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Annual Report on the  
State of Inuit Culture  
and Society:  
Policing



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# 1. A note on audience

The State of Inuit Culture and Society report is a requirement under the Nunavut Agreement. It is tabled in the Nunavut Legislature and in Parliament. The focus of the 2022/23 report is policing in Nunavut and will explore the past, present and future of policing in the territory.

The primary audience intended by this report is Inuit in Nunavut, especially those who sense there is something deeply wrong with policing in the territory. Those who know there must be a better way. For many Inuit, the lived experience of injustices at the hands of the Royal Canadian Mounted Police, together with the historical violence, coercion and racism endured by their grandparents and great grandparents by the same federal police force, is overwhelmingly traumatic. What can be done? What is there to do? What meaningful change is even possible? This report is primarily intended for Inuit who want to engage with those questions.

The secondary audience is everyday citizens and professionals engaged in similar thoughts and efforts on policing outside the territory. Nunavut has been isolated from the wider community of Canadians actively engaged in this topic, so this report, in part, aims to bridge that gap. Policing critics and activists have a shared interest with Inuit who want to change the way policing is done in Nunavut. Those natural allies come from a wide background: members of other racialized and historically marginalized groups; concerned citizens; academics; and members of police services themselves, especially members of First Nations police services across Canada.

Finally, this report is for territorial and federal politicians and government bureaucrats. This report is written and presented with the belief that government exists to follow the will of the people, who with the informed and prior consent that engenders integrity and respect, are the basis for their livelihoods.

## 2. Introduction

“If people think our traditional laws didn’t work, they should consider today’s much higher rate of crimes.”

Mary Anulik Kutsiz (Qikiqtani Truth Commission, Paliisikkut: Policing in Qikiqtaaluk)

### A controversial symbol

It’s March 2022. An RCMP officer sits in the community hall in Sanirajak on north Baffin Island and testifies at a coroner’s inquest.<sup>1</sup> Five years earlier that officer shot and killed Jeremy Nuviaq, an unarmed Inuk going through an acute mental health crisis. As he testifies, the officer wears a Thin Blue Line badge. The badge, officially banned by the RCMP and other police forces, symbolizes police as the thin line between violent criminals and peaceful citizens. Without police putting their lives on the line, the badge suggests, we’d be inviting violence and chaos into our homes.

But how much did that police officer who wore the Thin Blue Line badge know about policing and criminal justice in Nunavut, past and present?

For example, did he know that Inuit in Nunavut today suffer the highest rate of police-shootings in the country,<sup>2</sup> or that the rate between 2010 and 2020 was sixteen times higher than in Ontario?<sup>3</sup>

Going back much further, did he know about the two Inuit, Sinnisiak and Uluksuk, who in 1917 were made to wear caribou skins and stand barefoot near a bucket of ice to complete the spectacle of their criminal trial in Alberta?<sup>4</sup> Or that the prosecutor in that case was determined to teach these “remote savages, cannibals, really” that their system of conflict resolution was illegitimate?<sup>5</sup>

It’s unlikely that the officer knew about the later trial, in 1923, of an Inuk man that was such a foregone conclusion that a hangman traveled with the court to Herschel Island.<sup>6</sup> The judge instructed the jury on why a guilty verdict was necessary for Canada’s sovereignty:

“It is your duty as jurymen...[to] make these tribes understand that the stern but at the same time just hand of British justice extends

also to these northern shores. We want it plainly understood in the minds of these people that one of our most important laws is for the protection of human life which flows from the Divine command ‘Thou shalt not kill.’”<sup>7</sup>

That Inuk, Alikomiak, was killed by the federal government by hanging in 1924.

It’s doubtful that the officer testifying in Sanirajak in 2022 knew the details of the RCMP’s coercive involvement in the relocation of Inuit to the High Arctic in the 1950s, which included “a firm hand on relief supplies” and rations, and ensuring the segregation of Inuit from the settlement;<sup>8</sup> or the dog slaughter carried out by officers on Baffin Island between 1950 and 1975 that helped immobilize and emasculate Inuit hunters;<sup>9</sup> or the pain and anguish felt by children fathered and abandoned by RCMP officers on short rotations in Nunavut during the Dew Line years, including through exploitative sexual relationships with Inuit women.<sup>10</sup>

### Understandable ignorance, unrealistic goals

And yet, this officer’s ignorance and defiance of RCMP protocol in support of his profession is understandable. Not only do RCMP officers in Nunavut put their lives on the line when they don the uniform; they do so under unrealistic expectations and direction from their superiors in Ottawa bent on asserting sovereignty in the arctic.

The truth is the RCMP’s involvement in Nunavut, which can be traced back to 1875, has always been marked by this tension: pulled in one direction by official instructions and priorities in Ottawa, and pulled in the other by wanting to act with humanity and integrity towards Inuit in a place far removed from Ottawa.

Throughout this report, references will be made that highlight this imbalance, both historically and in the present day. These illustrations show that the RCMP's role in Nunavut has never been fair to the officers or guided by humanizing goals. Instead, their roles have been dictated by national hegemony priorities in Ottawa, which are violent and bloody pursuits.

The consequences of this tension are all too familiar to Inuit: deep distrust and resentment towards police built over subsequent generations; over-representation in arrest, criminal offences and incarceration statistics; beatings and even shootings at the hands of police.

The consequences to individual RCMP officers have also been catastrophic. Police across the country suffer from more mental health illnesses than the Canadian average, but that is especially true for RCMP members, who suffer at a rate five times higher.<sup>11</sup>

“Police tend to rank organizational stressors higher than operational stressors as a source of their anxiety,” a 2018 study from the Centre for Addictions and Mental Health says.

That means that even more stressful than doing their actual job, where their life is on the line and Post Traumatic Stress Disorder is all but guaranteed, police suffer from toxic work environments and unhealthy expectations.

Without adequate training or support from his higher-ups, without realistic or fair expectations from his boss' bosses in Ottawa but expected to risk his life in the line of duty, is it any wonder the officer testifying at the 2022 inquest wore that Thin Blue Line badge?

## **A broken system**

NTI believes improving policing in Nunavut will require a brand-new approach. Clearly the approach from the beginning has not been working for Inuit. To continue trying the same approach and expecting different results is not a workable strategy. It is clear that the Government of Nunavut (GN), as a representative of the Crown, is not up to this task. The GN continues to do more of the same, as this report will show.

Despite ample statistics that say otherwise, we do not have a crime problem in Nunavut. We have a predictable outcome in a postcolonial society: higher rates of poverty among a racialized community that has experienced historical and ongoing efforts of cultural genocide. That, in turn, has resulted in lower educational attainment, poor health outcomes, higher unemployment, loss of language and cultural practices, and, most importantly, a loss of self-worth

and identity, which translates into a loss of self-agency. Hopelessness. Anger. People living with emotional anguish, substance abuse, poverty and unresolved trauma – this is the character sketch of those filling prison cells in Canada like so much stock in a warehouse.

While policing budgets in Nunavut and across the country continue to grow faster than other social services (a fact we'll revisit in this report), some of the most fundamental tasks we assign to police go unmet: making our communities feel safer; using as little force as necessary; helping reduce crime. It's an expensive system and it's not working. Those arrested are not learning their lesson, as the system is designed to teach them. And what's worse, victims of crime feel even less served by the current system.<sup>12</sup> After years of waiting for an offender to be sentenced, or after years behind bars, the victim and the offender continue in a cycle of government-induced trauma, poverty and disempowerment.

The dozens of experts and sources consulted for this report – from everyday Inuit trapped in the criminal justice system to international policing experts, to policing and justice officials in Nunavut – overwhelmingly agree that the best way to rehabilitate “criminals” is to do everything possible to make sure they don't get sucked into the system to begin with. That conclusion amounts to an airtight damnation of the current system: it's beyond fixing, so avoid it at all costs. It also points to the necessity for funding services and programs upstream, like Inuktitut education and mental health, which prevent people from getting involved with the system in the first place.

Inuit must be empowered to provide more self-determined efforts towards establishing a new policing narrative in the territory. As members of a federal agency, RCMP members are often unable to respond to local realities. And their position of power and prestige in the territory sends the wrong message. If Canada wants a peaceful, respectful relationship with Inuit in Nunavut, it's time a plan is developed to remove their armed forces from the territory. This is an utterly different approach than the GN, as the Crown's representative in Nunavut, is currently taking.



### A less punitive, more Inuit approach

The kind of change that is needed in Nunavut if policing is to better serve Inuit is a complete overhaul. A move away from the punitive lens is needed. Such a systemic change can seem overwhelming. But Inuit society has long had ways of fostering social cohesion and correcting destructive behaviour within its communities.

“Unacceptable behaviour will always be a part of our lives. Since the beginning of time, it has always happened,” Emile Imarittuq, an Elder from Iglulik, told a class of aspiring Inuit lawyers in the late 90s.<sup>13</sup>

Interviews with him and other Elders have been captured in a book called, *Inuit Laws: Tirigususiit, Piqujait, and Maligait*. The book is a transcript of interviews from Elders about social mechanisms used traditionally by Inuit: Piqujait – things that have to be done; Maligait – things that have to be followed; and Tirigususiit – things that have to be avoided.

“Whether people break the Qalunaat laws or the Inuit Maligait, the consequences will be the same. A person will shorten his or her life,” Elder Mariano Aupilaarjuk from Rankin Inlet said.

But that’s where the similarities end.

“We had a system in place that did not damage a person emotionally. We would deal with a wrong-doer with sincerity and without hurting the person; we could rectify most behaviour problems,” Imarittuq said. That system was based on counselling.

“If offenders were not made to feel embarrassed, and they understood what was said to them, there would be more of a chance to improve that person’s behaviour. The way it is now, it seems that people are left on their own,” Akisu Joamie from Iqaluit told the class.

“The person is faced with intimidation, fear, and shame. They feel bad, so they make things worse for themselves,” Imarittuq said of the current criminal justice system.

That aptly summarizes the heavy-handed lessons judges and prosecutors tried to pass down to Inuit in the first half of the 20<sup>th</sup> century, cited above. Judges today are still obligated to consider the primary considerations of “deterrence” and “denunciation” when sentencing offenders – to make examples of offenders. The punitive approach that has not rendered the desired results, and is utterly contrary to Inuit tradition, continues to reign in Nunavut.

“You have to look at someone’s face. You have to show a person that they are loved, and that people care for them,” Imaruittuq said.

### Change on the horizon

There have been some encouraging developments in recent years with respect to policing in Nunavut. The GN has introduced a bill that allows for the creation of a police board – a crucial step in tying police responsibility to community needs. It has also created a mechanism for greater collaboration between the police board and NTI.

The federal government announced in 2022 that the First Nations and Inuit Policing Program (FNIPP) would be extended to include Nunavut. It is under this program that self-administered, and more representative policing services operate across the country.

Still, NTI feels this is not enough. Both governments must do more to empower Inuit to regain their self-agency. Inuit must first recover from the conditioning of colonization that for some has created the belief that the RCMP are the only viable police force. Sentiment towards RCMP does vary among Inuit in Nunavut to some extent, especially along some generational, regional and even family lines. But at least some of these differences can be explained by degree of internalized colonization. Second, Inuit must be supported to reconnect with the basic human need to feel safe in their own communities – the impulse to protect oneself, one’s family and one’s own community.

Neither the federal government nor the territorial government, which is an arm of the federal government, is able to do this on their own. At most they can help empower Inuit and then stand out of the way; at worst, they can continue the status quo that has wrought such negative outcomes for both Inuit and police.

This report will first look at the history of policing in Nunavut by the RCMP. It will then look at the current reality of policing in the territory and how that connects to trends in the rest of the country. One trend in particular will be examined, the Defund the Police movement that swept across the country but somehow did not register among Nunavut politicians. Finally, it will present a number of case studies of First Nations policing services set up around the country.

NTI will put forth a number of recommendations aimed at empowering Inuit in Nunavut to reconnect with and take control over the social cohesion that policing aims to achieve. The recommendations will include flipping some of the well-established narratives.

