

First Nations chiefs say funds to provide policing in communities rapidly dwindling

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At issue is Ottawa's role in administering the First Nations and Inuit Policing Program, a 30-year-old federal-provincial cost-sharing initiative that has created nearly 40 Indigenous police forces across Canada.

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Some First Nations chiefs in Northern Ontario are warning that funds for Indigenous policing will run out as early as this month if an impasse in negotiations with the federal government is not resolved.

At issue is Ottawa's role in administering the First Nations and Inuit Policing Program (FNIPP), a 30-year-old federal-provincial cost-sharing initiative that has

created nearly 40 Indigenous police forces across Canada.

These forces operate on fixed-term government grants. On March 31, three First Nations' police forces in Ontario lost access to FNIPP funding when their old agreements expired and negotiations for new ones broke down.

Ottawa argues in legal document it is not responsible for paying for First Nations policing

First Nations police forces sue Ottawa over stalled funding talks

Late last month, the political leadership representing more than 30 Ontario First Nations, which are served by two of these forces – the Treaty Three Police Service and the UCCM Anishnaabe Police – declared states of emergency over the impasse. They say their funds to provide policing in these communities are rapidly dwindling. The third force – the Anishinabek Police Service – has also been without government funding since March 31, though its leadership has not declared a state of emergency so far.

These police forces want to negotiate expanded versions of past agreements that could potentially cover policing costs such as legal fees or specialized squads.

The federal government's position, however, is that it will not discuss taking on such added costs and that it has no mechanisms to move money to First Nations police forces that currently do not have any formal agreements in place because the previous ones have expired.

The Indigenous Police Chiefs of Ontario launched legal actions in Federal Court and at the Canadian Human Rights Commission this spring in support of the affected communities, saying that First Nations police forces have long considered the government's bargaining stance to be a "take-it-or-leave-it" tactic.

The police chiefs' legal claims also allege that the federal government's stewardship of the FNIPP is discriminatory under human-rights laws. In other recent disputes over funding for First Nations policing, federal rights tribunals and judges have held that

the FNIPP discriminates against Indigenous people by failing to provide them with security comparable to what other Canadians get.

With the dispute in the affected communities threatening to drag on, the affected First Nations in Northern Ontario are now getting worried about what will happen if they cannot pay their police officers. While government officials say the Ontario Provincial Police could plug policing holes on reserves, some First Nations leaders say they would not accept this.

“People in the community don’t want the OPP here,” said Chief Patsy Corbiere, Tribal Chair of the United Chiefs and Councils of Mnidoo Mnising, which declared a state of emergency on May 31 about policing for six First Nations on Manitoulin Island.

“The OPP doesn’t speak the language. They don’t understand the First Nation people,” Ms. Corbiere said.

“We don’t want our operations to be closed down in July because we can’t afford to pay for our police force, our police chief, our vehicles.”

The UCCM Anishnaabe Police Service, which serves the six First Nations on Manitoulin, has been battling problems involving gang members, illegal drugs and overdoses, Ms. Corbiere said. The force “will not have sufficient funding to continue operating,” according to the emergency declaration.

It said that the Manitoulin Island communities “will not accept culturally inappropriate” police forces as a replacement.

On May 24, the Grand Council Treaty 3, which represents 28 First Nations in Northwestern Ontario, also declared a state of emergency.

“This is absolutely unacceptable,” said Chief Linda McVicar of the Animakee Wa Zhing 37 First Nation in Treaty 3. “We deserve an adequately funded and equipped police service as much as anyone else in Canada,” she said in an e-mail to The Globe and Mail.

Both the May 24 and May 31 emergency declarations contend that the federal government is engaging in “oppressive and unconscionable” bargaining tactics. The emergency declaration by the First Nations on Manitoulin Island alleges that government officials are “deliberately allowing FNIPP funding agreements to expire in order to force Indigenous communities to accept Canada’s discriminatory terms.”

Federal officials wrote to the affected First Nations at the end of May, urging them to sign temporary agreements that could release grant money to the police forces.

“I am reaching out to ask that you consider signing an interim First Nation and Inuit Policing Program (FNIPP) funding agreement which would allow Public Safety Canada (PS) to flow funding to your service immediately,” Christine Moran, as assistant deputy minister with Public Safety Canada, wrote in letters sent last week.

Federal and provincial officials did not reply to questions The Globe sent last week about how they are planning to respond to these declared states of emergency.

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