/Visible
Minorities

Mr. Allan Clark
Co-ordinator of Indian Affairs

Mr. Dan Paul
Executive Director,
Confederacy of Mainland
Micmacs

Mr. Merrill Prime
Director of Wildlife
Department of Lands and Forests

Chief A. Lonnie Murray
Nova Scotia Chiefs of Police
Association

Mr. Gilles Larocque
Aboriginal Policing Division
Ministry of Solicitor General

Mr. Francis Lamont
Department of Indian Affairs
and Northern Development
(Regional Office)

Ms. Kit Waters
Director,
Policy, Planning and Research
Department of Justice

Inspector Terry Elliot
Director, Policing Services
Department of Justice

Mr. David Perrier
Chairman,
Nova Scotia Police Commission

Mr. Joe McNeil
Department of Indian Affairs -
Northern Development

Ms. Christine Mosher
Solicitor,
Department of Justice

**RECOMMENDATION OF THE
POLICING SUBCOMMITTEE
TO THE
TRIPARTITE FORUM**

June 9, 1993

1. That an expenditure of \$68,600 be approved for the Native Civilian Liaison Officer project within the Halifax Police Department for 1993/94.

tripartite/087

MI'KMAQ/NOVA SCOTIA/CANADA

TRIPARTITE FORUM

FINANCE & ADMINISTRATION SUB-COMMITTEE

**Preliminary Budget Submission
Fiscal Year 93/94**

June 1993

**MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM
(FINANCE & ADMINISTRATION SUB-COMMITTEE)
(BUDGET 92/93 FISCAL YEAR)**

The Mi'kmaq/Nova Scotia/Canada Tripartite Forum Sub-Committee on Finance and Administration provides for the information of the forum the following summary of expenditures with respect to Core Funding and approved projects for the fiscal year 92/93.

CORE FUNDING:

UNSI	100,000.00
Native Council of Nova Scotia	80,000.00
Confederacy of Mainland MicMacs	50,000.00

\$ 230,000.00

HUMAN RIGHTS SUB COMMITTEE PROJECTS:

Research	15,000.00
Printing	3,000.00
Summer Conference	1,655.00
Indigenous Year Activities	7,200.00

\$ 26,855.00

POLICING SUB COMMITTEE PROJECTS:

Halifax Police Liaison	36,022.92
Unama'ki Tribal Police	75,500.00
Clairmont Printing and Publishing	10,000.00

\$ 121,522.92

JUSTICE:

Shubenacadie Band Diversion Project;
\$109,687 Total Budget - (including
\$10,000 from 91/92 Province of Nova Scotia)

92/93 Budget	\$ 99,687.00
CLIF Project	\$ 76,187.50
Micmac Friendship Centre - Court Worker Project	\$ 30,800.00
TOTAL BUDGET 92/93	TOTAL \$ <u>585,052.42</u>

**MI'KMAQ/NOVA SCOTIA/CANADA/TRIPARTITE FORUM
(FINANCE & ADMINISTRATION SUB-COMMITTEE)
(PROPOSED 93/94 BUDGET AS OF JUNE 9, 1993)**

Consultation between Mi'kmaq, Nova Scotia and Canada concerning financial support for the fiscal year 1993/94 has resulted in the following proposed preliminary budget with respect to both Core Funding and projects previously approved by the forum and currently active.

This proposed budget is subject to ratification through further negotiations with funding agencies and approval of the Mi'kmaq/Nova Scotia/Canada Tripartite Forum.

CORE FUNDING:

1)	Union of Nova Scotia Indians	100,000	
2)	Confederacy of Mainland MicMacs	85,000	
3)	Native Council of Nova Scotia	<u>85,000</u>	
			270,000

PROJECT FUNDING:

	Community Legal Facilitators Project	143,600	
	Shubenacadie Justice Diversion Project	100,500	
	Hlfx. Police Community Liaison Project	<u>68,600</u>	
			<u>312,700</u>
	Total Budget		<u>582,700</u>

*****NOTE*****

This budget represents recommended Core Funding and approved project funding to this date.

There remains the possibility that additional modifications may be made to project budgets due to further negotiations with funding agencies.

Funding proposals for any additional activities or projects must originate from sub-committee recommendations and be approved by the forum before they are to be included in the 93/94 budget.



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification / Designation
Classification / Désignation sécuritaire

Your file Votre référence

3139 Oxford Street
Halifax, Nova Scotia
B3J 3E1

Our file Notre référence
HG195-102

July 26, 1993

Ms. Kit Waters
Chair, Tripartite Forum
Subcommittee on Policing

Dear Ms. Waters

**RE: Clairmont Report "Native Justice in Nova Scotia"
R.C.M.P. Response**

During the most recent meeting of the Tripartite Subcommittee on Policing, June 4, 1993, I provided an verbal update on RCMP response to the recommendations of the Clairmont Report. The Committee requested I formalize the response in writing.

Attached, please find that response. I have attempted to make it as complete as possible, however I would be happy to answer any further questions any of the Committee members may have.

Yours truly,

K.D. Byrt, Insp.
Officer In Charge
Aboriginal/Visible Minority Policing

Canada



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification / Designation
Classification / Désignation sécuritaire

Your file Votre référence

3139 Oxford Street
Halifax, Nova Scotia
B3J 3E1

Our file Notre référence
HG195-102

July 26, 1993

Ms. Kit Waters
Chair, Tripartite Forum
Subcommittee on Policing

Dear Ms. Waters

**RE: Clairmont Report "Native Justice in Nova Scotia"
R.C.M.P. Response**

During the most recent meeting of the Tripartite Subcommittee on Policing, June 4, 1993, I provided an verbal update on RCMP response to the recommendations of the Clairmont Report. The Committee requested I formalize the response in writing.

Attached, please find that response. I have attempted to make it as complete as possible, however I would be happy to answer any further questions any of the Committee members may have.

Yours truly,

K.D. Byrt, Insp.
Officer In Charge
Aboriginal/Visible Minority Policing

Canada

**CLAIRMONT REPORT "NATIVE JUSTICE IN NOVA SCOTIA"
UPDATE OF R.C.M.P. RESPONSE TO RECOMMENDATIONS**

This will provide the Tripartite Subcommittee with a general update of RCMP response to some of the recommendations made in the Clairmont Report on Native Justice in Nova Scotia. It is further to my oral report of June 4, 1993 and a request by the Subcommittee to formalize that response in writing.

1. The Commissioner, and the RCMP, have adopted a strategy of Community Based Policing. This includes our role in Aboriginal policing. The Commissioner has stated that if Aboriginal communities of Canada chose to be policed by the RCMP, we will fill that role and we will fill it with Aboriginal members. That philosophy is shared by the Commanding Officer of the RCMP in Nova Scotia. Through the establishment of local Community Aboriginal Advisory Groups and the increase of Aboriginal members in Nova Scotia, we are continuing to develop and practice a community-based policing service for Aboriginal people.

2. Cultural training programs are ongoing and continuing. Within the restrictions of available resources, two training courses were held during 1992/93 and another two are planned for 1993/94. These programs include resource people from the Aboriginal community and have in the past, incorporated training sessions held within Aboriginal communities.

3. The Aboriginal Constable Development Program continues to be successful. In the past twelve months three Aboriginal applicants have been hired, completed "on site" and basic recruit training and are now stationed at Detachments in Nova Scotia.

4. Efforts continue to attract female native applicants. At present we are processing three, two of whom fall within the guidelines of the Aboriginal Constable Development Program.

5. Band By-law enforcement has always been a controversial issue. Headquarters, Ottawa is currently examining National policy relative to enforcement of the Indian Act (including By-laws). Where By-laws have been properly/legally enacted, we shall enforce those of a criminal nature. Insp Byrt and members of Criminal Operations have attended workshops sponsored by another sub-committee of this group, dealing with Band By-laws and their enforcement. Additionally, correspondence has gone out to the four RCMP Sub/Divisions in Nova Scotia encouraging them to invite DIAND personnel to their annual workshops to explain By-law drafting and enforcement. New policy relative to the enforcement of by-laws in Nova Scotia is currently being drafted.

6. Since the Clairmont report, we have hired an additional three Aboriginal members for community policing roles, on or near reserves. One more at Whycomagh, (Baddeck Det.), and one more at each of Sydney Det, and Bear River (Digby Det.) Additionally, another 5 applicants have been interviewed for the ACDP and 11 have written the applicant exam and are awaiting their results.

7. We have two fully processed applicants. Authority has been received to engage one immediately, and we are hopeful authority will be forthcoming for the second.

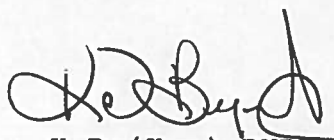
8. The Store Front office at Indian Brook opened 93.01.29 and is used by all members policing Indian Brook. After a period of evaluation, it is hoped we can open other similar offices, perhaps at Pictou Landing and Bear River initially.

9. In 1991 and 1992 the Aboriginal Summer Student program was held. It was repeated in 1993 with 29 students hired, and placed, at various Detachments for 8 weeks during July/August.

10. The Commanding Officer's Aboriginal Advisory Committee continues to meet approximately twice a year, providing counsel and advice to the Commanding Officer.

11. Cst. Ron Knockwood has been transferred from the community policing position at Pictou Landing to the Aboriginal Policing Unit in Halifax. His role is to help coordinate the entire Abor/Vis Min Policing program for the province.

Respectfully submitted by:



K.D. (Ken) BYRT, Insp.
Officer in Charge
Aboriginal/Visible Minority Policing
"H" Division
Halifax, Nova Scotia

TRIPARTITE SUBCOMMITTEE ON POLICING

October 20, 1993

MINUTES



IN ATTENDANCE:

Allan Clark
Terry Elliott
Christine Mosher
Merrill Prime
Lowell Meisner
Don Clairmont
Lonnie Murray
Eric Zscheile

David Perrier
Pierre Goulet
Dan Christmas
Roger Hunka
Bruce Clarke
Joe McNeil
Kit Waters

GUESTS:

Stephen Marshall

Emerson Kaiser

1. INTRODUCTION

Pierre Goulet was introduced as the new representative of Public Security Canada, replacing Gilles Larocque. Councillor Stephen Marshall of the Millbrook Band and Emerson Kaiser were welcomed as guests.

2. MINUTES OF PREVIOUS MEETING

Approved as circulated.

3. PROPOSAL FROM MILLBROOK BAND COUNCIL

Stephen Marshall introduced the proposal for a "Needs Analysis and Development Plan" for a Millbrook Tribal Police Force. Issues raised during the discussion of the proposal were as follows:

- In response to the question raised about the potential duplication of Don Clairmont's research, Emerson Kaiser indicated that the needs analysis would review more recent statistics (ie. from 1991 on).
- The proposal contemplates coverage of all Millbrook lands, including those in Cole Harbour, Sheet Harbour and Eastern Passage.

- Terry indicated that the Province is seriously considering establishment of a minimum size (possibly 15 to 20) for a viable police force. An autonomous Millbrook force would obviously fall below this level. Other Committee members expressed the view that the uniqueness of Mi'Kmaq communities might require arrangements that do not conform with some standards that apply to non-native communities.
- The issue of fiscal responsibility was raised - do we have financial resources to support the establishment of another tribal police force at this point. Concern was expressed that although the proposal speaks of examining a number of policing options, the bulk of the text appears to point to the conclusion that an autonomous tribal force option is being recommended.

The Committee was of the view that a number of options should be explored, including the tribal police force, R.C.M.P. policing and Truro Police Force (Satellite office). Approval in principle was given for a policing needs assessment for the Millbrook Band. It was agreed that a Working Group (composed of representatives from Policing Services, Public Security Canada, R.C.M.P., Truro Police and the Millbrook Band) would be asked to prepare detailed terms of reference for the needs assessment. The terms of reference will be circulated to Subcommittee members for review, allowing sufficient time for a recommendation to be submitted to the Tripartite Forum scheduled for December 8. Steve Marshall agreed to chair the Working Group.

3. FIREARMS ACQUISITION CERTIFICATES

Steve Marshall indicated his concern for the increase in fees for FACs. Although he is in agreement with the safety considerations implicit in the application process, he believes the fee should be waived for native persons. Terry stated he would bring this matter to the attention of Maarten Kramers, the Chief Provincial Firearms Officer and will get back to Steve with the results of that discussion.

4. UNAMA'KI TRIBAL POLICE FORCE - UPDATE

Dan Christmas noted that a six month Interim Agreement was signed on Treaty Day. This agreement provides for the training of recruits in Regina and the establishment of a Board of Police Commissioners. Dan expressed his thanks to Pierre and Christine for their efforts over the past few months which culminated in the signing of the Interim Agreement.

Emerson reported on the recruitment and selection of applicants for the tribal police force. The Interview Board was composed of representatives of the five Bands. The selection Board reached its decision on October 2. On November 15, the 10 trainees (8 recruits and 2 current Eskasoni officers) will leave for Regina. In June, the recruits will commence field training with the R.C.M.P. for a six month period.

Dan noted that, as per the discussion which took place at the June 4th Subcommittee meeting, additional funds will be requested from the Forum to cover expenditures incurred during the period April 1 to October 1, 1993. Costs relate to the activities of the Negotiating Committee and the policing consultant. It was agreed that the Subcommittee would support the request for additional funding, subject to clarification of the total expenditure.

Pierre indicated that the federal government will provide the funds for the vehicles used in recruit training. Work is also underway on securing affordable liability coverage for Tribal Police Officers.

5. NATIVE CIVILIAN LIAISON OFFICER PROJECT

Kit reported that the Evaluation Working Group had approved the evaluation framework for the project. Don Clairmont indicated that one evaluation issue remained to be resolved; ie. the portability of the Liaison Officer concept.

Lowell Meisner provided an overview of Darliea's activities since the last Subcommittee meeting. She has been very successful in establishing a high profile within the Department. Her training is now complete and she has coordinated the development of a course training standard for a sensitization program, the first module of which is being delivered this week. Halifax Police Department hosted an open house in conjunction with Treaty Day celebrations which was very well attended. Lowell made a presentation to the Aboriginal Justice Committee of the Canadian Association of Chiefs of Police in August regarding the Liaison Officer Project. Romola Trebilcock (Public Security Canada) has agreed to a change in the reporting requirements for the project, which will result in less frequent reports (previously every two months) to the federal government. The federal government has agreed to an extension of funding to the third year of the project.

6. **C.L.I.F. - UPDATE**

Roger Hunka presented a profile of C.L.I.F. activities from March to September 1993. Copies of the statistics may be obtained from Roger. Dave Perrier indicated that the Police Commission has used C.L.I.F. services successfully over the past few months. Dick James (Countermeasures Program) is working with C.L.I.F. to investigate ways of increasing the effectiveness of the anti-drinking/driving campaign in native communities. A first year evaluation of the C.L.I.F. project will likely be completed in Spring 1994.

7. **DEER HARVEST**

Roger expressed his concern about a recent directive which was issued to Field Officers of the Department of Natural Resources regarding native hunting. He felt that native communities should have been informed about the directive prior to enforcement by Field Officers. Arising from this incident he made two recommendations:

- 1) Changes in policy of the Department of Natural Resources should be discussed with the Bands prior to implementation.
- 2) Field Officers (particularly part-timers) should be provided with sensitization training.

Merrill Prime agreed to communicate these recommendations to appropriate officials within the Department of Natural Resources.

8. **OTHER BUSINESS**

Bruce Clarke asked for an update regarding the status of the Municipal Police Advisory Committees. Terry agreed to provide him with an update.

Lonnie Murray tabled a report which was prepared this summer by two students who have recently completed the training at the B.C. Justice Institute - "The Millbrook Community and the Truro Police Department". Copies of this survey will be distributed to all Committee members.

LAW ENFORCEMENT
AND THE
MILLBROOK
COMMUNITY

By Cst. Joanne Cope
Cst. Jean Abram

Sept. 1993

LAW ENFORCEMENT AND THE MILLBROOK COMMUNITY

	YES	NO	DON'T KNOW
1a. Block Parent	83	41	14
b. Crimestoppers	83	38	19
c. Rape Crisis Centre	50	56	27
d. Teen Hotline	30	72	35
e. Neighborhood Watch	61	54	30
f. Public Service Announcements	69	44	17
1) Motorists Safety	60	61	19
2) Pedestrians	66	49	20
3) Halloween Safety	77	40	19
4) Drugs	83	40	15
5) Vandalism	63	44	23
6) Drinking and Driving	86	36	17
g. Bicycle Safety	97	25	17
h. Finger Printing Programs	53	58	21
i. Traffic Watch	25	78	29
j. Loss Prevention	24	77	31
k. Options for Youth	50	48	38

RATE THE FOLLOWING STATEMENTS

	Strongly Agree 1	Agree 2	No Opinion 3	Disagree 4	Strongly Disagree 5
2a. In your community, there is a visible police presence.	1	2	3	4	5
response:	(1)	(20)	(15)	(42)	(52)
b. Acts of vandalism are common in your community.	1	2	3	4	5
response:	(13)	(48)	(26)	(41)	(4)
c. Police, in your area, supply a sufficient amount of protection.	1	2	3	4	5
response:	(2)	(15)	(15)	(49)	(51)
d. Your community is provided with a sufficient amount of service by the police.	1	2	3	4	5
response:	(2)	(11)	(21)	(52)	(45)
e. In your community, good role models are provided by the police.	1	2	3	4	5
response:	(2)	(23)	(34)	(43)	(31)
f. Crimes against the elderly are on the rise in your community.	1	2	3	4	5
response:	(3)	(12)	(36)	(58)	(20)
g. Gov't funding is sufficient to provide adequate opportunities for police to keep abreast of current legal developments.	1	2	3	4	5
response:	(7)	(16)	(52)	(37)	(24)

LAW ENFORCEMENT AND THE MILLBROOK COMMUNITY

3. In your opinion, what is the most prominent legal concern you have with respect to your community. (ie. vandalism, drugs, shoplifting, etc.)

RESPONSE:

No answer	25
Drugs	73
Vandalism	21
Alcohol/Bootlegging	26
Speeding	3
Theft	11
Shoplifting	4
Violence	5
Dogs	1
People coming in from other reserves and causing trouble	2
Drinking and Driving	1
Police Brutality	1
Racist Police	1
Crooked Cops	1
Lack of Police Protection	1
Police only make an appearance	1
Properties do not seem to be monitored	1
Hardly anything	1
Most quiet reserve in N.S.	1
Justice for Natives	1

4. What can we do to improve the relationship towards the police?

These are the answers that we recieved from the questionnaire.

1. In my community it is mostly alcohol and drugs, vandalisim is not really bad, only on halloween, I would like to see drug pushers and bootleggers caught, and stop selling to anyone. we have a good relationship with Cst. Dennis Wright, he has worked with us for many years now with the children, workshops etc. I would like to see the indians have their patrols on the reserve and report to the police to work together.

2. Be more visable, More patrols, Hire native police, Crime prevention program, More programs for the youth, teens.

3. I feel that there is alot of alcohol and drug abuse which leads to other crimes being broken. Which would be to support of their habit or just state of mind. If we had our own police force (tribal) they could act as a go between and could slowly start to become one with Truro.

