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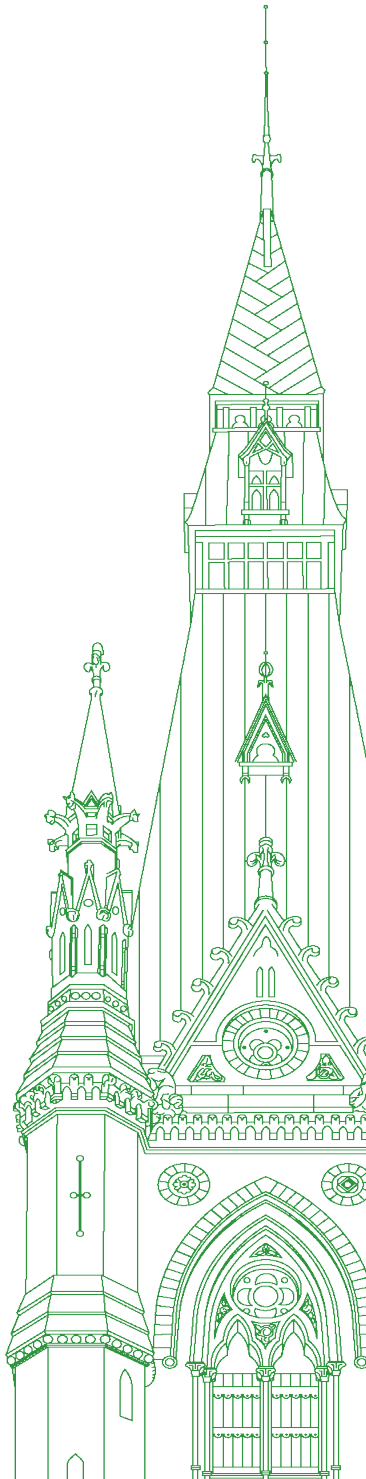

Chair: The Honourable John McKay

Standing Committee on Public Safety and National Security

Friday, August 14, 2020

● (1210)

[*English*]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): Welcome to the meeting of the study on systemic racism. We have two witnesses: Chief Nishan Duraiappah, and Chief Larkin from Waterloo. Each of you have seven minutes to present.

I'm going to ask Chief Duraiappah to make his presentation first. Then we'll go to Chief Larkin.

Go ahead, please, sir.

Chief Nishan Duraiappah (Chief, Peel Regional Police): Thank you, Chair.

I start by acknowledging my role as a settler on the region of Peel, which is part of the treaty lands territory of the Mississaugas of the Credit.

Once again, to committee members and the chair, I'm thankful for the invitation to participate in the discussion on systemic racism in policing.

As you have said, my name is Nishan Duraiappah. I am a Sri Lankan-born Tamil immigrant to Canada. I have 25 years of policing experience and am the present chief of Peel Regional Police service, which is responsible for policing a population of 1.4 million. The region of Peel contains the highest percentage of visible minorities within the greater Toronto area. It includes the cities of Brampton and Mississauga, and it is responsible for policing Toronto Pearson International Airport.

Systemic racism exists and has been deeply entrenched in all of our public institutions since 1867. Systemic racism continually affects service delivery to the communities we serve, as well as the daily experience of police members, sworn and civilian, when they are on the job and when they are at home.

As a member of the board of the Ontario Association of Chiefs of Police, OACP, I'm honoured to be part of a group of police professionals who focus on diversity, equity and inclusion, as well as a human rights framework for policing models here.

Across this world our Canadian officers and civilians are equipped, supported, trained and governed, which includes oversight, at a standard that makes them the best policing model and the best individuals in policing globally. As police leaders, though, we must go beyond these verbal affirmations. I, along with a consortium of the willing, am making bold and meaningful changes. We understand that the willingness to step out and implement changes to drive out systemic racism, without fear of failure, is required and expected. Therefore, in Peel Regional Police I have committed to a shift from traditional law enforcement to a pro-public health model rooted in human rights.

I'm adopting and implementing the following principles under a systemic change framework. I've initiated a systems review of all our directives and policies under a diversity, equity and inclusion lens. I'm developing leadership, both formal and informal, with police members, so they are ready to challenge racism in its various forms, critically and courageously, wherever they come across it.

Peel Regional Police is acquiring technical capability as well as establishing the groundwork to start race-based data collection, which I understand will be spoken to by Chief Larkin. I'll be standing up systems to help identify discriminatory practices where they may exist, and implementing a series of protocols to dismantle them. I'll also be committing to a reporting cycle to my governance entity, which is the Peel Regional Police services board, to ensure full transparency and accountability in our operations.

I'm initiating a multi-year plan for diversity, equity and inclusion, which will run parallel to the service's legislated strategic plan, which runs 2020-23. As well, Peel Regional Police has just launched internal support networks for all of its own members, including racialized individuals, sworn and civilian members.

