

Engaging on the Proposed Elements for Federal First Nations Police Services Legislation

Discussion Guide

Winter 2024

Table of Contents

Message From the Minister	3
Purpose	4
Context for Legislation	4
Process Towards Legislation	4-5
Engagement Approach	5
Discussion on Proposed Elements	5
Engagement Agenda	6
Elements to Inform the First Nations Police Services Legislation	7-9
Context	7
Discussion Question	7
Purpose and Funding Arrangements	7-8
Discussion Question	7
Dispute Resolution	8-9
Discussion Question	9
Implementation	9
Discussion Question	9
Broader Indigenous Policing and Community Safety Programs	9
Discussion Question	9
ANNEX A: Proposed Elements to Inform the First Nations Police Services Legislation	10-16
ANNEX B: Engagement Facilitator Bios	17-23
Share your Views	24

Message from the Minister



I have been mandated to co-develop First Nations police services legislation that recognizes First Nations policing as an essential service.

Significant progress has been made. In spring 2022, the Government of Canada completed broad engagement with First Nations and First Nations police services to initiate discussion on the federal First Nations police services legislation. Following this, a "*What We Heard*" report was published in fall 2022 on the feedback from First Nations police services legislation engagement.

Building on this engagement and additional collaboration with key partners, such as the First Nations Chiefs of Police Association (FNCPA), the First Nations Police Governance Council (FNPGC), and provinces and territories, Public Safety Canada developed Objectives and Guiding Principles, intended to set the policy framework for the legislation. These were shared broadly with First Nations and police services in summer 2023.

During the summer and fall 2023, we continued to work with our key partners, as well as some First Nations police services themselves, to develop Elements that will inform the drafting of legislation. The next step is to further refine these Elements during this phase of engagement taking place in winter 2024. I welcome you to share your unique perspectives, ideas and experiences in the context of the proposed Elements.

I am encouraged by the important work we have achieved together. We need to hear your voices to help us advance toward introducing legislation, and I am looking forward to receiving your valuable feedback.

The Honourable Dominic LeBlanc
Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs

Purpose

The purpose of this document is to support your participation in the [Indigenous Leadership Development Institute \(ILDI\)](#)-led engagement sessions on the Government of Canada's draft Elements which will be used to inform the drafting of the First Nations police services legislation (see Annex A). ILDI is receiving funding from Public Safety Canada to support this engagement.

Requesting feedback from First Nations, First Nations police services and representatives is a critical part of the co-development process and your input will help shape the First Nations police services legislation. The dialogue sessions are meant to spark discussion on the draft Elements, to strengthen the proposed Elements for legislation and to build support amongst First Nations and key partners. We look forward to receiving your feedback.

Context for Legislation

The provision of policing services which are professional, effective, culturally appropriate and accountable is critical to building safe and healthy communities. First Nations in Canada have long called for reform to how First Nations police services are funded and have advocated that these be recognized as an essential service through legislation. These calls for reform were highlighted in the [Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#), which included Call for Justice 5.4 to reform the delivery of policing services in Indigenous communities.

There are 35 First Nations police services (often referred to as "self-administered police services") serving 141 First Nations. Currently, funding for First Nations police services is provided under the [First Nations and Inuit Policing Program](#) (FNIPP). The way that federal funding flows needs to be reformed to better meet the needs of First Nations police services and the communities they serve. To this end, Public Safety Canada was mandated to co-develop legislation which recognizes First Nations police services as essential services.

Process Towards Legislation

Engagement and collaboration with First Nations are central to the co-development of this envisioned First Nations police services legislation. In spring 2022, the Government of Canada engaged with First Nations to receive feedback on the potential scope of a federal First Nations police services legislation. A [discussion guide](#) was developed which focused on three key themes: defining "essential service"; identifying funding requirements of First Nations police services; and describing the roles of the Government of Canada, First Nations and provinces/territories in supporting First Nations police services. In September 2023, the Government of Canada published a ["What We Heard"](#) report to provide a summary of the results of that engagement.

Building on the 2022 engagement and regular dialogue with First Nations, the FNCPA, FNPGC, and provinces/territories, Public Safety Canada developed [Objectives and Guiding Principles](#) to set the policy framework for the proposed legislation. These were shared broadly with First Nations and First Nations police services in summer 2023. This past summer and fall, working with the FNCPA, FNPGC and provinces and territories as well as some First Nations police services, Public Safety Canada developed proposed Elements that set the policy objectives for the proposed legislation.

You are being asked to provide your feedback on the Elements because it will inform Public Safety Canada's advice to Cabinet on a potential First Nations police services legislation. These Elements are not the drafting instructions nor are they the draft bill. Once Cabinet has made a decision, drafting instructions will be provided to the Department of Justice, which is responsible for drafting a bill.

Engagement Approach

The [Indigenous Leadership Development Institute, Inc.](#) (ILDI) is a not-for-profit organization, entirely Indigenous, run by a volunteer Board of Directors, to build leadership capacity in Indigenous People. As part of this engagement, Public Safety Canada has provided funding to ILDI to engage with First Nations, to receive feedback on and validate the Elements to inform the federal First Nations police services legislation. Leading the engagements, is former Chief, Dennis Meeches, of Long Plain First Nation and ILDI Board member.



We want to make it as easy as possible for people to provide their input and have included the following ways to participate:

1. **Regional in-person engagement sessions (virtual participation is also possible):**
 - February 13 Winnipeg, MB
 - February 15 Saskatoon, SK
 - February 20 Tsuut'ina Nation, AB
 - February 27 Montréal, QC
 - February 29 Thunder Bay, ON
 - March 5 Chippewas of Rama First Nation, ON
 - March 7 Whitehorse, YK
 - March 12 Quebec City, QC
 - March 14 St. Mary's First Nation, NB
 - March 21 Vancouver, BC
2. **National online engagement session March 19 (virtual only); and,**
3. **Written comments/submissions** – please share any additional feedback to ILDI at the following email address: info@ildii.ca.