4. Native Police

5. Get more new ones, more native police.

6. Hire an indian police woman.

7. More visable minorities.

8. Patrol more on the reserve, work together with the police.

9. Have more programs with the police , ride alongs, more native police constables.

10. More native involvment.

11. Could have more lectures also have the police visable to the public.

12. More community events involving the police.

13. Be more visable in the community at all times and not just when you are needed.

14. If they would show up when they are called, they never respond to calls.

15. More patrols.

16. More involvment.

17. Have our own police force on the reserve.

18. Have native police.

19. Hire more Micmacs.
20. Visit people, hire natives.
21. Show the kids that the police are around to protect us by having them around more.
22. Have more natives policing natives. Give people the idea that you are working for them and not against them.
23. To have our own policing on our reserve with the town police working together.
24. Patrol more on reserve they are always at Tim Hortons.
25. Speak positive about police . explain to the children the role of police.
26. Hire tribal police.
27. Patrol more often, more native police, bust drug dealers, bootleggers.
28. have a police force on the reserve.
29. Stop acting better than the Indians.
30. Move them onto the reserve.
31. Have our own native police force have equality in the justice system for our native people, have our own justice system.
32. Educate yourselves about the native community and the people. Stop acting like its a chore to come out here when your really needed. get more involved within the community. i feel the police department is very racial, the department is 90% or more white.
33. More communication and protection.
34. Hire native police to patrol the area.
35. Have our own police force!
36. Police take to much time in getting to the scene when called. Family violence is something the police should act on more quickly.
37. Have a liaison person between the police and the people in Millbrook 24 hours a day. police need to act faster.
38. Stop abusing authority thinking non natives are better than us.

39. Be a little more outgoing and try to get to know the people a little more.
40. Communicate.
41. Come when they are called.
42. Come when they are called.
43. More activities for the children afterschool.
44. It would be nice to see some natives working on the reserve, that would help alot. The children would have someone from the law to look up to.
45. Stay away from my house.
46. Work with them.
47. On the reserve I think having some sort of crime prevention officers is a great idea I think the town police really dont want to get involved in indian affairs.
48. Crimes associated with alcohol, hire native officers and have an office on reserve.
49. Give natives jobs.
50. The police should have more contact with the community, walking the beat instead of always untouchable in their cars.
51. Native policing more social supportive services for young offenders.
52. Have native police on force.
53. Patrol more often.
54. Have native police on the reserve.
55. More education in the schools.
56. Have police do public awareness workshops. and keep in close contact with the community.
57. Nothing I guess.
58. Invite them for tea.
59. More communication between the two. They must be more visable in the community.
60. Have more police on reserve, also native police officers.

61. Have native police officers.
62. More interreaction with the native community.
63. Have more native R.C.M.P. or police.
64. Have public meetings with the people in Millbrook. Organize something for the youth and seniors to help them avoid being vandalized. if all else fails go door to door to meet the people and hand out pamphlets.
65. Have a better communication line open between natives and the police force and do not restrict them only to certain areas. But the whole reserve and give them the same rights as the R.C.M.P. in patrolling this area. In order for them to do their job properly they need to be able to take control of the situation.
66. Hire native police, have a regular police presence on the reserve who will become familiar with the residents on the reserve, improve relations between police and natives.
67. Hire native police officers, more policing in the first nations community.
68. Hire native police.
69. Have our own police force.
70. Have our own police.
71. Come around more often and do more public relations in Millbrook.
72. Have native police officers on the reserve at all times.
73. Hire Native police.
74. More involved with the community.
75. Have them around more often.
76. Have our own native police force.
77. Hire fair police officers.
78. More policeman talking to kids instead of just one.
79. Be more visible, Native office in our community.
80. More projects office in Millbrook.
81. Have the police show up when we need them and not wait.

82. Police need to take a course in public relations. Police need to take a course against racism. The police are the ones who need to improve the relationship with the people.

83. Hire a native. " this summer I watched two policemen do nothing to two teens hanging from the roof at the church. The police asked the people watching to call a local church member to take care of the vandalisim.!

84. Become more visable in the community.

85. Make them feel needed and wanted. More police presence will give a safe place feeling.

86. Hire own native law enforcers.

87. Hire native police to do community based policing. not to patrol the town of Truro. Deal with crimes only in the community and community awareness programs.

88. More preventative policing and a presence for speeders.

89. Have more Native Police Officers.

90. Stop being so prejudice towards the natives. have a better communication lines with the youth. have a native employee whether it be female or male.

91. Hire native liasion officers working as acommunication line between the Truro Police Department working together to make Millbrook a better place.

92. I think Millbrook should not be under town police at all, but under R.C.M.P. jurisdiction.

93. Work with them.

94. We could look at several bands that have had a successful relationship with their police force and their reserve to document the ways used to achieve such success. We could try those success stratagies learn it help intergrate which ultimately would become a more viable successful and people friendly police force.

95. Have more native police.

96. Have police come to the reserve and talk to the children. For the older students they should ride around with the police maybe 2 hours a day or night. Each student can take turns, also there should be a native on the Truro Police Force. As for R.C.M.P. we should have Steven Gloade Jr. working in Truro instead of Sydney because he is well respected and well known by the youth.

97. We could have more native police officers on the reserve who are aware of the problems natives face and the problems that arise on the reserves.

98. That they be there when they are called. Also to come out and see what the problem is before disagreeing with a person.

99. More interactions with the community and willing participation on part of the police officers.

100. Get non - prejudice police, keep the good police and get rid of the negative constables with the bad attitudes.

101. They have to understand the cultural difference. Don't judge indians. Your first impression is the indian had to do something to cause the problem and right away they are to blame it on the indian first.

102. More police on duty. More native police.

103. Walk the beat, have our own native police.

LAW ENFORCEMENT AND THE MILLBROOK COMMUNITY

OBJECTIVES:

The reasons why we did this survey were to;

1. Establish a communication line between the Truro Police Department and the Millbrook Community.
2. Analyze the present relationship between the Truro Police Department and the Millbrook Community, whether it be negative or positive.
3. Establish the needs of the Millbrook Community concerning legal services.
4. Let the community voice their concerns with individuals they know and trust.

METHODOLOGY:

Our methods to do this survey were very simple. We basically went door to door with the surveys, interviewing one person per household in the Millbrook Community.

We approached people and asked them politely to do the survey. We told them that we were doing the survey to determine the type of relationship the community had with the Truro Police. People were glad that they could voice their opinions on this subject because they know that there is a problem between the Millbrook Community and the Truro Police.

RESPONSE:

After totalling up the results, we concluded that the response was negative towards the Truro Police due to the lack of Public Relations and participation in community involvement. We believe that there are ways to bridge the gap of communications by means of talking and working together with the community of Millbrook.

MAIN CONCERNS:

We have noticed that the peoples most prominent legal concern was the availability of drugs in our community. Another concern was the lack of visibility by the police. While we were doing the survey during the past two weeks, we failed to see any patrol cars patrolling at any time.

SUGGESTIONS:

The main suggestions the people gave, was to hire Native Police Officers, to patrol more often, and to respond more quickly to calls located on the reserve. The people also suggested to set up radar because of the high amount of speeders going through the community. Small steps towards a more positive relationship are better than none at all.

TRIPARTITE SUBCOMMITTEE ON POLICING

October 20, 1993

AGENDA

1. Minutes of previous meeting.
2. Unama'ki Tribal Police Force - update.
3. Native Civilian Liaison Officer Project - update.
4. C.L.I.F. - update.
5. Proposal from Millbrook Band Council.

kit/tripart/cd

MILLBROOK TRIBAL POLICENeeds Analysis and Development Plan

In submitting this proposal I am guided by the issues, concerns and requirements as discussed at a meeting held at the Millbrook Band Administration Building on June 21st., 1993 with Mr. Stephen MARSHALL together with Band Council and Community Representatives.

The goal of the Millbrook Band is to establish a fully accredited Tribal Police Force who will have jurisdiction over matters arising out of the Criminal Code, Federal and Provincial Statutes and Band By-Laws. The area of jurisdiction of the Tribal Police Force will be all lands held in the right of the Millbrook Band together with all roads, right-of-ways, thoroughfares or otherwise that pass through or connect such lands with adjacent or adjoining jurisdictions.

Terms of Reference - Policing Consultant:* conduct a needs analysis, including:

- a review of present and past policing arrangements,
- policing options available,
- a review of crime statistics and patterns over the last five years,
- a review of population statistics and demographics,
- a review of the rate of incarceration for Band members, types of offences and to the extent possible, causative factors,
- an examination of employment/unemployment factors and economic opportunities, existing or planned,

"2"

- a statement of community needs and expectations for the Tribal Police Force.

* Determine the operational Policing requirements of the Millbrook Tribal Police, including:

- the level of personnel, equipment and administrative resources required,

- initial capital budget requirements for equipment, transportation and communication,

- a five year detailed budget for salaries, benefits, training, facilities, communications, transportation, equipment, supplies, administration costs including operation of the Board of Police Commissioners,

- appropriate policies and procedures for:

- . recruitment
- . training
- . supervision
- . reporting
- . discipline

- determine appropriate working relationships with:

- . Truro Municipal Police
- . R.C.M. police
- . social services agencies
- . other Criminal Justice System components

"3"

- proposing a multi-year training plan.

Methodology:

I would recommend the following process with a view to ensuring economy, efficiency and effectiveness in terms of the task to be undertaken.

Consultant develops position paper on each of the components identified.

Consultant provides advance copy of paper to Advisory Committee members.

Advisory Committee together with consultant discuss, agree, amend or disagree and provide direction to the consultant on each paper.

BUDGET:

Budget requirements are attached as Appendix "A".

The area of difficulty in forecasting a budget is the time required for Advisory Committee meetings, therefore, the schedule as attached anticipates that each component can be completed during a one evening session of the Advisory Committee.

I await your deliberations and advice.

Yours Truly;

EMERSON

E.H. KAISER,
Abacus Security Consultants and Investigators,
Box 690 Ross Ferry,
R..R. # 1 Bras d'Or, N..S.
BOC 1B0

Telephone (902) 674-2827; FAX (902) 674-2081
Dartmouth Office (902) 462-3383

APP. 1BUDGET PROPOSAL

The following budget will outline major expenditures anticipated for this project. It is again cautioned that while the budget will outline a fixed number of Advisory Committee meetings should total Committee meetings exceed the number indicated, a budget impact will follow.

Fixed Costs:

Consultant - \$50.00 per hour - straight time including evenings or weekends.

Transportation - .35 cents per kilometre

Meals - \$45.00 per day

Accommodation - actual cost

Other Transportation - Air, etc. - none anticipated, however, if required, actual cost.

Gross Budget:

300 hours @ \$50.00 per hour	\$15,000.00
Transportation	3,171.00
Accommodation	1,120.00
Meals	750.00
150 hours Stenographic @ \$10.00 per hour	1,500.00
Material & supplies	150.00
Printing	<u>400.00</u>
Total	\$22,091.00

"2"

Budget Detail:

Needs Analysis, conducted
on site:

40 hours x \$50.00 per hr.	\$ 2,000.00
accommodation 5 nights @ \$70.00	350.00
meals - 5 x \$45.00	225.00
transportation 700 km @ .35	245.00

10 Advisory Committee
Meetings

accommodation 10 x \$70.00	700.00
meals	300.00
transportation - 604 km per trip x 10 x .35	2,114.00

260 hrs - drafting proposal components @ 50.00 per hr.	13,000.00
--	-----------

Stenographic services - 150 hours @ 10.00 per hour	1,500.00
--	----------

supplies and material, printing costs, etc.	<u>550.00</u>
--	---------------

Total	\$20,984.00
-------	-------------

The difference between
the gross and detailed
budget projections
is allowance for either
extra Advisory Committee
meetings, or, for extended
meetings where the consultant
would be required to remain
at Millbrook for more than one
night at a time.

Nova Scotia



Department of
Justice

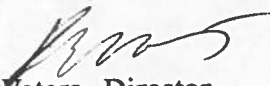
PO Box 2599
Halifax, Nova Scotia
B3J 3N5

Our phone no:

Our file no:

MEMORANDUM

TO: Committee Members
Tripartite Sub-committee on Policing

FROM: 
Kit Waters, Director
Policy, Planning & Research

DATE: November 4, 1993

RE: Millbrook Proposal - Policing Needs Assessment

You will recall at our last meeting it was determined that the Millbrook proposal would be revised by a working committee with membership as follows: Stephen Marshall (chair), Allan Clark, Lonnie Murray, Ken Byrt, Terry Elliott, Chris Mosher and Pierre Goulet.

The working group has completed a re-draft which is enclosed for your review.

In order to discuss whether or not the Sub-committee is prepared to recommend this proposal to the Tripartite Forum, a **conference call** will be held on **Tuesday, November 23, at 3:00 p.m. (Atlantic time)**.

Please notify Kathie Sears (424-5341) whether you will be participating in the conference call and the telephone number where you can be reached.

For those who are unable to take part in the conference call, please call me prior to that date with your comments (424-7782).



1646 Barrington Street
PO Box 36, Halifax, NS B3J 2L4
Canada

Telephone: (902) 423-6361
Telefax: (902) 420-9326

Barristers and Solicitors
Since 1912

Charles W. Burchell, Q.C.
Alan G. Hayman, Q.C.
Thomas J. Burchell, Q.C.
Robert L. Barnes
D. Bruce Clarke
Michael J. Wood
Wayne F. Howatt

J. Kevin Quigley
Leanne M. Todd
John A. McKiggan
C. LouAnn Chiasson
Kevin C. MacDonald
Pamela J. Clarke-Priddle

Associate Counsel: Bruce H. Wildsmith, Q.C.

November 5, 1993

BURCHELL MacADAM & HAYMAN

Ms. Kit Waters
Department of Justice
P. O. Box 2599
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

Re: Tripartite Sub-Committee on Policing

I acknowledge receipt of a copy of the Minutes of the October 20, 1993 meeting. With respect to the deer harvest I wish to make one correction. It was not Roger Hunka's suggestion that changes in DNR policy should be discussed with the "Bands" prior to implementation. I believe that his recommendation was that changes in policy should be discussed with native organizations, including the Native Council of Nova Scotia, prior to implementation.

I trust that above is in accordance with your recollection.

Yours very truly,

BURCHELL, MacADAM & HAYMAN



D. Bruce Clarke

DBC/lb
cc Native Council of Nova Scotia, Roger Hunka

TRIPARTITE SUB-COMMITTEE ON POLICING

CONFERENCE CALL - NOVEMBER 23, 1993

MINUTES

IN ATTENDANCE:

Kit Waters
Allan Clark
Pierre Goulet
Lowell Meisner

Bruce Clarke
Lonnie Murray
Joe MacNeil
Christine Mosher

- The purpose of the meeting was to review the revised Millbrook Band Proposal for a policing needs assessment. The Working Group, chaired by Steve Marshall, comprised of Allan Clark, Lonnie Murray, Ken Byrt, Terry Elliott, Christine Mosher and Pierre Goulet, were asked by the Tripartite Sub-committee on Policing to amend the original proposal to reflect the need for an analysis of a number of policing options (and not solely the tribal police force option). A revised proposal was submitted and circulated to the Sub-committee on November 4.
- Dan Christmas, Ken Byrt and David Perrier, although unable to attend the conference call, communicated their comments to Kit.
- Steve Marshall was invited to participate in the call, but sent his regrets.
- The comments regarding the proposal are summarized as follows:
 - Allan indicated that this proposal could not be considered for funding until next year, as there are insufficient funds in the 1993/94 Tripartite Forum budget.
 - Concern was generally expressed regarding the high cost associated with the proposal.
 - Members did not feel that the proposal was clear (particularly Section A) regarding the requirement to merely update Don Clairmont's data as opposed to conducting original research. There was a general feeling that the Terms of Reference should be tightened up.
 - Some indicated that the need for a new policing arrangement for Millbrook has been amply demonstrated - the Millbrook Band Council should be presented with proposals from the Truro Police Department and the R.C.M.P., etc., in order to determine the arrangement that is best for them.

- It was agreed that what is probably required is a consultant, who is knowledgeable about policing, to assist the Band in analyzing the various policing options.
- It was agreed that the comments of the Sub-committee would be related to Steve Marshall and that the Working Committee would offer to assist him in redrafting the proposal in order to focus the Terms of Reference. The Sub-committee was in agreement that it is not our role to rewrite the proposal, but merely to pass on our recommendations to the Millbrook Band Council.
- Allan Clark indicated that the Province's "openness in government" policy requires that contracts in excess of \$5,000 must go to tender. This has been interpreted to apply not only to direct provincial government contracts, but also to third party contracts where the Province provides funding to a party for contract purposes. Accordingly, it would appear that the contract for the Millbrook needs assessment should go to tender. Allan stated that the policy is in no way intended to dictate to non-government agencies "who" they should contract with, but rather to specify the "process" by which the contract decision should be made. This policy was viewed by most of the conference call participants as a business-like approach to contracting within the Tripartite Forum environment, as it ensures that work is done by a qualified contractor in the most cost-effective manner. Joe felt that this policy should be discussed by the Finance and Administration Sub-committee and formalized for all Tripartite Forum contracts.
- It was agreed that Kit would contact Steve Marshall to relate that the Sub-committee:
 - recommended that the proposal be focused more specifically on an analysis of "policing options" as opposed to a "needs analysis";
 - were agreeable to assisting the Millbrook Band Council with the recommended revisions to the proposal (via the Working Committee);
 - recommended that a Request for Proposal for the "analysis of policing options" be publicly tendered;
 - will advise the Tripartite Forum that the project has been approved in principle for 1994/95, subject to funding availability and approval of a revised proposal.
- Committee members expressed the view that this information should be communicated to Steve Marshall, emphasizing the support of the Sub-committee for a project to improve the delivery of policing services to the people of Millbrook.

Nova Scotia



**Department of
Justice**

PO Box 2599
Halifax, Nova Scotia
B3J 3N5

Our phone no:

Our file no:

M E M O R A N D U M

TO: Committee Members
Tripartite Sub-committee on Policing

per: **FROM:** Kit Waters

DATE: November 29, 1993

RE: Conference Call - November 23



The Minutes of the conference call are attached for your information. I contacted Steve Marshall to inform him of the Sub-committee's recommendations. He advised that he will convene a meeting of the Working Group within the next two weeks to assist him in making the necessary revisions to the proposal.

KMW/kas
cc: Steve Marshall

Distribution:

Dan Christmas	Roger Hunka
Noel Doucette	Dwight Dorey
Bruce Clarke	Ken Byrt
Allan Clark	Merrill Prime
Lonnie Murray	Pierre Goulet
Joe McNeil	Christine Mosher
Terry Elliott	David Perrier
Eric Zscheile	Don Clairmont
Lowell Meisner	



**TRIPARTITE SUB-COMMITTEE ON POLICING
CONFERENCE CALL - NOVEMBER 23, 1993**

MINUTES

IN ATTENDANCE:

Kit Waters
Allan Clark
Pierre Goulet
Lowell Meisner

Bruce Clarke
Lonnie Murray
Joe MacNeil
Christine Mosher

- The purpose of the meeting was to review the revised Millbrook Band Proposal for a policing needs assessment. The Working Group, chaired by Steve Marshall, comprised of Allan Clark, Lonnie Murray, Ken Byrt, Terry Elliott, Christine Mosher and Pierre Goulet, were asked by the Tripartite Sub-committee on Policing to amend the original proposal to reflect the need for an analysis of a number of policing options (and not solely the tribal police force option). A revised proposal was submitted and circulated to the Sub-committee on November 4.
- Dan Christmas, Ken Byrt and David Perrier, although unable to attend the conference call, communicated their comments to Kit.
- Steve Marshall was invited to participate in the call, but sent his regrets.
- The comments regarding the proposal are summarized as follows:
 - Allan indicated that this proposal could not be considered for funding until next year, as there are insufficient funds in the 1993/94 Tripartite Forum budget.
 - Concern was generally expressed regarding the high cost associated with the proposal.
 - Members did not feel that the proposal was clear (particularly Section A) regarding the requirement to merely update Don Clairmont's data as opposed to conducting original research. There was a general feeling that the Terms of Reference should be tightened up.
 - Some indicated that the need for a new policing arrangement for Millbrook has been amply demonstrated - the Millbrook Band Council should be presented with proposals from the Truro Police Department and the R.C.M.P., etc., in order to determine the arrangement that is best for them.