For example, the Special Constable is one role that Inuit served historically for the RCMP and has been often raised in recent years as something worth bringing back. Records show that role, in reality, has always been controversial and a flashpoint of power imbalance. NTI suggests that it is the RCMP who should be relegated to a role of limited but meaningful support within an otherwise Inuit-governed policing system. That would be in keeping with Canada’s rhetoric on decolonization, commitment to the Truth and Reconciliation Commission of Canada and the Missing and Murdered Indigenous Women and Girls, and support of Inuit self-determination. It would also be more respectful and realistic of RCMP officers operating in Nunavut.

“Once we get the Nunavut government, you young people are going to have a lot of work to do,” Elder Aupilaarjuk said.

Such high hopes were held for the Government of Nunavut, which have not materialized. But the sentiment has never been truer than it is today.

“You will have to think about how we Inuit can start getting our knowledge back...You will have an enormous task ahead of you and you will have to try and figure out how to do this,” Aupilaarjuk said.

Governments ought to support this sentiment to empower Inuit, and then stand back. Anything else is a perpetuation of colonization and systemic prejudice that maintains state violence against Inuit at the hands of police.

### 3. Policing in Nunavut: Past

“With the RCMP in Nunavut, history always comes up,”

Qikiqtani Inuit Association staff (interview, 2022)

By design, police in Nunavut have always been an expression of the federal government’s priority to establish sovereignty and ensure colonial rule over the Arctic.

That was true of the North-West Mounted Police (NWMP) that arrived in 1873 after Canada bought huge plots of Arctic land from the Hudson Bay Company (HBC).<sup>1</sup> That was true when the NWMP merged with the Dominion Police in 1920 to form the RCMP. It’s been true ever since.

In a sense, both the RCMP and the Inuit they policed were at the mercy of the federal government’s sovereignty strategies throughout most of the 20<sup>th</sup> century.

“Both [the Inuit and the RCMP] were being bombarded with messages that the North would be developed and that they needed to either move aside or take positions in support of new, comprehensive economic and political agendas,” the Qikiqtani Truth Commission concluded.<sup>2</sup>

Of course, the lived realities between RCMP and Inuit were starkly different, and the power imbalance heavily slanted towards the RCMP.

That power can be seen in the fact that the RCMP were tasked by Ottawa to carry out so many functions that policing became a secondary consideration for most of the century.<sup>3</sup>

Sometimes the RCMP were the only voice Inuit had on Parliament Hill, making honest efforts to represent the best interests of Inuit, as discussed below. But there always existed a massive cultural and communication gap between the RCMP and Inuit, marked by engrained paternalistic attitudes.

“The RCMP viewed themselves as guardians of Inuit, enforcers of Canadian laws and values, and interpreters of a new political, economic, and cultural system that was always believed to be just around the corner. For Inuit, however, police in the local detachment or on patrol embodied an outside world that was imposing strange and inappropriate laws and practices on Inuit life,” the Qikiqtani Truth Commission (QTC) wrote.<sup>4</sup>

The expectations placed on the RCMP were never conducive to establishing respectful and peaceful relationships with Inuit communities. What’s worse is that they created an environment in which some RCMP officers could exploit their positions of power.

When a full transition to law enforcement finally happened, it was ushered in amongst confusion by both the RCMP and Inuit.

#### Many roles besides policing

An RCMP report in 1951 said that 19 departments depended on them for assistance in the North.<sup>5</sup> That assistance covered areas such as social welfare, housing, and enforcing hunting restrictions.

“RCMP acted as general agents for the government in many matters in addition to law enforcement,” a report by the Royal Commission on Aboriginal Affairs concluded in the 1990s. That report investigated the forcible relocation of Inuit from northern Quebec to the High Arctic in the 1950s, a subject visited in more depth below.

RCMP conducted annual rounds by *qimmiit*, dog sled, to areas where Inuit camped seasonally for hunting, called *ilagiiit nunagivaktangit*. On these rounds, RCMP compiled information for annual “Conditions amongst the Eskimos” and “Game” reports, which covered subjects such as health, population demographics and intermarriage.<sup>6</sup>





Accounts of the patrols to ilagiit nunagivaktangit vary markedly between Inuit and RCMP, however.

Some RCMP officers saw themselves as warmly welcomed by Inuit, with whom they had relationships of mutual respect and benefit.

Joe Tikivik told the QTC that he mostly remembers fear of the RCMP's visits.

*"We used to check to see if we had done anything wrong just before the police came in," he said.<sup>7</sup>*

The RCMP were entirely dependent on Inuit, notably Special Constables, who acted as guides and taught RCMP officers how to travel and survive in the North during their patrols.

Sam Arnakallak told the QTC that Inuit who guided RCMP on these patrols were just like little kids. After setting up camp, building an iglu and helping the RCMP dry their mitts and kamiik, the guides had to "light the stove to get them warm. Then [the guides] would have to stay outside to feed the dogs."<sup>8</sup>

*"They tell stories of being heroic, but they had to be housed, clothed, fed. It was [like] looking after a five- or a six-year-old," Elijah Panipakoocho told the QTC.<sup>9</sup>*

On the other hand, the RCMP wielded enormous power because they were often the only representatives of the federal government, bringing about significant changes to how and where Inuit lived, hunted, and bonded within their family and amongst other Inuit.

### **Efforts on behalf of Inuit**

After World War II the federal government began shipping Inuit with tuberculosis to southern sanitariums, sparking a new wave of trauma that Inuit in Nunavut today continue to grapple with. The RCMP were one group in the North who counseled the government against taking Inuit away from their homes.<sup>10</sup>

"These arguments did not prevail in the face of the cost effectiveness," the Royal Commission on Aboriginal People's report on the High Arctic relocation concluded.<sup>11</sup>

In 1959 Elders near Iqaluit, then Frobisher Bay, expressed concerns about increasing incidents of "theft, marital discord, [and] deviant sexual behaviour." That same year an RCMP officer "spoke out against what he saw as the sexual and emotional exploitation of Inuit women by Distant Early Warning (DEW) Line employees." An explosion in the Qalunaat, or non-Inuit, population because of the military defense system was wreaking havoc on Inuit society.<sup>12</sup>

The federal government's response was one that proved ineffectual, and that we see continued today by the territorial government: it "determined that an increased police presence was needed to maintain order in this quickly changing social atmosphere."<sup>13</sup>

In that rapidly evolving environment, much was also being lost in translation: the RCMP, for example, came to rely on Special Constables as community interpreters, especially since the police's reliance on *qimmiit* and patrols was quickly disappearing. But the Special Constables had little to no training to carry out an interpretive function.<sup>14</sup>

"It is very important that more of our members learn to speak the Eskimo Language inasmuch as our role in the North is quickly changing," the commander of G division advocated in 1971.<sup>15</sup>

### Unfair expectations, toxic environment

Unfortunately, each of these efforts of advocacy by the RCMP on behalf of Inuit are situated in the larger context of unreasonable expectations from the federal government of the RCMP. That environment lent itself to, and thrived on, the exploitation of Inuit.

Various federal departments decided on and engineered the plan to relocate Inuit from northern Quebec to the High Arctic. The RCMP would be the frontline agents responsible for communicating, coercing, transporting, and managing details for the families who had been chosen for the relocation. Yet neither the departments nor RCMP headquarters clearly communicated the plan, its components or its rationale to the RCMP in Nunavut.<sup>16</sup>

Coercive elements of the plan included controlling supplies, rations and funds. The RCMP became the unwitting agents of that coercion.

"The coercive elements of the scheme designed by the Department [of Indian Affairs] became doubly coercive when executed by a police officer," the Royal Commission noted, while "at the same time, from the perspective of the RCMP members, they were carrying out their instructions with a view to making a success of a project that they had been told was intended for the betterment of the Inuit relocatees."<sup>17</sup>

And while individual officers may have raised concerns about sexual exploitation by DEW line workers, other Inuit remember sexual exploitation by RCMP members themselves.

"The RCMP could do anything they wanted with any woman," July Papatsie told the QTC.<sup>18</sup>

Women were taken advantage of, with their husbands' knowledge, but there was no recourse because the culprits were officers in charge of enforcing the law, Papatsie said.

There was also a shame and ostracization that children of RCMP officers with Inuit women often felt in Nunavut.

Compare these experiences to the below cartoon, that appeared in an RCMP publication for staff during the same time period. The cartoon is intended to make light of the same situation that traumatized some Inuit.<sup>19</sup>



Another stark example of the tension between Ottawa and the RCMP in Nunavut can be seen in what is known as the dog slaughter.

Between 1950 and 1975, hundreds if not thousands of sled dogs were killed by the RCMP or with RCMP knowledge in the Qikiqtani (Baffin) region.<sup>20</sup> This began shortly after Inuit had been essentially forced out of their nomadic lifestyles and into permanent communities as part of Canada's sovereignty plan for the North.<sup>21</sup>

There was no direct policy or direction from Ottawa that preceded the mass killing of *qimmiit*, but it was an inevitable consequence of other policies.<sup>22</sup> The move to permanent communities based on southern standards created a cultural clash between *qimmiit* and dogs as household pets. Loose dogs were deemed to be a dangerous nuisance and could be shot. As of 1950 RCMP officers were officially dog officers and could shoot loose dogs.<sup>23</sup>

The RCMP had been entirely reliant on *qimmiit* for their patrols. In fact, the RCMP officially recognized the contribution of *qimmiit* to their northern work, before recognizing even the work of Special Constables.<sup>24</sup>

The federal government had put the RCMP in an impossible position that now saw them become the enemy of *qimmiit* and objects of deep resentment to Inuit hunters who continued to rely on *qimmiit* for transportation onto the land and sea ice.

Paul Idlout testified about witnessing dog shootings as a kid, when an officer shot a dog that stood between them. He was terrified to see the officer take the shot, a memory he relives in slow motion.<sup>25</sup>

“Maybe the police will kill Eskimos then, just like the dogs,” another Inuk said in the same time period.<sup>26</sup>

A sense of fear and respect for authority, called *ilira* in Inuit culture, was slowly replaced by resentment, which congealed and calcified around events like the high arctic relocation and the dog slaughter.

### Confusion

By 1960, most of the tasks historically assigned to the RCMP were being taken over by other civil servants.<sup>27</sup> Their role as the government’s jack of all trades – from police, judge, jury, jailer, postal delivery to medic – was coming to an end.

But their task of enforcing law, without a full justice system of lawyers, courts and interpreters, led to confusion as police focused on new laws and previously unenforced laws.<sup>28</sup>

And the transition was slow. By 1977, for example, the RCMP were officially responsible for the same duties expected of community police anywhere else

in Canada.<sup>29</sup> Yet a 1978 report to the Northwest Territories (NWT) Commission said that RCMP are required to act as prosecutors in cases coming before the Justice of the Peace courts.<sup>30</sup>

Meanwhile, the cultural and communication gap persisted.

“No evidence was found that would show that Inuit were told the limits of police power or their rights in the cases of arbitrary arrest, seizure of property, or perjury,” the QTC said.

“Important English words had no equivalent in Inuktitut, including the word ‘guilty.’”<sup>31</sup>

And RCMP still carried enough weight to make significant threats to Inuit who did not want to comply with government policies, such as those that required Inuit to attend day schools.

July Papatsie told the QTC that he remembered one threat the RCMP made against his father:

“If your son doesn’t go to school, you are not going to get family allowances, and you are going to lose your job. And also, if you get sick, you will not be allowed to go to the hospital.”<sup>32</sup>



## Special Constables

It is very doubtful that RCMP officers could have survived, let alone carried out their tasks, without the aid of Special Constables in Nunavut. These Inuit men, and at times their whole families, worked to keep officers alive and teach them how to survive.<sup>33</sup>



By the end of the 1960s the use of *qimmiit* by the RCMP came mostly to an end, and with that, their reliance on Special Constables. From that point on, the constables largely acted as interpreters and intercultural mediators.<sup>34</sup>

But that didn't necessarily improve the communication between RCMP and Inuit, since the constables received little if any formal training in that role. Meanwhile the role made them vulnerable in communities, because of the growing resentment towards the RCMP.