Throughout the process, Public Safety Canada will continue to work with key partners and to meet bilaterally with First Nations, including First Nations modern treaty and self-governing agreement signatories, upon request. Public Safety Canada will also attend conferences to present the Elements and hear participants' views.

Discussion on Proposed Elements

The goal of these engagement sessions is to secure your feedback on the objectives of the envisioned First Nations police services legislation as described in the Elements. Participants are strongly encouraged to read the Elements to inform the First Nations police services legislation (**Annex A**) as a way to prepare for the discussions. To support dialogue, a summary of “what was heard” to date, key aspects of the Elements, and discussion questions are provided. Note that the facilitator bios are also included (**Annex B**).

Engagement Agenda

- 9:00 AM **Welcome and Opening Remarks**
- Opening Prayer & Land Acknowledgement / Territory Welcome
 - Agenda overview
 - Remarks and Presentation from Chris Moran, Assistant Deputy Minister, Indigenous Affairs Branch
- 9:30 AM **Context**
- Group Discussion
- 10:15 AM *15-min Health Break (coffee, tea, snacks provided)*
- 10:30 AM **Purpose and Funding Arrangements**
- Group Discussion
- Dispute Resolution**
- Group Discussion
- 12:00 PM *1-hr Lunch Break (coffee, tea, lunch provided)*
- 1:00 PM **Implementation**
- Group Discussion
- Broader Indigenous Policing and Community Safety Programs**
- Group Discussion
- 2:30 PM *15-min Health Break (coffee, tea, snacks provided)*
- 2:45 PM **Recap of Discussions**
- 3:00 PM **Regional Segment – Tailored to Each Region**
- Province/Territory Presentation and/or First Nations Regional Organization Presentation
 - Q&A's
- 4:50 PM **Wrap up and next steps**
- Evaluations
 - Closing Remarks
 - Closing Prayer
- 5:00 PM **End of Day**

Elements to Inform the First Nations Police Services Legislation

1. Context

What Was Heard

The Government of Canada has heard that co-developing legislation which recognizes First Nations police services as essential services should mean that First Nations police services are supported with sustainable, equitable, stable, and flexible funding, and not through the FNIPP. Participants also said that First Nations police services should be substantively equivalent to non-Indigenous police services, culturally responsive, representative and respectful of the communities they serve.

Intent of Legislation

The Elements state that the intention of this legislation should be focused on supporting First Nations police services as essential services through the provision of federal funding.

The context in the Elements emphasizes that this legislation would be founded on Canada's commitment to reconciliation with First Nations. The provisions acknowledge the leadership role of First Nations in fostering safety in their communities, that provinces/territories play an important role in the establishment and regulation of First Nations police services, and that First Nations have long called for reform in how First Nations police services are funded. The Elements state that First Nations police services will continue to be subject to provincial/ territorial policing legislation, regulations and standards.

The Government of Canada is committed to working with First Nations and provinces/territories to ensure that First Nations police services are funded. The context section emphasizes that the Government of Canada is fully prepared to meet its commitments to reconciliation with First Nations, particularly requirements made pursuant to the *United Nations Declaration on the Rights of Indigenous Peoples Act*.

Discussion Question

1. The context emphasizes that the federal legislation should recognize and support First Nations police services with funding and foster effective partnerships between First Nations, the Government of Canada and the province/territory. Are there other concepts that you feel need to be included in the context to properly set the tone of this envisioned legislation?

2. Purpose and Funding Arrangements

What Was Heard

First Nations have raised the need for First Nations police services to be funded to a level that recognizes them as an essential service. Notably, funding to support First Nations police services must be: responsive to operational requirements; predictable, equitable, stable and flexible; responsive to community priorities and needs; and, conducive to building First Nations police governance.

It was also heard that the legislation would need to identify the roles and responsibilities of First Nations, provinces/territories and the Government of Canada in making decisions concerning First Nations police services.

Intent of Legislation

The Elements propose that a federal legislation should support First Nations police services and First Nations police governance bodies with federal funding. It is envisioned that First Nations, provinces/territories and the Government of Canada will work together to identify the amount of funding needed and articulate this in a funding arrangement. This funding arrangement would be the expression of the amount of funding needed to support a First Nations police service as an essential service.

The funding provided should enable the First Nations police service and First Nations police governance body to meet relevant provincial/territorial legislative requirements, regulations and standards pertaining to policing, and any other applicable law, as well as respond to First Nations policing and community safety priorities.

The Government of Canada, First Nations and provinces/territories each have distinct roles and responsibilities in this area and the success of this proposed legislation would depend on effective collaboration between these three entities. The envisioned roles are as follows:

- **Government of Canada:** work with First Nations and provinces/territories to identify needed funding and to provide its share of funding identified in the funding arrangement, which is understood to mean 52% of the required funding. This legislation would not provide the Government of Canada the power to legislate, regulate or set standards that govern the operations of First Nations police services or First Nations police governance bodies.
- **First Nations:** exercise leadership in establishing and supporting First Nations police services. It is envisioned that the legislation would support First Nations police services in responding to First Nations policing and community safety priorities.
- **Provinces/Territories:** exercise their legislative authority over the establishment and operations of First Nations police services. Provinces/Territories are also anticipated to contribute to the funding of First Nations police services to meet provincial/ territorial policing standards.

Discussion Questions

1. What are your views of the roles and responsibilities of the Government of Canada, First Nations and the provinces/ territories as articulated in the Elements?
2. Do you have any suggestions for how to increase the likelihood that funding arrangements will be successfully concluded?

3. Dispute Resolution

What Was Heard

The Government of Canada heard that a dispute resolution process may be needed to help resolve disagreements on the amount of funding needed to support a First Nations police service.

