



Evaluation of the First Nations and Inuit Policing Program

Evaluation Report
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Background



The First Nations and Inuit Policing Program (FNIPP), formerly the First Nations Policing Program, was created as a contribution program in 1991 to enhance the effectiveness of policing services in First Nation and Inuit communities in terms of cultural relevance and responsiveness to the public safety need of communities. The objectives of this funding are to support policing services that are professional, dedicated and responsive to the communities they serve.

Recipient eligibility as identified in the FNIPP Terms and Conditions includes, but is not limited to, band councils recognized under the *Indian Act* or a government of a First Nation or Inuit community established by an act of Parliament or a legislature; Métis communities do not meet these criteria.

The FNIPP is also the Government of Canada's funding vehicle for meeting treaty obligations related to policing and law enforcement. There are currently three modern treaties and self-government agreements with such direct obligations: the *James Bay and Northern Quebec Agreement*, the *Northeastern Quebec Agreement*, and the *Westbank Self-Government Agreement*.

Financial contributions under the FNIPP are shared with provinces and territories in accordance with a 52% federal and 48% provincial/territorial (PT) funding ratio. The cost-share ratio for PT policing services provided by the Royal Canadian Mounted Police (RCMP) under Contract Policing Agreements normally consists of a 30:70 split between the Federal and PT governments respectively.

Background

FNIPP funding currently supports two main types of policing agreements:

1. Self-Administered Police Service Agreements (SA): where a First Nation or Inuit police service is authorized under PT policing legislation to provide primary (day-to-day) policing services to a First Nation or Inuit community; and
2. Community Tripartite Agreements (CTA): where a contingent of police officers from the RCMP provide dedicated policing to a First Nation or Inuit community that is intended to supplement the level of contract police services provided to that community by the RCMP in its role as the provincial/territorial police service. CTAs are made pursuant to bilateral First Nations Community Policing Service (FNCPS) Framework Agreements between Canada and the participating PT.

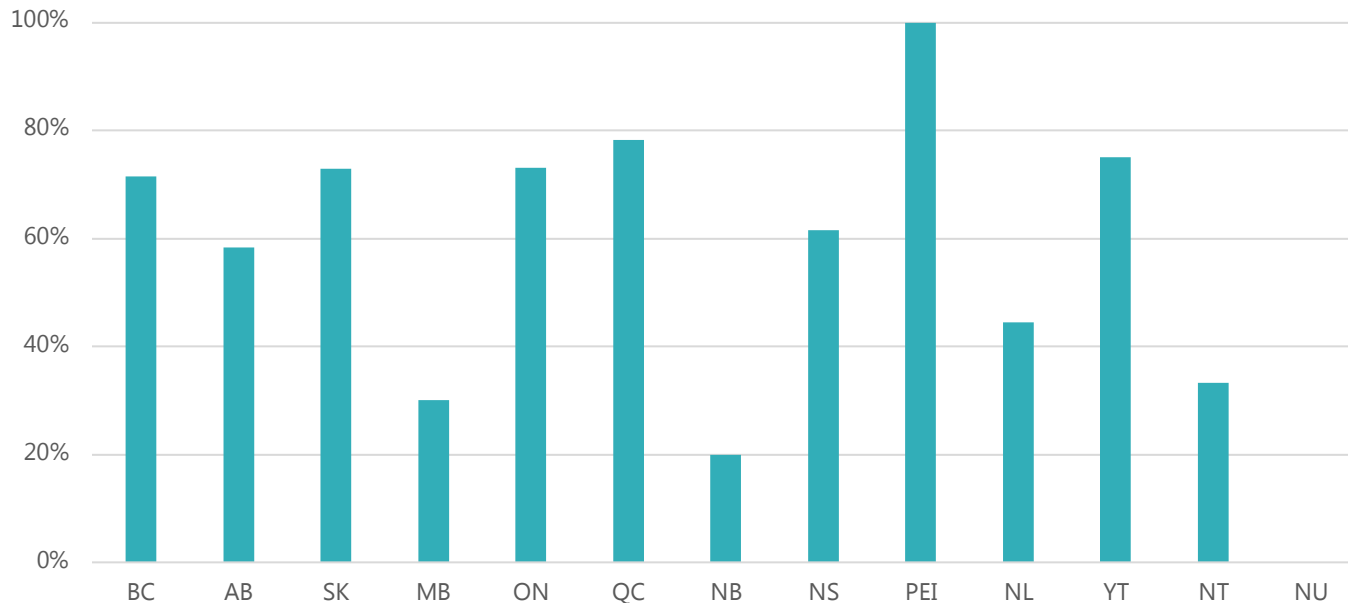
In addition to the SA and CTA lines of business, the FNIPP also supports Municipal Quadripartite Agreements (MQA) where a contingent of officers from a provincial, municipal or regional police service, that is not the RCMP, provides dedicated, culturally responsive policing services to a given community. MQAs are negotiated between the Federal Government, PT of jurisdiction, the police service and the community.

Along with these agreements, the FNIPP provides funding for other policing initiatives. These initiatives include innovative approaches to service delivery in First Nation or Inuit communities, career development and training activities, as well as conferences or workshops. Furthermore, funding for these other initiatives can be solely provided by PS, or cost shared with the relevant PT government.

Background

In 2020-21, there were 214 FNIPP policing agreements in place. These include eight FNCPS Framework agreements, 146 CTAs, 36 SAs as well as 24 other agreements including three MQAs. FNIPP police service agreements provide policing services to 427 or 62% of eligible First Nations and Inuit communities representing approximately 397,000 or 68% of the total population of those communities. Eligible communities who are not funded by the FNIPP receive policing services from existing provincial, territorial or municipal police services (including services from the RCMP contracted by a province or a territory). There are no FNIPP agreements in Nunavut.

Percentage of First Nations and Inuit Communities Covered By FNIPP Policing Agreements by Province or Territory (2020-21)



Evaluation Purpose and Methodology

The purpose of the evaluation was to assess the continuing need (relevance), achievement of outcomes (effectiveness) and efficiency of program administration of the FNIPP. The evaluation covered the period from fiscal year 2015-16 to 2020-21 and was conducted in accordance with the Treasury Board *Policy on Results* and *Directive on Results*.

Interviews and Case Studies



62 interviews were conducted with external and internal key informants.

