

## Policing in the North

The North, as we refer to in this policy document, is not a homogeneous entity, but consists of three diverse and very different territories-the Yukon, the Northwest Territories and Nunavut. The territories are at different stages socially, politically, and economically from each other and from the rest of Canada, and within a territory there are significant differences between communities, for example between Iqaluit and tiny Grise Fiord. Here is a snapshot underlining some differences between the three geo-political entities:

- The Northwest Territories: 37 360 people (2001 Census), 50% of whom are Aboriginal. 14 945 registered Indians in 1998, projected to grow to 17 268 in 2008 (13 058 on reserve, 4210 off reserve). Exciting major projects underway and in the planning stages (i.e. diamonds, energy) but concerns about capacity to lead these projects to fruition;
- The Yukon: 28 674 people (2001 Census), 20% of whom are Aboriginal. 7560 registered Indians in 1998, projected to grow to 8 440 in 2008 (4463 on reserve, 3976 off reserve). Economy was hard hit by mine closures and total population declined by 2108 people since 1996; and
- Nunavut: newest and 26 745 inhabitants (2001 Census), 84% of whom are Aboriginal, mainly Inuit. The most underdeveloped of the three in terms of basic infrastructure; new government is grappling with policy development and capacity building. Rapidly growing population: 8.1% population growth between 1996 and 2001. Iqaluit experienced a rate of growth of 24.1%, and other rapidly growing communities include Kugaaruk (22.9%, 109 people) and Arviat (21.8%, 340 people).

Despite differences in the territories' development and economic prospects, there are common traits to the North. Generally speaking, the North is a vast area with a huge resource potential: it houses 20% of Canada's known oil and gas resources and world-class mineral deposits, and by 2005 it will be the world's third largest diamond producer.

Population in the North is small, diverse and isolated. Roughly 50% of the population in the North is Aboriginal- First National, Inuit, and Métis. Although education levels and employment prospects for Aboriginal people are improving, many Northerners lack the education, skills and competencies to access current and emerging opportunities. On the whole, compared to the total population, Aboriginal people experience higher rates of substance abuse, of fetal alcohol syndrome, of violent crime (especially sexual assault and spousal abuse) and of suicide.

The population in the North is young and growing rapidly (i.e. 2-3 times the national average) and it is projected that by 2006 the working age population will have grown by 50%. This represents an opportunity as well as a challenge since the unemployment rates can reach 50% in some small communities.

Northern people face much higher living costs than in the South, including higher infrastructure construction and maintenance costs, which can constrain development and aggravate social problems. Compared to the South, existing infrastructure (connectivity, roads and ports) is underdeveloped, and development can be sporadic, with resource-based economies subject to sectoral boom and bust cycles. There is presently limited community capacity in the North; since educational levels remain low while unemployment rates remain high. Social needs exceed the services available to communities, especially in the NWT and in Nunavut.

Northern governance structures and relationships differ from the rest of Canada. While the federal government has unique responsibilities and levers to foster sustainable Northern development, Aboriginal governments and institutions, created by claims, are taking on new service delivery and assessment roles. There is a commitment by the federal government to complete and implement Aboriginal self-government agreements to establish Aboriginal jurisdictions at local and regional levels. The North is experiencing a period of governance transition where building workable, affordable and legitimate structures requires ongoing attention and support.

Jurisdiction over policing is not included in self-government negotiations in Yukon and Northwest Territories, partly because the territorial governments do not have police legislation setting territorial policing standards. This situation could change, with the consent of the territorial governments, if they adopt policing legislation.

### **Public Safety and Security**

We can expect the social realities in the North to put considerable pressure on the public safety/criminal justice system in the near future. A swelling youth population, complex social problems and a boom and bust economy will have profound implications across the criminal justice system- policing, prosecutions, youth justice, legal aid and corrections. This will challenge the Government's ability to deliver on some of its commitments to Canadians, such as reducing the percentage of Aboriginal people in the criminal justice system, bringing the benefits of prosperity to all communities- including rural, Northern and remote, tackling the most pressing problems facing Aboriginal people and reducing the incidence of FAS in the Aboriginal population.

### **RCMP Contract Policing in the North**

The RCMP provides policing services under contract to the three territories. Each contract province and territory has entered into a separate bilateral agreement with the federal government (these contracts are identical except for a few very minor differences dealing with local situations). All agreements are dated April 1, 1992, except the contract with Nunavut which is dated April 1, 1999, and are due to terminate on March 31, 2012.

While there are municipal policing contracts within most contracting provinces – there are no municipal contracts in any territory. The territorial policing agreement applies throughout the territories including the 3 capital cities.