- It was agreed that what is probably required is a consultant, who is knowledgeable about policing, to assist the Band in analyzing the various policing options.
- It was agreed that the comments of the Sub-committee would be related to Steve Marshall and that the Working Committee would offer to assist him in redrafting the proposal in order to focus the Terms of Reference. The Sub-committee was in agreement that it is not our role to rewrite the proposal, but merely to pass on our recommendations to the Millbrook Band Council.
- Allan Clark indicated that the Province's "openness in government" policy requires that contracts in excess of \$5,000 must go to tender. This has been interpreted to apply not only to direct provincial government contracts, but also to third party contracts where the Province provides funding to a party for contract purposes. Accordingly, it would appear that the contract for the Millbrook needs assessment should go to tender. Allan stated that the policy is in no way intended to dictate to non-government agencies "who" they should contract with, but rather to specify the "process" by which the contract decision should be made. This policy was viewed by most of the conference call participants as a business-like approach to contracting within the Tripartite Forum environment, as it ensures that work is done by a qualified contractor in the most cost-effective manner. Joe felt that this policy should be discussed by the Finance and Administration Sub-committee and formalized for all Tripartite Forum contracts.
- It was agreed that Kit would contact Steve Marshall to relate that the Sub-committee:
 - recommended that the proposal be focused more specifically on an analysis of "policing options" as opposed to a "needs analysis";
 - were agreeable to assisting the Millbrook Band Council with the recommended revisions to the proposal (via the Working Committee);
 - recommended that a Request for Proposal for the "analysis of policing options" be publicly tendered;
 - will advise the Tripartite Forum that the project has been approved in principle for 1994/95, subject to funding availability and approval of a revised proposal.
- Committee members expressed the view that this information should be communicated to Steve Marshall, emphasizing the support of the Sub-committee for a project to improve the delivery of policing services to the people of Millbrook.

SUB-COMMITTEE ON POLICING
REPORT TO TRIPARTITE FORUM

DECEMBER 8, 1993

The following is a summary of the activities undertaken by the Sub-committee since the last meeting of the Tripartite Forum on June 9, 1993.

Unama'ki Tribal Police Force

A six-month Tripartite Interim Agreement was signed on Treaty Day in Halifax. The Agreement provides for the training of 10 recruits at the R.C.M.P. training depot in Regina, Saskatchewan; the establishment of an Unama'ki Policing Advisory Board "to advise the Union of Nova Scotia Indians on the development, eventual establishment and implementation of the Unama'ki Board of Police Commissioners and the Unama'ki Tribal Police"; and funding for "an expert advisor and support staff to assist in the establishment of the Unama'ki Tribal Police."

The trainees departed for Regina in November and will complete training in May 1994. Arrangements are now being made for field training placements within R.C.M.P. detachments. The field training, which commences following the Depot training course, is for a six month period.

Tripartite negotiations for a final agreement are now underway, with the next session scheduled for December 16-17.

Native Civilian Liaison Officer Project

An evaluation framework for the project, prepared by Professor Don Clairmont, has been approved.

Darliea Dorey, the civilian liaison worker, developed a course training standard for a four-day aboriginal awareness/sensitivity training program. The first module was delivered to 18 members of the Halifax Police Department during the week of October 18. The results of the evaluation were very favourable with respect to course content and schedule, the only criticism being that the course was too short. Considerable interest in the course has been shown by the members of the Force; 30 police officers are already registered for the next module, scheduled for February 14, 1994.

An Advisory Liaison Committee has been established with representatives from the Micmac Friendship Centre and the Indigenous Black and Micmac Program (Dalhousie University). The first meeting was held November 23.

A directory of native referral agencies has been completed and an insert for the police officer's notebook is currently being published.

Policing Needs Assessment - Millbrook Band Council

The Millbrook Band Council submitted a proposal for a "needs analysis and development plan" for a Millbrook Tribal Police Force on October 1. The Sub-committee reviewed the proposal and recommended that it be amended to reflect the need for an analysis of a number of policing options, not solely the tribal police force option. A Working Group, chaired by Steven Marshall (Millbrook Band Council), is in the process of revising the proposal.

The Sub-committee wishes to advise the Tripartite Forum that the project has been approved in principle for 1994-95, subject to funding availability and approval of the revised proposal.

WORKPLAN

- establishment of the Unama'ki Tribal Police Force
- continuation of the Native Civilian Liaison Officer Project
- Policing Needs Assessment for Millbrook Band - review of policing options
- examine the feasibility of the establishment of a provincial R.C.M.P. - First Nation Community Police Service in response to requests for aboriginal R.C.M.P. officers from the Annapolis Valley, Horton and Pictou Landing Band Councils

Native self-government plans promised by summer

By Phillip Day
THE CANADIAN PRESS

OTTAWA

The federal government is getting out of the business of running the lives of natives and will have solid plans for native self-government in place within six months, the Indian Affairs minister said Wednesday.

The failed Charlottetown accord would have written the right of natives to govern themselves into the Constitution. But many natives believed at the time — and the provinces and the Liberal party now agree — that existing provisions of the Constitution already cover that right.

"We're not going back to constitutional discussions, we're acting on the premise that it's there," Irwin said at a news conference.

"Until some court says that it's not, that's the premise that we're working on."

Irwin said a consultation period of six months isn't an attempt to de-

lay the implementation of self-government but will be a chance for natives to tell the government what they want.

"At the end of four years I don't want just a wall full of reports ... I want to see these things in place." Irwin said self-government will mean another level of government in Canada, but it's a level of government that existed before any Europeans arrived.

"When the non-native population came to this country, the inherent right (of self-government) existed. It still exists, it's there."

"I feel it's my job to put this in play."

But he said the native order of government will still fit "within the whole. In a sense it may be another order of government but it has to fit within the Canadian mosaic."

Asked about the cost of self-government, Irwin said money may be saved by finally putting self-government ideas into practice.

"I have wall-to-wall studies over the last 30 years but no one ever

does it. There's been a tremendous amount of money spent on studying the problem.

"It may be cheaper, but if we start putting these things into action."

He said the alternative to action is more costly: "The Oka blockade cost \$150 million and one life — what a waste."

Ron George, president of the Native Council of Canada, said he's happy the process is finally beginning.

"At least we're negotiating instead of going to the courts."

He said his grandfather went to jail for taking part in his native government after the Canadian government outlawed it.

"We were governing this country when everybody came. Two other orders of government came and decided to insert themselves into our history."

"If we wanted to go on seniority, I guess we'd say we're the first order of government."



Nova Scotia



Aboriginal Affairs

PO Box 1617
Halifax, Nova Scotia
B3J 2Y3

902 424-6918
Fax 424-7638

Our file no:

February 7, 1994

Ms. Kit Waters
Department of Justice
4th Floor, Joe Howe Bldg.
1690 Hollis St.
Halifax, N. S.

Dear Ms. Waters:

We extend this invitation to you to attend the official signing ceremony with respect to the Memorandum of Understanding (MOU) of the Mi'kmaq/Nova Scotia/Canada Tripartite Forum taking place at Province House, Halifax, on February 11, 1994 at 10:30 a.m.

The Honourable Ronald Irwin, Minister of the Department of Indian Affairs and Northern Development (DIAND) and the Honourable Anne McLellan, Federal Interlocutor for Metis and non-Status Indians will sign on behalf of Canada, Premier John Savage on behalf of Nova Scotia and representatives from the Mi'kmaq community - Alex Denny, President of the Union of Nova Scotia Indians, Don Julien, Executive Director, Confederacy of Mainland Micmacs and Dwight Dorey, Chief and Executive Director of the Native Council of Nova Scotia.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. P. McNeil'.

J. P. McNeil/Allan Clark
Co-Chairs
Finance & Administration Sub-Committee
Mi'kmaq/Nova Scotia/Canada Tripartite Forum





Your file Votre référence

Our file Notre référence

E-4115-1(IGA10)

April 8, 1994

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

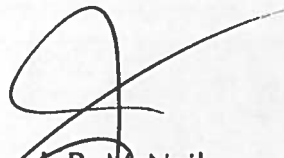
**Record of Proceedings - Mi'kmaq/Nova Scotia/Canada Tripartite Forum
Standing Committee on Finance and Administration - March 3, 1994**

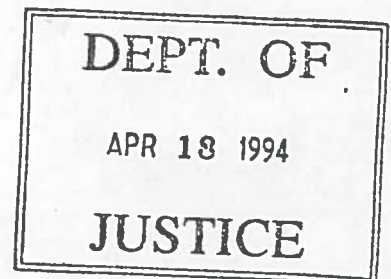
Please find enclosed the Record of Proceedings for the above mentioned meeting. If there are any additions or deletions required please contact me at (902)661-6348 or fax comments to (902)667-9947.

Note the reference to attendance at the next meeting in Sydney as we will be setting agendas, determining budget recommendations and organizing for the next Officials and Executive Committee meetings.

Thank you for your cooperation in this regard.

Sincerely,


J. P. McNeil
Intergovernmental Officer
Indian & Inuit Affairs
Atlantic Region
P. O. Box 160
Amherst, Nova Scotia
B4H 3Z3



Encl.

Canada

MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM

Standing Committee on Finance and Administration

Halifax, March 3, 1994

ATTENDEES:

Dan Christmas
Roger Hunka
Alan Clark
Eric Zscheile
Jackie Nibby
Joe McNeil

ITEMS:

1) **Executive and Officials Meeting**

It was suggested that an officials meeting should be held in May with an Executive meeting in late June to mainly set agendas for the future with a further meeting in October for project and budget approval.

2) **Independent Chair**

It was decided that the province would take the lead in approaching a candidate and would coordinate a meeting with representatives of all parties in the near future.

3) **Multi- Year Funding**

A working group consisting of appropriate officers from the province and federal departments as well Native organizations will examine this item and recommend to the Officials Committee at the next meeting. A meeting of this group is planned for April 28th in Sydney.

4) **Annual Report**

Alan Clark and Joe McNeil will complete report for June meeting.

.../2

5) **Core Funding**

It was agreed that core funding for 94/95 fiscal year would remain at the 93/94 levels.

6) **Outstanding Items requiring clarification re funding in 93/94 budget**

Unama'ki Tribal Police negotiation process funding \$ 18,600

Human Rights Facilitator
Federal Contribution to be applied to project in 94/95. \$ 15,000

Justice Worker project proposal \$ 20,000

Millbrook Policing needs assessment (?)

Treaty Day and related activities (?)

G) **Items too be addressed by Forum for 94/95 fiscal year**

Community Rights Officer \$ 50,000

Clif Project

Diversion Project

Justice Worker Project \$ 463,000

Millbrook Policing

Mi'kmaq History Month

Band Bylaw Enforcement

Year of The Family

Parole Service Sydney

Legal Aide Initiative

Unama'ki Police Funding

Young Offenders Proposal/Cape Breton

Multi Year Funding

Next meeting scheduled for Sydney April 28th.

Agenda and time to be determined

All members of this committee are requested to attend and provide input to the outstanding issues as well as any additional items which you may wish to bring to the Forums attention. It is critical that budget amounts be determined for projects where possible and that standing committee chairman be prepared to speak to their items. As long term funding will be discussed in this meeting participants may chose to bring appropriate financial/administrative staff as well.



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada



CANADA REMEMBERS
LE CANADA SE SOUVIENT

Your file Votre référence

Our file Notre référence

E-4115-1(IGA10)

April 20, 1994

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

**Mi'kmaq/Nova Scotia/Canada Tripartite Forum
Standing Committee on Finance and Administration**

Please be advised, the above mentioned standing committee will meet on April 28, 1994, from 9:00 - 3:00 at the Delta Sydney Hotel, 300 Esplanade Street, Sydney, Nova Scotia.

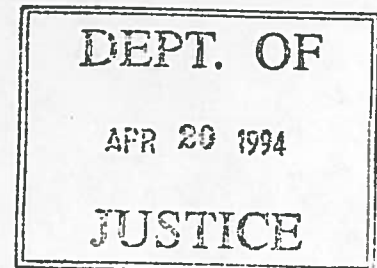
The purpose of this meeting is to complete the outstanding budget items for 93/94 fiscal year and project a 94/95 budget. In addition, we would like to establish a working group to explore multi-year funding in support of the Tripartite Forum process. If you have any agenda items, please submit them to me by Monday, April 25th.

Thank you for your cooperation in this regard.

Sincerely,

J. P. McNeil
Intergovernmental Officer
Indian & Inuit Affairs
Atlantic Region
P.O. Box 160
Amherst, Nova Scotia
B4H 3Z3

Post-It™ brand fax transmittal memo 7671		# of pages >
To Kit Waters	From Joe McNeil	
Co. NS Dept. of Sol. Gen.	Co. DAVID - ARO	
Dept.	Phone # 902-661-6348	
Fax # 902-424-0546	Fax # 902-667-9947	



Canada

Printed on recycled paper - Imprimé sur papier recyclé

AGENDA

**MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM
STANDING COMMITTEE ON FINANCE AND ADMINISTRATION**

APRIL 28, 1994
DELTA SYDNEY
300 ESPLANADE STREET
SYDNEY, NOVA SCOTIA

9:00 A.M. - 3:00 P.M.
FLEUR de LIS ROOM

1. Resolution of outstanding items 93/94 Budget
2. Projection of items for 94/95
3. Discussion of Independent Chair
4. Establishment of Executive Committee meeting date and process for Agenda items
5. Multi-Year Funding Working Group



Indian and Northern Affairs Canada / Affaires indiennes et du Nord Canada



Your file / Votre référence

Our file / Notre référence

E-4115-1(IGA1)

Handwritten scribble

562-7508

April 26, 1994

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

**Mi'kmaq/Nova Scotia/Canada Tripartite Forum
Standing Committee on Finance and Administration**

Please find enclosed the agenda for the above mentioned standing committee meeting on April 28, 1994, from 9:00 - 3:00 at the Delta Sydney Hotel, 300 Esplanade Street, Sydney, Nova Scotia.

I look forward to working with you on April 28th.

Sincerely,

Handwritten signature of J. P. McNeil

J. P. McNeil
Intergovernmental Officer
Indian & Inuit Affairs
Atlantic Region
P. O. Box 160
Amherst, Nova Scotia
B4H 3Z3

Post-It™ brand fax transmittal memo 7671		# of pages 2
To Kit Waters	From Joe McNeil	
Co. NS Dept. of Sol. Gen.	Co. DAVID - ARO	
Dept.	Phone # 902-661-6348	
Fax # 902-424-0546	Fax # 902-667-9947	

Encl.

DEPT. OF
APR 26 1994
JUSTICE



2. INDIAN BANDS AND ORGANIZATIONS IN NOVA SCOTIA

ABORIGINAL POPULATION IN NOVA SCOTIA

The Aboriginal population in Nova Scotia, according to the 1991 census from Statistics Canada is 21,885 an increase of 54% from the census of 1986 which was 14,225. This aboriginal population is made up of Micmac Indians, Metis and Inuit.

The following is the most recent breakdown as of December 31, 1993 of the Micmac population both "living on and off" the 13 reserves in Nova Scotia and who are registered in the Indian Register which is the official list of Status Indians and is maintained by the Department of Indian Affairs and Northern Development in Ottawa.

INDIAN REGISTER AS OF DECEMBER 31, 1993

<u>INDIAN BANDS</u>	<u>TOTAL BAND MEMBERSHIP</u>	<u>ON RESERVE</u>	<u>OFF RESERVE</u>	<u>BILL C-31</u>
Acadia	721	158	563	263
Afton	389	266	123	69
Annapolis Valley*	177	69	108	73
Bear River	235	76	159	88
Chapel Island*	445	349	96	55
Eskasoni*	2779	2450	329	137
Pictou Landing	418	298	120	36
Shubenacadie	1768	1107	661	209
Membertou*	753	557	196	97
Millbrook	883	495	388	204
Wagmatcook	538	444	94	48
Whycocomagh	586	541	45	7
Horton	254	62	192	47
General List	0	0	0	0
NOVA SCOTIA TOTAL	9946	6872	3074	1333

* Indicates Bands which have assumed control of Band Membership - Section 10.

URBAN PICTURE

City of Halifax and Dartmouth according to Statistics Canada increased their Aboriginal population from 3,925 in 1986 to 6,710 in 1991. This is an increase of 71%.

Nova Scotia



Department of
Justice

PO Box 7
Halifax, Nova Scotia
B3J 2L6

Fax No 902 424-4556

Our phone no: 424-7782

Our file no:

MEMORANDUM

TO: Distribution

FROM: *KW* Kit Waters

DATE: May 24, 1994

RE: Policing of the Millbrook Reserve

Enclosed are my notes of the May 18th meeting. If there are any errors or omissions, please let me know (424-7782).

KMW/kas

Enclosure

Distribution:

Constable Ron Knockwood (R.C.M.P.)
Barry Gloade, Counsellor, Millbrook
Chief Lawrence Paul, Millbrook
Pierre Goulet, Solicitor General Canada
Allan Clark, Aboriginal Affairs
Clarence Guest, Finance, Dept. of Justice
Christine Mosher, Legal Services, Dept. of Justice
Terry Elliott, Policing Services, Dept. of Justice



POLICING OF THE MILLBROOK RESERVE

MAY 18, 1994

MINUTES

IN ATTENDANCE:

Constable Ron Knockwood (R.C.M.P.)
Barry Gloade, Counsellor, Millbrook
Chief Lawrence Paul, Millbrook
Pierre Goulet, Solicitor General Canada
Allan Clark, Aboriginal Affairs
Clarence Guest, Finance, Dept. of Justice
Christine Mosher, Legal Services, Dept. of Justice
Terry Elliott, Policing Services, Dept. of Justice
Kit Waters, Policy, Planning, Dept. of Justice

- A meeting was held at the request of Chief Lawrence Paul to discuss policing arrangements for the Millbrook Reserve. Chief Paul indicated that he was dissatisfied with current policing arrangements - policing of Millbrook is currently shared by the Truro Town Police and the R.C.M.P. Chief Paul noted particular concerns re the lack of enforcement of Band By-laws. He noted the long history of the R.C.M.P. in dealing with native people, and stated that in his view, policing by the R.C.M.P. would best meet the needs of the Millbrook community.
- It was noted that a draft proposal for a policing consultant had been submitted to the Tripartite Sub-committee on Policing in the Fall of 1993. Since that time, Chief Paul stated it was the view of the community that further study would not be necessary, and that the Millbrook Band Council was withdrawing the draft proposal. According to Chief Paul, the community already knows what form of policing it wishes, and that the interest is in taking action rather than further study. Millbrook is interested in the establishment of an R.C.M.P. sub-office on the Reserve, with policing provided by Band members (trained as R.C.M.P. officers) or, failing that, other Micmac. Chief Paul noted that some Band members have been trained by the Justice Institute, operated by Jim Maloney in British Columbia. Chief Paul acknowledged that this Institute has not been accredited by British Columbia, and that the training received there would not be recognized by the Province of Nova Scotia.
- Pierre Goulet and Constable Ron Knockwood explained the R.C.M.P. First Nations Community Policing Service policy, outlining the policing options and the procedure for application.

- Kit Waters indicated that the Department of Justice would be negotiating with the federal government to establish a Tripartite framework agreement. Pierre Goulet stated that the Millbrook FNCPS would be the first policing agreement negotiated. Christine Mosher stated she would be completing the framework agreement as quickly as possible, but noted that much of her time is now being consumed with the Unama'ki situation.

Constable Knockwood indicated that Assistant Commissioner Burchill has pledged his full support, and that the R.C.M.P. will assist Millbrook in any way they can.