Nineteen case studies explored FNIPP-funded policing arrangements (10 SA, 14 CTA and 1 MQA) in place in communities across the Atlantic, Quebec, Ontario, Prairie and Pacific regions.

While all business lines were considered, the evaluation primarily confined its analysis to policing services provided under SA and CTA Agreements as these are the primary lines of business under which the majority of communities receive policing.

Literature and Program Document Review



Program documents and relevant literature (e.g. academic research, media, governmental and independent reports) were reviewed.

Performance and Financial Data



Available performance data from the FNIPP was reviewed. Program financial data was analysed.

Limitations

The following methodological limitations were considered when interpreting the data:

- Limited availability of performance data;
- Lack of Indigenous representation on evaluation team as well as limited consultation with Indigenous stakeholders in evaluation planning and reporting activities;
- Inability to conduct site visits due to the COVID-19 pandemic; and
- Lack of community participation in case study interviews, particularly for CTA communities. Other sources of data, including previously gathered information were used to mitigate these concerns.

Relevance

Continuing Need



Finding: As high rates of crime in Indigenous communities and the overrepresentation of Indigenous peoples in the Canadian criminal justice system persist, Federal Government support for First Nations and Inuit policing arrangements should be maintained and strengthened.

While some Indigenous communities have lower or comparable rates of crime to those in the rest of Canada, Indigenous peoples, including those living in communities with FNIPP policing agreements, continue to experience disproportionately higher rates of crime and violent crime and overrepresentation in the Canadian criminal justice system.

Indigenous people, in particular women, are more likely to be victims of crime. In 2018, police serving primarily Indigenous communities reported 9,220 incidents of violent crime per 100,000 population, almost nine times higher than those primarily serving non-Indigenous communities. The rate of non-spousal police-reported family violence in Indigenous communities was sixteen times higher than in non-Indigenous communities and the rate of sexual assault in Indigenous communities was six times higher than in non-Indigenous communities. As of 2014, the most current year data was available, Indigenous women had an overall rate of violent victimization that was double that of Indigenous men and close to triple that of non-Indigenous women.

As of January 21, 2020, the proportion of incarcerated Indigenous people had surpassed 30%, while Indigenous people make up 5% of the Canadian population. Moreover the rates of incarceration for federally-sentenced Indigenous peoples have increased by 43.3% since 2010, while these figures have declined by 13.7% for non-Indigenous peoples.



Program data shows that from 2004 to 2018, FNIPP communities experienced a 3.5% increase in crime rates, while there was a 28.5% decrease across other communities in Canada. Over the same time period, rates of violent crime in FNIPP communities were found to have increased by 31.9% while in the rest of Canada there was a 15.5% decrease.

Relevance

Continuing Need



Finding: Federal government support for policing service arrangements in First Nations and Inuit communities is aligned with its commitments and priorities. PS roles and responsibilities with respect to First Nations and Inuit Policing are aligned with these commitments and priorities and are consistent with the department’s mandate and mission.

The Federal Government has played a long-standing role in supporting policing in First Nation and Inuit communities in Canada. As described in the FNIPP Terms and Conditions, while there is currently no specific legislative requirement for the federal government to support policing services to First Nation and Inuit communities, its interest is anchored in the *Constitution Act, 1867* whereby provincial and territorial governments have jurisdiction over the administration of justice, including policing, and the federal government has jurisdiction over “Indians and lands reserved for Indians”.

The FNIPP is the vehicle for meeting the federal government’s policing and law enforcement obligations under the existing modern treaty, specifically the *James Bay and Northern Quebec Agreement*, the *Northeastern Quebec Agreement* and the *Westbank Self-Government Agreement*.



Relevance

Continuing Need



Finding: While the Federal Government should continue to support First Nations and Inuit policing arrangements, the current funding model is outdated and insufficient to address the continuing public safety needs of communities. Work is underway to address these issues.

The FNIPP's contribution agreement funding model and process for determining funding allocations for agreements have been criticized as inflexible in addressing the unique public and community safety needs of individual First Nations and Inuit communities; it has been described alternately as 'one-size-fits-all,' and a 'cookie-cutter approach'.

Key issues relate to the chronic underfunding of FNIPP-funded police services and the use of a contribution agreement funding model for policing, which is considered by many to be an essential service. Time limits inherent to contribution agreements were seen to hinder long-term strategic and operational planning activities including officer recruitment and retention for SA forces. Concerns were also expressed by internal and external stakeholders about the nature of the funding model which forces communities and/or police services to compete for limited funding, and may not be sufficient to meet the diverse regional, geographic, or community-based public safety challenges of communities.

Overall, it was felt that essential services like policing should be supported through sustainable, predictable and adequate resources.



Relevance

Continuing Need




The Federal Government has recognized there are gaps in the current funding model and has taken some steps to address them. Firstly in 2018, along with an increased budget, a 2.75% funding escalator was introduced to provide some stability with respect to adjusting for the rising costs of policing. As well, an increase in FNIPP officer positions was announced. While a cap was placed at 110 additional officers, the program received requests from First Nations and Inuit communities for over 500 new officer positions. Time limits for eligible contribution agreements were also increased from a maximum of five years to 10. Funding partners from three PT jurisdictions currently support this extended duration.

Further to this in 2019, the Minister of Public Safety was mandated to co-develop, with the Minister of Indigenous Services, a legislative framework that recognizes First Nations policing as an essential service and for PS to expand and stabilize the FNIPP. Accordingly, funding to support these activities was identified in Budget 2021 and work is underway to meet these commitments.



Achievement of Outcomes

Access and Availability of FNIPP-funded Police Services

 **Finding:** Approximately one-third of eligible First Nations and Inuit communities are unable to access the FNIPP. Gaps were identified in the availability of policing services in communities participating in the FNIPP.


Prior to the Budget 2021 announcement, the FNIPP's allocated budget and existing authorities did not support program expansion. Approximately one-third of First Nations and Inuit communities have been unable to access the FNIPP. In addition, the finite amount of the Program's allocated budget has led to chronic underfunding of FNIPP-funded policing agreements. As such, the scope and nature of policing services that are available to participating communities are limited and face constant operational challenges. Other aspects of the contribution funding model, including the time-limited nature of agreements, expense eligibility and the FNIPP's fiscal framework, were found to exacerbate this issue as well.