Intent of Legislation

An intention of the envisioned legislation is to foster effective and healthy working relationships between the Government of Canada, First Nations and provinces/ territories. The dispute resolution processes outlined in the Elements encourages these entities to voluntarily come together to attempt to resolve disputes concerning the amount of funding provided to First Nations police services in a respectful way.

The Elements propose two processes to resolve disputes. First, the Elements propose a mediation process, a voluntary dispute resolution process in which a neutral third party (i.e. the mediator) would assist in resolving an issue by supporting productive conversations. Second, the Elements describe how the

Government of Canada may participate in a dispute resolution process proposed by the First Nation and/or province/territory.

Discussion Question

1. How successful do you think the proposed dispute resolution processes will be in supporting the resolution of disputes? Do you have any suggestions that may help the Government of Canada, First Nations and provinces/territories work together to respectfully resolve disputes?

4. Implementation

What Was Heard

The Government of Canada heard that there is a need for the legislation to be flexible in meeting the evolving needs of First Nations and to support the successful transition of existing self-administered police services agreements under the FNIPP to new arrangements under a federal legislation.

Intent of Legislation

The Elements include provisions which provide guidance on the implementation of the proposed legislation which will support First Nations police services to provide policing services to First Nations.

The Elements acknowledge that First Nations police services currently receive funding from the FNIPP. The Elements state an intention to fund First Nations police services via funding arrangements under the legislation five years from the legislation coming into force or before the expiry of the existing FNIPP funding agreement, whichever is later.

The Elements propose that the legislation would be reviewed every five years to ensure it is meeting its goals. Reviews are intended to be informed by engagement with First Nations and provinces/territories.

Discussion Questions

1. Do you have any other ideas that could help support the implementation of a First Nations police services legislation?
2. The Elements envision that First Nations would be significantly involved in the implementation of the legislation. What is needed to support First Nations participation in this implementation?

5. Broader Indigenous Policing and Community Safety Programs

The Government of Canada recognizes that First Nations police services may not be the solution for all First Nations communities across Canada and it is important to note that the FNIPP will not dissolve with the introduction of a potential federal legislation.

With this in mind, Public Safety Canada will continue to work collaboratively with Provinces and Territories and First Nations to support effective and culturally appropriate policing and community safety initiatives. This includes other policing and community safety supports delivered through FNIPP, such as Community Tripartite Agreements and community safety officer initiatives, investment made through the [First Nations and Inuit Policing Facilities Program](#) (FNIPFP), as well as other Public Safety Canada programming.

Discussion Question

1. How can the FNIPP and FNIPFP, as well as other Public Safety Canada programming, better respond to broader policing and community safety needs in your communities?

ANNEX A:

Proposed Elements to Inform the First Nations Police Services Legislation

Note: The proposed elements are draft only and subject to continued discussions between the Government of Canada and provincial/territorial governments, in addition to this engagement process.

I. Summary

The purpose of this document is to articulate First Nations, provinces/ territories and Public Safety Canada's shared vision to support the drafting of the federal First Nations police services legislation. These elements were co-developed by First Nations policing representative organizations, provinces/ territories and Public Safety with the objective of developing a federal legislation which will support First Nations police services as essential services. The elements are intended to set the policy intentions of the legislation to inform drafting instructions.

II. Preamble

The preamble may emphasize that this legislation is founded on Canada's commitment to reconciliation with First Nations.

The preamble may recognize that:

- First Nations have historically and continue to exercise leadership in fostering safety and well-being in their communities;
- First Nations have unique histories, cultures and community safety needs which require policing that is responsive to each First Nation's unique needs;
- Provinces and Territories have legislative jurisdiction over the administration of justice;
- First Nations, provinces/territories and the Government of Canada have a long history of collaboration in supporting the administration of justice in First Nations' communities via the establishment of and support to First Nations police services;
- First Nations police services, as well as First Nations police governance bodies, require funding to meet applicable standards outlined in provincial/territorial legislation and regulations, and any other applicable law, to provide services of a comparable level to non-Indigenous communities with similar conditions in the region, and provide police services that are responsive to the needs of the communities served; and,
- First Nations in Canada have long called for reform to how First Nations police services are funded and have advocated for federal legislation that recognizes First Nations police services as an essential service. These calls for reform were highlighted in the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

The preamble may note that the Government of Canada is committed to:

- Working in partnership with First Nations and the provinces/ territories based on trust, mutual respect and participation in decision-making to ensure First Nations police services are funded;
- Taking necessary measures to ensure consistency with the United Nations Declaration on the Rights of Indigenous Peoples, as required by the *United Nations Declaration on the Rights of Indigenous Peoples Act*; and,

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- Meeting its obligations concerning funding First Nations police services pursuant to treaties and self-government agreements.

III. Definitions

The legislation may include the necessary definitions to bring precision and clarity to interpret the Act. The following definitions may be considered for inclusion in the definitions section of the *Act* or in other sections, as the legislative drafters deem necessary:

- *First Nations police service*: this definition may indicate that the authorities and responsibilities of the service are described in applicable provincial/territorial policing legislation and by the applicable First Nations and the applicable provinces/territories. The definition should be flexible enough to include all First Nations police services subject to relevant provincial/territorial policing legislation as deemed necessary by the applicable province/territory. The federal legislation should also be flexible enough to support First Nations police services that operate in a geographical area that includes more than one province or territory.
 - The federal legislation must be flexible enough to support First Nations police services in Ontario that are recognized as such by the Government of Ontario. Currently, First Nations police services consists of “First Nations Constables” who are appointed by the Commissioner of the Ontario Provincial Police (*Police Services Act, section 54*). After the *Community Safety and Policing Act, 2019* comes into force (date to be determined), First Nation boards may be constituted under the Act to maintain a First Nation police service (section 32) or First Nation Officers may be appointed to act as a police service (section 101, formerly “First Nations Constables”). For further clarity, the latter does not include First Nations Constables or First Nations Officers who are funded pursuant to a Service Level Agreement for Ontario Provincial Police administered policing.
 - The federal legislation must be flexible enough to support First Nations police services in Quebec. Under section 90 of Quebec’s *Police Act*, Indigenous police services are police services for the purposes of the *Act*.
 - The federal legislation would not be applicable to other police services, such as the Royal Canadian Mounted Police, provincial police services and municipal police services, in the definition of a “First Nations police service.”
 - The federal legislation may need to specify that community safety, public safety and other activities are within the scope of this legislation insofar as they constitute part of the roles and responsibilities of First Nations police services.
- *First Nation*: the definition may identify the appropriate First Nation leadership which represents communities and is authorized to make decisions concerning policing on behalf of the communities, such as First Nations councils or political territorial organizations. Chiefs of police are not signatories to Public Safety Canada’s FNIPP funding agreements for current First Nations police services, and it is anticipated this practice would continue for future agreements under the legislation.
- *Minister*: this definition may indicate that it is the Minister of Public Safety
- *First Nations police governance body*: this definition may be flexible enough to recognize First Nations police governance bodies also known as First Nations police boards or commissions depending on the province/territory which are defined under provincial/territorial policing legislation as well as those established by First Nations, and recognized by provinces/territories, but not necessarily required pursuant to provincial/territorial policing legislation.
- *Policing legislation*: this definition may define this term as being the police legislation as per the applicable province/territory.
- *Policing regulations*: this definition may define this term as being the police regulations as per the applicable province/territory.
- *Policing standards*: this definition may define this term as being the police standards as per the applicable province/territory.

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- *Associated activities*: this term is intended to capture activities associated with the processes to establish and manage a First Nations police service and a First Nations police governance body (if applicable), including activities conducted by First Nations.
 - *Federal Funding*: this definition may clarify that this is funding provided by the Government of Canada pursuant to the funding arrangements, which represents 52% of the total costs articulated in the funding arrangement.
 - *Funding Arrangement*: this definition may clarify that this is the agreement to which the Government of Canada, the applicable provinces/territories and applicable First Nations agree in order to provide funding for First Nations police services, First Nations police governance bodies and associated activities. This definition may highlight that the conclusion of a funding arrangement is the expression of the agreed upon financial requirements to support a First Nations police service as an essential service.

IV. Treaties and Self-Government Agreements

The legislation is also intended to be the practical means by which the federal government will meet its obligations to fund First Nations police services, First Nations police governance bodies, and associated activities where, and if articulated, in treaties and self-government agreements.

The legislation may clarify that in the event of a conflict between the funding requirements for a First Nations police service in a treaty or self-government agreement and this legislation, that the former will take precedence.

For added precision, the legislation may also mention that the provisions of treaties and self-government agreements take precedence over conditions and specifications outlined in the legislation, particularly in determining the amount of federal funding provided to support First Nations police services, First Nations police governance bodies and associated activities.

The legislation should be clear that the activities that this legislation is intended to fund are those pertaining to First Nations police services, First Nations police governance bodies and associated activities. In other words, should obligations pertaining to other issues be contained in treaties and self-government agreements, these would be out of scope of this legislation.

V. Purpose

The legislation may include a purpose clause, which may articulate that the purposes of this legislation are to:

- Establish a process for the Government of Canada to make available federal funding to support First Nations police services, First Nations police governance bodies and associated activities;
- Describe a process to determine the amount of federal funding provided to support First Nations police services, First Nations police governance bodies and associated activities.

VI. Funding Arrangements

Minister Authority to Enter into Arrangements to Fund First Nations police services

The legislation may describe the Minister's authority to enter into a funding arrangement with the government of a province/territory and First Nations to support First Nations police services, First Nations police governance bodies and associated activities, subject to federal conditions and the existence of appropriations granted by the Parliament of Canada.

Federal Conditions to Conclude a Funding Arrangement

The federal legislation may identify certain conditions to be met in order for the Minister to enter into a funding arrangement to provide First Nations police services, First Nations police governance bodies and associated activities with funding.

1. *First Nations and provinces/territories exercise their roles in the establishment and maintenance of a First Nations police service, First Nations police governance body and associated activities*

The legislation should articulate that the federal Minister's ability to enter into a funding arrangement is contingent on the implicated First Nations and provinces/territories exercising their roles in the establishment and maintenance of a First Nations police service, First Nations police governance body and associated activities. A confirmation that these roles have been exercised should be reaffirmed in the funding arrangement.

It is not the intention for the Government of Canada to determine, oversee, opine or set quality standards on how First Nations and provinces/territories conduct their roles in the establishment and maintenance of a First Nations police service, First Nations police governance body and associated activities, nor is it the intention of the Government of Canada to attempt to regulate matters of provincial/territorial jurisdiction. The types of activities that the First Nations and provinces/territories may conduct in order to establish and maintain a First Nations police service, First Nations police governance and associated activities, may generally include:

First Nation

- Support the establishment of a First Nation police service and First Nations police governance body (if not yet established when this legislation comes into force), and provide Canada and the applicable province/territory notice of this support;
- Complete required due diligence and processes to determine the feasibility, parameters and requirements to establish a First Nations police service and First Nations police governance body (if applicable);
- Identify community safety and policing priorities for their First Nations police service in alignment with relevant legislation, regulations and standards of the applicable province/territory as it pertains to policing; and,
- Adhere to applicable provincial/ territorial requirements to establish and maintain a First Nations police service and, where applicable, a First Nations police governance body.

Provinces and Territories

- Exercise its authority in establishing a First Nations police service and a First Nations police governance body (if applicable), including setting the process to establish a First Nations police service and First Nations police governance body (if applicable);
- Exercise its authority in the regulation and oversight of First Nations police services, First Nations police governance bodies and associated activities, as per the relevant provincial/ territorial legislation that regulates policing; and,
- Agree to fund a First Nations police services, First Nations police governance bodies (if applicable) and associated activities to meet relevant provincial/territorial legislative obligations and standards.