Each territorial government provides the RCMP with its priorities in areas of policing responsibility. It is the territorial government that determines the number of RCMP members in its service (subject to minimum requirement related to health and safety) and, in consultation with the RCMP, the location of RCMP members (again subject to minimum requirement related to health and safety). The RCMP Commanding Officer in each territory is responsible to the territorial minister and ultimately to the territorial government for certain aspects of the Territorial Police Service. On the other hand, internal RCMP matters such as pay, training, standards, complaints, HR practices and policies are determined at the federal/RCMP Commissioner level.

While base RCMP salaries are the same, policing in the territories is generally more expensive than in the provincial jurisdictions because of additional remote and isolated posting allowances together with higher operational costs for transportation, housing and fuel (to name but a few).

On the whole, the Territories are satisfied with the contract policing services provided by the RCMP. While officers are fully trained and aware of cultural differences with Aboriginal people, and do their best to offer culturally sensitive policing, the lack of linguistic capacity of many RCMP officers in an Aboriginal tongue, can be an important communications issue in some Northern communities, specifically in Nunavut where close to 80% of the population is Inuit, many of whom speak only Inuktitut. While officers certainly would prefer being able to communicate directly with people in the community they serve, there are no incentives in place to learn Inuktitut, a very difficult language.

In an effort to promote the provision of culturally sensitive policing to Aboriginal people and their communities, and to bridge the language gap with Inuit communities, the RCMP is actively trying to recruit more Aboriginal people into their ranks, through programs such as the Aboriginal Cadet Development Program (ACDP) and the Aboriginal Youth Training Program (AYTP). As a proponent of public safety

through community development, the RCMP is also actively involved in Community Justice Forums in the North.

Despite these efforts, the number of Aboriginal RCMP officers and of officers fluent in Inuktitut remains low. The RCMP faces many hurdles in its Aboriginal recruitment efforts. Because of lower educational levels, there is a small pool of qualified recruits to draw from. There is also competition for skilled Natives from other employers who can offer better-paying jobs with normal working conditions.

## **Challenges and Opportunities**

Based on the diagnostique of the North, here are some of the key challenges and opportunities with respect to public safety and policing in the North:

### **Challenges**

#### **Operational**

- Difficult to develop efficiencies and cost-sharing due to prohibitive distances between detachments;
- Lack of roads requires (more costly) air services - some days RCMP aircraft cannot fly due to storms;
- Less access to professional help such as counselors/treatment programs than in south;
- Harsh climate affects equipment; and
- Communications infrastructure difficult in remote areas.

#### **Human Resources**

- Relatively small pool of possible native recruits for the RCMP to draw on - and there are many competing employment options for the educated native individual;
- Northern life-style/educational and employment opportunities often affects the RCMP member's spouse and children more than the member - can influence the member to seek a transfer to a more populated center or down south, thus affecting corporate memory;

- Communication with the population being served is a very important key to successful policing but it has generally proved difficult for RCMP members to acquire local language skills for a number of reasons including the fact that members generally do not stay in isolated posts very long; and
- Isolated posts have more frequent staff turnover.

### **Financial**

- Extremely high cost of doing business – for e.g. it can cost close to a \$0.25 million per year to keep a RCMP member in an isolated Nunavut community; and
- Current FNPP funding inadequate to consider any additional FNPP initiatives in the North.

Despite these challenges, a number of opportunities on the horizon could benefit public safety and policing in the North, including Aboriginal policing:

### **Opportunities**

- Improvements in educational levels of Aboriginal people;
- A substantial proportion of Aboriginal youth coming into adulthood should translate into a wider, able-bodied and better skilled pool of human resources, providing improvements in educational levels; and
- Ongoing efforts to encourage and actively recruit youth to join cadet corps and the RCMP.

If taken advantage of, these opportunities could provide the following benefits to the North:

- An increase in meaningful employment opportunities for Aboriginal people;
- Reduction of policing staff turnover rates through the hiring of local/Aboriginal recruits;
- Widened access to culturally sensitive service delivery;

- Improved communications between Inuit communities and police officers;
- Providing a stable platform from which other goals can be achieved, such as keeping teachers and nurses in remote communities, and, economic development to help address social gaps; and
- Building local capacity to manage, direct, and participate in the police service through police boards (which oversee the operation of First Nation administered police services) and community advisory groups (which oversee the RCMP-administered agreements).

### **Guiding Principles for Public Safety in the North**

In an ideal world, without any financial limitations, public safety in the territories would provide all Aboriginal/Inuit communities with:

- Policing services in Inuktitut;
- Culturally sensitive policing services;
- Consistent policing quality standards (in the event that different policing models are adopted);
- Integrated criminal justice programs/services; and
- The development of governance and leadership capacity.