Chronic underfunding was found to hamper the abilities of both SA and CTA police services to develop and implement policing approaches that are culturally appropriate and community-determined, which are key Program objectives. Insufficient resources and operational capacity has forced police services to adopt reactive policing as the default approach (i.e. where police engagement within the community is limited to emergency response and law enforcement activities).



Achievement of Outcomes

Access and Availability of FNIPP-funded Police Services



"We're under resourced to be able to police effectively and our officers are burned out. These are not healthy or safe working conditions."

The time-limited nature of contribution agreements can limit a SA police service's ability to conduct long-term strategic and operational planning and can impact officer recruitment and retention and the management of unexpected vacancies such as long-term disability or mental health leave.

These challenges – encountered particularly within SA services – put considerable strains on operational capacity. This impacts a police service's ability to provide timely response to emergency calls, ensure a police presence within the community and build and maintain positive relationships within the community.

Limited operational capacity also exacerbates the existing workload of police service members and contributes to poor working conditions that can affect officer health and safety, including mental health which is an important yet complex issue for policing. In turn, this can create further challenges for officer recruitment and retention and was identified as having long-reaching impacts on the public safety of communities with FNIPP policing agreements.

Achievement of Outcomes

Access and Availability of FNIPP-funded Police Services



Although the funding for the First Nations and Inuit Policing Infrastructure Program is outside of the scope of this evaluation, significant deficiencies in policing infrastructure were also found to impact the working conditions in some communities which placed additional constraints on officer health and safety and their overall ability to provide consistent and adequate policing services.

The strict expense eligibility in contribution agreements means that SA police services are prevented from providing specialized services that can help address the unique public safety needs of their communities through enhanced investigative or operational capacity. Some First Nation communities (police and community) have identified a need for greater access to resources to support specialized units and training in order to lessen dependence on outside police organizations for these services (e.g. canine units, forensics and complex investigations involving drugs, gangs, sexual assaults, homicide, human trafficking and cyber-crimes).

Achievement of Outcomes

Access and Availability of FNIPP-funded Police Services


The FNIPP's fiscal framework, by which funding contributions are determined, is another aspect of the contribution agreement model attributed to limiting the policing services that are available to communities with FNIPP policing agreements. The Program Terms and Conditions identify a number of factors that may be used in determining funding allocations for SA contribution agreements. However, key informants suggested PS needed to provide more flexibility and transparency in this area and raised concerns that the metrics currently applied do not fully capture the public safety needs and policing service costs of some communities. This can include isolated communities that may only have fly-in access or seasonal roads, or expansive geographical areas where FNIPP police service agreements are in place to serve multiple communities. In addition, without access to appropriate resources, geographic circumstances can influence both a police service's ability to recruit and retain officers and to provide timely response to emergency situations.


As a result, police services from both the SA and CTA lines of business were found to have insufficient resources or flexibility in their policing arrangements to ensure the consistent delivery of the policing services identified under their FNIPP agreements. This includes appropriate police service coverage and operational capacity for the SA line of business or the development and implementation of culturally appropriate and community-determined approaches for both lines of business.



Achievement of Outcomes

Communities with FNIPP Policing Agreements are Served by Professional Police Services

 **Finding:** Policing services provided under the FNIPP are professional. However, barriers to ongoing training opportunities were identified in the SA line of business. Limitations in the levels of professional experience and localized knowledge of FNIPP-funded officers were identified and attributed to staffing challenges experienced by both lines of business.

 FNIPP-funded officers are, by requirement, professionally certified under the Police Act in their province or territory of jurisdiction.

Officers in FNIPP-funded police services are able to fulfill mandatory recertification training requirements and are provided access to training opportunities. However, numerous barriers were identified with ongoing training, particularly in the SA line of business. These include: financial and budget constraints that limit access to training opportunities (e.g. travel, accommodation and overtime costs incurred attending training events, especially if training facilities are far away); the intensive time and resources required to train new recruits; and time-limited contribution agreements that make it harder to undertake long-term professional development planning for personnel.



The COVID-19 pandemic has both positively and negatively impacted training opportunities for both lines of business. Some police services noted the shift to online training has reduced travel expenses and an officer's time away from the community. On the other hand, in-person training or and training activities for new recruits have been delayed due to the pandemic.

Achievement of Outcomes

Communities with FNIPP Policing Agreements are Served by Professional Police Services

While FNIPP-funded police services are professional, staffing turnover has contributed to gaps in the levels of policing experience and community-based or localized knowledge possessed by FNIPP-funded officers. This can impact the long-term stability of police services and the nature of policing services provided to communities.



Concerns were raised that some recruits from SA police services approach their employment as a 'stepping stone' that affords training and on-the-job experience to better qualify them for positions in municipal or provincial police services (which are perceived as providing better job security and more opportunities for career advancement). Such turnover can weaken the level of cumulative professional experience and localized knowledge within a police service. In turn, this places pressure on the existing operational capacity and creates strategic and operational planning challenges as hiring processes and onboarding activities for new personnel have to be coordinated.



Due to the RCMP rotational model for CTA-funded officer deployments in northern or remote communities, challenges were identified with the ability of the police service provider to establish and maintain positive and proactive relationships within their communities. In turn, the cultural knowledge and experience as well as individual relationships developed over a CTA-funded officer's time spent within the community have to be constantly re-established.

Achievement of Outcomes

Community Engagement with FNIPP-Funded Police Services



Finding: Formal and informal engagement activities are viewed as vital elements in building positive relationships between communities and their police services where public safety priorities can be communicated and addressed. However, limited police service resources and PS support for formal mechanisms to facilitate community-police engagement, which are required under contribution agreements, have created barriers to engagement.

Police-community engagement, such as participation in local meetings or events and other outreach activities in schools or with youth-focused organizations, promote the visibility of a police service within a community. These interactions provide opportunities for informal communication as well as increased officer awareness of local culture, history and traditions which help build positive and trusting relationships between communities and their police services.

The majority of SA police services held or participated in events and meetings to promote relations within their respective communities. These activities played an important role in developing positive relationships and proactive, community-based approaches to policing. Although evidence was limited, similar experiences were reported in the CTA line of business as well.

Staffing shortages were identified as hindering consistent and proactive opportunities for community-police engagement. For example, an officer may not be able to participate in youth outreach activities if doing so means the community is short an officer for that period of time.