"Eskimos who actively aid the police are viewed with disfavour among the Eskimos," the head of Frobisher Bay's RCMP said in 1961.<sup>35</sup>

In addition to potential ostracizing, the constables also received low pay, relative to other federal employees.<sup>36</sup>

"If someone steals food, this should not be a cause for penalty"

Before the RCMP arrived in Nunavut, Inuit used social systems to reinforce desirable behaviour and discourage harmful behaviour.

"Long ago, while we still followed Inuit beliefs, we were told to confess or we would be placing ourselves in danger. I think this practice should still be followed today," Mariano Aupilaarjuk told Inuit law students in the 1990s.<sup>37</sup>

"We are always told to take care of our bodies because they are precious and to take care of our minds. If we do, we will be able to do many things," Aupilaarjuk said.<sup>38</sup>

He told of other rules that had to be followed:

"Inuit were adamantly told not to make fun of people with handicaps, or their offspring would be affected with the same handicap."<sup>39</sup>

Focus was generally placed on the well-being of yourself and your family.

Some rules stand in stark contrast to policing today.

"If someone steals food, this should not be a cause for penalty," Aupilaarjuk said, contrary to the Criminal Code of Canada that the RCMP are bound to follow.

["You can steal food if you are truly in need, but afterwards you should tell the person you took the food from. But it is very wrong to steal and it is very much discouraged."](#)<sup>40</sup>

Others outside of Nunavut have studied patterns of mainstream policing and legal systems among Indigenous people in Canada.

"These policing organizations [like the RCMP and Ontario Provincial Police] have long histories and people hate them and distrust them for incredibly valid reasons," Jonathan Rudin said.<sup>41</sup> Rudin founded and leads the Aboriginal Legal Services in Toronto, which provides legal services across the country.

"Police say, 'I'm a good guy,' and I'm not doubting that. But you're not the first person people see wearing that uniform, and that uniform is associated with the worst kind of trauma."<sup>42</sup>

Douglas Sanderson is an Indigenous scholar at the University of Toronto who specializes in Indigenous legal traditions.

"The Western world hasn't ever really figured out what they're doing with criminals," he told NTI.<sup>43</sup>

## 4. Policing Present



“Today we seem to be scared to talk to our leaders about their behaviour because we feel they are not going to listen...The elders used to speak to the leader when they knew that the leader was doing something wrong or something that was not going to help the community.”

Elder Lucassie Nutaraaluk<sup>1</sup>

Currently the Government of Nunavut (GN) contracts police services to the RCMP. They are about half-way through a 20-year contract that was signed in 2012. Every five years that contract is reviewed by the government and police force.<sup>2</sup> Shared strategic directions are co-released, usually every three years.

Under the *Nunavut Act*, the GN can contract police services or create its own police legislation and police force.<sup>3</sup>

Statistics show that crime and policing outcomes in Nunavut have gone from bad to worse since Nunavut was created in 1999, as described in more detail below.

Meanwhile the number of RCMP officers, criminal charges laid against Inuit, police-related deaths, and policing budget have all increased considerably.

Over the past few years, the Defund the Police movement has led to significant efforts and changes to the way policing is approached in Canada. This section will explore that movement, and some of its critics and barriers. The movement is Indigenous-led and Indigenous-focused yet was never discussed in the Nunavut legislature.<sup>4</sup> Nunavut's population is about 86 per cent Inuit.<sup>5</sup>

The GN has signaled a willingness to address policing: It has made recent amendments to its policing legislation that allows for the possibility of greater community input. As of November 2022, Nunavut is included in the First Nations and Inuit Policing Program (FNIPP), a federal program that will see even more money given to the RCMP in Nunavut.

Still, NTI doubts these changes will have the desired effect, especially given the low Inuit representation in both the GN and the RCMP. The GN appears to be strengthening the status quo rather than addressing an approach that has been fundamentally flawed since before Nunavut was created.

Madeleine Redfern, former mayor of Iqaluit and executive director of the Qikiqtani Truth Commission, said real change to policing and other aspects of the criminal justice system will only come about when law-educated Inuit are in all key roles.

[“The system’s not going to be changed by non-Inuit. People just don’t know what they don’t know,” she said.<sup>6</sup>](#)

The GN’s main efforts are aimed at improving relationships between RCMP and communities, while increasing Inuit representation on the force, as discussed below.

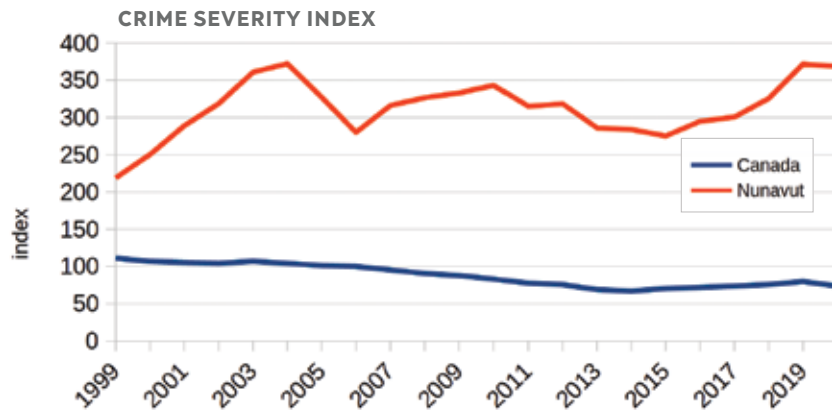
But bringing about systemic change likely means going beyond a representative force, which still operates within the same flawed system.

[“Are you creating a police service with Indigenous officers, or are you creating an Indigenous police service?” Jonathan Rudin, founder of the Aboriginal Legal Services, asked in an interview with NTI.<sup>7</sup>](#)



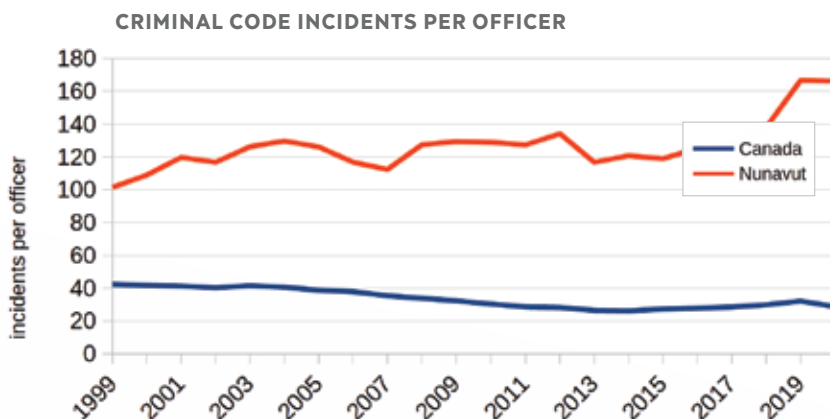
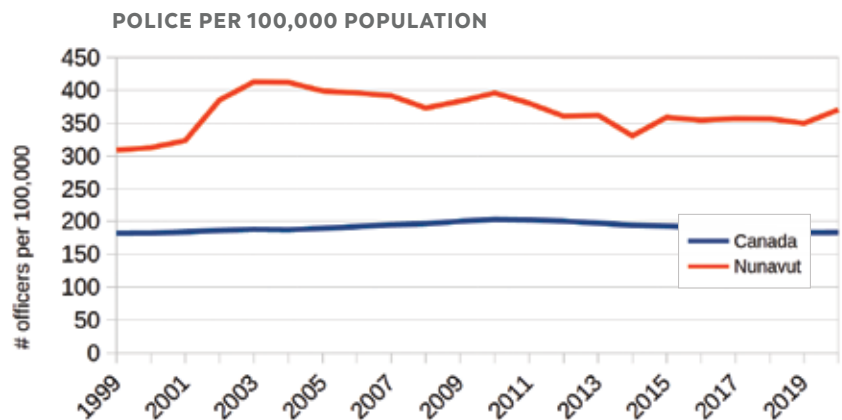
## Crime and Policing trends

At the time Nunavut split from the Northwest Territories in 1999, crime rates were already much higher than the national average.<sup>8</sup> Shocking crime statistics in Nunavut have been reported every year since, and they are well documented.



The Crime Severity Index (CSI) tracks both the amount and severity of police-reported crimes. Since 1999 the CSI in Nunavut has increased while the Canadian average has decreased. According to the 2021 census, the CSI in Nunavut is five times higher than the national average. In the 2016 census, Nunavut was 4.1 times higher. The average historical rate since 1999 is 3.55 times higher in Nunavut.<sup>9</sup>

Meanwhile the number of police officers, and criminal charges per capita, have significantly increased. The 2021 census showed that Nunavut has twice the number of police officers per capita as the national average, up from 1.88 in the 2016 census. Nunavut's historical average is 1.92 times higher than Canada's.<sup>10</sup>



The number of criminal charges being laid per officer has historically been 2.8 times higher in Nunavut than Canada. But that number has jumped in recent years. In the 2021 census, Nunavut's rate was 4.72 times higher than Canada's, compared to 3.47 times higher in the 2016 census.<sup>11</sup>

## Government spending and Inuit representation

The GN's contract to the RCMP has increased 86.34 per cent since 2012/13. The GN spent \$34.4 million on its contract with the RCMP in 2012/13. The most recent budget estimates for 2022/23 show that number has increased to \$64.2 million.<sup>12</sup>

That budget will likely increase very soon. The FNIPP will fund new RCMP members for Nunavut, the GN told NTI for this report.<sup>13</sup>

The rate of funding increases for other departments has lagged considerably, suggesting that police funding is an increasing priority for the GN. In the same time period, from 2012/13 to 2022/23, the rate of funding increases for the departments of education (69.6 per cent), housing (47 per cent), family services (56.6 per cent) and health (53.4 per cent) have all been significantly lower.

Meanwhile, Inuit representation in the GN sits at 52 per cent – far below the “representative number” set out in Article 23 of the Nunavut Agreement.<sup>14</sup> The representative number based on the current population would be 86 per cent. Across the GN, Inuit are largely represented in lower skilled positions, such as administrative jobs, where 86 per cent of the positions are filled by Inuit. At the executive and senior management levels those numbers dip to 38 and 22 percent respectively.<sup>15</sup>

In the justice department, where policing strategy and contracts originate, there are zero Inuit at the executive level and only 14 per cent at the senior management level. Overall, the department is below the government-wide average, with 49 per cent representation.<sup>16</sup>

As of March 2023, there are five Inuit RCMP officers out of 146, and 14 Inuit in administrative positions, out of 32.<sup>17</sup>

## Police violence

A groundbreaking study in 2021 on police violence in Canada showed shocking levels of police violence in Nunavut. It also confirmed what some communities have been saying for decades: Indigenous and other racialized groups, as well as those experiencing mental health crises, are overrepresented in fatal interactions with police.<sup>18</sup>

Across Canada, the frequency of civilians involved in a fatal police encounter between 2000 and 2020 increased by 28 per cent.<sup>19</sup> Fatal and non-fatal shootings by the RCMP increased by 39 per cent and 50 per cent respectively. This trend coincides with an increase in de-escalation and alternative use of force training, the report notes.<sup>20</sup>

Indigenous peoples accounted for 16 per cent of the deaths, although they represent 4 per cent of the population. Black people accounted for 8.63 per cent of the deaths, while representing 2.92 per cent of the population. Nearly 70 per cent of those killed were experiencing some kind of mental health crisis, addiction, or both.<sup>21</sup>

The report found that Nunavut had the highest deadly force rate: nearly ten times higher than the national average, and more than three times higher than the Yukon, which had the second highest rate.<sup>22</sup>

This report echoes what Nunavut media have been reporting in recent years.