We know that accountability and monitoring are key factors, and therefore my police services engage in discussing, reviewing and updating our existing systems of community consultations, to make sure they are more inclusive and more connected with the community voices on the ground, alongside the community partners and stakeholders in this region.

These are the key system-level activities within policing. As a police leader, I acknowledge that these are within my control to change. As I've said to you, an emphasis on a pro-public health model needs to occur in policing across all human services. In my own region I have seen how gaps in systems result in tragic outcomes, which my officers, as the 24-7 go-to response, have to face.

The Peel Regional Police service and our regional municipality, as well as many others, have committed to significant investments in community safety and well-being. This planning framework allows collaboration with community stakeholders to create a multi-sector planning model that proactively assesses needs and risks, and addresses them in tandem with community supports prior to emergency or police involvement. To accomplish that, the police service requires a shift of leadership to other public institutions, including health, education, social services and the not-for-profit sector.

In addition, innovation and technology are key platforms to achieve and enhance upstream community safety, let alone to support data collection and analysis. Enhanced accountability through a better understanding of where, how and why racial and other disparities exist is critical.

Ultimately, this is an interim solution, because an overall human services systems redesign is required to address the confluence of mental health, addictions, housing, homelessness and older adult isolation, as examples. In all of these areas, systemic racism and inequity exists.

I, along with other police leaders, have committed to eliminating systemic racism in our backyards. However, if all institutions do not address systemic racism within their systems, our efforts to dismantle it will be significantly hindered. This is because systemic racism exists both within and across systems. The only way to meaningfully begin to address systemic racism is to adopt a co-ordinated national approach, with real communication and leadership across multiple systems to guide impactful work.

We, at the Peel Regional Police, stand with the Ontario Association of Chiefs of Police when it says, “Communities expect real change from us as police professionals. They expect us to be part of delivering justice.” We know there is no justice when systems are biased or racist. We simply must speak to each other honestly about all these hard truths.

In the words of Angela Davis, “In a racist society, it’s not enough to be non-racist, we must be anti-racist”.

The Chair: Thank you, Chief Duraiappah.

With that, we'll go to Chief Larkin, for seven minutes, please.

● (1215)

[*Translation*]

Chief Bryan Larkin (Chief of Police, Waterloo Regional Police Service and member of the Drug Advisory Committee, Canadian Association of Chiefs of Police): Good afternoon, ladies and gentlemen.

[*English*]

Mr. Chair and members of the distinguished committee, as a member of the board of directors of the Canadian Association of Chiefs of Police, it's a privilege to be here on behalf of our president, Chief Adam Palmer of the Vancouver Police Department.

Let me begin by saying that we live in a great country, although, as great as it is, racism is an insidious part of Canada's history and continues to be a reality in the communities across our nation today. Study after study, including a series of government-commissioned reports, continues to demonstrate that we have an issue with systemic racism throughout our judicial system, which includes our legal system, our courts and our police services across the nation.

The voices of black, indigenous and other members of our community were clearly heard recently as they conducted peaceful rallies across our country with calls to action regarding police interactions and the way we provide policing services to our communities. Our communities have expressed concerns about policing practices and systemic racism, including racial profiling. Black, indigenous and other ethnocultural groups have also condemned their overrepresentation in our judicial system as well as their treatment within our judicial system.

This is a powerful movement. It's also a powerful moment that we are experiencing, one that has culminated after more than a century of systemic racism in Canada. The Canadian chiefs believe the time is overdue: It is time for meaningful change in all aspects of our society. Tackling racism requires a concerted response from the entire community, including your police services. It is required to bring vision and to take courageous, bold leadership in our organizations and in our relationships with our respective communities.

Here in Canada, the approach to policing has significantly evolved and changed over time. Our police services have developed many strong relationships over the years with the communities we serve, shifting the emphasis from a focus on law enforcement to community engagement, community well-being, and a public-led, proactive crime prevention model that reflects true and meaningful partnerships. Our association is focused on the development of progressive, community-oriented leadership at all levels. We believe this approach is a key success factor to addressing the issue of systemic racism that affects our members and our communities as well as the trust and confidence within policing services across Canada.

There is much talk about improving mental health within both policing and our communities. We must achieve diversity, equity and inclusion in police services. The Canadian chiefs association strives to support tangible change in a meaningful way within the organizations we represent.

For this reason, diversity, equity and inclusion represent one of our nine national strategic policing priorities that guide the work of our association. A CACP committee is devoted to equity, diversity and inclusion. It was established in early 2018. It is committed to support our efforts and its membership to create and enhance practices that promote fairness, equity and inclusion through the identification, mitigation and elimination of implicit bias and discrimination in practices, polices and procedures; to remove systemic barriers; and to promote the advancement of inclusive, diverse and human rights equity within police institutions across our nation.