- With respect to process, Chief Paul indicated that a Band Council Resolution would be passed, indicating Millbrook's interest in entering into a community Tripartite agreement for the delivery of R.C.M.P. services.
- Pierre Goulet indicated he would provide Chief Paul with wording which has been used in B.C.R.'s passed by other communities. Chief Paul will then send a formal letter of request to the federal Ministry of Solicitor General (copy to Pierre Goulet) and to the provincial Minister of Justice, William Gillis (with a copy to Kit Waters). Negotiations will then proceed to establish the police strength required, and arrangements for policing other band lands, such as Cole Harbour.
- With respect to current policing arrangements provided by Truro Police, Pierre Goulet advised that no contract is currently in place, and that there is no requirement to provide notice of withdrawal. It was generally felt, however, that 90 days notice would be appropriate. Chief Paul indicated he would be in contact with Chief Lonnie Murray once the B.C.R. has been passed.



Your file Votre référence

Our file Notre référence

May 26, 1994

E-4115-1(IGA10)

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

**Record of Proceedings - Meeting, April 28th
Mi'kmaq/Nova Scotia/Canada Tripartite Forum
Standing Committee on Finance and Administration**

Enclosed for your information is a Record of Proceedings for the above mentioned meeting. Please note any responses requested and feel free to offer any suggested additions or deletions.

Thank you for your continued cooperation.

Sincerely,

J. P. McNeil
Intergovernmental Officer
Indian & Inuit Affairs
Atlantic Region
P.O. Box 160
Amherst, Nova Scotia
B4H 3Z3

DEPT. OF
MAY 31 1994
JUSTICE

Encl.



RECORD OF PROCEEDINGS

MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM STANDING COMMITTEE ON FINANCE & ADMINISTRATION

April 28th 1994
Sydney, N.S.

ATTENDEES:

Dan Christmas, UNSI
Alan Clark, Province of Nova Scotia
Roger Hunka, NCNS
Spencer Wilmot, NCNS
Francis Lamont, DIAND
Dougal MacDonald, DIAND
Joe McNeil, DIAND

ISSUES:

Federal Participation:

Prominent in the initial discussions of this committee was the topic of attendance by federal funding agencies. It is virtually impossible to manage the business of the Forum without the cooperation and participation of the federal players in this process. It is further expected, that due to the considerable time involved in preparing recommendations, that funding agencies should be in a position to indicate the status of funding and ensure that approved funding, flows in an efficient manner so that Aboriginal organizations are not compromised. The committee is open to suggestions as to alleviating this systemic problem.

Process and Practice:

The standing committee was established to manage the business of the Tripartite Forum and ensure the delivery of financial resources in support of approved projects. The initial practice consisted of other standing committees establishing recommendations for approval and inputting to the Finance & Administration (F&A) Committee with respect to final negotiated budgets and progress reports on funding flow. This responsibility was vested in the Chair of the various standing committees. Currently, the process has broken down into assorted bilateral and trilateral negotiations which accomplish little and result in vague information and the inability of the F&A Committee to track or report on the business of the Forum. Considerable frustration was expressed with regard to what appears to be a growing problem.

Independent Chair:

Alan Clark indicated that the province was continuing to pursue the establishment of a meeting to approach the candidate suggested for this position. Committee members felt that it is imperative that this bit of business be completed quickly in order to move ahead with the formal process of the Forum and an early meeting of the Executive Committee. Once the Chair has been confirmed, a meeting to establish an agenda and processes for an Officials Committee meeting and an Executive Committee meeting will be determined.


Multi-Year Funding:

The working group on multi-year funding was officially established with Francis Lamont, DIAND, as the Chair and Dougal McDonald, DIAND, coordinating these efforts. The funding agencies should take note that Francis Lamont will be approaching representatives in the near future to begin examination of this topic. Also, Native organizations were asked to indicate to Mr. Lamont, their representative on this working group.

Annual Report:

Alan Clark presented an overview of the proposed Annual Report which was well accepted by the committee. A draft of the report should be available in early July.

Policing Sub-Committee:

Outstanding policing issues suggest that a Standing Committee meeting on Policing be held as soon as possible. Particular to this item is the issue of Fishery/Law Enforcement. Alan Clark to follow-up. 

Heritage Canada:

DIAND was requested to invite Heritage Canada to participate in the tripartite process. Joe McNeil to discuss with Mr. Kerr.

93/94 Outstanding Items:

Funding agencies are requested to provide to the Chair a written summary report of the status of all outstanding items from 93/94.

Mi'kmaq organizations are requested to provide a written report of any 93/94 items yet to be addressed.

94/95 Items:

Mi'kmaq Community Rights Liaison Officer

Budgets related to - CLIF
- Diversion

Mi'kmawey Tatikimtumkewey (Justice Worker Project)

Mi'kmaq History Month and Treaty Day

Band Bylaw Enforcement

Mi'kmaq Probation (Parole Project) 95/96

Legal Aide Initiative (\$70K)

Unama'ki Police Funding

Young Offenders Proposal/Cape Breton (95/96-\$70K)

Year of the Family

Multi-Year Funding

Mi'kmaq Interpreter/Translation Project

Tripartite Minutes Dec. 93:

Joe McNeil to follow-up on status.

Recommendation that a professional Hansard Recorder be established to record minutes of the Tripartite Forum in the future.

Federal Coordinating Committee:

It was recommended that DIAND take the lead in establishing a coordination process to address the issue of federal participation and funding difficulties. It is suggested that the working group on multi-year funding be asked to expand its mandate to include the examination of this item.

NEXT MEETING:

The Chair will organize the next F&A meeting once an Independent Chair for the Forum has been established.

TRIPARTITE SUBCOMMITTEE ON POLICING

June 28, 1994

MINUTES

IN ATTENDANCE:

Don Clairmont	Dwight Dorey
Lowell Meisner	Roger Hunka
Lonnie Murray	Pierre Goulet
Gordon Legge	Joe McNeil
Bruce Clarke	Darliea Dorey
Sharon Culbertson	Allan Clark
Christine Mosher	Dan Christmas
Eric Zscheile	Ken Byrt
Lewis Staats	Terry Elliott
Norma Gould (observer)	Heather McNeil (observer)

1. MINUTES OF PREVIOUS MEETING

With respect to item 7 - Deer Harvest - Bruce Clarke requested that the Minutes be amended to indicate that Roger Hunka recommended that "changes in policy of the Department of Natural Resources should be discussed with native organizations, including the Native Council of Nova Scotia, prior to implementation." With this amendment, the Minutes were approved.

2. UNAMA 'KI UPDATE

Dan Christmas reported that negotiation of the five-year agreement was close to completion and that a signing ceremony might be held as early as July. Eight of the ten recruits have graduated from Depot. A Board of Police Commissioners has been established, with training to commence in July. Emerson Kaiser has been appointed Acting Chief of Police of the Unama 'ki force. Dan commented that he was very pleased with the success of the initiative and the good will and determination that was demonstrated by all parties. Pierre Goulet and Christine Mosher echoed these comments.

3. NATIVE CIVILIAN COMMUNITY POLICE OFFICER PROJECT

a) Update on Activities:

Lowell Meisner reported that Darliea Dorey had resigned her position in March, as a result of her acceptance of the position of Vice-President of the Congress of

Aboriginal Peoples in Ottawa. Sharon Culbertson has been appointed as the new Civilian Liaison Officer.

A second training session was held in February with positive results. Sixty applications were received for the course; thirty individuals participated in the February sessions.

Inspector Gordon Legge was introduced as the first police Race Relations Officer (Halifax Police Department) to be appointed by a municipal force in Nova Scotia. In this capacity he will be supervising the Native Civilian Community Police Officer Project.

The Committee congratulated Darlea on her new position and expressed thanks to Inspector Meisner for his involvement to date with the project.

(b) Second interim evaluation report:

Professor Don Clairmont provided an overview of the second interim evaluation report (May, 1994). Copies of this report were circulated to the Committee. Don has prepared two other documents: Mi' Kmaq First Nations Training Module; Halifax Police Department - a Preliminary Evaluation, and a Second Evaluation. These reports are available to any Committee member upon request.

Don reported that for the most part the training modules have been well received and that the feedback from participants has been positive. It has been acknowledged that some modifications are still required, particularly in the Day One program which was delivered by non-natives. Don noted it will be very difficult to assess any behavioral change resulting from the training programs as the police officers have very little contact with the native community. The majority of police officers participating in the training had had no contact with native victims or offenders.

Don indicated that the training module would be very useful in other parts of the Province; e.g. Truro. The Committee was in agreement with the suggestion that the program should be implemented elsewhere.

Don's research has shown that young native people hold the most negative attitudes toward the police. The Committee suggested that special efforts should be dedicated to enhancing police contact with youth, particularly those attending Dalhousie University.

In her final report to the Committee, Darliea indicated that she had been very impressed by the reception she had received within the Halifax Police Force. She stressed the need for the younger constables to receive training and expressed concern that it would be impossible to train the entire force within the three-year pilot period.

It was agreed that an *ad hoc* group should be given the task of reviewing Don's report on behalf of the sub-committee. Members of the *ad hoc* group are as follows:

Kit Waters, Allan Clark, Dan Christmas, Eric Zscheile, Romola Trebilcock.

The remaining subcommittee members were asked to submit their comments to Kit by July 31st.

4. C.L.I.F. UPDATE

Roger Hunka reported that C.L.I.F. had won an award from the Law Society for promoting justice and understanding. Fred Honsberger has been replaced as Chair of C.L.I.F. by Inspector Lowell Meisner. C.L.I.F. has received a very positive response from lawyers, judges, probation officers and correctional workers (both federal and provincial). Roger did note that there had been some problems with the R.C.M.P. Ken Byrt stated he was aware of these problems and that they would be addressed by his replacement, Inspector Stan Ferguson. Lowell stated that he would be visiting police departments throughout the province on behalf of C.L.I.F.

5. R.C.M.P. FIRST NATIONS COMMUNITY POLICING SERVICE

Kit reported that requests have been received from Horton, Cambridge, Pictou Landing, Afton and Millbrook to establish an F.N.C.P.S. Chief Lawrence Paul of Millbrook withdrew the band's proposal for a needs assessment, stating that the needs were already well documented. A Band Council Resolution has been passed by Millbrook requesting the establishment of an F.N.C.P.S. Pierre Goulet stated that the provincial Department of Justice and Solicitor General Canada are currently working on a Framework Agreement for the establishment of the F.N.C.P.S. The agreement should be completed by early Fall.

With respect to Indian Brook, Ken Byrt indicated that as of April 1st a full time office has been open on the reserve. A promotional board was held and Cpl. Preston

Levi has been selected as the officer in charge.

6. FINANCE AND ADMINISTRATION SUBCOMMITTEE REPORT

Joe McNeil stated that the core budget of \$270,000 for 1994/95 remains the same as last year. A total of \$2,000,000 has been generated through the Tripartite Process. A working group on multi-year funding, chaired by Francis Lamont, has been established and is expected to meet soon. Joe indicated that he and John Brown will be attempting to co-ordinate the efforts of all the Federal departments involved to secure long term federal financial commitment to the Tripartite initiatives.

Dwight raised the issue of sustainability, noting the frustration of working within a three-year time frame.

Allan reported that the Province is pursuing the appointment of an independent chair for the Tripartite forum. It is hoped that a meeting can be scheduled for the Fall.

7. OTHER BUSINESS

(a) Selection of New Chair

Dan Christmas nominated Lewis Staats. Lewis stated that he will consider this suggestion. Roger Hunka suggested that a co-chair from the Confederacy be selected. Eric Zscheile indicated he would check with Don Julian.

(b) Fishing/hunting enforcement

Eric mentioned that problems were still being experienced with D.F.O. and particularly the Department of Natural Resources. It was agreed that a working group would be established to develop protocols from enforcement officers. Allan Clark and Roger Hunka agreed to co-chair the working group. With the retirement of Merrill Prime, it was suggested that Hugh MacIssac (D.N.R.) should be approached to join the policing Subcommittee.

(c) Plans for 1994-95

It was agreed that a goal-setting exercise should be undertaken by the Sub-

committee at the next meeting, in September. In preparation for the meeting, Kit agreed to prepare an overview of the Sub-committee's accomplishments to date.

(d) **Municipal Police Advisory Committees**

Once again Bruce Clarke asked for an update regarding the status of the Municipal Police Advisory Committees. Policing Services (Department of Justice) will write to all municipal forces requesting an update.

(e) **Next Meeting**
T.B.A. (September 1994)

Ghiz to chair forum on Micmac issues

By MAUREEN GOOGOO

Dalhousie law school dean Joe Ghiz will chair a tripartite forum in Nova Scotia to discuss Micmac issues ranging from constitutional matters to land rights.

The forum will include Micmacs, the province and Ottawa.

Premier John Savage made the announcement Friday during his address in the legislature to Micmacs and other cabinet ministers as part of Treaty Day celebrations.

Mr. Savage also announced that Ottawa will support a Micmac Justice Institute in Nova Scotia. No details were released, but the premier said the institute will be up and running by the end of March.

Mr. Savage described the former P.E.I. premier as a respected jurist, an established former provincial politician and constitutional expert. "I think that he brings all of the qualities that we need to continue the progress that we started in the tripartite (forum)," the Nova Scotia premier said.

"And because of the respect that he commands, he fits (the position) well," Mr. Savage said.

Mr. Ghiz said he has always been interested in Micmac issues and he had dealt with the Micmac community before when he was the premier and during his involvement in constitutional negotiations.

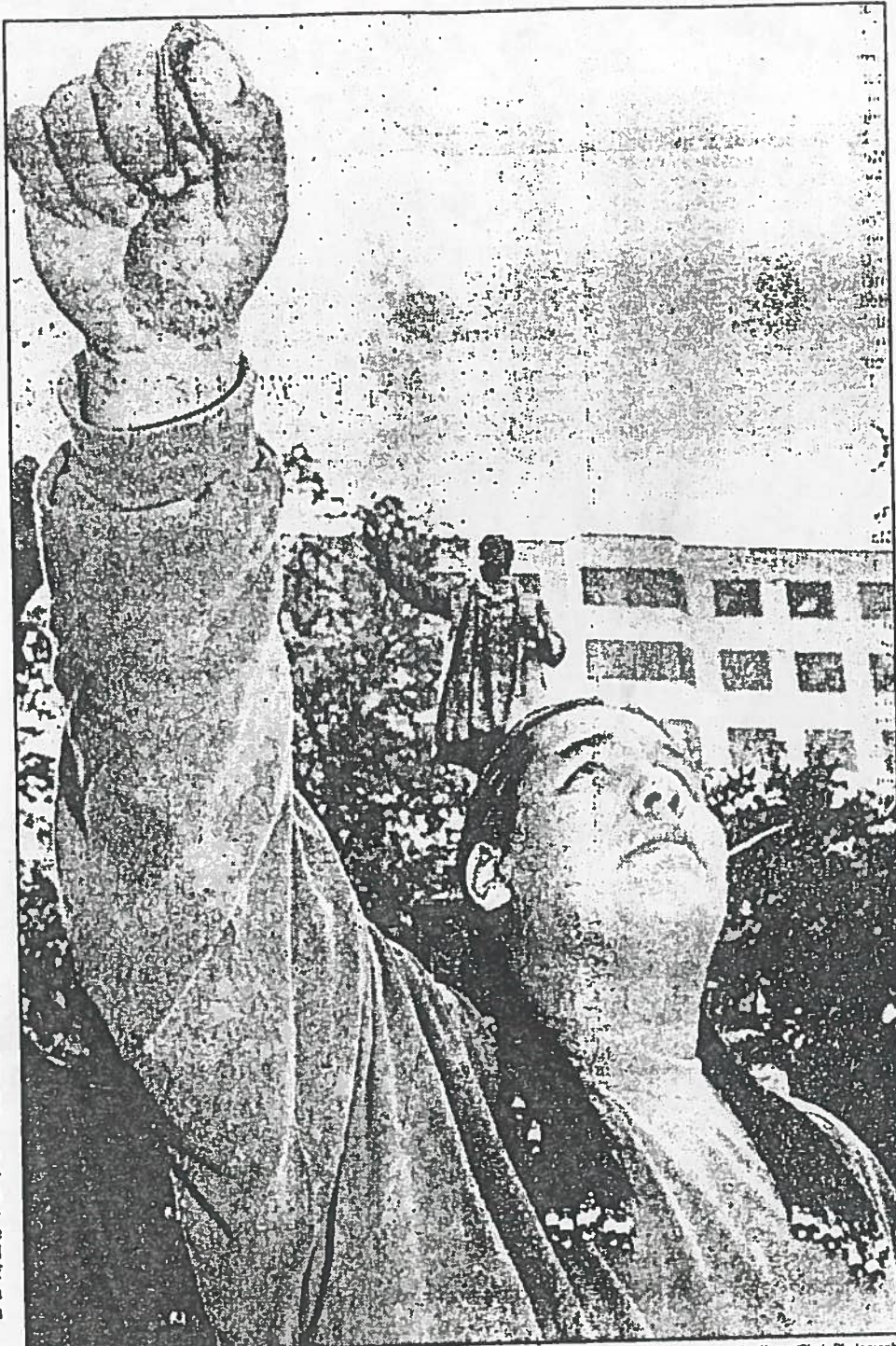
Alex Denny, a member of the Grand Council and president of the Union of Nova Scotia Indians, said the appointment is encouraging to the Micmac community.

"He brings, I think, enormous wealth in politics that may help us solve some of the problems that the tripartite process has had," Mr. Denny said. "And that is, basically, it's taking too long to decide on something."

Oct. 1 is Treaty Day for the Micmac community in the Maritimes. The day honors the signing of the 1752 Treaty by Micmacs and British colonists and calls for the two communities to meet each year in Halifax on Oct. 1.

Shortly before the announcements, a flag-raising ceremony honoring Micmac veterans took place on the grounds of the provincial legislature. Ceremonies also included the unveiling of a portrait of Donald Marshall Sr., the late grand chief of the Micmacs. Mr. Savage said a portrait of a grand chief hanging in the legislature was "long overdue."

Treaty Days celebrations continue today with a church service at St. Mary's Basilica and a reception at Halifax City Hall.



Jim Young/Clark Photographed

Micmac drummer Austin Christmas salutes a flag honoring Micmac veterans which was raised at the provincial legislature Friday. A number of events this week have marked Treaty Days celebrations.

Outline of native self-government presented

By BRIAN HAYES
Staff Reporter

A vision of self-government for the Mi'kmaq in the

said. "It is simply the first step in the consultation process among off-reserve natives."

In his presentation, Mr. Dorey outlined a model with a 34 member

from the 12 existing zones.

Mr. Dorey cited a district for Cape Breton, central Nova Scotia and the Annapolis Valley as examples. Each district would have councils repre-

or totally different models might be developed later.

He noted both the federal and provincial governments have recognized the inherent right of

ministers interested in, and private. In-ou-stant meeting said Mr. couldn't lose. together opportunity ly com-nts."

Robert ic MLA,

oney to it Digby t to the ant," he

wa Scorting be-it's poli-ould like

the con-net min- even es of

ac- to such : allows,

panelist osted by nce's la- s: "Sure.

cial ovincial

Ltd. es Whitford

, CKF Inc. ula Farms (Atlantic),

rovincial Ft- sburn Dairy er & Rob-

al man- pany Ltd. td.

it and vice- niversity provincial

Nova Tires

operating p. r Fine

MP Group Ltd.

VINCENT J. MACDONALD
CHIEF OF POLICE

CITY OF HALIFAX

1975 GO
HALIFAX, NOVA S

ADDRESS ALL CORRESPONDENCE
TO THE CHIEF OF POLICE



POLICE DEPARTMENT

File No. 94-10-19-0165

October 24, 1994

TELEPHONE 902-421-
FAX # 902-421-2708

JUSTICE

Ms. Kit Waters
Director
Policy, Planning and Research
Nova Scotia Department of Justice
P. O. Box 7
Halifax, NS
B3J 2L6

Subject: Tripartite Policing Sub-Committee

Dear Ms. Waters:

This letter is a follow-up to our recent telephone conversation on the subject.