2. *The Government of Canada, the province/territory and First Nations agree on the amount of funding required to support First Nations police services, First Nations police governance and associated activities, and articulate this in a funding arrangement*

The legislation should articulate that the provision of federal funding to support First Nations police services, First Nations police governance bodies and associated activities is contingent on the Government of Canada, the province/territory and First Nations agreeing on the amount of funding needed and articulating this in a funding arrangement. The policy intention is that this funding arrangement is the articulation of the amount of funding needed to support a First Nations police service as an essential service. The funding arrangement should:

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- Enable the First Nations police services, First Nations police governance bodies and associated activities to meet relevant provincial/territorial legislative requirements, regulations and standards pertaining to policing, and any other applicable law;
 - Enable the First Nations police services, First Nations police governance bodies and associated activities to respond to First Nations' policing and community safety priorities in alignment with relevant legislation, regulations and standards of each province/territory as it pertains to policing; and,
 - Consider the broader policing landscape to ensure responsible management and stewardship of public funds.

VII. Resolution of Disputes through Mediation Process

The federal legislation may outline a mediation process to resolve disputes concerning the implementation of the federal legislation.

Entities Eligible to Initiate a Mediation Process

The federal legislation may specify that the following entities are eligible to initiate a mediation process to resolve a dispute and that participation in the mediation process is voluntary. In order for the mediation process to proceed, all of the following entities would need to agree to participate in the mediation process:

- First Nations who have a First Nations police service and a First Nations police governance body (if applicable) and/or First Nations who have support from the applicable provincial/ territorial government to discuss the establishment of a First Nations police service and a First Nations police governance (if applicable) and are in the process of negotiating a funding arrangement with the Government of Canada and applicable province/territory;
- Provinces/Territories; and,
- The Government of Canada.

For further clarification, the federal legislation may specify that a First Nation may decide who represents them in the mediation process.

Types of Disputes that may be resolved through the Mediation Process

The federal legislation may specify the types of disputes which may be initiated by an entity eligible to do so. The following types of disputes may be subject to a mediation process:

- Where the eligible entities are unable to agree on the amount of funding needed to:
 - Enable the First Nations police services, First Nations police governance bodies and associated activities to conduct their responsibilities under the laws and regulations.; and,
 - Enable the First Nations police services, First Nations police governance bodies and associated activities to respond to First Nations' policing and community safety priorities.
- Where the process to determine the amount of funding was alleged to be not fair and/or transparent.

Mediation Process

The federal legislation may specify that a mediation process may be initiated if agreed to by the three eligible entities.

The federal legislation may further specify that in order for the mediation process to proceed, the eligible entities need to agree on the terms of the process, which may include:

- Identification of a mediator or mediators who has/have knowledge of policing in First Nations;
- Identification of the dispute to be resolved;

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- Agreement that the objective of the mediation process is for the Government of Canada, the provinces/territories and First Nations to attempt to resolve the dispute; and
 - Any other item deemed necessary by the three entities to settle the dispute.

The legislation may include provisions that would account for the unique histories, cultures and ways of resolving disputes in the applicable First Nations.

VIII. Other Dispute Resolution Process

The federal legislation may specify that, if an eligible entity proposes a dispute resolution process that differs from the one described above (Section VII), federal participation in that dispute resolution process may be authorized, subject to the Minister receiving:

- Confirmation that the First Nations and provinces/territories have agreed to participate in that process;
- A request from the First Nations and applicable provinces/territories to participate in the dispute resolution process; and,
- Equal opportunity as the provinces/territories and First Nations to determine the terms of the dispute resolution process.

Should the result or decision of the Other Dispute Resolution Process being proposed be binding on the Government of Canada, the federal legislation may specify that the Minister may require additional authorities prior to entering into such a process.

IX. Regulations

The federal legislation may specify the powers of the Governor in Council to make regulations.

The federal legislation may specify that the Governor in Council may only make regulations following engagement by the Minister with First Nations, First Nations police services, First Nations police governance bodies, provinces/ territories and other representatives as determined by the Minister.

The federal legislation may specify that the matters in which the Governor in Council may make regulations include:

- Dispute resolution processes;
- Establishment of an entity to support the implementation of the legislation; and,
- Any other topics deemed necessary by the Governor in Council, upon recommendation from the Minister, for the Minister to implement the legislation.

X. Other Provisions - For Greater Certainty

Limitations on the use of Federal Funding

If necessary, the federal legislation may specify that federal funding may not fund the First Nations police service and/or First Nations police governance body to:

- Assume policing responsibility for any community which is not a First Nation; and,
- Provide services which are not of the responsibility of a First Nations police service, First Nations police governance and associated activities, as per relevant provincial/ territorial policing legislation, regulations and standards.

XI. Implementation

Transitioning existing self-administered police service agreements under the First Nations and Inuit Policing Program to funding arrangements as per federal legislation

The federal legislation may acknowledge that the Government of Canada is currently providing funding for First Nations police services via self-administered police service agreements under the First Nations and Inuit Policing Program.

The federal legislation may articulate that it is intended that all First Nations and Inuit Policing Program self-administered police service agreements which currently provide funding for First Nations police services will be transitioned to new funding arrangements under this federal legislation.

The federal legislation may articulate an intention to transition all existing self-administered police service agreements which provide funding for First Nations police services to new funding arrangements under the legislation five years from the coming into force of the legislation or before the expiry date of the self-administered police service agreement, whichever is later.

The federal legislation may further clarify that existing self-administered police service agreements will continue to be in effect with the coming into force of the federal legislation until such a time as they are replaced with a funding arrangement as per the legislation. If necessary, the legislation may also clarify that no self-administered police services agreements will be concluded or extended once the legislation has been in force for five years.