The COVID-19 pandemic has created barriers in community-police engagement, since community members are not able to visit their police service detachments as they used to, and community events have been cancelled.

Efforts to continue engaging with the community were noted, including one CTA service provider who described how they started a monthly newsletter to communicate with and between the communities in their jurisdiction. The service provider suggested this has been well received by communities served under the CTA agreement.

Achievement of Outcomes

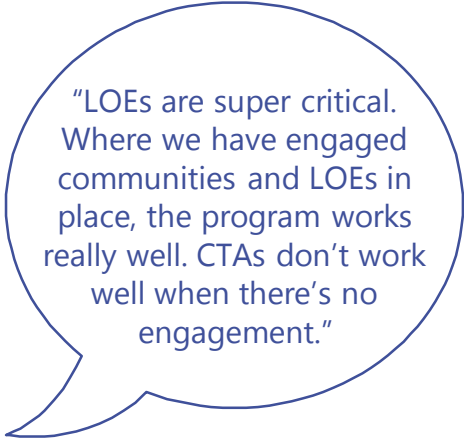
Community Engagement with FNIPP-Funded Police Services

An important platform for facilitating engagement between communities and their police services are the formal mechanisms that facilitate community-police engagement which are required under FNIPP policing agreements. This includes police boards or commissions for communities with SA agreements and Community Consultative Groups (CCG) for communities with CTA agreements. It should be noted that while police boards/commissions are mandated through provincial legislation, CCGs serve in an advisory capacity to work with the police service in developing a Letter of Expectation (LoE) that identifies public and community safety priorities and monitors progress in addressing these priorities.

CTA-funded communities face considerable obstacles in creating and maintaining CCGs and only a small amount of CTA communities reported having a CCG in place (approximately 20% of those responding to Non-Financial Reporting Surveys in 2016-17 and 2017-18). Barriers to CCG implementation include the lack of available funds to support the establishment of CCGs or to support ongoing participation where CCGs are in place. This involves supporting access to training opportunities, appropriate compensation for CCG members, and access to governance and administrative supports.

While funding for police boards/commissions is provided under SA contribution agreements, the administrative costs for travel, training and strategic planning activities may exceed the allocated amount.

These formal mechanisms could be improved with increased guidance and support from PS.



“LOEs are super critical. Where we have engaged communities and LOEs in place, the program works really well. CTAs don’t work well when there’s no engagement.”

Achievement of Outcomes

FNIPP-Funded Police Services are Dedicated



Finding: The ability to provide dedicated police services is challenged by available resources and capacity. There is also ambiguity as to the interpretation and implementation of dedicated police services within the CTA line of business.

The FNIPP defines dedicated as “subject to any exceptions or allowances that may be described in a relevant signed [agreement], that 100% of the Member’s regular working hours will be spent performing work related to the community safety needs of the Communities and that the majority of their working time will be spent serving the Communities described within the definition section of a relevant signed agreement.”

As designed, the SA line of business ensures that officers employed in a police service are 100% dedicated to the communities they serve.

Although this meets the defined criteria, in cases where a SA police service provides policing to multiple communities within a large jurisdiction, challenges can arise ensuring that sufficient officer resources are dedicated to each of the communities served under the agreement.



Achievement of Outcomes


FNIPP-Funded Police Services are Dedicated

The interpretation and implementation of 'dedicated police services' is inconsistent across the CTA line of business. This can include instances of overlap where CTA-assigned officers, funded under First Nations Community Policing Service Framework Agreements are assigned policing responsibilities which are funded, separately, under bilateral Provincial or Territorial Police Service Agreements. PS has not provided sufficient oversight to ensure that dedicated police services, as defined in CTA policing agreements, are being applied consistently by the service provider. These concerns were previously raised in the 2014 *Spring Report of the Office of the Auditor General*.

Non-Financial Reporting Surveys are circulated by PS to CTA communities to measure the performance of the police services funded under the contribution agreement and are part of the recipient reporting requirements identified in the agreement. Non-Financial Reporting Survey data collected over the evaluation period indicates that while a large majority of CTA communities (approximately 70%) who responded to the survey agreed or completely agreed that their police services are dedicated, a smaller majority (approximately 50%) agreed or completely agreed that the service provider ensures 100% of officers on-duty time is dedicated to serving their community.

Achievement of Outcomes

FNIPP-Funded Police Services are Culturally Responsive

 **Finding:** The implementation of culturally appropriate or responsive policing practices, including cultural training activities, is inconsistent and not sufficiently supported by PS.

FNIPP-funded policing services were found to be responsive to the communities they serve. However, cultural responsiveness, as it applies to the context of the police services provided under the FNIPP, is not clear and has never been formally defined.

Cultural responsiveness refers to policing services that are adaptive and responsive to the culture and needs of individual communities. Various approaches to culturally responsive policing were identified in FNIPP-funded police services. These include: the employment of Indigenous officers; relevant training opportunities to increase officer awareness and competency concerning the Indigenous cultures they are serving; and the hiring of officers who speak a language within the communities being served and who live in their communities. The understanding and application of Indigenous methods of justice was also viewed as a positive approach to culturally responsive policing.

Limited program resources have hampered the implementation of culturally responsive policing approaches. It was suggested that PS should support the implementation of culturally appropriate and responsive policing priorities and approaches that are identified by the communities served by FNIPP-funded police services.

One key improvement identified was the need for greater PS support to strengthen existing formal mechanisms that facilitate community-police engagement such as police boards/commissions in communities with SA agreements and Community Consultative Groups in communities with CTA agreements. Given their governance and/or advisory roles, these bodies are responsible for ensuring their police are providing appropriate and responsive services that address community-identified needs. However, such mechanisms require sufficient support to develop and communicate community priorities and expectations to their police service providers and to monitor their ongoing implementation.

Achievement of Outcomes

FNIPP-Funded Police Services are Culturally Responsive

Officer training to improve cultural awareness, sensitivity and competency is considered another crucial element in supporting culturally appropriate and responsive policing. The complex socio-economic conditions of many communities require localized community-specific cultural training, informed by a community's history, peoples, language, experience with colonization, and needs. Access to cultural training was found to vary between business lines and available data was insufficient to assess the levels of participation or efficacy of cultural training activities.