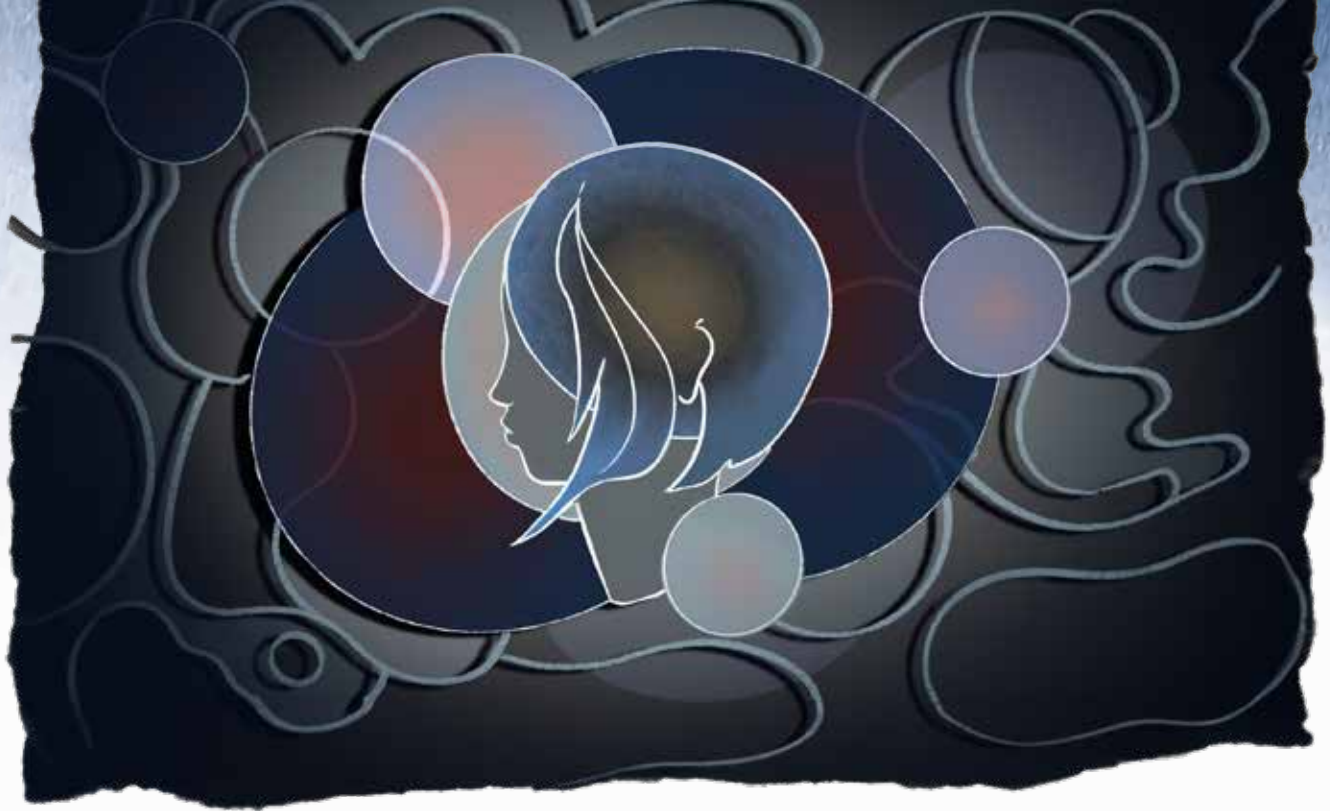
CBC North reported that the rate of police-related deaths between 1999 and 2010 was nine times higher than in Ontario, and 14 times higher between 2010 and 2020. There were 16 such deaths in those 21 years.<sup>23</sup>

Although small data samples relative to other Canadian jurisdictions make data analysis challenging in Nunavut, a statistician told CBC there was less than one per cent chance that these findings were by chance.

The chief coroner confirmed to NTI that there has been one more police-related death since that CBC story, bringing the total of Inuit killed while interacting with RCMP to 17 since 1999.<sup>24</sup> This in a territory of about 40,000 people.

It is worth noting that in the nearly two dozen countries where most police do not carry guns, and are only armed when necessary, fatal interactions with police seldom occur.<sup>25</sup>





## Fetal Alcohol Syndrome Disorder

There is a growing awareness of Fetal Alcohol Syndrome Disorder around the world, especially among those entrapped by the criminal justice system. Across Canada the prevalence is about 4 per cent, but that is usually higher in remote and rural settings.<sup>26</sup> Concern is amplified for children and youth with FASD, who are separated from their peers and punished early in life for this disability through numerous institutional mechanisms.

There is currently no official FASD-related data for Nunavut. The GN appears to take the lack of data in the territory, which it has done very little to address, as a justification for ignoring the growing need for FASD awareness, training and resources.

FASD is a lifelong cognitive disability “that affects the brain and body of people who were exposed to alcohol in the womb.”<sup>27</sup>

Symptoms are almost always behavioural and cognitive, as opposed to physical. Those with FASD often struggle with understanding social situations, understanding direct instructions, have short- and long-term memory issues, problems paying attention, difficulty making sound decisions, and impulse control difficulties.<sup>28</sup>

They are prone to what’s called confabulation: when their brain automatically fills in gaps in memory, which appears to others as though they’re lying. This is especially true when they are under duress – for example, when responding to questions from a police officer. They can often be stuck in a “fight or

flight” panic mode when they sense danger, which limits their ability to think rationally and make appropriate decisions.<sup>29</sup>

Socially, they can be less mature than their peers, which makes them easy targets for bullies and those looking for scapegoats.<sup>30</sup>

The Piruqatigiit Resource Centre in Iqaluit has been fighting to increase awareness for those with FASD and their families in the territory, and to increase the number of resources and tools available to them.

In a report for the Nunavut justice department, the centre said that data collection in jails has been hampered by a lack of consistent commitment. But there is general consensus nationally that the rate of undiagnosed FASD among the “justice-involved population is very high.”<sup>31</sup>

One well-respected expert reports that youth with FASD are nineteen times more likely to be jailed than those without FASD.<sup>32</sup> Youth are the most policed population of any demographic across Canada.<sup>33</sup> Many of those youth then age within prison walls.

The prevalence of FASD within prison populations is estimated to be between 10 and 36 per cent.<sup>34</sup> A report on Yukon inmates puts the number as high as 31.2 per cent, and noted only six per cent of inmate participants had no cognitive impairment at all.<sup>35</sup>

This has been such a longstanding issue that a British Columbia judge decried the lack of acknowledgement in 2002, and the TRC included 18 recommendations for the justice system to better understand and accommodate those with FASD.

*“The cognitively challenged are before our courts in unknown numbers. We prosecute them again and again and again. We sentence them again and again and again...We wonder why they do not change. The wonder of it all is that we do not change,”* British Columbia Justice Trueman wrote in a 2002 judgement.<sup>36</sup>

Jennifer Noah, who leads Piruqatigiit, told NTI that all frontline public servants, from education and health and family services to justice, need to be FASD-informed, with policies and best practices to match. The lack of such training helps explain a tragic statistic: Noah said the life expectancy for those with FASD in Canada is 34 and the leading cause of death is suicide. In a territory with a longstanding suicide crisis, the impact of FASD on that crisis is unknown.

Noah said that since its inception in 2018, Piruqatigiit has focused its efforts on providing accessible and comprehensive training and resources that is inclusive and culturally safe in both Inuktitut and English. That includes free video-based training, webinars and resources for communities in both languages. It is now finalizing a major project to develop training for Nunavut child and family service providers, justice and healthcare professionals, and educators, Noah said. They have also created an assessment clinic.

With this enormous impact on services provided to Nunavut Inuit, you might think the GN provides significant funding and works closely with Piruqatigiit. In fact, the GN’s lack of support is astounding.

Noah said NTI has committed nearly \$2.7 million over the next five years, while the federal government’s Inuit Child First initiative has committed over \$500,000 until the end of 2024.

In contrast, the GN provided one-time contributions of \$125,000 for the last fiscal year, most of which came with restrictive terms on how those funds could be used, Noah said. “NTI and the Inuit Child

First initiative recognize the diverse array of service provisions Piruqatigiit provides and did not place such restrictions.”

In the meantime, the centre has taken it upon itself to help the GN correct harmful messaging from government advertisements without funding to do so.

“In the recent past, the Government of Nunavut has perpetuated harm and outdated messaging that placed the emphasis on women and pregnant people in Public Service Announcements and posters, which further contributes to perpetuating stigma and how we treat people with disabilities,” Noah said.

Piruqatigiit is now also supporting adults in Nunavut who are seeking assessments and services for FASD outside of Nunavut, after abandoning a four-year effort to work collaboratively with the GN on creating safe, accessible assessments within the territory.

But this FASD presents itself well before adulthood, particularly in the education system where unrecognized FASD symptoms can be seen as misbehaviours deserving of punishment.<sup>37</sup>

“We punish, kick out, suspend, and expel kids from daycares and schools for not following the rules or behaving ‘appropriately’, but what we have missed is the presence of a brain and body based disability that affects learning, memory, attention, decision making, impulse control, social skills, grasping cause and effect outcomes, comprehension, language, and so much more,” Noah said.

Kids with suspected FASD who are ensnared by the criminal justice system are being sent out of territory into foster care for the chance of FASD-informed services, Noah said. The lack of effort, resources and leadership from the GN on issues around FASD, then, perpetuates one of the most destructive effects of colonization – depriving Nunavut of its own children.

This link between “problem” students and the criminal justice system is well-known and studied elsewhere. In the United States, there have been studies confirming the link between schools punishing racialized students with suspensions and expulsion and subsequent involvement-with and targeting-by police. This phenomenon has been called the “school to prison” pipeline.<sup>38</sup>



## Defund the Police

The movement to defund the police has been around for generations, but most people today associate it with its most recent resurgence, which began in 2020 after a string of highly publicized deaths of black Americans at the hands of police.

This movement has been going on for decades, if not centuries, in racialized communities in Canada and elsewhere. The movement seeks to reduce the harms done by the historical and ongoing over-policing and criminalizing of marginalized, especially racialized, groups. It aims to remove some tasks that are inappropriately and ineffectively assigned to police. It seeks to reassign those tasks to more appropriate community-based health-promotion services, such as education, health care and social services.<sup>39</sup>

Robyn Maynard has become one of the leading spokespeople for the movement in Canada. She is a black academic based in Toronto who writes that the movement is “part of a wider struggle to end endemic anti-Black racism and anti-Indigenous racism.” For Maynard, the movement arises from both the current moment and multiple generations of grassroots activists. “It is a call to create a society based in care rather than in carceral conditions.”<sup>40</sup>

Pam Palmater, a Mi’kmaw lawyer, academic and activist, says the defund movement for many Indigenous folks in Canada comes from a deep desire to address corrupt, violent, racist and sexually assaultive police forces. But she says the movement has gotten bogged down in rhetoric around

reconciliation, including by police forces themselves talking about public safety when, to many Indigenous peoples, the police themselves are the public danger.<sup>41</sup>

In Nunavut, there has not been a single mention of the movement in the Legislative Assembly between 2020 and 2023, according to transcripts of all regular sessions of the Nunavut legislature during that time. How is it that an internationally-renowned movement that is Indigenous-led and Indigenous-focused, and about the over-policing and excessive fatal violence against racialized people, was not discussed once by a Nunavut Member of the Legislative Assembly? Wouldn’t a government that represents a population that is nearly 86 per cent Inuit consider this worth discussing? The truth is the GN is more likely to emphasize its Indigenous population when it may increase funding opportunities from the federal government, but the way it operates does not often reflect that same population.

Given the lack of attention this movement received in Nunavut, NTI studied reports from two other jurisdictions. These are just samples that demonstrate the lengths to which other places in Canada have engaged with the movement and are not intended as an exhaustive study.