Establishment of First Nations police services

The federal legislation may reaffirm that the process to establish a First Nations police service is subject to provincial/territorial processes. For further clarity, First Nations police services are not established pursuant to this federal legislation, and nothing in the federal legislation should give the impression that the federal government is compelling provinces/territories to establish a First Nations police service.

XII. Review

The federal legislation could refer to a requirement for the Minister to conduct a review of the entire Act every five years. This may include a comprehensive review of its provisions, administration and operations, arrangements made pursuant to the Act, as well as any other topics relevant to the legislation and deemed necessary by the Minister at the time of the review. The scope of this review should be broad enough to account for and respond to the evolution of the legislation and regulation of policing in First Nations.

The legislation may indicate that these review processes must include engagement with First Nations and provinces/territories. The legislation could indicate that a report with the findings and recommendations from these reviews be tabled in Parliament by the Minister.

XIII. Coming into Force

The federal legislation may include provisions concerning how the Act comes into force.

ANNEX B:

Engagement Facilitators Bios



DENNIS MEECHES

Former Chief Dennis Meeches served as a council member and then Chief of Long Plain First Nation for approximately 26 years. Under his leadership, Long Plain has garnered national attention for its governance and corporate vision. He was first elected as councilor (1988-1994) then as Chief (from 1998-2009 and 2013-2022). Dennis Meeches was instrumental in the governance and economic growth of Long Plain First Nation with their Arrowhead Development Corporation. Long Plain has won numerous economic awards locally, provincially and nationally under his leadership. During his tenure he also served as Chief Portfolio for the Manitoba First Nations Police Commission. Long Plain had the unique distinction of working with 3

different police jurisdictions which are Manitoba First Nations Police Service for Long Plain, RCMP for Keeshkeemaqua and Winnipeg Police Services for Madison Reserve. He currently serves on the Board of Directors of the Indigenous Leadership Development Institute Inc. (ILDI). As the Treaty 1 Spokes-person, his priority was the creation of a joint reserve at Naawi-Oodena, formerly known as Kapyong with the Treaty One First Nations. He was the President of the following Indigenous corporations and remains chairman of TCIG, Indigeno Travel & NIRSMC. Dennis is now employed with TCIG – Spirit Healthcare Group of Companies as Vice President of Business Relations and is the CEO of Indigeno Travel.



ADA UDDOH

Ada is a proud member of Cote First Nation in Saskatchewan, and strongly believes in community-lead reformation of social and community services that educates and empowers community members in building capacity to support local needs. Ada Uddoh spent fifteen years as a provincial public servant working in Employment Standards, and then as an Intake Officer and Special Investigator with the Manitoba Advocate for Children and Youth. A Registered Social Worker with a graduate degree in Social Work, Ada has focused her career on advocating for child welfare and governance. She was instrumental in assisting First Nations in Manitoba reassert jurisdiction over child and family services, as well as involved with educating and mentoring upcoming First Nation child welfare professionals, in her role as an instructor at Yellowquill

University College in the Child Welfare Diploma Program. She is also the Executive Director of the Assiniboia Residential School Legacy Group (ARSLG), where she helps lead a group of survivors and community allies honour residential school students and survivors. Ada honours and takes on a strong responsibility and commitment to working for Indigenous people.



ANDREW CARRIER

Andrew Carrier BA, RPT, CHRP is a Registered Professional Trainer and Certified Human Resource Practitioner. Andrew retired from the Government of Manitoba in 2017 and is currently the Vice-President of the Manitoba Metis Federation- Winnipeg region. Andrew has over 30 years of volunteer experience within the Métis, First Nation, Persons with Disability, and non-profit organizations such as the Indigenous Leadership Development Institute, The Truth and Reconciliation – Governing Circle, Indian and Metis Friendship Centre of Winnipeg, and Canadian Paraplegic Association. Since 2000, Andrew is a Board member of the Indigenous Leadership Development Institute Inc. (ILDI) and Chairperson since 2013. In 2009, Andrew was a spokesperson at the United Nations presenting on the history, culture and challenges facing the Metis in Manitoba. In March 2013, Andrew was the official

spokesperson to French Canada on the Manitoba Metis Federation’s Supreme Court of Canada’s decision on the Metis Land Claims of 1867. Andrew Carrier was first elected within the National Government of the Red River Métis – the Manitoba Metis Federation in April 2000 as a Regional Director and in June 2018, elected as Vice-President. Andrew’s five portfolios within the MMF are Minister of Michif Languages, Residential and Day School Survivors, Riel House, French Language Services and the Metis Community Liaison Department.



DANIELLE SADDLEMAN

Danielle Saddleman comes from *nkmaplqs*, the Head of the Lake, Okanagan Indian Band (OKIB) in Vernon, British Columbia. In 2015, Danielle attained her Bachelor’s Degree at the University of British Columbia Okanagan with a major in Indigenous Studies and a minor in History. Since 2015, Danielle has been a champion, advocate, and leader for language and cultural renewal in her home community the Okanagan Indian Band. She has recently been hired as the new Language and Culture Lead at OKIB and in her new position her goal is to connect all OKIB departments and community to as much Syilx language and culture. Danielle is currently enrolled in the Educational Leadership: Indigenous Resurgence program at Simon Fraser University, aiming to delve into research on leadership roles from a Syilx perspective. Her commitment

extends to her work with the Indigenous Leadership Development Institute, where she facilitates initiatives. Her passion centers on the revitalization of language, the preservation of traditional knowledge, and the overall health and well-being of her community and all Indigenous peoples.