For the SA line of business, smaller police services were found to lack the officer capacity and resources to provide comprehensive cultural training on a consistent basis. However, some examples of cultural training activities were identified as having positive impacts. These included: providing officer orientation by partnering new or non-Indigenous members with community Elders; offering Indigenous-language classes; and providing one-week of localized training for new recruits prior to and following cadet training at police college.

For both lines of business, it was suggested that PS could support communities with FNIPP policing agreements in developing, implementing and sharing best practices for providing cultural training activities to police service providers. This could be facilitated through police boards or CCGs.

For the CTA line of business, cultural sensitivity training is provided to RCMP cadets and various Indigenous-focused resources and course offerings are available in-person and online for officers, although participation is not mandatory. RCMP detachments are responsible for developing cultural sensitivity and orientation packages to familiarize new and existing officers with the culture and traditions of the community they are serving.

Achievement of Outcomes

Communities with FNIPP Policing Agreements are Safe



Finding: Crime and violence represent serious challenges to the public safety of First Nations and Inuit Communities. While the presence of FNIPP-funded officers was attributed to having a positive impact on perceptions of community safety other limiting factors were identified.

Various types of crime and social issues were identified as impacting community perceptions of public safety and well-being. These include:

- drug, gang and organized crime activities;
- human trafficking;
- substance abuse and mental health issues;
- inter-generational trauma incurred from residential schools and other colonizing policies and institutions;
- proximity to urban centres and/or major highways; and
- employment opportunities.

Positive perceptions of safety were found in communities with FNIPP-funded police services. Data collected from the 2015-16 Regional Health Survey shows 87% of respondents from communities with SA agreements and 77% of respondents from communities with CTA agreements felt very safe or reasonably safe.

Factors impacting safety in communities with CTA or SA agreements were identified. These include:


- access to 24/7 policing services;
- timely response to emergency calls;
- availability of adequate infrastructure; and
- sufficient officer capacity to effectively respond to community safety needs.

These factors can also impact the working conditions of officers and effect their health and well-being. In turn, this can result in long-term mental health and stress leave which places additional pressures on the operational capacity of police services.



Some of these factors have been exacerbated by the COVID-19 pandemic and related response measures.

Gender Based Analysis Plus (GBA+)

 **Finding:** The program objectives and target population supported by the FNIPP reflect intersectional considerations that constitute the 'plus' side of GBA+. Gender-based data is not collected and gender-based analysis does not appear to inform policy or decision making. Cultural biases and other barriers were identified with respect to recruitment, retention and working conditions of Indigenous officers.



As the FNIPP was created to address systemic inequalities in the policing services provided to First Nations and Inuit communities, intersectional considerations were found to inform the Program design. However, the evaluation was unable to assess if the policing services provided under the FNIPP are able to ensure that the safety needs of vulnerable groups, including women and girls, are sufficiently recognized and protected.

PS does not currently collect gender or intersectional data as it relates to policing in First Nation and Inuit communities. The department has acknowledged this gap and is engaging with National Indigenous Organizations, including women's organizations, law enforcement and criminal justice system stakeholders, academia/experts and service providers to address these concerns.

Gender Based Analysis Plus (GBA+)

GBA+ related barriers were identified that impact the recruitment, retention and workplace conditions of Indigenous officers in both SA and CTA policing services. While some of these speak to broader issues within policing across Canada (such as racial or gender-based harassment and discrimination), others are unique to FNIPP policing services.

One barrier related to recruitment are the cultural biases in police service applications including culturally inappropriate psychological questions and other socioeconomic requirements that may serve as impediments to application. As well, SA police services may not have the time or resources to train local, inexperienced recruits, which can result in the hiring of more experienced non-Indigenous officers. This then can impact professional mobility and mentorship opportunities for Indigenous officers.

The mental health and quality of life of Indigenous officers can be impacted by elements beyond the nature of the job. For some, the intergenerational trauma linked to colonization and residential schools, as well as the likelihood of dealing with members of their own community/family can lead to post traumatic stress injuries.



While specific numbers are unavailable for the CTA line of business, there have been challenges across the RCMP in terms of recruitment and retention of Indigenous officers. This has the potential to impact the RCMP's ability to staff CTA officer positions with Indigenous officers.

Program Administration – Efficiency

Governance



Finding: Governance mechanisms are in place to support program delivery and were found to have improved over the evaluation period.

The FNIPP is co-managed by the Aboriginal Policing Policy Division of the Crime Prevention Branch (CPB) (formerly the Community Safety and Countering Crime Branch) and the Programs Directorate of the Emergency Management and Programs Branch (EMPB). Regional Office staff are involved in the ongoing management of the contribution agreements, including the negotiations for the bilateral Framework Agreements with the PTs. Total allocated program funding over the evaluation period was approximately \$750M. This includes funding to support RCMP CTA services (see Annex A). To support the ongoing administration, biweekly meetings are held with National Capital Region (NCR) staff and regional staff.

There are multiple governance mechanisms in place, both within PS, and with other stakeholders to manage the delivery of the FNIPP.

As the FNIPP is a cost-shared program with PTs, shared governance structures exist to support information sharing and the development of options for addressing current and emerging issues. The FNIPP FPT Working Group is comprised of working-level representatives from PT governments and PS. The regular meetings have been beneficial in maintaining ongoing communication, but concerns were raised about the timing and transparency of major federal government funding announcements and agreement renewal processes.

The FNIPP FPT Working Group developed a national process to allocate the additional officer positions (up to 110) announced in 2018. This process involved a simplified online application and invitation to all existing agreement holders to submit an application for additional police officer positions and a two-phased assessment process. The process was viewed by some key informants as innovative and an effort to address previous criticisms that funding decisions were not informed by clear criteria.

Program Administration – Efficiency

Governance

While there are mechanisms to connect at the government level, there are more limited opportunities for the engagement of communities and other relevant stakeholders. The FNIPP Stakeholder Panel is an advisory board designed to fill that role. Members are mandated to actively engage in dialogue to contribute and offer knowledge and cultural perspectives on matters pertaining to the delivery of dedicated and responsive policing, as well as the overall safety and security of First Nation and Inuit communities. The Panel includes representatives from First Nations and Inuit communities, the First Nations Chiefs of Police Association, the RCMP, PS, the Department of Justice, Indigenous Services Canada and a representative from a provincial or territorial government.