You may recall that the Halifax Police Department Civilian Native Community Police Worker Project and the training associated with it were favourably reviewed at the spring meeting which you chaired. At that time observations were made regarding sustaining this initiative and as well, possibly altering and/or adding elements to enhance and accommodate such a proposal.

Since our telephone conversation, some refining has been done to the existing four day Awareness Raising Program and additional elements have been discussed and are now set to be proposed. As well, meetings have been held with Chief MacDonald and Mr. Barss.

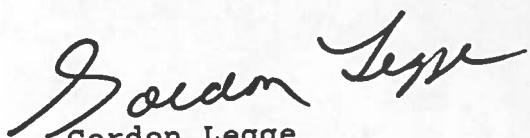
In short, Chief MacDonald supports continued involvement. Since an aspect of sustainability is to offer this training to other municipal police organizations, it was necessary that policing services be approached. On October 12, 1994, Dr. Clairmont, Ms. Culbertson and myself met with Mr. Barss. Again, to be brief, he supports the concept of sustaining and exporting this program throughout the Province. At this meeting he suggested some additions which might have positive spinoff results.

At this meeting we discussed getting this before the tripartite policing sub-committee. Notwithstanding the fact that you are the outgoing Chairperson, we determined it would be appropriate that you consider calling and Chairing a meeting to address this proposal (if a new Chairperson is in place, you might

communicate the relative urgency to him/her). We believe this is necessary in order to allow ample time to debate this idea and form A proposal. To our knowledge, no meeting date has been set for this fall.

Your speedy consideration of this request would be appreciated.

Yours truly,



Gordon Legge
Inspector
Race Relations Officer

GL/jmm

cc: Chief MacDonald
Ms. S. Culbertson
Mr. D. Clairmont
Mr. R. Barss

municipal amalgamation
 Mr. Savage's arrogant man-
 ces it hard to do business
 physician-turned-politician.
 Savage acknowledges critics
 his style, but argues it's
 e, not style, that has made
 of so many attacks.
 "What are we talking
 re?" Mr. Savage asked.
 hree per cent rollback is a
 of the government and of
 It's not my style. I don't
 anyone's style."
 Scotia is a small-c con-
 province, he said, and de-
 election campaign promis-
 m, many people are angry
 is driving through with a
 reform agenda.
 think style is the problem,"
 "Reform is the problem."
 Nova Scotians are used to
 of reform that are for-
 and endless studies that
 sult in changes — and that
 style.
 province is used to com-
 that went nowhere, to stud-
 went in the ash heap," he
 e have been studied to
 id now we need action.
 of what we are doing in
 reform ... well, we are not
 about the bush," he said.

FALL BACK
 Remember to set your
 clocks back one hour at
 2 a.m. Sunday, Oct. 30.



Staff / CP



Brian Rau/Truro Bureau

Const. Lawrence Doucette, left, of Eskasoni is one 15 native officers who will soon be patrolling re-
 serves on Cape Breton Island as part of the newly formed Unama'ki Tribal Police. With him is Const.
 Daryl Roach of the RCMP detachment in Enfield, where Const. Doucette is completing six months
 of on-the-job training.

In Marshall's wake

Justice system evolving slowly 5 years after royal commission

By DEAN JOBB
 Staff Reporter

It's been five years since the
 Marshall royal commission
 lambasted Nova Scotia's justice
 system for wrongfully convicting a
 Micmac youth of murder.

But the most visible change
 brought about by the commission
 won't be found among its recom-
 mendations.

By the end of the year the Un-
 ama'ki Tribal Police Force — 15
 native officers trained by the
 RCMP — will be responsible for
 upholding the law on Cape Breton
 Island's five reserves.

Micmacs have been lobbying for
 control over policing on reserves
 since the 1970s, but "until Marshall,
 it was never taken seriously," says
 native leader Dan Christmas.

And while the commission stop-
 ped short of advocating native
 policing, Mr. Christmas calls Un-
 ama'ki "the first major change



**Micmac
 History
 Month**

INSIDE: Changes five years after
 Marshall report / A2

that's going to happen on reserves
 as a result of Marshall."

That's typical of the way the fed-
 eral and provincial governments
 are tackling Marshall commission
 suggestions for revamping how the
 courts and police deal with the
 province's 22,000 natives.

The commission's 1990 report
 has become a guide for reform
 rather than a blueprint, reworked
 as the native community sees fit

and implemented as tight govern-
 ment budgets allow.

The catalyst for change was the
 infamous case of Donald Marshall
 Jr., who served 11 years in prison
 before he was cleared of a 1971
 Sydney murder.

Reviewing that prosecution
 almost two decades later, the royal
 commission concluded Mr.
 Marshall had been railroaded.
 Nova Scotia's justice system, it
 said, was guilty of racism against
 natives and blacks.

But the commission's sweeping
 plan for reforming native justice
 has slammed head-on with harsh
 economic realities of the 1990s.

The federal and provincial gov-
 ernments, which cost-share native
 programs, are cutting services
 across the board. But Micmac lead-
 ers say penny-pinching is no ex-
 cuse for stinting on new native pro-
 grams.

"We're in a situation where
 aboriginal people do not have a lot
 of the services ordinary Nova Sco-
 tians take for granted," says Mr.
 Christmas, executive director of
 the Union of Nova Scotia Indians.

■ See Marshall / A2

1994 JIMMY SLE 4X4
 LEASE \$399 mo.* BUY FOR \$24,988
 downpayment plus freight & taxes

- 4.3L V6 165 hp
- Automatic • 4 door
- All power options
- Electronic transfer case • air cond.
- SLE Package
- Roof Carrier
- Anti-lock braking system
- Intermittent Wipers
- AM/FM Cassette

36 AVAILABLE
 *36 mo. lease. Plus taxes. Ref. security deposit required, O.A.C.

Macphee PONTIAC
 BUNCK GMC LTD. 0155129

Portland Street, Dartmouth 434-4100

\$ CELLULAR DOLLARS \$
 with \$100 OFF ANY PHONE
 3 year air pac. **CELLULAR CONNECTION** AT COST

Mobility
 6298 Quinpool Rd., Halifax

MT Mobility Call: 423-5050
 Authorized Dealer

09555129

C/H. OCT 29/94

KIT. W.

Investigation showed the baby removed from the mother's three weeks after birth. A relative was named as the official guardian.

Man uses highway as landing strip

WATERVILLE (CP) — A single-engine Cessna airplane made an emergency landing on Highway 101 east of Berwick early Friday. The plane, piloted by a Wolfville resident, landed on the highway without any vehicles. The unidentified pilot was flying over Berwick with his wife and two young children on board. He had planned to land at the local airport in nearby Waterville. RCMP say he ran out of fuel as high winds forced him off course. The pilot flew on to the airport where police closed the highway and retrieved the plane.

Car rerouted, hits pole

A car was rerouted in north-end Waterville after a car slammed into a telephone pole Friday evening, police said. The accident happened on Gotting Street near Charles Street at 8:30 p.m., police said. The driver in the car fled. Police rerouted traffic between the street and Cunard streets for more than two hours while workers from Nova Scotia Power and Maritime Telecom repaired lines. Firefighters were also at the scene as a precaution.

Man dies in hijinks, real-life horror

WISCONSIN, Wis. (AP) — A man attempting to hang himself from a tree for a haunted-house attraction Friday, after ropes he used malfunctioned. Chadwick, 31, was attempting to hang himself at a Tuesday night for employees of a physical-therapy centre where he worked. He was wearing a rubber mask and had a large amount of rope hanging from around his neck. The rope, police said, was supposed to connect the large ski vest he was supposed to wear to his weight. The knot on the rope slipped, causing the man to tighten around his neck. He fell one foot on the chair and died. The body was found on the floor, said a police officer. The man's name is not known, said a police officer. The man's name is not known, said a police officer.

Marshall report catalyst for change

■ continued from /A1

Even when money is not an issue, change does not come easily. For instance, the Nova Scotia government has appointed two native justices of the peace, but the federal government refuses to give them power under the Indian Act to handle minor criminal cases on reserves.

And it's one thing to set up a program to help Micmacs get law degrees — as has been done at Dalhousie Law School in Halifax — and another to find them work in a tight job market.

None of Dal's 10 Micmac law graduates since 1989 has been able to find a permanent position at a Nova Scotia law firm.

The vehicle for putting the Marshall recommendations into action is something called the "tripartite forum," made up of federal and provincial officials and

leaders of Nova Scotia's three native groups.

While the forum has been laying the groundwork for implementing the Marshall report since 1991, it recently got a shot in the arm.

Ministers for federal and provincial departments that deal with native programs have been brought into the process. Natives, frustrated with the slow-moving bureaucracy, welcome the move.

"Now both levels of government have a political stake in this," notes Mr. Christmas, who chairs the forum's justice sub-committee. "Before, it was basically left to bureaucrats to try to resolve issues on their own."

The forum's profile received a further boost this month with the appointment of a permanent chairman — former Prince Edward Island premier Joe Ghiz, the dean of Dalhousie Law School.

And the forum's mandate is ex-

pected to go beyond the justice reforms advocated by the Marshall commission.

"Eventually it can get into whatever the aboriginal want," says Allan Clark, Nova Scotia's director of Aboriginal Affairs, a co-ordinating office the Liberal government created last year.

"If it's health issues, social services, economic development, whatever. It just depends on the resources available to do some of these things."

The ultimate goal is native self-government.

"We want to have a place in this society on our own terms, and on our terms means self-government, that we manage these things ourselves," says Mr. Christmas.

"I think we're making progress. It's not moving as fast as we'd hoped, but we're moving and things are starting to happen."

CHANGES FIVE YEARS AFTER MARSHALL REPORT

A checklist of programs under way — or in the works — as the Marshall report nears its fifth birthday:

Unama'ki Tribal Police: Named after the Micmac word for Cape Breton Island (the literal translation is "foggy place"), this force will replace RCMP patrols in the communities of Eskasoni, Whycocomagh, Chapel Island and Wagmatcook, and take over policing of the Membertou reserve from Sydney police.

The force has been approved for five years, with an annual budget of about \$800,000 provided by the federal and Nova Scotia governments. It operates under a police commission comprised largely of natives.

Police: Rather than recommending a separate force for reserves, the Marshall commission called for the hiring of more native officers.

The RCMP is actively recruiting natives — 19 are now stationed around the province — and has pitched in to train Unama'ki officers. None of the Nova Scotia's municipal forces has a native officer. The Halifax Police Department, however, has

a native person on its civilian staff as a liaison officer.

Community Legal Issues Facilitators: A three-year experimental project with an annual budget of \$190,000, CLIF is designed to break down barriers between native people and players in the justice system — police, lawyers and judges. CLIF "facilitators" are based in three areas — Halifax-Dartmouth, Sydney and Bridgewater.

Native Justice Institute: This month the Nova Scotia government announced the establishment of the institute, which the Marshall commission envisioned as a way of administering justice-related programs. The first task of the institute, which will receive \$500,000 in 1995, is to hire five court workers to help natives facing criminal charges.

Diversion programs: On the Indian Brook reserve, near Shubenacadie, people charged with minor crimes have the option of being tried and sentenced by a committee of Micmac elders. The pilot project, with an annual budget of about \$100,000, has been in operation

since 1992 and should serve as a model for other reserves.

Court sittings on reserves: The chief judge of the provincial court has been asked to consider holding court at Indian Brook as early as next year. The court has also been asked to consider input on sentences from the reserve's diversion committee.

Indigenous Blacks and Micmacs program: Ten Micmacs have graduated from Dal Law School under this program, set up in 1989. So far none has been able to find a permanent job with a Nova Scotia law firm.

Interpreters: The province is considering a proposal from Eskasoni to train 16 Micmac legal translators. Since studies show more than 90 per cent of natives living on reserves use English at home — the highest level in Canada — this Marshall recommendation has not been a priority.

Probation services: Native groups are lobbying for a parole office, staffed by Micmacs, to be established at Eskasoni on a trial basis.

Dean Jobb, Staff Reporter

Man pays debt to country after death

By CLYDE GRAHAM

The Canadian Press

and then died on Feb. 25 in a nursing home, was deeply worried about the state of the country's finances.

And he read closely newspaper reports on the worsening finances of the country.

one foot on the chair... er... on the floor... el McKinney said.

Vertical text on the right edge of the page, including page numbers and other markings.

POLICING OF THE MILLBROOK RESERVE

NOVEMBER 3, 1994

MEETING NOTES

IN ATTENDANCE:

Chief Lawrence Paul, Millbrook
Barry Gloade, Counsellor, Millbrook
Clarence Guest, Finance, Dept. of Justice
Allan Clark, Aboriginal Affairs
Insp. Stan Ferguson, Aboriginal Policing
Christine Mosher, Legal Services, Dept. of Justice
Pierre Goulet, Solicitor General Canada
Kit Waters, Policy, Planning, Dept. of Justice

- The purpose of the meeting was to discuss the process for negotiating a community tripartite agreement for policing the Millbrook Reserve.
- Christine indicated that a F.N.C.P.S. Framework Agreement was currently being negotiated between the province and the federal government - it is expected that these negotiations will be completed in the near future. It was agreed that negotiations for the Millbrook CTA could proceed concurrently with the framework negotiations.
- Chief Paul indicated some concern about the status of the trailer park, which contains approximately 50 trailers, housing a mixture of aboriginal and non-aboriginal persons. As this trailer park houses aboriginal persons and is on the reserve lands, it will be policed under the CTA.
- Chief Paul raised a concern regarding band by-law enforcement. Pierre indicated that agreements signed to date have included provisions for the enforcement of some by-laws and the exclusion of some others (mainly civil). It was agreed that decisions regarding by-laws to be enforced would be negotiated.
- Chief Paul indicated his interest in housing the Millbrook police officers in a separate building. Pierre indicated that generally satellite offices are housed in band offices on reserve. This would also be a subject for negotiation.
- Chief Paul expressed a desire for a policing arrangement which would provide seven-day-a-week, 24 hour-a-day enforcement. It was generally acknowledged that the number of officers which might be assigned to Millbrook would not permit a full time police presence on reserve. It was agreed that schedules could be devised which

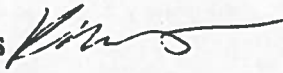
would provide police presence during those days of the week/hours of the day when most needed. Backup support would come from the Bible Hill detachment.

- Chief Paul indicated that Truro Police currently provide 24 hour-a-day protection. Barry Gloade stated although this was hypothetically correct, the quality of policing is currently less than ideal.
- Chief Paul also raised the issue of the policing of Beaverdam and other satellite locations, stating that ideally it would be preferable if a native person could be assigned to the local detachment and spend a portion of time policing these areas.
- It was agreed that the first step prior to commencing negotiations is the compilation of crime statistics and other information which will be useful in determining the staffing levels required for Millbrook. Insp. Ferguson agreed to compile this information - it will be distributed to all before the next meeting. Pierre agreed to send a draft agreement to Chief Paul, so that he and his council will have an opportunity to review the draft wording prior to the next meeting.
- There was some discussion about the need to advise Truro of the withdrawal of Millbrook from Truro Police Department's jurisdiction. Ninety days' notice is required, but it can probably be waived with the agreement of both parties.
- A negotiating team will be assembled - Stan Ferguson and Pierre Goulet will participate - Kit indicated that either Bob Barss or Christine would attend on behalf of the Province. Allan Clark, of course, will be involved.
- The next meeting was scheduled for December 2nd at 10:00 in Millbrook.



MEMORANDUM

TO: Distribution

FROM: Kit Waters 

DATE: November 8, 1994

RE: Policing of the Millbrook Reserve

I am enclosing a copy of my notes of our November 3rd meeting. You will note that the next meeting is scheduled for December 2nd at the band office at Millbrook.

KW:lc

Distribution: Chief Lawrence Paul
Barry Gloade
Clarence Guest
Allan Clark
Insp. Stan Ferguson
Christine Mosher
Pierre Goulet
Bob Barss

Enc.



1/6



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada



CANADA REMEMBERS
LE CANADA SE SOUVIENT

Your file / Votre référence

Our file / Notre référence

November 23, 1994

E-4115-1(IGA10)

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

**Mi'kmaq/Nova Scotia/Canada Tripartite Forum
Standing Committee on Finance and Administration**

Please find enclosed, the Record of Proceeding from April 28th and a copy of the proposed agenda for the upcoming meeting scheduled for:

**December 6, 1994
10:00 a.m. - 3:00 p.m.
Cambridge Suites
Harbour View Suite
380 Esplanade Street
Sydney, Nova Scotia**

Participants are asked to provide information with respect to 94/95 fiscal year budget. I look forward to our meeting on the 6th.

Sincerely,

J. P. McNeil
Intergovernmental Officer
Indian & Inuit Affairs
Atlantic Region
P. O. Box 160
Amherst, Nova Scotia
B4H 3Z3

Post-It™ brand fax transmittal memo 7671		# of pages > 6
To Kit Waters	From Joe McNeil	
Co. Sol Gen.	Co. DIAND-ARO	
Dept. HIFx.	Phone # 902-661-6348	
Fax # 902-424-0546	Fax # 902-667-9947	

Encl.



AGENDA

**Mi'kmaq/Nova Scotia/Canada Tripartite Forum
Standing Committee on Finance and Administration**

**December 6, 1994
10:00 a.m. - 3:00 p.m.
Cambridge Suites
Harbour View Suite
380 Esplanade Street
Sydney, Nova Scotia**

- 1. Update on Sub-Committees
- 2. Setting of Officials and Executive Committee Meetings
- 3. Report on Federal Meeting Ottawa
- 4. Annual Report
- 5. Review Management Issues
- 6. Budget Review

RECORD OF PROCEEDINGS**MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM
STANDING COMMITTEE ON FINANCE & ADMINISTRATION****April 28th 1994****Sydney, N.S.****ATTENDEES:**

Dan Christmas, UNSI
Alan Clark, Province of Nova Scotia
Roger Hunka, NCNS
Spencer Wilmot, NCNS
Francis Lamont, DIAND
Dougal MacDonald, DIAND
Joe McNeil, DIAND

ISSUES:**Federal Participation:**

Prominent in the initial discussions of this committee was the topic of attendance by federal funding agencies. It is virtually impossible to manage the business of the Forum without the cooperation and participation of the federal players in this process. It is further expected, that due to the considerable time involved in preparing recommendations, that funding agencies should be in a position to indicate the status of funding and ensure that approved funding, flows in an efficient manner so that Aboriginal organizations are not compromised. The committee is open to suggestions as to alleviating this systemic problem.

Process and Practice:

The standing committee was established to manage the business of the Tripartite Forum and ensure the delivery of financial resources in support of approved projects. The initial practice consisted of other standing committees establishing recommendations for approval and inputting to the Finance & Administration (F&A) Committee with respect to final negotiated budgets and progress reports on funding flow. This responsibility was vested in the Chair of the various standing committees. Currently, the process has broken down into assorted bilateral and trilateral negotiations which accomplish little and result in vague information and the inability of the F&A Committee to track or report on the business of the Forum. Considerable frustration was expressed with regard to what appears to be a growing problem.

Independent Chair:

Alan Clark indicated that the province was continuing to pursue the establishment of a meeting to approach the candidate suggested for this position. Committee members felt that it is imperative that this bit of business be completed quickly in order to move ahead with the formal process of the Forum and an early meeting of the Executive Committee. Once the Chair has been confirmed, a meeting to establish an agenda and processes for an Officials Committee meeting and an Executive Committee meeting will be determined.

Multi-Year Funding:

The working group on multi-year funding was officially established with Francis Lamont, DIAND, as the Chair and Dougal McDonald, DIAND, coordinating these efforts. The funding agencies should take note that Francis Lamont will be approaching representatives in the near future to begin examination of this topic. Also, Native organizations were asked to indicate to Mr. Lamont, their representative on this working group.

Annual Report:

Alan Clark presented an overview of the proposed Annual Report which was well accepted by the committee. A draft of the report should be available in early July.