DEBBIE BURKA

Debbie Burka is currently Director of Planning and Policy at Norway House Cree Nation. She has worked in this position for the past 11 years. Prior to joining Norway House she was Chief of Political Staff at the Grand Chief's Office of the Assembly of Manitoba Chiefs. She has worked as a Human Resources Specialist for Peguis First Nation for seven years prior to joining the Assembly of Manitoba Chiefs (AMC) in 2007. Prior to this she worked with the Provincial Government as a Human Resource Specialist for fifteen years and with the Federal Government and City of Winnipeg. She has a wealth of experience working with First Nation communities and all levels of government. She served on the board of the St. Boniface Hospital Foundation, Apprenticeship and Trades Qualification Board for the Province of Manitoba and has been a Board member of the Indigenous Leadership

Development Institute (ILDI) since its inception. Debbie is a senior certified facilitator with ILDI. She has years of experience facilitating workshops with First Nations across Canada on Good Governance and Executive Management Training.



KEENAN COOK

Keenan Cook is a member of Pimicikamak Cree Nation in Northern Manitoba where he currently works as the Back-to-Basics Coordinator for the Cross-Lake Jordan's Principle. Keenan is an active member of Empowering Indigenous Youth in Governance and Leadership (EIYGL), an Indigenous youth led organization that provides opportunities to Indigenous youth to build capacity and leadership skills. Keenan is also a facilitator-in-training with the Indigenous Leadership Development Institute Inc. (ILDI) taking in every opportunity to hone his skills, by participating in ILDI executive training workshops. Keenan has participated as a youth volunteer (through EIYGL) in the World Indigenous Business Forum (WIBF) in Both Colombia and Papua New Guinea. Previously, he took part in the International Aboriginal Youth Internship Program offered by Canada World Youth. In the La Dorada, Caldas, Colombia, the Integrated Farming Internship

is locally supported by the Young Entrepreneurs Association (ASOJE). This association provides opportunities for young individuals in rural regions affected by forced displacement. They focus on aiding youth from highly vulnerable areas, specifically the Las Ferias neighborhood in this context. ASOJE collaborates with the Colombia Youth Foundation (FCJ) to foster youth development, equipping them with life and employability skills. They also engage in community projects targeting nutrition, cultural understanding, the prevention of stigmatization, and risky behavior. The internship was 4 months in the La Dorada, Caldas, Colombia.



MELISSA HOTAIN

Melissa Hotain was recently elected to Council for the Sioux Valley Dakota Nation, a role she previously undertook over 20 years ago, serving her community. With a background in environmental studies, Melissa took on a role as policy analysis for the Assembly of Manitoba Chiefs (AMC) on First Nations environmental and legislation issues in land, water, and environment. Melissa has also worked as an Independent Contractor working on a variety of initiatives including, research, policy analysis, facilitation and liaison services, conference coordination, proposal development, project management, program evaluations and strategic planning. She has worked with the Assembly of First Nations in Ottawa, Ontario as a Project Coordinator in Emergency Management and a Senior Policy Analyst in Water

Issues. With a commitment to her community and First Nation governance, another role Melissa has taken on was Director of Intergovernmental Affairs for the Sioux Valley Dakota Nation, Manitoba. She recently completed a year plus at the Southern Chiefs Organization as a Director leading the Nation Rebuilding Project. Melissa was appointed to the Health Information Research Governance Committee and the International Red River Board. In addition, was nominated by Canada to the Traditional Ecological Knowledge Roster of Experts, Joint Public Advisory Committee, Commission for Environmental Cooperation.



RON LINKLATER

Ron retired in 2015 from the Addictions Foundation of Manitoba where he was employed as a Prevention Education Consultant. During these years he provided training and skills development for people in the helping field and networked with other addiction service providers. From 1991 to 1996 he worked as the Ontario Regional Consultant for the National Native Alcohol Drug Abuse Program based in Ottawa. Prior to that he worked as an alcohol and drug counsellor and young adult treatment program coordinator for the Smith Clinic – St. Joseph's General Hospital in Thunder Bay. Ron has a Bachelor of Arts degree from Lakehead University and Certificate in Native Counselling from Confederation College. He is the chair for the Sakgeeng First Nation Mikaaming Mino Pimatziwin Healing Lodge and is a member of the Lakehead University Elders Council and provides support for the St.

Joseph's Care Group Spiritual Gathering Lodge. Ron is a member of Couchiching First Nation located on Treaty #3 territory. Ron continues to offer his knowledge of culture, ceremony and teachings to people and organizations who are on the journey to reconciliation.



SAM ANDERSON

Sam Anderson has a diverse and expansive business professional background including negotiation and planning skills. Sam was the former Executive Vice President of the Tribal Council Investment Group (TCIG), he was the former Chief of Political Staff Advisor of the Assembly of Manitoba Chiefs Secretariat Inc. Sam is a member of Dauphin River First Nation and a retired Royal Canadian Mounted Police Sergeant. Sam achieved an exemplary career in his 25 years of service with the RCMP, culminating as a leader and ambassador for Aboriginal Policing nationally. For over the past 30+ years, Sam's career has been focused on the development of Indigenous people and communities, with a particular emphasis in the areas of culture retention and reclamation, justice, economic development, organizational planning, operations, human resources, health and wellness. Sam has volunteered on many Board of Directors and committees for multi-sectors. Sam is also owner of the Greenwater Group and Indigebest Inc. Sam has received many awards and honors for his work including, Governor General Order of Merit Award, RCMP Commissioner's Commendation Award (2006), RCMP 25 years Long Service Medal Bronze Clasp (2005), Order of Manitoba (2003), Queen's Jubilee Commemorative Medal (2002), Excellence in Law Enforcement Award (2000), RCMP 20 years Long Service Medal (2000), Ganootamaage Restorative Justice Award (1999) Aboriginal Achievement Award Manitoba (1996) and Canada 125 Commonwealth Medal.