First Nations and Inuit communities are represented on the Panel by:

- four representatives from CTA Community Consultative Groups;
- two representatives from a SA police management board or a member of the Canadian Association of Police Governance First Nations Council;
- two representatives who are the Chief or Deputy Chief of a SA police service;
- one First Nations or Inuit Elder; and
- one youth representative appointed by panel members.

As an advisory board, the Panel does not have decision making abilities, and the discussions are held semi-annually.

Program Administration – Efficiency

Governance

PS has also led other initiatives to engage stakeholders in the FNIPP. In 2016, the Stakeholder Engagement Process was initiated to help prepare for program renewal. Engagement activities included an online questionnaire; regional dialogue sessions in Edmonton, Yellowknife, and Toronto with additional engagement activities in Quebec, Saskatchewan and Prince Edward Island; and the preparation of an engagement summary report, which was made publically available. Over 300 stakeholders, from police associations to communities, were engaged in these activities.


On a broader scale, since 2017, PS has had contribution agreements in place with the Assembly of First Nations (AFN) to advance the policing and community safety joint priority. Officials continue to engage regularly to support the joint initiatives related to policing including: gap-analysis and research on best practices, development of a work plan and finalizing a protocol to achieve shared policing and community safety priorities.



More recently, an FPT Assistant Deputy Minister (ADM) level Committee on the Co-Development of First Nations Policing Legislation and Expansion of the FNIPP was established in late 2020. The Committee is intended to act as the main body for FPT discussion on federal legislation that recognizes First Nations policing as an essential service. It will also consider issues and opportunities associated with FNIPP expansion, actively and as directed by other FPT fora such as FPT Ministers Responsible for Justice and Public Safety.

Program Administration – Efficiency

Administrative Support and Performance Measurement

 **Finding:** Overall, administrative processes support the FNIPP. Ongoing challenges remain with the collection and monitoring of performance data.

Administrative Support

While relationships with PS personnel were generally viewed as positive, program stakeholders and PS representatives observed varied levels and consistency of administrative support provided by PS from both the NCR and regional offices. This was attributed to a number of factors including staff turnover and resource constraints, particularly within regional offices. Annual costs related to the administration of the FNIPP's 214 policing agreements ranged from 1.5% to 2.2% over the evaluation period. It was also noted that coordination and communication between NCR and the regional offices could be improved. Some SA police services also raised concerns with the consistency of timely payments from PS.



There was recognition of enhanced support during the COVID-19 pandemic. The maximum amount payable to SA police services was increased by \$20 million (federal share) to alleviate operational pressures resulting from emergency situations, such as response measures related to the pandemic.


Limitations in Performance Data

Several gaps were identified in the collection and monitoring of performance data which limits the Program's ability to provide sufficient oversight and make evidence-based decisions to improve program design and implementation. This has been a long-standing concern and was previously raised in the 2014 *Spring Report of the Office of the Auditor General*.

While annual reporting is required under FNIPP agreements, only two Non-Financial Reporting Surveys were conducted with CTA funding recipients in 2016-17 and 2017-18. In addition, PS did not conduct any surveys with police service providers or communities with SA agreements over the evaluation period. PS has made some efforts to mitigate data gaps, including collaboration with the First Nations Information Governance Centre for analysis of relevant data from the Regional Health Survey. In 2020-21, PS developed a revised Performance Reporting tool for communities with SA agreements; implementation is forthcoming.

Program Administration – Efficiency

Agreement Renewal and Requirements

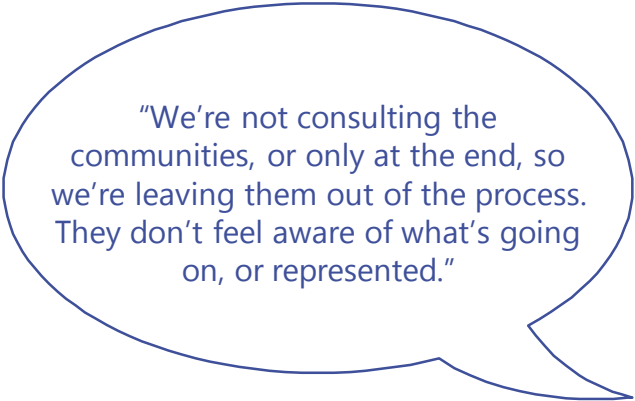
 **Finding:** SA and CTA agreement requirements were seen to place an undue burden on recipients and PS did not facilitate meaningful consultation with recipient communities during agreement renewal processes.

Within the FNIPP, there are different agreement types and related requirements. For each province or territory with CTAs, a First Nations Community Policing Services (FNCPS) Framework Agreement is negotiated between the federal government and the provincial or territorial government. As of March 2021, not all of these agreements have been finalized. This impacts the renewal of the community-level CTAs. Many of the CTA agreements have been auto-extended in one-year increments since 2018.

However, the agreements with the SA police services were all renewed in 2018-19, for periods ranging from one to ten years. One internal key informant credited the FNIPP Management Renewal Group, a working group with Regional Directors and chaired by FNIPP Senior Managers, as facilitating a positive and timely SA renewal process.

While recipient input was solicited prior to Program renewal during the 2016 Stakeholder Engagement, PS does not consistently engage recipient communities in consultations concerning its renewal processes and funding decisions.

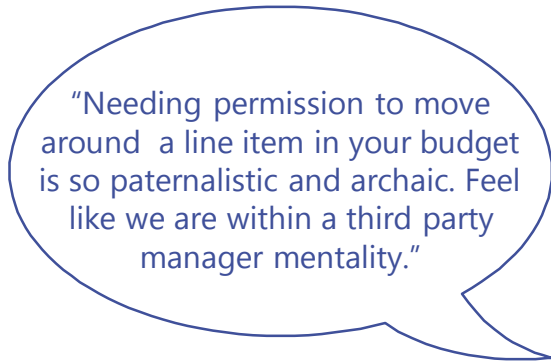
Recipient involvement in renewal processes was described as “coming in at the 11th hour,” and “negotiating under the gun”. This approach to engagement with recipient stakeholders prevents important discussions to ensure that agreements can sufficiently address the unique public safety needs of individual communities. Moreover, this current approach may be viewed as running counter to the Federal Government’s reconciliation agenda and efforts to build nation-to-nation, government-to-government and Inuit-Crown relations.