Policing Sub-Committee:

Outstanding policing issues suggest that a Standing Committee meeting on Policing be held as soon as possible. Particular to this item is the issue of Fishery/Law Enforcement. Alan Clark to follow-up.

Heritage Canada:

DIAND was requested to invite Heritage Canada to participate in the tripartite process. Joe McNeil to discuss with Mr. Kerr.

5/6

3

93/94 Outstanding Items:

Funding agencies are requested to provide to the Chair a written summary report of the status of all outstanding items from 93/94.

Mi'kmaq organizations are requested to provide a written report of any 93/94 items yet to be addressed.

94/95 Items:

Mi'kmaq Community Rights Liaison Officer

Budgets related to - CLIF
- Diversion

Mi'kmawey Tatikimtumkewey (Justice Worker Project)

Mi'kmaq History Month and Treaty Day

Band Bylaw Enforcement

Mi'kmaq Probation (Parole Project) 95/96

Legal Aide Initiative (\$70K)

Unama'ki Police Funding

Young Offenders Proposal/Cape Breton (95/96-\$70K)

Year of the Family

Multi-Year Funding

Mi'kmaq Interpreter/Translation Project

Tripartite Minutes Dec. 93:

Joe McNeil to follow-up on status.

Recommendation that a professional Hansard Recorder be established to record minutes of the Tripartite Forum in the future.

6/6

4

Federal Coordinating Committee:

It was recommended that DIAND take the lead in establishing a coordination process to address the issue of federal participation and funding difficulties. It is suggested that the working group on multi-year funding be asked to expand its mandate to include the examination of this item.

NEXT MEETING:

The Chair will organize the next F&A meeting once an Independent Chair for the Forum has been established.

TRIPARTITE SUBCOMMITTEE ON POLICING

December 1, 1994

MINUTES

IN ATTENDANCE:

Gordon Legge
Allan Clark
Joe McNeil
Roger Hunka
Stan Ferguson
Kit Waters

Rosalie Francis
Pierre Goulet
Heather McNeill
Dale Sylliboy
Christine Mosher

1. APPROVAL OF AGENDA

An additional item - Natural Resources - was added to the Agenda.

2. MINUTES OF PREVIOUS MEETING

Approved as circulated.

3. UNAMA 'KI UPDATE

A Canada/Nova Scotia Mi'kmaq Agreement to establish the Unama 'ki Force was signed in Eskasoni in July, 1994 by Premier John Savage, Solicitor General Herb Gray and Mi'kmaq leadership. Field training of recruits was completed November 30, 1994 and the force will become fully operational December 15, 1994.

4. CIVILIAN NATIVE COMMUNITY POLICE WORKER PROJECT

Gordon Legge presented a status report on activities to date. The evaluation report prepared by Professor Don Clairmont in May, 1994 indicated that the project has been successfully implemented in the Halifax Police Department and that the training modules have been well received. Funding for the current project terminates in January, 1996. Inspector Legge presented a proposal to the subcommittee recommending:

- The CNCPW program be extended for an additional three years.

- The training program be extended to personnel from municipal agencies throughout the Province, including the RCMP.
- Scope of the program be extended to allow for First Nations persons to learn more about police operations (six two-hour sessions to be conducted).
- Exchange program be implemented for native and non-native police organizations.

Dale Sylliboy commended the Halifax Police Department for the CNCPW program. Concern was expressed by Dale and others regarding the lack of participation by other municipal police departments in sensitization training. It was felt that there was a need to build in an accountability structure within the Police Act to ensure the delivery of appropriate sensitization programs. It was agreed that a letter would be send to the provincial Minister of Justice from the sub-committee expressing concern over the current level of sensitivity training for municipal police officers.

Joe McNeil expressed concern about funding mechanisms to sustain programs past the demonstration phase. He suggested that costs for sensitivity training should be borne by the various police departments.

Some concern was expressed regarding the proliferation of cross-cultural programs, noting that similar programs have been separately developed by C.L.I.F., CNCPW, the provincial Department of Justice (Policing Services) and others. Allan Clark agreed to convene a cross-cultural training working group to review the existing programs, identify strengths and weaknesses of each and make recommendations to reduce duplication. Dale, Gordon and Joe agreed to assist Allan. Pierre Goulet suggested that Romola Trebilcock may wish to have some input.

5. C.L.I.F. UPDATE

Dale Sylliboy provided a progress report, indicating that between July and September, 1994 C.L.I.F. dealt with 94 new clients. He expressed concern that the staff were overworked, especially in Cape Breton. Dale indicated that a major problem for many clients is being passed from one agency to another. Dale indicated that he and Stan Ferguson have worked out a good relationship in dealing with native concerns in their contact with the RCMP. Current funding for C.L.I.F. extends to March 31, 1995. There was some discussion about the need to

harmonize current initiatives, the thought being that this would be accomplished within an umbrella structure such as the Justice Institute. A meeting is scheduled for December 12 to discuss the transition.

6. FIRST NATIONS COMMUNITY POLICING SERVICE

Pierre and Christine reported that a Framework Agreement (Canada/Nova Scotia) is close to completion. A Community Tripartite Agreement for Millbrook is currently being discussed.

Rosalie Francis reported that Reg Maloney has expressed concern regarding the policing arrangements in IndianBrook and that Chief Maloney will be seeking an alternative policing arrangement for the reserve. Stan Ferguson indicated that he will talk to Asst. Commissioner Burchill to arrange a meeting with Reg Maloney to discuss the problems.

7. NATURAL RESOURCES

Allan Clark stated that a meeting had been held for the purpose of discussing a pro-active mechanism to mediate cases involving aboriginal persons. The voluntary approach - DFO permits the aboriginal community to intervene before charges are laid - appears to be working very well. Roger Hunka confirmed that the dispute resolution protocol has worked very well off reserve. A Mi'kmaq Fish and Wildlife Commission is being considered.

8. NEXT STEPS

There was considerable discussion regarding the proposal to consolidate the Justice and Policing Sub-committees. Rosalie Francis, speaking on behalf of Dan Christmas, spoke in favour of the consolidation, noting that the two committees deal with many similar issues. Christine Mosher expressed some concern about the existing structure in that policing interests are not adequately represented on the Justice Sub-committee. Roger Hunka noted his disagreement with the proposal. He felt that the Policing Sub-committee had accomplished much to date and was concerned that a Justice/Policing merger might dilute the Tripartite Forum's attention to outstanding policing issues, such as enforcement.

Lacking unanimous agreement, the proposal was not approved.

Rosalie Francis stated that the Chiefs were concerned that the tripartite forum process may be too slow to deal with some emerging issues that require a quick response.

As outgoing Chair of the Policing Subcommittee Kit Waters summarized sub-committee activities to date and circulated a report. The Committee approved the nomination of Insp. Gordon Legge and Cst. Ron Knockwood as the new co-chairs of the Policing Subcommittee.

TRIPARTITE SUBCOMMITTEE ON POLICING

SUMMARY OF ACTIVITIES

December, 1994

SUB-COMMITTEE OBJECTIVE:

- to examine and formulate recommendations for resolution of policing issues of mutual concern to the Federal and Provincial Government and the Mi'kmaq community and recommend project or policy initiatives to improve policing services in Nova Scotia.

Unama'ki Police Force

- response to Union of Nova Scotia Indian's proposal for development of a tribal police force in Cape Breton.
- tripartite agreement was negotiated, recruits trained, Board of Police Commissioners appointed.
- field training of recruits completed December 1, 1994.
- force becomes fully operational December 15, 1994.
- first independent aboriginal police force in Atlantic Canada.

Clairmont Report

- three-volume report "Native Justice in Nova Scotia" was submitted to Tripartite Forum in September, 1992.
- recommended greater emphasis on community-based policing; recruitment of more native police officers; cultural sensitivity programs; satellite offices on reserve; establishment of police native advisory committees.

Native Civilian Liaison Officer Project

- objectives of the project are as follows:
 - *to ensure that native people receive the same quality of policing services as other citizens and to ensure that there is full appreciation of native policing needs and options as the native population of Nova Scotia moves toward greater self government.*

- *to effect high levels of liaison and other linkage with the native community in all its diversity.*
- *to improve police human resources programming including sensitivity training, cultural awareness/knowledge and recruitment.*
- *to effect a policing environment, internal and external to the police department, which native people can appreciate as fully responsive to them.*
- liaison officer commenced employment February, 1993.
- cultural sensitivity program developed; sessions with Halifax Police Service and neighbouring police forces ongoing. (approximately 60 officers to date)
- variety of informational materials developed.
- linkage between police and aboriginal community groups established.

Community Legal Issues Facilitator Project

- established in November, 1992.
- representatives from the policing community participate in the Monitoring Board which oversees the project.

R.C.M.P. Sub-office - Indian Brook ^{DET}

- sub-office opened in January, 1993.

Amendments to Nova Scotia Police Act

- subcommittee participated in analysis of Police Act amendments.
- passed June, 1992; provides for establishment of native police forces.

Framework Agreement - First Nations Community Police Service

- Nova Scotia Department of Justice, R.C.M.P. and Solicitor General Canada have approved the terms of a Framework Agreement which provides for the negotiation of Tripartite FNCPS Agreements for policing of aboriginal communities.

- anticipated that Framework Agreement will be concluded in the near future.

Policing of the Millbrook Reserve

- Do NOT WANT TRIBAL POLICE

- first negotiation session for the development of community Tripartite agreement to be held December 2, 1994, in Millbrook.

R.C.M.P. Response to Policing Needs of Aboriginal Communities

- establishment of local community Aboriginal Advisory Groups.
- implementation of cultural sensitivity programs (recruit and in-service).
- re-instatement of Aboriginal Constable Development Program.
- increased number of aboriginal members.

Municipal Police Departments

- development of cultural sensitivity program.
- establishment of Community Advisory Committees in some areas.

INCENT J. MACDONALD
CHIEF OF POLICE

CITY OF HALIFAX

1975 GOTTINGEN STREET
HALIFAX, NOVA SCOTIA B3J 2H1



ADDRESS ALL CORRESPONDENCE
TO THE CHIEF OF POLICE

TELEPHONE (902) 421-
FAX: (902) 421-2708

POLICE DEPARTMENT

December, 19, 1994

Ms. Kit Waters,
Director, Policy, Planning and Research,
N. S. Department of Justice,
5151 Terminal Rd.,
Halifax, N. S.

Dear Kit;

Constable Ron Knockwood and Me have had one brief telephone meeting since assuming the co-chair of the Tripartite Forum Subcommittee on Policing. We were not involved in the start up therefore we feel it would be useful to obtain back minutes and other pertinent material for reference.

Would you forward this material to us early in the new year. Thank you in advance.

ALSO, HAVE A MERRY CHRISTMAS AND A HEALTHY AND REWARDING
NEW YEAR.

Yours truly,

Gordon Legge, Inspector
Co-Chair, Tripartite Forum
Subcommittee on Policing.



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada



CANADA REMEMBERS
LE CANADA SE SOUVIENT

Your file Votre référence

January 26, 1995

Our file Notre référence

E-4115-1 (IGA10)

Ms. Kit Waters
Nova Scotia Department of Solicitor General
P.O. Box 2599, Station "M"
Halifax, Nova Scotia
B3J 3N5

Dear Ms. Waters:

STANDING COMMITTEE ON FINANCE AND ADMINISTRATION

Please find enclosed, the Record of Proceeding from our meeting of December 6, 1994. If there are any recommendations as to changes, please advise by return fax (902-667-9947).

The letter from Joe Ghiz establishing the Executive Committee date with Ministers should be already sent by the time you receive this note. Standing committee Chairs are asked to prepare reports and recommendations for the Officials Committee meeting to be held in Halifax February 15th. This Officials Committee will focus on preparation for the March 24th Executive Committee Meeting.

You will be advised shortly on the time and location of meetings once final preparations are completed. Thank you for your continued cooperation and assistance.

Sincerely,

J. P. McNeil
Co-Chair
Standing Committee on
Finance and Administration
Indian & Inuit Affairs
Atlantic Region
P. O. Box 160
Amherst, Nova Scoti
B4H 3Z3

Encl.

Post-it™ Fax Note		7671	Date	31-01-95	# of pages	5
To	Kit Waters		From	J.P. McNeil		
Co./Dept.			Co.	DIANO		
Phone #	(902) 424-7782		Phone #	(902) 661-6348		
Fax #	(902) 424-0546		Fax #	(902) 667-9947		

Canada

FINANCE AND ADMINISTRATION STANDING COMMITTEE
MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM

Record of Proceedings
December 6, 1994
Sydney, NS

Attendees:

Dan Christmas
Roger Hunka
Alan Clark
Spencer Wilnot
Mary Mason
Heidi Marshall
Joe McNeil

ITEM:1 - *Report of sub-committees:*

JUSTICE

Dan Christmas reported that they require more work in the Justice Working Group before they would be in position to recommend the Court Worker Project and the Justice Institute to the Officials Committee but that the work should be complete early in the new year.

Joe McNeil reported on the federal meeting on the band bylaw issue and indicated that DIAND had committed to state its policy position by February 1st in exchange for a similar statement of policy by the Department of Justice. In addition the RCMP agreed to examine their ability to prosecute and report back to the group at a meeting scheduled for mid February. We should have more information following that proposed meeting. (see attachment)

POLICING

Issues related to policing that are yet to be resolved include:

- *the tripartite agreement at Millbrook;*
- *Indian Brook Tribal Policing;*
- *Municipal police participation at the standing committee level; and*
- *a major concern was tabled with respect to the Gaming raids on-reserve which are in contradiction to cooperative tripartite approach to on-reserve policing.*

HUMAN RIGHTS

Human Rights issues of most concern currently remain, long term funding and commitment to support the human rights facilitator, the establishment of an in-house lawyer at the provincial Human Rights Commission to deal with Aboriginal human rights issues and the monitoring of response to the Oxford Hockey Incident Report. (see attachment)

ITEM: 2 - FISH AND WILDLIFE COMMISSION

It is yet to be determined as to whether the proposal should go to the Executive Committee which is subject to both First Nation response and the formal response by DFO in January concerning their ability to negotiate jurisdiction based on inherent right.

ITEM:3 - MULTI YEAR FUNDING

Dougal MacDonald (DIAND) will be working with a committee to review alternatives and provide recommendations to the next Officials meeting.

ITEM:4 - NATIVE WOMEN PARTICIPATION

Short term funding has been provided to permit participation by the Native Women's Organization for the current year by DIAND and the Province, but if full party status is sought, the item will have to be tabled at the next Officials meeting for discussion and recommendation. Ms. Marshall suggested she would discuss further with the executive of the Native Women's Organization and advise the committee.

ITEM:5 - ANNUAL REPORT

Alan Clark reported that the only thing required to complete the document was statements from Mi'kmaq representatives supporting the process to be included in the preface. Once these are received the document will be ready for production. First Nation representatives were to provide these statements as soon as possible in order to insure the report would be complete by the next Executive Committee meeting.

ITEM:6 - STANDING COMMITTEE CHAIRS

It was recommended that the following procedure be followed in order to change the chairs of standing committees:

- 1) The current chair of the committee submit in writing to Mr. Ghiz, with a copy to the F&A Standing Committee, his/her decision to vacate the chair three months prior to the effective date.
- 2) The current chair table recommendations of the standing with respect to appointment of replacements to the Officials Committee for approval.

ITEM:6 - EXECUTIVE COMMITTEE MEETING/OFFICIALS COMMITTEE MEETING

Alan Clark and Joe McNeil will arrange a meeting with Joe Ghiz to plan for the next Executive/Officials meetings including a letter from Mr. Ghiz to Federal Ministers and Premier Savage advising them of the intended date and agenda.

Tentative Agenda Items:

Official Government Affirmation of the Forum Process

Long Term Funding of Forum Process

Governments Position on Band ByLaw Prosecution

Aboriginal Justice Initiative/Future Policy

Justice Institute/Court Worker Project

Human Rights Facilitator/Federal Human Rights Representative

Fish and Wildlife Commission Proposal

*J.P. McNeil
Co-Chair*



MEMORANDUM

TO: Tripartite Sub-Committee on Policing

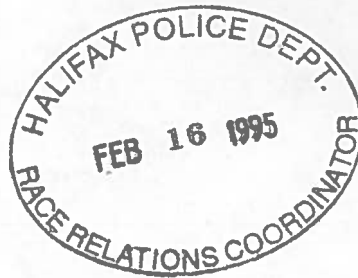
KW
FROM: Kit Waters

DATE: February 14, 1995

RE: Committee Minutes

Attached are the minutes of the December 1st meeting.

KW:lc



TRIPARTITE AGENDA

FEBRUARY 15, 1995

10:15 a.m.

WORLD TRADE AND CONVENTION CENTRE

1. Opening Prayer (Grand Chief Ben Sylliboy)
2. Welcome and Introduction of Participant (Joseph A. Ghiz, Q.C., Chairperson)
3. Minutes of the December 8, 1993 meeting
4. Status Report from Sub-Committees
 1. Justice Sub-Committee (Dan Christmas - Chairperson)
 - (a) Mi'kmaq Justice Institute
 - (b) Evaluation Report, CLIF Demonstration Program, 2nd Quarter
 - (c) Overview, Shubenacadie Diversion Program 1992-1994
 - (d) Band By-laws
 - (e) Island Alternative Measures Society, Mi'kmaq Young Offenders Project
 - (f) Mi'kmaq Legal Translators Certificate Program
 - (g) Aboriginal Articling Position, Nova Scotia Legal Aid
 - (h) Mi'kmaq Community Corrections Office
 2. Human Rights Sub-Committee, Spencer Wilmont, Chairperson
 - (a) On-going Financial Support, Mi'kmaq Community Rights Liaison Facilitator
 - (b) Federal representatives on Human Rights Directory

. . . 2

3. Policing Sub-Committee, Kit Waters and Allan Clark - Chairpersons

PROGRAM

- (a) Unama'ki Tribal Police Force
- (b) Millbrook Community Policing
- (c) Civilian/Native Community Police Worker, Halifax Police Department, Second Term Evaluation
- (d) Sensitivity Training Meeting

4. Finance and Administration Sub-Committee, Joe MacNeil and Allan Clark, Chairpersons

FUNDATION ITEM

3 MONTHS

noted when leaving

- (a) 1994-95 Tripartite Budget
- (b) 1995-96 Tripartite Budget
- (c) Native Womens Participation in Tripartite Forum Process.
- (d) Annual Report (A. CLARK)
- (e) Appointment of Standing Committee Chairs
- (f) Department of Fisheries/Mikmaq Fish and Wildlife Committee
- (g) Long-Term Funding for the Forum Process
- (h) Political Support to the Process
- (i) Workplan/Agenda
- (j) Recommended Agenda

5. Items for Executive Meeting, March 24, 1995

1. Commitment to the Tripartite Process by the Federal and Provincial Government and the Aboriginal Community

2. Long-term Multi-funding Arrangements for the Tripartite process

IS A PROJECT (or GOING) NOT PROGRAM

3. Justice Program, Aboriginal Court Worker Program and the future implication of the Federal, Aboriginal Judiciary Initiative after 1996

4. The enactment of Band By-laws and the prosecution and enforcement of Band By-laws by the Court

5. Adding Federal Human Rights Representative to the Tripartite Forum in the discussion of funding for a Nova Scotia Human Rights Facilitator

6. Micmac Fish and Wildlife Commission

6. New Business

1. Time, date and location of next meeting
2. Executive ministerial meeting, March 24, at the Sheraton
3. Work Plan with time frames for the Tripartite Process -
Officials Meeting and Executive Meetings
4. Future Tripartite Agenda

7. Closing Prayer (Grand Chief Ben Sylliboy)

**TRIPARTITE FORUM
SUBCOMMITTEE ON POLICING
REPORT FOR 1994/95**

February 15, 1995

TRIPARTITE SUBCOMMITTEE ON POLICING

REPORT FOR 1994/95

The mandate of the Tripartite Subcommittee on Policing is to examine policing issues of mutual concern to the federal and provincial governments and the Mi'kmaq and recommend project or policy initiatives to improve policing services in Nova Scotia. Membership of the committee includes representatives from a number of provincial and federal government departments, police agencies, the Union of Nova Scotia Indians, Native Council of Nova Scotia and Confederation of Mainland Micmacs.