## Halifax's Defund the Police movement

In 2022, the Board of the Police Commissioner for the Halifax Regional Municipality published a 218-page report that had over two dozen contributors and nearly 500 footnotes. The thorough report defined and discussed the Defund the Police movement, in consultation with locals about the movement and what it ought to mean for the future of the region's police.

Advocates of the movement say police are "ill-equipped" to prevent crime or address complex social issues. The idea that policing and the use of force makes communities safer is a myth, unsubstantiated by evidence. On the contrary, policing has not been proven to prevent harm, meet the needs of victims, or adequately rehabilitate offenders.<sup>42</sup>

["Overpolicing also undermines community relations, making efforts to address real safety issues more difficult," the report said.](#)<sup>43</sup>

It noted numerous points of agreement with the National Police Federation, the RCMP's powerful union. For example, the report agreed with the NPF that too many calls involving people in need of mental health or other social services have been transferred to police, who are not the appropriate frontline service for such calls.<sup>44</sup>

The report identified the need for a paradigm shift with respect to policing:

"Conceptualizing defunding requires us to move away from a 'punishment lens' that relies on policing," it said. One of the three perspectives it suggested could provide that shift was Indigenous perspectives local to its region.<sup>45</sup>

Among its recommendations was a list of tasks that police should be partially or fully "detasked" from, including calls involving:

- Unhoused people;
- Young persons;
- Gender-based and intimate-partner violence;
- Sexual assault reporting;
- Drug overdoses; and,
- Noise complaints.<sup>46</sup>

Other recommendations included:

- Defining specific performance metrics for the police and tying at least a part of their annual budget to that metric;
- Examining opportunities to disarm certain types of officers, after citing reports from 19 countries where police officers are typically

unarmed "and permitted to use guns only in exceptional circumstances. These countries... seldom see deadly incidents involving police officers.";

- Improving the Mental Health Mobile Crisis team, after reviewing nine other jurisdictions in North America that have similar police-diversion programs; and,
- Establishing a third-party sexual assault reporting mechanism, given police's historical and ongoing inefficiency and insensitivity in handling these complaints.<sup>47</sup>

The report includes an extensive consultation with the National Police Federation. The union supported the use of a mental health screening tool for emergency calls already used elsewhere in Canada. That tool has helped RCMP in Manitoba reduce arrest rates by 57 per cent.<sup>48</sup>

But the union did not agree that funding should be taken away from the police in order to fund those services. Instead, those services should be funded adequately and work collaboratively within a public safety framework. "Canadians, and our Members, want to see more funding for much needed critical services that help alleviate pressures on vulnerable Canadians and, by extension, the police," the NPF said.<sup>49</sup>

This is known as a Zero-Sum argument – where one party benefits only if another party suffers equally.

Here the commission disagreed with the union, citing numerous academics and reports. The uneven power relationship between policing organizations and civilian organizations has proven the downfall of this approach. That can be seen clearly in police budgets outpacing social service budgets to this day, the report said.<sup>50</sup>

The report explained that community policing models rose in popularity in Canada in the 1970s and 1980s, in part in response to calls from racialized communities for more equitable treatment by police. The idea was for the police to solve problems at the local level in partnership with community groups.

These models became, instead, an image control game that would "allow police organizations to appear responsive to the public while at the same time knowingly or unknowingly glossing over the fact that their relations with racialized communities are structured along axes of privilege and subordination."<sup>51</sup>

Without a meaningful commitment to power-sharing, community policing initiatives are perceived as acts of tokenism by racialized communities. The

power dynamics are too much on the side of police, and the state-sanctioned authority and force they have been given.

This idea “may present as a ‘best of both worlds’ solution,” the report warns when in reality “the police oftentimes have outsize power and access to force.” For example, in prisons where medical personnel operate, “the overall processes and institutional cultures often default to prioritizing security over care.”<sup>52</sup>

### Edmonton’s Defund the Police Movement

In 2021 a City of Edmonton Taskforce put out a plain language 68-page report in response to the movement.

“Our city is spending more money each year doing the same things, in the same old ways, using the same old thinking, without seeing enough change. This is frustrating people and harming public trust in key institutions,” their report, called Safer for All, said.<sup>53</sup>

It estimated that about one third of all police calls were “person in-need calls involving no crime.”

“Our city is forcing police to step into the shoes of social workers and mental health professionals. This is unfair, ineffective and expensive,” it concluded.<sup>54</sup>

It defined the movement as a move away from “reactive and militaristic ways” and towards investing public funds in social supports that would lead to a “more equitable community with less poverty...and less demand for law enforcement.”<sup>55</sup>

The report was marked by compassionate and inclusive consideration of its police force.

“This vision,” it said, “will involve many partners in the community – including police. There will always be a role for police.”<sup>56</sup>

But it clearly looked at policing in a new light.

“There’s an old saying that if you only have a hammer, then everything will look like a nail,” it said.<sup>57</sup> In other words, if armed police officers attend mental health crises, then we can expect armed policing outcomes.

Like the Halifax report, it dispelled the fear-fueled narrative that defunding the police would invite chaos and danger into our streets and homes.



“Our city risks falling into a trap where officers are seen as enforcers who step in to bring us a safe community – swooping in when needed to restore order to a lawless land,” it said.

“In reality, police, peace and bylaw officers are just some of the many players in our community who need to work in partnership to promote safety and well-being.”<sup>58</sup>

Among its recommendations were:

- An integrated call evaluation and dispatch centre independent of but with representation from the police;
- New protocols that would send the most appropriate responders to calls;
- More crisis diversion and policing alternative response teams;
- Exploring ways to decrease use of force incidents; and,
- Tying a portion of funding to specific performance criteria.<sup>59</sup>

The Task Force gave 13 different recommendations on what kind of metrics could be considered and suggested that 16 per cent of police funding be tied to these measurable metrics.<sup>60</sup>

Like the Halifax Commission, it also came up against resistance from the unions representing police and other civil servants. The Edmonton Task Force recommended the City explore how Collective Bargaining Agreements were contributing to systemic bias in policing.<sup>61</sup>

## Criticisms and Barriers

The main public concerns noted in the Halifax report are that by defunding police, crimes will increase; and that police are already overtasked and overstretched, resulting in significant burnout and mental health issues for officers.

It seems clear, however, that crimes are policed along lines of poverty and disempowerment. If you are poor or belong to a group in society that is disempowered by institutional bias – racialized, suffering from a mental illness, female, a member of the LGBTQ2S+ community – then you are more likely to have interactions with the police. In that way the Criminal Code of Canada is a catch basin for those already disempowered in Canadian society.

These communities, instead, are usually overpoliced, and with that comes more arrests, criminal charges, and prison terms. The idea that reallocating funding away from police and towards other social services involved in public safety makes perfect sense then.

The fact that the police are already overtasked and overstretched is well-established and deserving of understanding, compassion and action. It is unjustifiable to continue putting armed police officers under the emotional, psychological and spiritual stress of solving complex social issues.

That they are so overtasked and overstressed demonstrates the need for detasking the police.

The GN does not see it that way. The justice department told NTI it supports aspects of the Defund the Police Movement.

“There is an important role to play in public safety and crime prevention by social workers, mental health professionals, and a variety of other, non-policing, service providers,” the department said.

“Where we disagree with the ‘Defund the Police’ movement is the zero-sum game premise it is based on; that a government must take funds from public safety and policing in order to support other service providers.”<sup>62</sup>

This position, which was arrived at without the benefit of its own in-depth report like those cited above, nor any public discussion by Nunavut legislators or police officials, is untenable and uninformed when considering the above reports.

Defunding the police does not mean taking funds from public safety, but it does mean taking funds from policing and reassigning to other community-based programs involved in public safety. It does this based on evidence that shows the tasks given to the police are not being completed and that it is unfair and unreasonable to continue assigning them to the police.

It is also worth pointing out that the GN’s position echoes that of the RCMP’s union.

Union movements within police forces around the world are often interested in maintaining the status quo, Beatrice Jauregui, an expert on policing cultures from the University of Toronto told NTI.

Such unions tend not to prioritize public interest or safety, but rather focus on maximizing the rights and authority of police.

The NPF is reproducing the status quo, she said.

“There are just such strong forces in the work culture keeping things the way they are.”<sup>63</sup>

The GN, by maintaining the status quo approach to policing, similar to the NPF, is being rewarded by more money from the federal government to give to a federal agency.



## Present Day Efforts

“The Government of Nunavut is focused on reconciliation between Inuit and the RCMP with special attention placed on building a closer connection between RCMP detachments and Nunavut communities,” the GN told NTI for this report.

To achieve that reconciliation, it will “substantially increase the number of RCMP members focused on community policing and engagement rather than front-line emergency response.”

The justice department is also “working with Inuit Organizations to establish a Nunavut Police Council which will help ensure the priorities set for the RCMP V Division reflect community concerns and priorities.”

“The First Nations and Inuit Policing Program (FNIPP) provides an exciting opportunity to increase the number of RCMP members in Nunavut focused on community engagement, crime prevention, recruitment, and public safety,” the department said.<sup>64</sup>

These efforts are an alternative approach to the Defund movement in that they are about reforming existing practices rather than fundamentally changing the role of police in society.

One scholar calls efforts like these, based on reforming, the “punishment agenda,” defined as “shifts to bolstering punishment and policing” and “marked by more investment in police services.” These efforts “have taken place under governments of all political orientations [across Canada].”<sup>65</sup>

Under such a “punishment agenda,” who is being punished? Incarceration statistics tell that story: those who are racialized and living in relative poverty and disempowerment. Nunavut, nearly 86 per cent Inuit, had the highest rate of food insecurity<sup>66</sup> and child poverty in Canada in 2020.<sup>67</sup>

If historically, in Nunavut, more officers mean more criminal charges laid per officer, then it stands to reason that the GN's efforts will likely result in more Nunavut Inuit, who are in need of compassionate social interventions, ending up in jails.

"While reform focuses on making specific changes to police policies, practices, hiring, etc, defunding focuses on shifting social narratives around policing and the idea that only the police keep our communities safe," the Halifax report said.<sup>68</sup>

NTI is also doubtful that simply hiring more Inuit into the RCMP, a federal agency controlled by priorities in Ottawa and defended by a powerful national union, will make a significant impact for Nunavut communities.

Kelly Hannah-Moffat is an academic who has helped implement hiring strategies at federal prisons to be more reflective of the inmate population.

Institutional biases, like patriarchy, are pervasive, she told NTI.

"So is it better if women police women, for example? Not really because the power relation of being able to punish is still there," she said.

"Usually what's more effective is ensuring there are services for people with mental health, trauma, or addiction issues – to work with those people in diverting potential offenders away from the system."<sup>69</sup>

The GN and Nunavut RCMP release Shared Directional statements about every three years.

These statements contain vague goals that are often repeated and do not include any tangible performance metrics or incentives.

Each of the last three statements, which go back to 2016, include "crime reduction/prevention" as a priority – clearly that has not been successful. Two of the last three statements list "promote public trust" with Inuit.<sup>70</sup>

There is no clear plan to achieve these goals, nor any way of measuring whether the RCMP succeeded. Meanwhile, more and more money is given to these objectives.