SARAH HOPKINS-HERR

Matriarch, is Turtle Clan from the displaced Lenape Tribe, now known as Eelūnaapéewi Lahkéewit (Delaware Nation) in southwestern Ontario. Sarah is CEO and Founder of Three Sisters Consulting, specializing and engaging Indigenous Communities and organizations on complex and historical issues for mutual growth and reconciliation. She has developed a suite of training programs that have been delivered to Universities, Corporations and all levels of Government to aid in building and maintaining relationships towards mutual gain. She enjoys training and facilitating that builds the capacity of both Indigenous people and those working closely with the Original Inhabitants of Canada. Sarah has served as a twice Elected member of Council for her community, Treasurer and board member for the Southern First Nations Secretariat (her Tribal Council), and ongoing Board Member for the Canadian Mental Health Association, Lambton Kent chapter. Sarah has worked with not-for-profits, multiple levels of government and corporations on a wide variety of areas including mining initiatives, Impact Benefit Assessments, creation of Indigenous Laws, economic and business development, Indigenous policing, negotiations, and Indigenous engagement impacting legislation. Relationship building is the foundation of Sarah's past experiences, and she respectfully acknowledges all the efforts put forth by partners over the years. These relationships have profoundly affected her work and who she is. Anushiik.



SUSAN SWAN

Susan Swan, from Lake Manitoba First Nation was the first Indigenous female police officer employed by the Winnipeg Police Service. She achieved the rank of Sergeant and supervised a platoon in one of Winnipeg's high-profile districts. Susan is an accomplished Human Resources professional with direct experience in the development and oversight of policies & procedures, recruiting and hiring practices, personnel development, union and labour relations, accompanied with negotiations and conflict management. Since her retirement she has been utilizing the skills she has developed along the way and now facilitates training within the Indigenous community in the areas of Human Resource Management, Governance, Workplace Conflict, Facilitation Training and Team Building. She has received numerous accolades for her many contributions and is a sought after motivational

speaker. Susan is a recipient of the YMCA-YWCA Women of Distinction Award for Community Volunteerism; Gemini Award recipient for a Man Alive Documentary "The Red Road"; Manitoba First Nations Award Recipient. Susan is also a published author in the book, "First Lady Nation - Volume 2 -



TERA MCDONALD

Tera McDonald is a Mi'kmaw two-spirit from Qalipu First Nation and is the owner of Kalawikk (Gal-a-wikk) a DEI (Diversity, Equity and Inclusion) firm raising inclusivity standards in design, communications strategy, and education. Tera holds a joint Bachelor of Arts in History and English from Memorial University of Newfoundland, including a Bachelor of Education. Tera later added strategy with her Bachelor of Adult Education in Corporate Training & Facilitation. With a focus on communications, Tera also attained a Graphic Design diploma. Tera's commitment to inclusion has long been her focus as it led her to present at the 31st McGraw-Hill Teaching, Learning & Technology Conference on creating safe learning spaces for all students. She has expanded this work into

supporting diversity in the community as the former Vice-Chair of Persistence Theatre Company, a professional theatre group promoting, understanding and embracing the core beliefs of feminism, and as a current member of Wabanaki Two Spirit Alliance's Gender Diverse Advocate Group. Tera's passion for empowerment of the Indigenous communities of Newfoundland Labrador has led her to work with organizations within the Innu Round Table and Newfoundland and Labrador Indigenous Tourism Association. Further combining her teachings from the Indigenous Leadership Development Institute's Community Leadership Training with communications, Tera has consulted with groups like Empowering Indigenous Women for Stronger Communities to build inclusive communications strategy.



WAYNE KABONI

Wayne has over 35 years' experience in Business development, Project and Change Management, Quality Management Systems, and computer system technologies in both the private and public sectors, with a focus on utilizing his expertise to the betterment of First Nations people. Wayne has been involved in many projects and undertakings, including, assisting as a Venture Catalyst with Social Impact Funds bridging financing and business partnership opportunities with individuals in Canada and the United States. His role has been very instrumental with the rollout of the "Y we dream foundation", empowering Indigenous youth to fulfill their dreams, and the Indian Joe Brand; a coffee, café's and drive-thru business models and clothing line, he has successfully garnered the guidance of two of Canada's best known Brand specialist's Mike Elwood formerly of Indian Motorcycles and Tom Culligan Co-founder of Second Cup Coffee. Wayne has been involved in the development and management of a construction project of


Sheguiandah Memorial Park development on Manitoulin Island. With a focus on contributing to Indigenous skill development and support, Wayne was National Facilitator for Aboriginal Employment Services Network for National Association of Friendship Centres. Utilizing his expertise in computer technologies, he started Two Rivers Technologies and Two Rivers Computers, receiving the Federal Government Standing Offer for Y2K Solutions and Federal Government National Master Offer (NMSO), he achieved ISO 9002 Certification as a Computer assembler and became an OEM private label assembler for IBM and Data General Canada. He assisted four Aboriginal communities to set-up computer assembly businesses by designing, implementing and training the community to utilize the ISO 9000 management system and attain ISO Certification.



XAVIER HOPKINS

A member of Elūnaapéewi Lahnkēewiit (Delaware Nation), Xavier brings a youth-focused approach and perspective to work as a Youth Facilitator at the Indigenous Leadership Development Institute Inc.(ILDI) and Three Sisters Consulting. After graduating from the Chatham-Kent Secondary School as the first Indigenous person in the school district to graduate with a French-bilingual certification, he decided to share his experience and build upon his professional capabilities while serving the Indigenous communities. Xavier has completed several training programs through ILDI and is a member of EIYGL (Empowering Indigenous Youth in Governance and Leadership). He is a certified Youth Engagement Facilitator and is currently training in project management. Xavier has completed his OCAP certification and GBA+ training. As a Youth Facilitator, he works closely with young Indigenous people, helping them

to build confidence, leadership skills, and a strong sense of cultural identity. Xavier's dedication to his work and his community is an inspiration and rooted in his aim to make a difference in the lives of Indigenous peoples through empowerment.



Share Your Views

Send your ideas, suggestions, responses to the questions by:

Email: info@ildii.ca

Fax: 1-204-940-1719

By mail to:

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206-1075, avenue du Portage

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Attention: First Nations Policing Legislation Engagements

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