Unama'ki Tribal Police Force

A Canada/Nova Scotia/Mi'kmaq agreement to establish the Unama'ki force was signed in Eskasoni in July, 1994. Field training of recruits was completed November 30, 1994. The force - the first aboriginal police force in Atlantic Canada - became fully operational December 15, 1994 with John Leonard Toney as Chief of Police. Much credit is due to the Chiefs of the five Cape Breton reserves and, in particular, to Noel Doucette, the Chair of the Unama 'ki Board of Police Commissioners.

Civilian Native Community Police Worker Project

In response to the recommendations of the Clairmont Report, the CNCPW commenced as a pilot project in the Halifax Police Department in 1993. Objectives of the project are as follows:

- to ensure that native people receive the same quality of policing service as other citizens and that there is full appreciation of native policing needs and options as the native population of Nova Scotia moves toward greater self-government.
- to effect high levels of liaison and other linkage with the native community in all its diversity.
- to improve police human resources programming including sensitivity training, cultural awareness/knowledge and recruitment.
- to effect a policing environment, internal and external to the police department, which native people can appreciate as fully responsive to them.

In June 1994 Sharon Culbertson replaced Darliea Dorey as Project Co-ordinator. Ms. Dorey's contribution to the project was very significant in the development of training modules and establishment of linkages between the police department and the aboriginal community. Ms. Culbertson has proved an able and enthusiastic co-ordinator since assuming the role.

Evaluation of the project is being conducted by Professor Don Clairmont. The following excerpt from his May 1994 evaluation report attests to the impact of the project to date:

"There is little doubt the First Nation Training Module was successful. It was well received by the participants who appear to have been, at least in the short run, positively influenced in regard to cultural sensitivity. . . .The native community police worker (CNCPW) has been successfully implemented at Halifax Police Department. It is possible to indicate positive developments with respect to all three thrusts identified -- organizational, behavioral and assessment. There have been organizational changes and there is evidence of positive subjective assessment on the part of both police and native persons. . . .The cultural sensitivity course has been prepared and is being implemented. The Directory of Native Organizations has been prepared and distributed within H.P.D. Liaison linkages and structures have been erected. The sense of improved trust and accommodation may be indicated in the collaboration shown by police and native leaders in the recruitment for the initial CNCPW and subsequently for her successor."

At the most recent Sub-committee meeting in December, 1994 a proposal regarding the CNCPW was submitted, recommending:

- The CNCPW program be extended for an additional three years.
- The training program be extended to personnel from municipal agencies throughout the province and the RCMP.
- Scope of the program be extended to allow for First Nation's persons to learn more about police operations (six two-hour sessions to be conducted).
- Exchange program be implemented between native and non-native police organizations.

A full proposal, including budget implications will be developed by the Halifax Police Department for consideration by the Sub-committee on Policing.

Framework Agreement - First Nation Community Police Service

The Nova Scotia Department of Justice, RCMP and Solicitor General of Canada are currently finalizing the terms of a Framework Agreement which provides for the negotiation of Tripartite First Nation Community Police Service Agreements for policing of aboriginal communities.

The terms of a Community Tripartite agreement with the Millbrook Band for policing of the reserve are now being finalized by the Band, federal and provincial government representatives.

Discussions are currently underway with Chief Reg Maloney of IndianBrook regarding the feasibility of an alternative policing arrangement for the reserve. The reserve is now policed by aboriginal RCMP officers.

Fishing/Hunting Enforcement

A working group was established to develop protocols for enforcement officers and to consider proactive means to mediate cases involving aboriginal persons. The Sub-committee has been advised that the dispute resolution protocol has worked very well off reserve.

New Chairpersons

At the meeting on December 1, 1994 the Sub-committee selected Inspector Gordon Legge (Co-ordinator, Race Relations, Halifax Police Department) and Cst. Ron Knockwood (Aboriginal and Visible Minority Section, RCMP) to serve as co-chairs of the Sub-committee. They will replace Kit Waters, who had served as Chairperson since the establishment of the Sub-committee.



THE PREMIER
HALIFAX, NOVA SCOTIA
B3J 2T3



March 1, 1995

Inspector Gordon Legge
Coordinator of Race Relations
Halifax Police Department
1975 Gottingen Street
Halifax, Nova Scotia
B3J 2H1

Dear Inspector Legge:

I would like to take this opportunity to congratulate you on your nomination to co-chair the Policing Subcommittee of the Mi'kmaq Nova Scotia Tripartite Forum.

The Policing Subcommittee has played a major role in the Tripartite process with a number of very successful projects which are now underway.

I am pleased to see that you have accepted this role as co-chair and my staff and I look forward to working with you and the Mi'kmaq Nation in moving issues forward so that self-government for the Mi'kmaq of Nova Scotia will be a reality.

Thank you for your cooperation and participation in this important role.

Yours sincerely,

John Savage

JS:amf



Printed on paper that
contains recycled fibre



MEMORANDUM

TO:

- Ms. Kathie Matthews, Department of Fisheries and Oceans
- Mr. David Trainor, Indian and Northern Affairs
- ✓ Mr. Dale Sylliboy, Native Council of Nova Scotia
- ✓ Inspector Gordon Legge, Halifax Police Department
- ✓ Ms. Sharon Culbertson, Halifax Police Department
- ✓ Inspector Stan Ferguson, R.C.M.P.
- ✓ Constable Ron Knockwood, R.C.M.P.
- ✓ Ms. Crystal Taylor, Department of Human Resources
- Mr. Tony Benson, Public Service Commission of Canada
- Mr. Hugh MacIsaac, Department of Natural Resources
- Mr. Darrell Landry, Micmac Native Friendship Centre
- Ms. Nora Henderson, Atlantic Canada Opportunities Agency
- Ms. Rosalie Francis, Union of Nova Scotia Indians
- Mr. Sam Lafford, Confederacy of Mainland Micmacs
- ✓ Mr. Bernie Knockwood, Confederacy of Mainland Micmacs
- ✓ Mr. Spencer Wilmot, Native Council of Nova Scotia
- Mr. Roger Hunka, Native Council of Nova Scotia
- Mrs. Clara Gloade, Nova Scotia Native Women's Association
- Mr. Gilbert Daye, Canadian Heritage
- ✓ Mr. John Bower, Ulnooweg Development Group Inc.

amc
FROM: Allan Clark
Director, Aboriginal Affairs

DATE: March 7, 1995

RE: Cross-Culture Training

*BOB BARRS
POLICING SERVICES*

A meeting is scheduled for Thursday, March 23, 1995, at 9:30 a.m., Department of Natural Resources, 2nd Floor Boardroom, Founders Square, Halifax, Nova Scotia.

The purpose of the meeting is to discuss cross-culture training programs, sharing of information, resources and future development in this area.

Please advise if you are able to attend this meeting (424-5970).

THUR
/amf



Printed on paper that
contains recycled fibre



March 15, 1995

Inspector Gordon Legge
Halifax Police Department
1975 Gottingen Street
Halifax, Nova Scotia
B3J 2H1

Gord,
Dear Inspector Legge:

I would like to send my regrets in reference to the meeting - Tripartite Sub-Committee on Policing, I am unable to attend.

Yours truly,

Bob

Robert A. Barss
Executive Director



RAB/ct/leggc.696



TRIPARTITE SUB-COMMITTEE ON POLICING

March 28, 1995

Halifax Police Department

PRESENT:

Gordon Legge, Halifax Police Department
Sharon Culbertson, Halifax Police Department
Romola Trebulcock, Solicitor General
Emerson Kaiser, Kaiser, Unama'ki Tribal Police
Rosalie Francis, Union of Nova Scotia Indians
Dale Sylliboy, CLIF Demonstration Project
Don Clairmont, Dalhousie University
Joe McNeil, D.I.A.N.D.
Allan Clark, Aboriginal Affairs
Ron Knockwood, R.C.M.P.

MINUTES:

1.0 Approval of Agenda

One item was added by Ms. Francis regarding the Shubenacadie police proposal - budget.

2.0 Minutes of Previous Meeting

Minutes of the December 1, 1994, meeting were circulated and approved.

3.0 Business Arising from the Minutes

3.1 Unama'Ki Update

Mr. Kaiser gave a verbal report regarding the three and one half months of operation so far. Authorized strength is 15 native constables plus two R.C.M.P. advisors.

Present strength is 13 native constables and two R.C.M.P. advisors, two vacancies exist and the possibility of one recruit may reduce this to one vacancy. Recruit training is done at the R.C.M.P. depot in Regina. Further information is contained in the Unama'Ki Tribal Police Interim Report attached.

3.2 Civilian Native Community Police Worker Project

Ms. Culbertson reported on the Aboriginal Cultural Awareness Training for police officers sessions which were held October 19, 1994, and February 19, 1995. These

are the third and fourth offerings.

As well, and in more detail, she reported on the Police Cultural Awareness Training for aboriginal students. This took place over six weeks, one night a week, two hours each evening. Seven aboriginal university students attended for all six sessions. All sessions were attended and monitored by Don Clairmont for evaluation purposes. The first night was a welcome and tour of the police station. The second session involved the students becoming familiar with the Identification Section and the third session, put on by the Emergency Response Team, included the showing of a video and explained in some detail the requirements to become part of this group and maintaining fitness. A demonstration of the new semi-automatic handgun was carried out following which the students had an opportunity to fire these weapons. Session four was conducted by Constable P. MacDonald. He spoke about Community Based Policing, personal safety, community issues and concerns. Session five involved a ride-along for all students. It is interesting to note that some students stayed out until 1:00 A.M. or 2:00 A.M. and it wet their appetite for further exposure to ride-along programs. Session six was the closing and the presentation of certificates by the Chief of Police followed by a social.

C.N.C.P.W. Program

Inspector Legge handed out the proposal to sustain the C.N.C.P.W. worker beyond 1996. This had been done at the December 1994 meeting, however, this particular handout included a budget. (attached)

Mr. Clairmont spoke of the C.N.C.P.W. Program and its benefits. He indicated the latest interim report is now prepared and this report, once received, will be attached to the minutes of this meeting.

Ms. Trebulcock, Federal Solicitor General, Aboriginal Policing, commented on the C.N.C.P.W. Program. She indicated that her program and its funding run out in March 1996. She further indicated that once that happens, their department will be focusing on policy development. She emphasized that the C.N.C.P.W. Program was the only program in the country to have full three year funding.

Mr. J. McNeil indicated that at the next Aboriginal Justice Executive Committee Meeting to be held April 7, 1995, policy with regard to the continuation of such programs will be discussed.

Ms. Trebulcock indicated that it is the practice of the Federal Government not to sustain. If a program is to be sustained, the Federal Government believes this is a Municipal/Provincial responsibility. She also spoke regarding funding other initiatives such as a program currently being carried out in Winnipeg in which all of their police personnel will be "sensitized" within a two year period.

Mr. Kaiser observed that the situations in Halifax and Winnipeg are considerably different. He pointed out that in Halifax the situation appears to be "I want to learn" and in Winnipeg the situation would appear to be "you shall learn". The R.C.M.P. situation is that it is part of the overall learning process.

Mr. McNeil indicated the Tripartite Forum should begin to lobby other Federal departments for funding, e.g. Heritage and Immigration.

4.0 C.L.I.F. Update

Mr. Sylliboy spoke at length regarding his program and his fourth quarterly report was distributed and will be included with these minutes for reference. (attached) He emphasized that three to five year pilot projects only break the ice. Something of a more sustained nature is needed. He also emphasized that actual community contact is of much more value than lectures and classroom presentations. He concluded by stating that success to him would be the hiring of more aboriginal persons into policing.

5.0 Frame Work Agreement Indian Brook Tribal Policing\Alternative

Ms. Francis presented the Shubenacadie Police Proposal budget request and supporting document. (attached) A general discussion followed on terms and conditions of the agreement. Mr. Knockwood voiced his concerns that if Indian Brook changed to tribal police, these individuals would not have the opportunity to be exposed to all that is available to the R.C.M.P. Aboriginal constables. In his opinion R.C.M.P. native constables are tribal police. Why is there a need for a separate tribal police organization?

Mr. Kaiser observed that Chief Maloney and Council want tribal police. Ms. Francis observed over time that if Indian Brook went to tribal policing, they would ultimately be associated in some way with Unama'ki and possibly a provincial regional aboriginal police service could develop from this.

Mr. Clairmont observed that in Ontario and Quebec there are approximately 100 stand-alone aboriginal police organizations.

There is a concern generally that political interference could take place if tribal police were put in place. Mr. Kaiser observed that this has been adjusted and dealt with insofar as Unama'ki is concerned in that there are police and a Board of Commissioners.

The budget contained in this presentation through the Committee will be sent to the Provincial Government via Allan Clark and to the Federal Government via Ms. Trebulcock.

With regards to Millbrook Community Tripartite Agreement on policing, everything is in place and this agreement now awaits signing. Once this takes place three R.C.M.P. officers and one support person will work from a detachment on Millbrook. This will be separate from Bible Hill.

The start date is projected to be May 1995.

6.0 Training

Mr. Clark spoke regarding the meeting which he convened on March 23, 1995. In order to get the most out of the limited funds available, a unified training program may be worth considering. This to involve all government departments, police, education. Concerns were expressed generally regarding one shot training without dealing with specific concerns. This applies to both communities and such organizations as police. Suggestions were made with regard to approaching the private sector for funding. Ms. Francis indicated the Treaty Day Committee was in the process of establishing a Speakers Bureau.

Mr. McNeil raised the question as to how cultural sensitivity got into the policing sub-committee area. Following discussion, it was generally agreed that possibly the Human Rights Sub-Committee may be the best area for this subject. It was suggested that Mr. Wilmot, Chairperson, Tripartite Sub-Committee on Human Rights, will be approached regarding this. It was also suggested that this subject be brought forward to the full Tripartite Forum.

7.0 Representation - Policing Services

A question which may have to be addressed is do we need a sub-committee regarding training. Mr. Sylliboy observed that Policing Services was not represented again at this meeting and he was concerned about this.

8.0 Adjournment

The meeting adjourned at 3:45 P.M.

GL/ jmm

TRIPARTITE SUB-COMMITTEE ON POLICING

MEETING ATTENDANCE, MARCH 28, 1995

NAME	REPRESENTING	PHONE/FAX
Sharon Culbertson	H.P.D.	421-2585
Romola Trebulcock	Seri. Gen - Ab. Pol.	991-2297
Emerson Harris	Utomaki Police	802-379-2822
Rosalie Francis	Tripartite - U.N.S.I.	902-758-2346 (fax) 758-2017
Dale Sylling	CLIF Project	(902) 425-7325
Don Clamond	Tripartite: Project Evaluation	902-835-9432
Joe McNeil	DEPT OF INDIAN & NORTHERN DEVELOPMENT DIAND.	902-661-6348
PHILIP CLARK	NS. OFFICE ABORIGINAL AFFAIRS	902-424-6916
Ron Knockwood	Abor / Vis Min Policing (RCMP)	902-426-9245
GORDON LEBLANC	HPD.	902-421-7773

Unama'ki Tribal Police



General Delivery
Eskasoni, Nova Scotia B0A 1J0

Tel: (902) 379-2822

FAX: (902) 379-2999

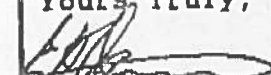
To:	Insp. Legge - Chair-Tripartite Sub/Committee on Policing - Halifax P.D.		
	Info: Mr. Dan Christmas - UNSI - Sydney		
Attention:	as indicated		
FAX Number:	902-421-2708 and 564-2137		
From:	E.H. Kaiser, Police Consultant - Unama'ki Tribal Police		
Date:	March 29, 1995		
Page:	1	of:	3

Message

Attached please find report as requested. Please note issue involving Justice of the Peace.

I have provided info copy for Mr. Dan Christmas, UNSI.

Yours Truly,


E.H. Kaiser.



Board of Police Commissions
Unama'ki First Nation
Eskasoni
Chapel Island
Waycobah
Wegmatook
Membertou

UNAMA'KI TRIBAL POLICE**Interim Report**

Tripartite Sub/Committee on Policing

Halifax Police Department - March 28, 1995

The following provided at request of the Chair of the Tripartite Sub/Committee on Policing.

Commencement of Operation:

The Unama'ki Tribal Police assumed responsibility for the provision of police service for the five Unama'ki Communities, that is Eskasoni, Membertou, Chapel Island, Waycobah and Wagmatcook, on December 15, 1994.

Authorized Strength:

The authorized strength of the Unama'ki Tribal Police consists of 15 uniformed officers plus two members of the RCMP seconded for a period of two years plus a financial clerk and five clerk/dispatchers.

The organization provides a twenty four hours communications centre and police coverage from 0800 hrs to 0600 hours daily.

Actual Strength:

There are two vacant police officer positions.

Staffing action is complete in terms of one candidate and we await advice from the RCMP Training Academy in terms of a "start date" for this persons training.

The second position may be filled by a trained and experienced police officer and failing this, staffing action is proceeding to fill the position by a new recruit.

Training:

Chief John Leonard Toney has successfully completed Phase I of the administration course offered by Hansen College and will complete Phase II as soon as a seat is available, likely October, 1995.

One member attended a breathalyser course and qualified as a technician to bring our number to four qualified technicians.

FACE Training - two members attended and qualified.

-Page 2-

All members are qualified Alcometer operators.

Calls for Service:

For period January 1, 1995 to date - 846 occurrences which, although a small data base, is roughly four times the comparative figures for the three preceding years for the same period.

Budget:

Year end financial review is not totally complete, however, the organization will finish the year with a slight surplus.

Significant Development:

The Union of Nova Scotia Indians in conjunction with the Unama'ki Tribal Police met with Provincial Court officials in Sydney and the Chief Judge in Halifax with reference to having the Provincial Court on circuit in Eskasoni.

The Chief Judge and officials have approved the Provincial Court on circuit in Eskasoni, commencing in June on the first and third Thursdays and monthly thereafter.

Appointment of Justice of the Peace.

A major problem for the Unama'ki Tribal Police is the fact that there is not a local Justice of the Peace, requiring members to travel to Sydney each and every time that a Justice of the Peace is required.

This results in added operating costs and removes the officer or officers from the community for approximately 1.5 hours each time that the services of a Justice of the Peace are required.

There were a number of applicants from Eskasoni for the Justice of the Peace positions advertised by the Province some months ago, however, while selections and training is complete in the wider community, no selection was made for the position in Eskasoni.

Based on the best available information to this level there were qualified applicants from Eskasoni therefore the reason for the non-selection of a person from this community remains elusive.

Any assistance that the Sub/Committee can lend to making this a priority of the decision makers would be of considerable assistance to the police and the community.

CONTRACTING FOR RCMP SERVICES

NOVA SCOTIA TRIPARTITE SUB-COMMITTEE ON POLICING

PURPOSE

The purpose of this paper is to respond to specific questions that have been raised in the Nova Scotia Tripartite Sub-committee on Policing on the terms and conditions under which RCMP services may be provided to Indian Bands by means of a contract.

STATUTORY PROVISIONS FOR POLICING

Subsection 20(1) of the RCMP Act empowers the Solicitor General of Canada to enter into arrangements with any provincial government for the use or employment of the RCMP, or any portion of it, to enforce provincial and municipal laws and the Criminal Code in the province. Subsection 20(1) reads as follows:

The Minister may, with the approval of the Governor in Council, enter into an arrangement with the government of any province for the use or employment of the Force, or any portion thereof, in aiding the administration of justice in the province and in carrying into effect the laws in force therein.