### Unfair to RCMP and Inuit

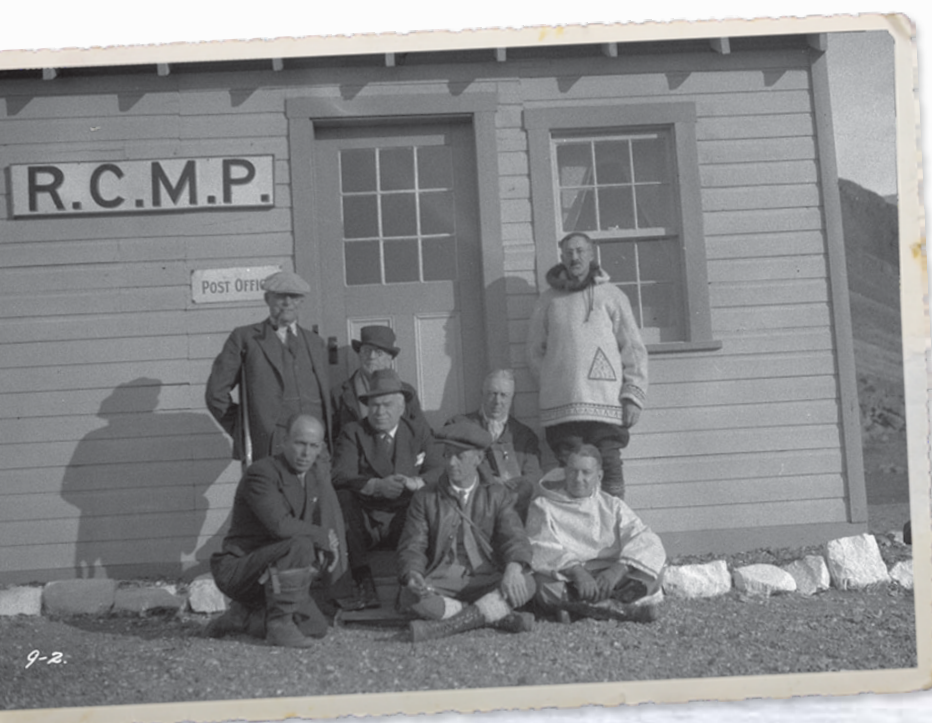
Nunavut RCMP are being forced onto the frontline of reconciliation between the federal government and Inuit. That is an unfair position to put officers in, officers who often arrive with little policing experience and even less knowledge of or experience with Inuit, remote jurisdictions or other Indigenous peoples. That's an unrealistic goal given the historical trauma Inuit have experienced with the RCMP. The consequences of this unrealistic and unfair approach have proven consistently negative for both Inuit and individual RCMP officers. Given the power imbalance, it is Inuit who suffer disproportionately.

The current Commanding Officer of the RCMPs Nunavut "V Division", like others before him, is passionate about providing policing excellence with cultural sensitivity in Nunavut.

He told NTI that he is working on forming an Inuit advisory committee.

He said there are currently no plans to embed mental health or other social service providers within RCMP teams in Nunavut, but that he is open to that.<sup>71</sup>

"Putting more resources into the hands of third-party services makes so much sense in Nunavut," staff at the Qikiqtani Inuit Association (QIA) told NTI for this report. "The general population do not trust the RCMP. So having a buffer there would be an excellent idea."<sup>72</sup>







The Commanding Officer also said there is a lot to learn from the Defund the Police movement, especially when it comes to finding a supportive structure that would see more appropriate partners in public safety take the load off the police.

“The trick is finding the resources and the system to do it,” he said.

He told NTI that, across the territory, RCMP officers volunteered over 7,000 hours in 2022 through community programming and clubs, especially for youth.<sup>73</sup>

But how many volunteer hours would it take for a young, white officer from southern Canada to be equivalent to an Inuk who knows the culture and history and takes pride in protecting their community? And is it fair to ask officers to volunteer so much of their time, in addition to putting their lives on the line in extremely challenging circumstances, so far away from home?

“Most officers come from the south, stay for two years, and then leave, so there’s no way to integrate them into the community,” QIA staff said.<sup>74</sup>

“Your career is with the RCMP, not policing in a particular community or region. That’s the contract model. They’re beholden to their masters in Ottawa,” Rudin from Aboriginal Legal Services said.<sup>75</sup>

“Joining the RCMP is not seen as a valuable career in Nunavut,” QIA staff said. “And there’s not enough aftercare. Older Inuit who’ve retired out of the RCMP, there’s no real aftercare for them. They’re just supposed to take their pain and keep it inside.”<sup>76</sup>

## The GN’s silence

The GN’s silence on the Defund the Police movement, and lack of leadership on policing in Nunavut, is an indication of a failed dream.

When Nunavut was created, the GN was to be a representative government in an Inuit territory. It is, however, a Crown agency and cannot escape all the trappings of institutional bias and culture associated with this structure.

The low Inuit representation throughout the government, notably in leadership positions,

including in the justice department, demonstrates that it is not a representative government in an Inuit territory.

One of the consequences of this failed dream is that the level of internalized colonization that must be overcome by Inuit is more entrenched. That can be seen in the fact that some Inuit simply cannot imagine Nunavut without the RCMP. It can also be seen in the low voter turnout for federal, territorial and Inuit Organization elections. This failure in democratic participation should not be placed on citizens, but on the flawed democratic process itself.

There are two competing approaches in Canada when it comes to the criminal justice system, including policing, one academic told NTI.<sup>77</sup>

On the one hand is the orthodox or settler approach. This approach, taken by the GN, sees the Canadian Constitution and Parliament Hill as the source of its authority.

The other approach is referred to as inherent jurisdiction. This approach assumes that an Indigenous group’s authority to govern flows from the fact that it does so in its own jurisdiction or territory. Some groups have taken this to the extent of creating their own laws that have supremacy over Canadian laws.

It is towards this goal, of inherent jurisdiction and self-governance, that the GN and the federal government ought to support Nunavut in all areas, including policing.

## 5. Policing in Nunavut: Future

### Self-Administered First Nations policing models

Across Canada today, there are 36 self-administered First Nations policing services funded under the federal First Nations and Inuit Policing Program (FNIPP). NTI spoke with six of those agencies. All of them expressed a sense of pride in being able to serve their communities in more culturally appropriate and historically sensitive ways than any larger, mainstream policing agency could. All of them also expressed a sense of urgency and self-empowerment in taking policing into their own hands, thereby taking some element of healing and decolonizing into their own hands.



But the FNIPP is far from a magic wand, as the six case studies in this section illustrate. A Canadian Human Rights Tribunal decision in 2022 found that the program is discriminatory because of its lack of adequate and consistent funding.<sup>1</sup> A subsequent court ruling said the Crown (Public Safety) acted dishonourably.<sup>2</sup> As of March 10, 2023, the Quebec Court of Appeal decision is now being appealed to the Supreme Court by the Quebec government for fear that it will have repercussions across the country. Meanwhile, chronic underfunding ensures First Nations police services carry annual deficits and cut corners wherever they can, including in much-needed mental health services for their own officers.

There are two types of agreements possible under the FNIPP: self-administered, or tripartite agreement, between the federal and provincial governments and the First Nations police force; or agreements involving municipal police forces. Since Nunavut does not have any municipal police forces, it would likely follow the self-administered model. When the program began in 1991 there were 58 self-administered police services; today there are 36 left.<sup>3</sup>

### FNIPP: how it works

Still, the FNIPP holds potential for providing the necessary means to First Nations and Inuit communities to create their own sense of safety and security. Financially, Nunavut stands to benefit: the cost of policing agreements between the federal and provincial or territorial governments are split 30 and 70 per cent respectively. Under the FNIPP, the split is 52 and 48 per cent between the federal and provincial or territorial governments.<sup>4</sup>

An evaluation done in 2022 on the FNIPP by Public Safety, the department that administers it, stressed the importance of the program. The report cited startling statistics collected between 2004 and 2018:

- Communities under the FNIPP experienced a 3.5 per cent increase of crime while the rest of the country's decreased by 28.5 per cent (a difference of 32 per cent);
- Violent crimes in FNIPP communities increased by 31.9 per cent and decreased across Canada by 15.5 per cent (a difference of 47.4 per cent); and,
- As of January 2020, Indigenous peoples made up more than 30 per cent of incarcerated people, including an increase of 43.3 per cent in federal facilities since 2010 while the national average for non-Indigenous people fell by 13.7 per cent (a difference of 51 per cent).<sup>5</sup>

The report says the current funding model is outdated and does not address the public safety needs of FNIPP communities. Nearly one-third of eligible communities cannot access the funds.<sup>6</sup> At the time of the report, Nunavut was the only jurisdiction with no communities under the FNIPP, however that is now about to change.

## Case studies

The case studies in this section are not exhaustive, presented in any particular order, nor do they point to a clear path for Nunavut. As the members of these First Nations police forces stressed in interviews to NTI, every community and jurisdiction is unique and must forge its own path based on what communities want.

As you read through these case studies, however, look for patterns and repeated insights, and compare those to current efforts in Nunavut. Remember, also, some of the insights in the Defund the Police movement. And let yourself imagine what an alternate reality in Nunavut might look like.

## The St'at'imx Tribal Police Service (STPS)<sup>7</sup>

### At a glance

- 10 St'at'imc communities in southeast British Columbia, with a total population of about 5,000 people
- Established by the Lillooet Tribal Council in 1988 as a peacekeeping program
- Entered a tripartite agreement under the FNIPP in 1992
- 11 sworn staff and five civilian staff (2020/21)
- \$2.69 million operating budget (2020/21)
- Standardized police training under the Police Act of BC (1996)

### Discussion

The mission of the STPS is to “provide a community-based service that reflects the needs, culture, customs and rights of the St'at'imc people” and to ensure that their community members “are always treated with dignity and respect.”

Having a self-representative police force means that officers know the people that the force serves – they understand the historical traumas and culture. They have a direct connection with the communities and a continuous relationship since they're not rotating members out every two or four years.

The force is governed by a police board that's made up of members from each of the communities, appointed by the Chief and Council of those communities.

Their police officers have the same training and authority as any other municipal officers trained in the province, but they also have a good working relationship with the RCMP. The STPS and British Columbia RCMP are currently renegotiating a new Memorandum Of Understanding. When major investigations need to occur, the STPS will assist the RCMP, otherwise they do day-to-day policing.

Despite joining the FNIPP in its inaugural year, the STPS is still in a vulnerable position because of funding. Under the program model, they're never sure if they'll get the funding they need from one year to the next.

But the secret to their success has been to keep pushing and moving forward, no matter what the provincial or federal governments say – not taking no for an answer. Their communities experienced a lot of racism at the hands of the RCMP – things like being picked up and assaulted in cells or left on the side of the road to hitchhike home. That provided the motivation to create and sustain their own security program, which led to their own police force.

Coming up with a strategic plan, based on what communities want, ensures that they're changing the system from the inside. Each community is unique and being able to understand and accommodate those differences is a huge difference between what the STPS does and what the RCMP is able to offer.

Looking ahead, the STPS want to see the FNIPP change from a program to an essential service with guaranteed funding. They also want to support other First Nations policing programs by offering training, sharing experiences and building knowledge and networks.

## Kahnawake Peacekeepers<sup>8</sup>

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### At a glance

- Mohawk community on south shore of St. Lawrence River, across from Montreal
  - Community of 10,000
  - Established in 1979 after parting ways with the Amerindian Police Force
  - 36 sworn officers, 100% indigenous, almost all from local community
  - \$6.5 million budget through FNIPP tripartite agreement
  - Standardized police training, same as all police in Quebec, according to Quebec Police Act
  - About 100,000 motorists pass through their territory each day
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### Discussion

The Kahnawake Mohawk Council is one of the most developed examples in Canada of an Indigenous organization that's followed the inherent jurisdiction approach. That includes creating their own laws that have primacy over the Canadian constitution and establishing their own process for citizens to propose laws.

The Peacekeepers were established in 1979, making them one of the oldest First Nations policing organizations in Canada, long before the FNIPP began in 1992. As a program, policing is not an essential service, so the Peacekeepers have had to learn to adapt quickly on short-term agendas. Without guaranteed funding, they struggle to plan more than a few years in advance.

The Mohawk Council of Kahnawake appoints the Chief Peacekeeper on the recommendation of the Peacekeeper Services Board, which functions like other police boards.

The Peacekeepers are also in an elite category, in that they have highly trained investigators among their own officers – something they say is crucial and they are really proud of. La Sûreté du Québec (SQ) and RCMP are only welcome into their territory upon invitation and when needed for some investigative functions. If they entered otherwise, it could be dangerous for them.

Although there's been a lot of growing pains, the long, hard effort has definitely been worth it, the Chief Peacekeeper says. That's because they're better able to understand and respond to their community: For example, they always go the extra step in assessing whether someone really needs to be arrested, given the over-representation of Indigenous peoples in the criminal justice system.