“We’re not consulting the communities, or only at the end, so we’re leaving them out of the process. They don’t feel aware of what’s going on, or represented.”

Program Administration – Efficiency

Agreement Renewal and Requirements



The use of contribution agreements to fund SA police services, and the related reporting requirements and expense eligibility limitations, were seen as burdensome on communities and their police services.

While certain performance reporting has been on hold, the frequency of financial reporting was not seen as beneficial by the police services or communities. Frustrations were also expressed with respect to PS's role in determining funding allocations for agreements. The existing Terms and Conditions identify a number of factors used in determining funding allocations for SA contributions agreements, such as geospatial information and local community influences. However, this process was viewed as arbitrary and was not seen to fully take into account unique factors to address community safety needs and raised concerns that the metrics currently applied do not fully capture the public safety needs and policing service costs of some communities. It was also suggested by key informants that PS needed to provide more flexibility and transparency with SA police services in this regard.

Program Administration – Efficiency

Agreement Renewal and Requirements


While communities with CTAs do not receive any direct funding through the FNIPP there are recipient requirements included in their agreements. One concern that was raised frequently was when a CTA agreement requires a community to provide police service facilities and/or officer housing. In some cases, communities did not have sufficient resources to meet their own community infrastructure needs. The housing/infrastructure requirements identified in CTA agreements were seen to disadvantage the recipient community and add an additional layer of challenges for officers when adequate policing facilities or officer housing is not available within the community. A funding program was created in 2018-19 to provide funding for First Nations and Inuit Policing Infrastructure. CTA communities are eligible to apply for that funding.

Communities with CTA agreements are required to provide annual reporting to PS, although this has not been monitored following the most recent Non-Financial Reporting survey that was conducted in 2017-18. Files reviewed were found to be missing required information, such as annual performance reports and Letters of Expectation. Reporting from the police service provider is not collected or monitored by PS in a consistent manner.



Program Administration – Efficiency

Formal Community-Police Engagement Mechanisms

 **Finding:** Formal community-police engagement mechanisms are required in all communities with FNIPP policing agreements. Increased PS support could enhance their role and strengthen their impact.


As required by the policing agreements for both lines of business, recipients are responsible for establishing formal community-police engagement mechanisms. These take the form of community police boards or commissions for communities with SA agreements, in accordance with provincial policing legislation. In communities with CTA agreements there is a requirement for Community Consultative Groups (CCG). It should be noted that although CCGs are identified as requirements within CTA policing agreements, PS leaves their implementation to the discretion of the recipient communities; only a small amount of CTA communities reported having a CCG in place (approximately 20% of those responding to Non-Financial Reporting Surveys in 2016-17 and 2017-18).

Financial support for community police boards or commissions is identified in the SA contribution agreement. However, the available budget was often found insufficient to support strategic planning activities (e.g. evaluations) or cover expenses like training, travel, administration or other associated costs incurred by board/commission members. These were cited as barriers to the provision of effective governance.

CCGs and Letters of Expectation were viewed as having positive impacts on community-police relations and improving upon the overall implementation of the agreement. PS does not provide financial or administrative support to CCGs, although CTA agreements state that Canada may, from time to time offer training to assist the CCG with their roles and responsibilities; the last training took place in 2008. It was noted community participation and the implementation of these mechanisms could be strengthened with increased support from PS.

Program Administration – Efficiency

Existing Synergies and Innovative Initiatives

 **Finding:** Support for the exploration and development of alternative models for the delivery of policing services in communities with FNIPP policing agreements could complement or enhance existing approaches and provide flexibility in meeting their unique public and community safety needs.

There is an opportunity to explore and further develop alternative service delivery models that address non-criminal community safety concerns without police intervention. This has become especially relevant in the current climate where relationships between the police and marginalized communities (e.g. Black, Indigenous and People of Colour) have highlighted the need to consider alternative approaches that are able to address public safety issues beyond those applied through traditional law enforcement practices.

These models emphasize holistic and proactive approaches while at the same time, allowing police services to focus their resources on emergency response and criminal investigation.

Responders have specialized training to intervene in situations involving mental health issues and addictions or conflict de-escalation and resolution. They also promote engagement, well-being and sense of community safety.



While there are limited funds to develop alternative service delivery models, the FNIPP supported, with PT partners, four such models over the evaluation period:

- Kwanlin Dün First Nation Community Safety Officer Program
- Manitoba First Nation Safety Officer Program
- Social Worker and Police Supporting at Risk individuals (Mnidoo Mnising Anishnaabe Policing Service)
- Community Program Officer Program (New Brunswick)

Although the full impact of these initiatives is yet to be determined, early signs of success were provided. Greater PS support for the development of collaborative and alternative approaches was suggested to support or enhance existing policing services in meeting the public safety and community wellness needs of communities.

Program Administration – Efficiency

Existing Synergies and Innovative Initiatives

The establishment and management of collaborative relationships between FNIPP-funded police services and other community services or agencies (such as healthcare providers, community and mental health resources, legal services, social programming and band councils), was identified as a potential best practice and viewed as an opportunity to develop holistic approaches that promote community safety and well-being.



The Hub model, employed in several communities across Canada, is an example of this kind of approach. This model (also known as the Community Mobilization Prince Albert approach and Situation Tables in other jurisdictions) consists of a multi-agency team focused on addressing specific situations where the probability of experiencing harm is imminent. The team works collaboratively to develop immediate, coordinated and integrated responses by mobilizing existing resources with the intent of reducing potential harm to individuals' health and safety in a timely manner, usually within 24 to 48 hours. The model is described as flexible and adaptive in meeting local needs, resources and specific safety and community well-being issues.

Conclusions

Crime rates for First Nations and Inuit communities continue to be higher than in other Canadian communities, and there is an overrepresentation of Indigenous peoples in the criminal justice system as both victims and offenders. Moreover, prior to the Budget 2021 announcement, the FNIPP's allocated budget and existing authorities did not support program expansion and one-third of eligible communities do not have access to FNIPP-funded policing services. As such, there is a continuing need to strengthen and expand PS's support of policing arrangements provided through the FNIPP.