The Nova Scotia Police Act contains provisions which complement section 20(1) of the RCMP Act permitting the provincial government to enter into agreements to employ the RCMP and empowering RCMP members as provincial constables to enforce provincial laws.

Subsection 11(1) of the Nova Scotia Police Act empowers the Governor in Council of the province to enter into agreements with Canada for the employment of the RCMP. It reads as follows:

The Governor in Council may from time to time enter into an agreement or agreements with the Government of Canada for the use or employment of the Royal Canadian Mounted Police Force or any portion thereof in aiding the administration of justice in the Province and enforcing the laws of the Province and any penal laws in force in the Province.

SPECIFIC QUESTIONS

The above summary of the existing statutory authorities provides a framework upon which to answer the following specific questions raised by the members of the sub-committee.

1. Can an Indian Band Council contract for RCMP policing services on-reserve?

By law, and consistent with the federal Indian Policing Policy, full service policing (i.e. enforcement of federal laws, provincial laws, and Band by-laws) by the RCMP can only come about if the federal and provincial governments and the Band Council, each acting within their legal capacity, agree.

The specific terms and conditions of the agreement would be the subject of negotiations and consistent with the Indian Policing Policy. The policy provides that policing services:

- meet acceptable standards with respect to the quality and level of service that would compare with communities with similar conditions in the region; and
- be accessible and responsive to the special and unique policing needs of Indian bands.

2. To what extent could a band exercise control over a RCMP detachment on-reserve?

The Indian Policing Policy requires that the appropriate accountability mechanism be established for on-reserve policing services. The policy states that Indian bands should have an effective and appropriate role in directing their policing service through accountability mechanisms (e.g. police boards and commissions) which, at the same time, ensure police independence from inappropriate partisan and political influences.

Areas that would be subject to negotiation include:

- setting goals, priorities and objectives for the police service;
- staffing; and
- reporting relationships.

The Indian Policing Policy provides that policing arrangements for Indian bands should ensure the provision of mechanisms of impartial and independent review of allegations of improper exercise of police powers and violations of Codes of Conduct as well as mechanisms for grievance and redress on matters related to discipline and dismissal.

In the case of the RCMP, a national independent mechanism is already in place to review the conduct of RCMP members. The RCMP Public Complaints Commission was established to provide an independent review process for making RCMP members accountable to the public for police conduct.

The Commission's mandate is set out in Part VII of the RCMP Act, 1988. As an independent review authority, its function is to review and/or investigate complaints against RCMP members.

There is in addition, the RCMP External Review Committee which provides an independent mechanism of redress to RCMP members subject to discipline or dismissal.

These independent bodies are external to the RCMP.

The ultimate control of RCMP members rests with the Commissioner of the RCMP. The Commissioner's " control and management " of the RCMP, under the direction of the Solicitor General, is provided for in subsection 5(1) of the RCMP Act, which reads as follows:

The Commissioner of the Royal Canadian Mounted Police, who under the direction of the Minister, has the control and management of the Force and all matters connected therewith.

3. Could funding be provided directly to a band to pay for RCMP services?

An appropriate funding arrangement would be a matter agreed upon through negotiations and implemented within the framework of sound financial management and Treasury Board authorities.

December 13, 1991

CONTRACTING FOR RCMP SERVICES

NOVA SCOTIA TRIPARTITE SUB-COMMITTEE ON POLICING

PURPOSE

The purpose of this paper is to respond to specific questions that have been raised in the Nova Scotia Tripartite Sub-committee on Policing on the terms and conditions under which RCMP services may be provided to Indian Bands by means of a contract.

STATUTORY PROVISIONS FOR POLICING

Subsection 20(1) of the RCMP Act empowers the Solicitor General of Canada to enter into arrangements with any provincial government for the use or employment of the RCMP, or any portion of it, to enforce provincial and municipal laws and the Criminal Code in the province. Subsection 20(1) reads as follows:

The Minister may, with the approval of the Governor in Council, enter into an arrangement with the government of any province for the use or employment of the Force, or any portion thereof, in aiding the administration of justice in the province and in carrying into effect the laws in force therein.

The Nova Scotia Police Act contains provisions which complement section 20(1) of the RCMP Act permitting the provincial government to enter into agreements to employ the RCMP and empowering RCMP members as provincial constables to enforce provincial laws.

Subsection 11(1) of the Nova Scotia Police Act empowers the Governor in Council of the province to enter into agreements with Canada for the employment of the RCMP. It reads as follows:

The Governor in Council may from time to time enter into an agreement or agreements with the Government of Canada for the use or employment of the Royal Canadian Mounted Police Force or any portion thereof in aiding the administration of justice in the Province and enforcing the laws of the Province and any penal laws in force in the Province.

SPECIFIC QUESTIONS

The above summary of the existing statutory authorities provides a framework upon which to answer the following specific questions raised by the members of the sub-committee.

1. Can an Indian Band Council contract for RCMP policing services on-reserve?

By law, and consistent with the federal Indian Policing Policy, full service policing (i.e. enforcement of federal laws, provincial laws, and Band by-laws) by the RCMP can only come about if the federal and provincial governments and the Band Council, each acting within their legal capacity, agree.

The specific terms and conditions of the agreement would be the subject of negotiations and consistent with the Indian Policing Policy. The policy provides that policing services:

- meet acceptable standards with respect to the quality and level of service that would compare with communities with similar conditions in the region; and
- be accessible and responsive to the special and unique policing needs of Indian bands.

2. To what extent could a band exercise control over a RCMP detachment on-reserve?

The Indian Policing Policy requires that the appropriate accountability mechanism be established for on-reserve policing services. The policy states that Indian bands should have an effective and appropriate role in directing their policing service through accountability mechanisms (e.g. police boards and commissions) which, at the same time, ensure police independence from inappropriate partisan and political influences.

Areas that would be subject to negotiation include:

- setting goals, priorities and objectives for the police service;
- staffing; and
- reporting relationships.

The Indian Policing Policy provides that policing arrangements for Indian bands should ensure the provision of mechanisms of impartial and independent review of allegations of improper exercise of police powers and violations of Codes of Conduct as well as mechanisms for grievance and redress on matters related to discipline and dismissal.

In the case of the RCMP, a national independent mechanism is already in place to review the conduct of RCMP members. The RCMP Public Complaints Commission was established to provide an independent review process for making RCMP members accountable to the public for police conduct.

The Commission's mandate is set out in Part VII of the RCMP Act, 1988. As an independent review authority, its function is to review and/or investigate complaints against RCMP members.

There is in addition, the RCMP External Review Committee which provides an independent mechanism of redress to RCMP members subject to discipline or dismissal.

These independent bodies are external to the RCMP.

The ultimate control of RCMP members rests with the Commissioner of the RCMP. The Commissioner's " control and management " of the RCMP, under the direction of the Solicitor General, is provided for in subsection 5(1) of the RCMP Act, which reads as follows:

The Commissioner of the Royal Canadian Mounted Police, who under the direction of the Minister, has the control and management of the Force and all matters connected therewith.

3. Could funding be provided directly to a band to pay for RCMP services?

An appropriate funding arrangement would be a matter agreed upon through negotiations and implemented within the framework of sound financial management and Treasury Board authorities.

December 13, 1991

June 5, 1995



Inspector Gordon Legge
Race Relations Coordinator
Co-Chair, Tripartite Policing
Subcommittee
Gottingen Street
Halifax, Nova Scotia
B3J 2H1

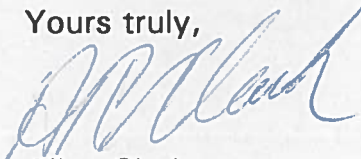
Dear Mr. Legge:

Thank you for your recent letter regarding Shubenacadie Tribal Police Proposal and the expansion of the Civilian Native Community Police Worker Program.

The Shubenacadie Tribal Police Agreement is in the process of being signed by all parties. On May 7, 1995, the Executive Tripartite Forum met at the World Trade and Convention Centre. The Chiefs of Nova Scotia decided at the meeting that they did not want to meet in a Tripartite Forum with the Native Council of Nova Scotia. This is an internal matter which has to be decided by the Mi'kmaq community on who represents the Mi'kmaq in Nova Scotia. Until this is resolved, the Government of Nova Scotia has stated it will continue with financial support for the projects and programs that have been ongoing but no new initiatives will be approved until this issue is resolved.

If you have any questions regarding the above, please feel free to give me a call at 424-6918. Thanks for your patience on this matter.

Yours truly,

A handwritten signature in blue ink, appearing to read "Allan Clark".

Allan Clark
Director





Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada



Journal No. / Votre référence

Our file / Notre référence

January 18, 1996

E-4115-1 (IGA10)

Inspector Gordon Legge
Co-Chair, Sub-Committee on Policing
1975 Gottingen Street
Halifax, Nova Scotia
B3J 2H1

Post-It® Fax Note	7871	Date	Jan 17 96	Page	8
To	Isp. Gordon Legge	From	Joe McNeil		
Co./Dept.	Halifax Police Dept.	Co.	DIAND - ARD		
Phone #		Phone #	902-661-6348		
Fax #	902-421-2574	Fax #	902-661-6237		

Dear Inspector Legge:

**PROPOSED OFFICIALS COMMITTEE OF THE
MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM**

As a result of the January 10, 1996 meeting of the Finance and Administration Standing Committee, it was recommended that an Officials Committee meeting will be held during the week of March 18, 1996.

It is anticipated as indicated in the Record of Proceedings of October 3, 1995, Item 3 (enclosed) that you are proceeding with the work of your committees with respect to ongoing activities

In preparation for the upcoming Officials Committee meeting please prepare the following:

- 1) a report on your committee for presentation to the Officials Committee in March containing the following elements:
 - update on current projects;
 - evaluation of projects that are scheduled to conclude with recommendations as to further action;
 - identification of new initiatives and recommendations to be considered by the Officials Committee; and
 - provide information with respect to current and future budget requirements for existing and new projects within in your committees mandate.

.../2

Canada

Printed on recycled paper - Imprimé sur papier recyclé

-2-

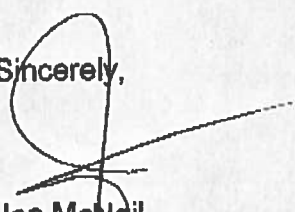
- 2) Provide the completed report to the Finance and Administration Committee by March 7, 1996 for incorporation into the Officials Committee documents.

I am enclosing a current list of participants of the various committees and would appreciate each Chair updating their list as to appropriate participants for the coming year's activities and return to me for distribution to all parties of the Forum.

A Record of Proceedings and additional documentation with respect to the agenda of the January 10th Finance and Administration Committee meeting will be made available shortly for your information.

Thank you for your cooperation and I look forward to working with you in future as the business of the Forum continues.

Sincerely,



Joe McNeil
Co-Chair, Finance and Administration Committee
Senior Intergovernmental Relations Officer
Indian and Inuit Affairs (Atlantic)
P.O. Box 160
Amherst, Nova Scotia
B4H 3Z3

Encl.

TRIPARTITE SUB-COMMITTEE ON POLICING**COMMITTEE MEMBERS**

Inspector Gordon Legge (co-chair)
O/C Race Relations
Halifax Police Department
1975 Gougeon Street
Halifax, Nova Scotia
B3J 2H1

421-6854
421-2574 (fax)

Cst. Ron Knockwood (co-chair)
Aboriginal Policing/Visible Minorities
R.C.M.P. "H" Division
3139 Oxford Street
Halifax, Nova Scotia
B3J 3B1

426-9245
426-8845 (fax)

Mr. Dan Christmas
Executive Director
Union of Nova Scotia Indians
P. O. Box 961
Sydney, Nova Scotia
B1P 6J4

539-4107
539-6645 (fax)

Mr. Noel Doucette
R. R. #1
St. Peter's, Nova Scotia
B0B 3B0

535-3317
535-3004 (fax)

Mr. Dwight Dorey
President
Native Council of Nova Scotia
P. O. Box 1320
Truro, Nova Scotia
B2N 5N2

895-1523
895-0024 (fax)

Mr. Roger Hunka
Native Council of Nova Scotia
P. O. Box 1320
Truro, Nova Scotia
B2N 5N2

895-1523
895-0024 (fax)

Mr. D. Bruce Clarke
Solicitor, Native Council of Nova Scotia
Burchell, MacAdam & Haynes
7th Floor, 1646 Barrington Street
P. O. Box 36
Halifax, Nova Scotia
B3J 2L4

423-6361
420-9326 (fax)

Mr. Allan Clark
Co-ordinator of Aboriginal Affairs
5th Floor, One Government Place
1700 Granville Street
Halifax, Nova Scotia

424-6918
424-7638 (fax)

Inspector S. Ferguson
Aboriginal Policing/Visible Minorities
R.C.M.P. "H" Division
9139 Oxford Street
Halifax, Nova Scotia
B3J 3E1

NO LONGER IN THIS FUNCTION. NOT REPLACED AT THIS TIME.

426-9245
426-8845 (fax)

Mr. Barry Sabean
A/Director of Wildlife
Department of Natural Resources
P. O. Box 516
Kentville, Nova Scotia
B4N 3X3

679-6091
679-6176 (fax)

Chief A. Lonnie Murray
Truro Police Department
695 Prince Street
Truro, Nova Scotia
B2N 1G5

RETIRED - DID HE REPRESENT THE NS CHIEFS OF POLICE?

895-5351
893-1629 (fax)

Mr. Pierre Goulet
Aboriginal Police Division
Ministry of Solicitor General
11th Floor, 340 Laurier Ave. West
Ottawa, Ontario
K1A 0P8

(613) 990-2744
(613) 991-0961 (fax)

Mr. Joe McNeil
Band Support Division
Department of Indian & Northern Development
Regional Office
P. O. Box 160
Amherst, Nova Scotia
B4H 3Z3

661-6348
667-9947 (fax)

Ms. Christine Mosher, Solicitor
Department of Justice
4th Floor, 5151 Terminal Road
Halifax, Nova Scotia

42A-7792
42A-4556 (fax)

Mr. Bob Barrs
Executive Director, Policing Services
Department of Justice
6th Floor, Joseph Howe Building
Halifax, Nova Scotia

42A-7795
42A-0700 (fax)

Mr. Eric Zschelle
Solicitor, Confederacy of Mainland Mi'kmac
P. O. Box 1590
Truro, Nova Scotia
B2N 5V3

895-6385
893-1520 (fax)

Professor Don Clairmont
Sociology & Social Anthropology
Corner South & Seymour Streets
Dalhousie University
Halifax, Nova Scotia
B3H 1T2

494-6740
494-2897 (fax)

Mr. Dale Sylliboy
Community Legal Issues Facilitator
2nd Floor, 1672 Barrington Street
Halifax, Nova Scotia
B3J 2A2

425-7325
423-6266 (fax)

Ms. Kit Waters
Director, Policy, Planning & Research
Department of Justice
3rd Floor, 5151 Terminal Road
Halifax, N.S.
B3J 1A1

42A-7782
42A-0546 (fax)

**MI'KMAQ/NOVA SCOTIA/CANADA TRIPARTITE FORUM
FINANCE AND ADMINISTRATION STANDING COMMITTEE**

RECORD OF PROCEEDINGS

October 3, 1995

1 Government Place
Halifax, Nova Scotia

ATTENDEES

Danny Christmas - Union of Nova Scotia Indian (UNSI)
 Rosalie Francis - Union of Nova Scotia Indians
 Alan Clark - Province of Nova Scotia
 Heather McNeil - Native Council of Nova Scotia (NCNS)
 Roger Hunka - Native Council of Nova Scotia
 Spencer Wilmot - Native Council of Nova Scotia
 Mary Mason - Confederacy of Mainland Micmacs (CMM)
 Joe McNeil - Department of Indian Affairs and Northern Development (DIAND)

Co-Chair Joe McNeil opened the meeting by indicating the intent of the session was to examine a strategy for resuming the tripartite process now that there has been an indication by all parties, that the will is there to return to the process. A review of the official responses to Premier Savage regarding the resumption of the process, revealed DIAND had not responded, but, a response was expected within the week. Mr. McNeil suggested the discussions continue as planned and all parties would be given the DIAND response as soon as it became available.

Danny Christmas indicated he required the response for the UNSI board meeting on October 25th indicating the will to continue and resource the process to the future.

ITEM 1 - Representation/Citizenship Standing Committee

Considerable discussion on the representation issue and appropriate strategies to address what has come to be a primary issue to all parties, resulted in the Standing Committee on Finance and Administration recommending the following:

- a) the timeframe required to hold an Executive Committee would delay the work to be done on the representation/citizen issue. The parties are requested to amend the normal procedure of Executive Committee approval to establish this standing committee and confirm your agreement by return correspondence;

: 2

- b) the need to accomplish preliminary direction on this issue before the Officials or the Executive committee meet is obvious to the future success of the forum and therefore the standing committee should be established as soon as possible and begin their work with the intention of bringing preliminary recommendations to the next Officials and Executive Committee meetings of the forum; and
- c) the Finance and Administration Standing Committee communicate with all parties a recommendation for action which reads as follows:

"We the Executive Committee of the Mi'kmaq/Nova Scotia/Canada Tripartite Forum agree by exchange of correspondence to duly establish a **Citizenship/Representation Standing Committee** of the Executive Committee, with an independent chair, to examine and recommend on this issue, and which will be co-funded by federal and provincial parties to the forum."

all parties respond in writing on or before November 1, 1995 their agreement with respect to this recommendation to Premier Savage, as the chair of the forum is presently vacant.

NOTE: It is anticipated by funding parties that the majority of costs related to this standing committee will be provided from existing core funding with the exception of costs related to the independent chair.

ITEM 2 - Independent Chair

The standing committee has recommended the Independent Chair chosen for the Citizenship/Representation Standing Committee could also be established as the Independent Chair of the Forum. The three Mi'kmaq Parties to the Forum are asked to submit suggestions as to potential candidates to Alan Clark on or before November 1, 1995. If an appropriate chair can be established early in November the Representation/Citizenship Standing Committee can begin their work and preparations can begin for the next Officials and Executive Committee meetings.

In making recommendations as to appropriate candidates for consideration by the Officials Committee, the following characteristics should be considered:

- 1) Political profile of the individual
- 2) Chairmanship and organizational skills
- 3) Commitment to process for a fixed term of appointment
- 4) Acceptability of all parties/community
- 5) Knowledge of communities and issues

ITEM 3 - Existing Standing Committees

To insure the business of the forum resume as soon as possible, the Chairs of the Justice, Policing, and Human Rights Standing Committees are asked to establish meetings at the earliest date possible in preparation for potential Officials and Executive meetings.

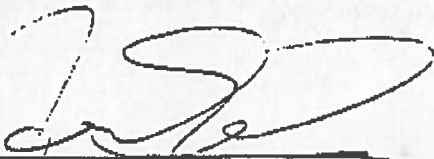

ITEM 4 - Tripartite core/consultation funding

The committee has suggested after some debate, that the Mi'kmaq parties to the forum be funded at the normal annual budget level for 95/96 fiscal period due to the fact that tripartite activities have continued throughout the period since the resolution of April 7th and that federal and provincial departments begin to address this issue immediately to avoid further delay in funding (see attached).

ITEM 5 - Potential Agenda Items

All parties are asked to give thought to appropriate agenda items to be considered by the forum to the future in preparation for the pending Officials and Executive Committee meetings.

NOTE: Danny Christmas has suggested that the title of the Finance and Administration Standing Committee is inappropriate and has suggested the title be changed to the Tripartite Planning Committee. This item may be tabled at the next Officials Committee meeting.


Co-Chair Joe McNeil
Intergovernmental Affairs Officer
Department of Indian Affairs
Co-Chair Alan Clarke
Aboriginal Affairs
Province of Nova Scotia