A big part of their success has been not taking no for an answer – when the FNIPP has severely underfunded them, for example, the community itself agreed to cut services to compensate. It's a difficult journey, but one that's been worthwhile, with or without the blessings of provincial and federal governments.

With adequate funding, which hopefully will come when First Nations policing is recognized as an essential service under new legislation instead of as a program under the FNIPP, the Peacekeepers would hire 14 more officers, to have a full complement and provide much-needed updates to their fleet.

The Chief Peacekeeper's top piece of advice for any First Nations, Indigenous or Inuit group starting down the road of self-administered policing is this: be careful who you ask for help. Often experts are harvested from police agencies like the RCMP, where members have been steeped in colonial policies and processes that are fundamentally at odds with what First Nations police services are trying to do. The First Nations Chief of Police Association (FNCPA) was set up exactly for this reason – to help new members under the FNIPP learn from past costly mistakes of those who came before them.



## Pekuakamiulnuatsh Takuhikan Police Service<sup>9</sup>

### At a glance

- Located in Quebec about 260 kilometers north of Quebec City
- Community of 15 square kilometers, about 2,300 residents, which swells in the summer
- Operating budget in 2021/22 of \$2.06 million
- Has secondment agreements with the RCMP

### Discussion

The Canadian Human Rights Tribunal released a decision in 2022 confirming that the First Nations and Inuit Police Program discriminates against Indigenous peoples because of its inconsistent and insufficient funding. The Pekuakamiulnuatsh Takuhikan First Nation in Quebec filed a complaint of discrimination under the Canadian Human Rights Act with the tribunal in 2016, which was heard in 2020. In upholding the complaint, the tribunal found that the federal government knew the short-term funding agreements it entered with the nation were inadequate and would force them into deficits.

The federal and provincial governments have been contesting this finding ever since. However, a Quebec Court of Appeal ruled in favour of the Pekuakamiulnuatsh Takuhikan First Nation, awarding it \$1.6 million for the shortfall in funding. Now the Quebec government has filed an appeal of that decision with the Supreme Court of Canada, which has not yet ruled on whether it will hear the appeal.

The Nunavut government told NTI that the “structure of the [FNIPP] and unique circumstances in Nunavut is quite different from the situation in the Tribunal case.” The FNIPP model in Nunavut ‘was the subject of a great deal of discussion and negotiation between the Government of Nunavut and Public Safety Canada,” the justice department said. The structure of the FNIPP and details about the negotiations have not been made public or shared with NTI.

A lawyer for the Pekuakamiulnuatsh Takuhikan First Nation told NTI she disagrees with the GN’s position. Audrey Poirier explained that the Quebec appeals court found that the Crown acted dishonorably towards the nation through the policing program. In appealing to the Supreme Court of Canada, the Quebec government is claiming that if the decision stands, then it could apply in other areas, such as healthcare and education. Since the honour of the Crown is at stake, that would apply equally all over Canada, including Nunavut, Poirier said.



## Nishnawbe Aski Police Services<sup>10</sup>

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### At a glance

- The Nishnawbe Aski Police Service (NAPS) is the biggest First Nations police service in Canada
- Employs 230 officers, just under half of whom are Indigenous, 35 women
- Also employs 40 civilian staff
- Provides services to 34 northern Ontario communities, many fly-in, covering three distinct Indigenous languages: Ojibwe, Oji-Cree, and Cree
- Police trained to same level as any sworn constables in Ontario, with additional cultural and northern training
- Finished 2021/22 fiscal year with a \$52.1 million operating budget

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### Discussion

The Nishnawbe Aski Nation has been at the forefront of First Nations policing in Canada for decades. It has been pushing for legislation making First Nations policing an essential service instead of a funded program since 2010. Its jurisdiction, spread out across an enormous land mass and dozens of fly-in communities, is probably more like Nunavut than any other First Nations policing jurisdiction.

NAPS is operated on a decentralized model: an independent police board is made up of representatives from each of the Nishnawbe-Aski Nation Tribal Councils. They meet during their Annual General Meeting to set priorities, guided by their mission to “provide a unique, effective, efficient and culturally sensitive appropriate service...that will assertively promote harmonious and healthy communities.”

NAPS knows its fair share of challenges too: it currently has 70 vacancies to fill, despite offering competitive salaries. As of August 2022, it had 31 officers off on different types of leave, with PTSD as the leading cause for Workers Safety Insurance Board claims.

Still, leaders there feel that the tide is turning. Policing in communities is now seen as a viable career choice. The “red coats” (RCMP) and Ontario Provincial Police (OPP) left a legacy of trauma in their wake by, for example, taking kids away to residential schools. Communities have had to struggle against the colonial culture of a welfare-oriented system, not being able to work or see a future.

Even through their struggles, however, they say the effort has proven more than worthwhile. Their communities benefit from having their own self-administered police force. The OPP, who still evoke a lot of distrust, generally know their place now is one of support and assistance when requested. A self-administered police service has given Nishnawbe Aski Nation communities a stronger, unified political voice that governments listen to.

Their advice for any First Nations or Indigenous peoples considering going down the same road is to build the grassroots movement first, because without that, any effort will likely fail. It can't come from the bureaucracy – instead it has to be owned by the communities and the people. To this end, outreach and education efforts are needed in each of the communities.

It's a long and tough road, perhaps most of all because there will be blowback from your own people. Policing is a hard line of business, no matter who's doing it, as you're dealing with crimes and victims of crime. But that makes it much more important that it's your own people who understand the culture, language and community doing the work.

# Nunavik Police Service<sup>11</sup>

## At a glance

- Serve 14 communities in Nunavik, a population of 14,000
- 81 permanent officers, 4 of whom were Inuit in 2020 (annual report)
- 9 civilian administrative staff, 8 of whom are Inuit (2020 annual report)
- Operating budget of \$28.3 million in 2020, mostly through FNIPP
- Kativik Regional Police Force created in 1996, became Nunavik Police Service in 2021
- Police officers' competence standardized under Québec's Police Act

## Discussion

By changing their name from the Kativik Regional Police Force and removing the word “force”, the Nunavik Police Service wanted to get rid of any reference to aggressive or repressive action. It also wanted its name to more accurately reflect the communities it serves. Its vision is to provide respectful and effective policing services to Nunavik communities and become a benchmark for policing services in Indigenous communities at the operational, administrative and collaborative levels.

This police service is likely the most familiar to Nunavut Inuit, as it serves Inuit in a jurisdiction that neighbours the territory. Nunavut Inuit are also likely aware of the scandals and controversies that have shaken the reputation of the service.

Still, one thing the Nunavik Police Service has that Nunavut does not is its Mobile Intervention Team, which is comprised of a social worker and police officer working in tandem. The MIT responded to 550 incidents in the community of Puvirnituk involving people experiencing mental health distress. Nearly 90 per cent of the incidents did not result in any legal intervention, and only 6 per cent resulted in arrests.

Overall, however, the Nunavik Police Services biggest challenge has been recruitment and retention of Inuit officers. Their low Inuit representation is compounded by low retention: in 2020 nearly half of its force quit, most of them moving to other police services in Quebec. The more they train officers, the more other police services scoop them up.

The Nunavik Police Services called in the SQ Quebec 122 times in 2020, mostly for investigative expertise. There are some investigations that the Nunavik Police Services can assist the SQ with. The FNIPP agreement stipulates what the Nunavik Police Service is and is not responsible for.

The Kativik Regional Council, made up of elected representatives from each Nunavik community, governs the police service. The council then hires a director general, who hires a police chief. There is no police board made up of representatives from the communities.

The Nunavik Police Service has seen its Inuit representation ebb and flow since 1996 but is constantly trying new tactics. Currently it has a pilot program that is proving popular: in two communities, the same officers do two-week rotations. This helps those who want to go out on the land or hunt to better plan their time off, and it also ensures the communities see the same police officers, no matter who's on duty.

Despite their current low representation numbers, the service says there is a sense of pride in having Inuit in charge of the police force, through the Kativik Regional Council. The SQ don't understand the culture and lifestyle in Nunavik as well as the Nunavik Police Service members, and while the SQ do their best to listen to locals when they're in town, at the end of the day the SQ will answer to their bosses outside of Nunavik. Language is also an issue: the Nunavik Police Service operates predominantly in English, while the SQ in French, both serving communities that are predominantly Inuktitut-speaking.

The police service is hoping for more stable funding and better Inuit hiring and retention in the near future. Their main advice for a First Nations or Inuit territory looking to establish a self-administered police force is: it's worth it, but it takes time. There will be ebbs and flows. One aspect to take advantage of is that smaller police services can implement organizational changes faster than larger organizations.

## Treaty Three Police Services (T3PS)<sup>12</sup>

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### At a glance

- Provide services to 23 of 28 First Nations communities in Treaty 3 Territory, which spans 55,000 square miles in northwestern and southeastern Manitoba and along US border
- Serve about 20,000 community members
- Total staff of 165: 98 uniform & 67 civilian, including 42 per cent female and 54 per cent status members of First Nations
- \$22.8 million operating budget in 2022, funded through FNIPP
- Chief of Police reports to Police Services Board, made up of directors from each of the 23 communities

### Discussion

T3PS, founded in 2001, has developed to offer a wide range of police services and programs. They have built an impressive collaborative network to go along with their even more impressive First Nations and female representation on staff.

For example, their MAHKWA Youth Crisis and Outreach team pairs a constable with a trained mental health worker when responding to youth in “self-identified” crisis. Their Spirit of Hope Project coordinator directs her efforts towards addressing sexual violence, harassment and trafficking. They offer programs like this under their mission, to provide policing services that are “sensitive to the traditions and culture of the communities” they serve.

The diversity and strength of their services and networks can be seen through recent news releases:

- In February 2023, their own Street Crime Unit conducted a drug investigation that ended with the seizure of cocaine, crack cocaine, fentanyl and marijuana valued at \$20,000;
- A February 2023 news release listed human trafficking statistics compiled between T3PS, municipal policing and provincial intelligence and policing agencies;
- A January 2022 news release about ongoing efforts against human trafficking announced that a collaboration between local elders and an artist resulted in new anti-human-trafficking messages in Anishinaabemowin, including a new word in the language that translates to Human Trafficking; and,

- A December 2022 news release told of a search warrant executed in partnership with two OPP partner agencies.

Their annual report also said that a new partnership with the OPP would see “a senior officer seconded from the OPP to help lead and mentor members.”

Like other First Nations policing administered under the FNIPP, T3PS also suffers from discriminatory under-funding, which puts more stress on their staff. The Indigenous Police Chiefs of Ontario, for example, conducted a mental health survey in 2021 of the nine Indigenous police services in their province. They found that the services, including T3PS, deal with more violent crime and have less mental health support when compared to other police services.

“However, members of Indigenous Police Services remain resilient. Significant funding increase to Indigenous Police Services that matches those of other police services would address many of the concerns found,” the chiefs said.

The future goals of the T3PS are to see First Nations policing deemed an essential service by the federal government, to focus on results-driven policing, and improving the health of their employees.



## Patterns and Themes

Reading through these case studies certain patterns emerge:

- the self-administered policing route is not easy, but every organization said it was worthwhile;
- constant pushback from the governments, especially in the form of inadequate funding, can be expected;
- the effort needs to come from an engaged and empowered grassroots effort, rather than a large government bureaucracy;
- it is likely the best chance that Indigenous communities have of policing that approaches being representative or, at the very least, controlled and directed by their own people.

The Government of Nunavut (GN) had been pushing hard to get Nunavut included in the FNIPP.<sup>13</sup> But what efforts did it make to consult Nunavut Inuit during the long negotiations? What efforts did it make to inform and inspire Inuit to overcome the legacy of internalized colonization left by the historical and ongoing abuses by the RCMP? Can the GN, a representative organization of the Crown, be expected to tap into that internal decolonization effort? Or the grassroots effort cited by most of these self-administered agencies above?