The finite amount of the Program's allocated budget has led to underfunding of FNIPP-funded policing agreements. As a result, the scope and nature of policing services that are available to participating communities are limited and face ongoing operational challenges that hamper the working conditions of FNIPP-funded officers and can impact their physical and mental wellbeing. This can have long-reaching effects on the public safety of communities with FNIPP-funded policing services. Other aspects of the contribution agreement funding model, including the time-limited nature of agreements, expense eligibility and the FNIPP's fiscal framework, by which funding allocations are determined, were found to exacerbate these issues as well.

Limited program resources were also found to impact the implementation of culturally appropriate and responsive policing services in communities with FNIPP policing agreements. Two key areas requiring increased PS support were identified for improvement, these are: the formal mechanisms to facilitate community-police engagement which are required under FNIPP contribution agreements (i.e. CCGs and police boards/commissions); and encouraging the development, implementation and sharing of best practices for localized, community-specific cultural training activities for police service providers.

The Federal Government has recognized there are gaps in the current funding model and has mandated the Minister of Public Safety to co-develop, with the Minister of Indigenous Services, a legislative framework that recognizes First Nations policing as an essential service and for PS to expand and stabilize the FNIPP. Accordingly, funding to support these activities was identified in Budget 2021 and work is underway to meet these commitments.

Conclusions

Efforts to improve engagement, transparency and flexibility in governance and administrative processes were noted over the past five years. These included a stakeholder engagement process to inform agreement renewals; a collaborative process, co-developed with PT funding partners to allocate additional officer positions; and updated Terms and Conditions increasing the maximum amount payable to SA police services to alleviate operational pressures resulting from emergency situations, such as response measures related to the COVID-19 pandemic.

Some concerns were raised with respect to PS's management of key stakeholder relationships. These included timely agreement renewal negotiations with funding partners. PS was also found to not sufficiently engage in renewal negotiations with funding recipients and communities have limited input and access to FNIPP governance structures. This approach may not align with the Federal government's reconciliation agenda and efforts to build a nation-to-nation relationship with Indigenous peoples.

PS continues to experience ongoing challenges with inconsistent collection and monitoring of performance data; this issue was raised in the previous evaluation and in the 2014 *Spring Report of the Office of the Auditor General*.



Recommendations

While work is underway to co-develop a legislative framework for First Nation policing, the evaluation findings also support the need for First Nations policing to be recognized as an essential service. In support of this work, Public Safety should:



1. Examine options for other funding mechanisms beyond the contribution agreement model, in consultation with all implicated stakeholders.



2. Ensure that formal mechanisms to facilitate community-police engagement (i.e. Community Consultative Groups and police boards/commissions), which are required under FNIPP contribution agreements, have the appropriate support to identify community safety priorities and facilitate effective engagement between communities and their police services.



3. Develop, implement and monitor a consistent performance measurement and data collection strategy, that does not unnecessarily burden recipient communities and provides relevant and timely information to communities/police services, and decision makers.



4. Explore, with partners and communities, opportunities to support and encourage the sharing of best practices in localized cultural training activities for FNIPP-funded police services.

Management Action Plan

Recommendation	Action Planned	Planned Completion Date
<p>1) Examine options for other funding mechanisms beyond the contribution agreement model, in consultation with all implicated stakeholders.</p>	<p>Establish Indigenous Policing Task Force to examine options for First Nations Policing and to coordinate the co-development of a legislative framework.</p>	<p>Complete</p>
	<p>Engage First Nations and First Nations organizations, provinces and territories, and other relevant stakeholders to support the co-development of First Nations police services legislation, as supported by other government departments</p>	<p>By 31 December 2022</p>
	<p>Work with Justice Canada to prepare legislative options and with central agencies to assess sustainable funding options, including overall program administration requirements.</p>	<p>TBD</p>
<p>2) Ensure that formal mechanisms to facilitate community-police engagement (i.e. Community Consultative Groups and police boards/commissions), which are required under FNIPP contribution agreements, have the appropriate support to identify community safety priorities and facilitate effective engagement between communities and their police services.</p>	<p>Beginning in 2021-22, additional funding for Self-Administered Police Service Agreements (SA) and Community Tripartite Agreements (CTA) will increase the support for FNIPP communities to engage with their police service provider in identifying their public safety priorities.</p>	<p>2022-23</p>

Management Action Plan

Recommendation	Action Planned	Planned Completion Date
<p>3) Develop, implement and monitor a consistent performance measurement and data collection strategy, that does not unnecessarily burden recipient communities and provides relevant and timely information to communities/police services, and decision makers.</p>	<p>Develop the Annual Performance Reporting (APR) as a consistent Performance Measurement and data collection process and provide training and collaborative sessions to FNIPP recipients to support the APR reporting cycle.</p>	<p>2022-23</p>
	<p>Develop a plan and tools to communicate relevant information to recipients and decision makers.</p>	<p>2022-23</p>
<p>4) Explore, with partners and communities, opportunities to support and encourage the sharing of best practices in localized cultural training activities for FNIPP-funded police services.</p>	<p>Beginning in 2021-22, additional funding for Self-Administered Police Service Agreements and Community Tripartite Agreements will support FNIPP communities in the sharing of best practices in localized cultural training.</p>	<p>2022-23</p>

Annex A

First Nations and Inuit Policing Program Actual Spending 2015-16 – 2020-21* (\$ 000s)

Fiscal Year	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	Total
Salary	\$1,696	\$1,731	\$1,766	\$1,802	\$1,877	\$1,915	\$10,787
O&M	\$246	\$309	\$224	\$348	\$255	\$26	\$1,408
EBP	\$339	\$346	\$353	\$360	\$375	\$383	\$2,156
PSPC Accommodation	\$471	\$471	\$471	\$471	\$471	\$471	\$2,826
Vote 1 Total	\$2,752	\$2,857	\$2,814	\$2,981	\$2,978	\$2,795	\$17,177
Contributions	\$81,282	\$88,535	\$85,273	\$106,168	\$112,913	\$125,254	\$599,425
RCMP Transfers	\$41,492	\$42,192	\$43,481	\$50,287	\$52,918	\$58,778	\$289,148
Vote 5 Total	\$122,774	\$130,727	\$128,754	\$156,455	\$165,831	\$184,032	\$888,573
Total	\$125,526	\$133,584	\$131,568	\$159,436	\$168,809	\$186,827	\$905,750

*Verified by Public Safety Finance