To achieve these goals, the following guiding principles would apply:

#### **Responsiveness to Cultures and Needs**

Communities should be policed by such numbers of persons of a similar cultural and linguistic background as are necessary to ensure that police services will be effective and responsive to cultures and particular policing needs.

#### **Police Service Options**

Communities should have access to at least the same police service models that are available to communities with similar population conditions in the region. They should also have input in determining the model appropriate to their community.

#### **Officer Standards, Responsibilities and Authorities**

Police officers must meet the same (or equivalent) standards as do other police services in the territory, with respect to recruitment, training, discipline and dismissal

and operational policies and procedures. They should have the same responsibilities and authorities as other police officers in Canada. This means they should have the authority to enforce applicable territorial and federal laws (including the Criminal Code), as well as Band by-laws.

### **Adaptable to the evolution of self-government in the territories**

Police services should be founded on a legislative framework that enables communities to establish, administer and regulate their police service and to appoint police officers, consistent with the evolution towards self-government norms and practices.

### **Develop models to integrate justice programs with broader social initiatives**

Police services should be part of a broader public safety and community development strategy, complementing other initiatives such as restorative justice, counselling services, healing lodges, youth programs, Aboriginal Justice Strategy, Native Court worker Program, Phase II of the National Strategy on Community Safety and Crime Prevention, etc.

### **Policy Directions and Implications**

Due to the differences between the territories and the diversity within each territory, a strategy for federal policing in the North will require careful tailoring to territorial and local conditions. The cornerstone of any policing strategy in the North lies in community capacity building (this is limited in the North), and should ideally integrate into a broader public safety/community development strategy, given that problems that manifest themselves in the justice system often require non-justice solutions- counselling, healing, education, economic development.

The first three principles related to a policing strategy in the North, i.e. policing services in Inuktitut; culturally sensitive policing services; and consistent policing quality standards (in the event that different policing models are adopted) could be achieved either by implementing new policy directions to contract policing in the North, or by expanding the FNPP. Ideally, changes would happen in both programs, to maximize resource use as well as benefits to communities.

Under RCMP contract policing, there are three policy objectives that could be fulfilled in order to improve policing in the North:

- Increase the number of Aboriginal/Inuit RCMP recruits to work in the North;

- Improve the Native linguistic skills of RCMP officers already working or planning to work in the North; and
- Implement measures and create incentives to make longer periods of service in the North more attractive to RCMP members and their families.

The first objective would require substantial funding to intensify recruitment efforts. Because of the presently small pool of qualified Aboriginal/Inuit, it would possibly also require putting in place specialized training facilities/programs to augment the number of potential candidates from the North.

The second objective would also require substantial funding ability to have RCMP officers already working in the North, or planning to work there, undergo intensive linguistic training, to give them a working level knowledge of the community Aboriginal language. Given, the difficulties associated with learning a Native language in adulthood, as well as the high turnover rate of RCMP officers in the North, financial incentives, such as those offered to federal civil servants who are bilingual, might be considered as a way to promote interest in linguistic training. However, given the inherent costs and the time devoted to such training, the pros and cons of such a proposal would have to be carefully weighed and analysed before a decision is reached.

The third objective involves finding ways to make a Northern career more attractive, to improve service continuity and make language investments pay off. A career in the North carries different challenges due to the particular living and working conditions, not only for the officers, but also for their spouses (more often women) and children. Spouses often face very limited career opportunities in the North, examining ways to improve opportunities for them would be a worthwhile policy direction.

The last two principles of a policing strategy for the North call for integrated criminal justice programs/services, and the development of governance and leadership capacity in Northern communities. As a major player in criminal justice issues in the territories, the Government of Canada has a role to play in turning things around. Given that territorial governments are pushing for local, single-window access to justice programs, there is an opportunity to innovate and to pilot new approaches.

However, as we saw in the introduction, Justice Canada recently set aside its plans towards building a more integrated response to criminal justice issues in the North. This Department's proposed strategy went beyond criminal justice issues, striving to integrate justice programs into the broader array of federal services available in the North. In light of these facts, Solicitor General may want to consider proceeding on a

smaller scale, starting first by looking at ways to integrate only programs that are offered in its Portfolio, such as restorative justice initiatives and Aboriginal corrections measures.

## **Conclusion**

Northern residents are looking for a comprehensive approach to justice issues that would link various services and agencies. A strategy should link all aspects of the justice system (police, victim services, victim, prosecution, offender and corrections) and work at making Northern communities safer and healthier places to live.

This implies engaging communities and Aboriginal people/governments in the North from the outset to set priorities and a new approach, and establishing partnerships with territorial governments, Portfolio agencies, communities and Aboriginal governments to identify priorities and develop pilot projects.