Outside of Nunavut, did the GN consult other natural allies, as one might expect from a government that represents a majority Indigenous population? After all, the issue of over-policing and over-criminalization is one that affects other similarly racialized groups.

The Nunavik Police Service and V Division had plans to support each other's recruitment efforts in a plan that may be a case of the blind leading the blind, given both organization's severe lack of Inuit representation.<sup>14</sup> None of the other agencies above had been contacted by the GN, nor the national association that represents all self-administered agencies under the FNIPP, the First Nations Chiefs of Police Association (FNCPA).

## The First Nations Chiefs of Police Association (FNCPA)

The FNCPA started in 1993 with the aim to support self-administered agencies under the FNIPP.<sup>15</sup> Chief Jerel Swamp of the Rama Police Service in Ontario is the current president of the FNCPA. He confirmed that many of the themes and patterns in these case studies are true across the country.

Mainstream police services, especially the RCMP, have left behind a toxic colonial legacy of distrust, he said. Police officers under a self-administered agency have a better chance of understanding the cultural norms, language barriers and historical context, even if they're not from the same Indigenous group.

"So, it's not uncommon for us to stop by for a feast or ceremony and know how to partake in that," Swamp, an Akwesasne Mohawk, told NTI. "For me, when someone dies, there's different procedures that have to take place. I've done death investigations for over 20 years in First Nations police forces, so the community knows I'd be very respectful of their traditions. Whereas mainstream police services wouldn't have that entrenched knowledge."

Police from bigger agencies can pour countless volunteer hours into Indigenous communities, but they just can't build the same level of trust, Swamp said.

Any agency starting up under the FNIPP should tap into the knowledge and experience of other First Nations leaders, he added.

"No police service could work in a silo. You can't be standalone, you need partnerships," Swamp said. There is a lot of legislative and administrative work that has gone into creating each independent First Nations police force but, luckily, Swamp said, "When it comes to policies and procedures we beg, steal and borrow from each other. There's no shortage of police leaders who will share their information and policies and best practices."



### Paradigm Shift: Allies & Special Constable

All too often Nunavut is isolated from events and trends going on in the rest of the country, to the detriment of Inuit and their right to self-agency and self-governance. Part of this isolation is due to the ongoing legacy of colonization suffered under both the federal and the territorial governments.

When it comes to policing in Nunavut, what we need is nothing short of a paradigm shift – a brand new way of approaching those who end up interacting with police. As tall as that order may sound, we need only listen to our own people and our natural allies. There are many voices to draw from.

Like the voices of those who work for First Nations policing organizations in the case studies cited above. Or, even more importantly, the voices of those whom they police.

Or members of other racialized communities who are fighting against similar trends of police violence.

Like Robyn Maynard, who writes about a Canada that “remains stratified by race, gender, class and citizenship, [where] state violence acts to defend and maintain inequitable social, racial and economic divisions.”<sup>16</sup>

“Decades of disproportionate police killings have all been accomplished within, not outside of, the scope of Canadian law,” Maynard writes, making the case for the need for drastic changes to how policing is done in Canada.<sup>17</sup>

The differences and similarities between Black Canadians and those subjected to the “ongoing practice of settler colonialism” are complex, but both experiences have resulted in “grossly disproportionate incarceration, susceptibility to police violence, poverty and targeted child welfare removal.”<sup>18</sup>

Those similarities are a topic that another Black Canadian writer, Desmond Cole, has written about as well: “Our respective ancestral struggles have placed us here together, and we need to cultivate listening, partnership, and solidarity to carve out a better collective future.”<sup>19</sup>

There are strong voices from other Indigenous communities in Canada, like Pam Palmater quoted earlier, or Tanya Talaga who describes the constant need for more reports when the reality is already well known:

“The answer from politicians who don’t know what to do is to hold another commission. Hold another inquiry. Let’s investigate the crap out of it. What does that do? What does that leave us with?”<sup>20</sup>

And most importantly we have the voices of Inuit, young and old.

“We need to be moving towards a different police force, but it’s going to have to be transitioned,” Madeleine Redfern told NTI. “We’re not in a situation where we can end the RCMP contract.”<sup>21</sup>

“It would be a dream for Nunavut to have its own police force,” QIA staff said. “But just getting that started seems overwhelming.”<sup>22</sup>

And remember elder Mariano Aupilaarjuk’s words:

“Once we get the Nunavut government, you young people are going to have a lot of work to do. You will have to think about how we Inuit can start getting our knowledge back.”<sup>23</sup>

One of the most-read books of the 20<sup>th</sup> century said the fastest way to bring about a paradigm shift is to redefine roles.<sup>24</sup> To ask a student to become a teacher, for example, makes him or her a better student. And those who are put into positions of leadership become better leaders when recast into the role of subjects or supporters.

In that way, the RCMP reign in Nunavut needs to come to an end. Inuit need to take the lead in policing, with the RCMP providing a supporting role. If Inuit communities want, the RCMP could provide valuable and meaningful support to Inuit-led policing initiatives. It’s time for the RCMP to take a back seat, as they have in other jurisdictions, in order to better learn how to behave in Nunavut. In that way, the RCMP could be a powerful ally instead of the face and force of ongoing post-colonial injustices.

It would be symbolic, for example, if the Special Constable role would be reversed. It is the RCMP who should play a supporting role to Inuit, with a defined and contained purpose, embedded in a system that is otherwise foreign to the RCMP. That would turn the current reality, wherein the Special Constable role is a shell of its former self and mostly a politically useful title, on its head.



## 6. Recommendations



These recommendations are aimed at short and mid-term goals, the long-term goal being a Nunavut that has an Inuit-led police service with the RCMP or another police agency supporting the Inuit-led police service upon request and under agreement.

There are too many unknowns to project long-term recommendations, especially considering the wide scale consultation that must first occur. That effort is especially nuanced given the level of internal colonization that must be overcome.

Overall, the effort that these recommendations require belongs to Inuit; it is up to the territorial and federal governments, as well as their respective agencies, to do everything in their power to provide the resources and appropriate empowerment towards this self-governed goal, and then to step aside.

## Short-term

### Inuit Organizations:

- #1** Establish a **Project Management Group** to devise a plan to oversee the transition of policing away from the RCMP and towards an Inuit-led effort in Nunavut, with emphasis on Inuit language and cultural practices, with regional, government and RCMP participation. Membership, mandate and time-specific goals will be determined by the group.
- #2** Recruit a **liaison position in each Nunavut community** to act as a cultural mediator and interpreter between RCMP, locals, Justice Committees, and government officials.

### RCMP:

- #3** Implement the **mental health screening program, HealthIM**, already in use in other jurisdictions in Nunavut.
- #4** Participate in the **Project Management Group** led by Inuit organizations to oversee the transition of policing away from RCMP and towards Inuit-led efforts.

### Public Governments:

- #5** Provide the **necessary resources, support and participation to Inuit organizations and RCMP**, according to their own assessment of needs, to fulfill Recommendations #1 through #4 and #8 to #13. The resources should be in place within one calendar year of this report's publication.
- #6** Make public and easily accessible to Nunavummiut the **details of the First Nations and Inuit Policing Program (FNIPP) agreement** between the governments of Nunavut and Canada and details of the negotiation process asked for by the Project Management Group.
- #7** Work with NTI and V Division to **pair mental health professionals with constables** to attend calls with people in mental health crisis.

## Mid-term

### Inuit Organizations:

- #8** Under the Project Management Group, **establish a process for community consultation** in every Nunavut community to identify the vision of policing. Ask the very young and the very old first to imagine a safe and protected community without the RCMP to ensure a new vision grounded in Inuit culture.
- #9** Under the Project Management Group, **establish a process for networking outside of Nunavut with other Indigenous, racialized, academic and citizen groups engaged in policing issues** with the specific aim of collecting best practices and learned lessons for self-represented police forces. This should include partnering with other self-administered First Nations organizations and understanding the experience of the communities they serve.
- #10** Under the Project Management Group, **establish a process for a Nunavut-specific and Inuit-centric Defund the Police analysis report** – what might this mean and look like in Nunavut for Inuit? Include all partners in public safety, including the RCMP, but emphasizing other local service providers, including territorial partners on FASD awareness and training.
- #11** Under the Project Management Group, **overlay findings of the territory-wide consultations, outside-Nunavut networking (including research into the self-administered model) and the Defund the Police movement's emphasis on detasking the police to inform a strategy for transitioning policing** under NTI jurisdiction.
- #12** Under the Project Management Group, **establish a process for the transition of the policing function away from the GN and RCMP and under a self-governance model** under NTI.

### Public Governments:

- #13** Introduce **territorial legislation aimed at a Nunavut-made police force**, in close consultation with Inuit organizations and Project Management Group.

# Endnotes

## 2. Introduction

- <sup>1</sup> Jackie McKay, “RCMP officer who shot Sanirajak man tells inquest he feared for his life,” *CBC News* (Iqaluit, NU), March 2, 2022, accessed April 9, 2023, <https://www.cbc.ca/news/canada/north/jeremy-nuvviag-inquest-sanirajak-rcmp-shooting-1.6369780>
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  - iii. Kativik Regional Police Force, *Annual Report 2019-2020*, (Kuuujuaq, QC: 2020) accessed April 14, 2023 <https://www.nunavikpolice.ca/wp-content/uploads/anualreport2020-reducedsize-1.pdf>.
- <sup>12</sup> This case study is composed of information from the following sources:
- i. <https://www.t3ps.ca/>, accessed April 14, 2023.
  - ii. <http://gct3.ca/>, accessed April 14, 2023.
  - iii. Grand Council Treaty #3, Annual Report 2021-2022, (Kenora, ON: 2022) accessed April 14, 2023 <https://www.t3ps.ca/wp-content/uploads/2022/08/2021-2022-T3PS-Annual-Report-Electronic-Version.pdf>.
- <sup>13</sup> Thomas Rohner, “Nunavut’s high rate of police-related deaths ‘obviously worth looking into,’ says data expert,” *CBC News* (Iqaluit, NU), July 13, 2020, accessed April 9, 2023, <https://www.cbc.ca/news/canada/north/nunavut-police-related-death-rate-high-data-1.5645619>.
- <sup>14</sup> Andrew Blackadar (Commanding Officer, “V” Division, RCMP), interview by Thomas Rohner January 27, 2023.
- <sup>15</sup> Jerel Swamp (President, First Nations Chief of Police Association) interview by Thomas Rohner February 21, 2023.
- <sup>16</sup> Robyn Maynard, *Policing Black Lives: State Violence in Canada from Slavery to the Present*, Fernwood Publishing (Winnipeg: 2017), Loc 335.
- <sup>17</sup> *Idib.*, 341.
- <sup>18</sup> *Idib.*, 453.
- <sup>19</sup> Desmond Cole, *The Skin We’re In: A Year of Black Resistance and Power*, Doubleday Canada (Toronto, ON: 2020), Loc 283.
- <sup>20</sup> T. Talaga (Host), August 30, 2022, Defund the Police (No. 19) [Audio podcast episode], in Auntie Up, Makwa Creative, accessed April 13, 2023, <https://auntieup.libsyn.com/ep-19-defund-the-police>.
- <sup>21</sup> Madeleine Redfern (Chairperson, Legal Services Board of Nunavut), interview by Thomas Rohner January 9, 2023.
- <sup>22</sup> Hagar Idlout-Sudlovenick (Director, Social Policy, Qikiqtani Inuit Association) interview by Thomas Rohner December 1, 2022.
- <sup>23</sup> J. Oosten, F. Laugrand, W. Rasing (Eds.), *Inuit Laws: Tirigusuusiit, Piqujait, and Maligait*, Volume 2, 2<sup>nd</sup> edition, (Iqaluit, NU: 2017), 31.
- <sup>24</sup> Steven Covey, *The 7 Habits of Highly Effective People: Powerful Lessons in Personal Change*, Simon & Schuster, (NYC, NY: 1989, 2004), 39-40.