To achieve the cultural and operational change that is required, we feel it's important to begin with a common vocabulary and a common understanding of the key concepts that will help to identify, mitigate and be proactive to prevent racism and discrimination within policing across Canada as well as during our interactions with the communities we serve. As such, we have defined specifically for our membership the true meaning in our organizations of equity, diversity and inclusion.

When you look at police training and recruitment and oversight within Canada, police training and civilian oversight in Canada are among the best in the world. We should be proud of our accomplishments in policing within Canada. That being said, there's always room for improvement, advancement and modernization. Reflecting the powers and authorities invested in them, our officers and our members are carefully selected. We increasingly face more rigorous scrutiny and screening to try to ensure that our members meet and espouse the values of the Canadian Association of Chiefs of Police, which consist of courage, integrity, respect, transparency, inclusiveness, excellence and compassion.

● (1220)

We are working on enhancing our recruitment, hiring and promotional processes nationally to increase the quality of our candidates as well as to accelerate the diversification of our organizations so that we can be more representative of and more responsive to the communities that we serve.

Much progress has been made to embed accountability within our teams and expectations to model professional, equitable and inclusive behaviours and leadership, but clearly we need to do more.

Our officers are also provided extensive training that goes well beyond basic policing. That includes training on cultural awareness, sensitivity, de-escalation and emotional intelligence. Again, much progress has been made, but your chiefs are open to new approaches and strive to continuously improve within a national framework for policing. This includes investing in and involving communities in our training and our processes to understand what works and what doesn't work and where we can grow.

Once officers are hired and trained, they have more accountability and independent civilian oversight than almost any other profession within Canada. Again meaningful improvements can be made.

Race-based data collection is a key. We must embark on a course of change with regard to how we can tell we are making progress. The problem is the data doesn't currently exist to accurately define the scope and breadth of the problem of systemic racism within Canada. The collection of data on indigenous and ethno-cultural identity has been subject to much discussion. Last month, the CACP issued a joint statement with Statistics Canada announcing our commitment to work together to meet this important information need for justice within Canada and the Canadian public committed to advancing racial equity.

Together we will work with policing communities and key organizations to enable the police to report statistics on indigenous and ethnocultural groups in police-reported crime statistics on victimization and accused persons to include important context and avoid stigmatizing communities. We believe this initiative will help.

Racism, whether systemic or individual, is painful and inexcusable, and it will not be tolerated by your Canadian police leaders. Stopping systemic racism requires a whole-of-society approach. While improvements are required in policing, your chiefs are committed to supporting positive change in this regard.

The Chair: Thank you.

That completes our two seven-minute presentations. For the six-minute round of questions, we start off with Mr. Paul-Hus, then Madame Khera, Madame Michaud and Mr. Harris.

You have six minutes, Mr. Paul-Hus.

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chair.

Thank you for being with us today, gentlemen.

My first question is for you, Chief Larkin. You spoke of training. Currently, in many countries around the world, the prerequisites for becoming a police officer include undergraduate training. In Quebec, it is college–level. I imagine that in Canada, it is pretty much the same thing in terms of direct entry into the RCMP.

Do you recommend changing the training so that police officers have a higher level of education?

[*English*]

Chief Bryan Larkin: Thank you very much, Mr. Paul-Hus, and thank you for your comments.

The Canadian Association of Chiefs of Police absolutely supports higher education and higher learning. Although policing and the ability to become a police officer are embedded in provincial legislation, we do believe there's an opportunity to look at a national framework with regard to unification of training standards and system requirements to join policing.

Specifically within Ontario, all you require is a high school diploma to become a police officer. Naturally, many police services across the province encourage post-secondary education, and we do track when members attend the Ontario Police College. We have a provincial-wide educational system for our new recruits. More than 90% of members who are joining policing now have post-secondary education, but we do believe there's an opportunity to become very focused in the education to become a police officer. Each year, the Canadian Association of Chiefs of Police sends global leaders across the world to study other policing systems.

We've seen a number of systems elsewhere in the world where academic approaches and robust training provide an enhanced level of policing in our community, so we do see that as a valuable recommendation. We would be willing to work on with government and Public Safety to advance national training standards.

● (1225)

[*Translation*]

Mr. Pierre Paul-Hus: Here is my second question. According to Statistics Canada, the number of police officers in Canada is currently declining in proportion to the size of the population. By that, I mean that we have a certain number of police officers per 1,000 residents. However, that number has been going down over the past 10 years.

Can you explain why? Also, is your association concerned about it?

[*English*]

Chief Bryan Larkin: We've seen in Canada a modernization of the police services that provide policing to our communities. Many police services across our country have gone through a civilianization and/or civilian professional modernization. Many services have been looking within our organizations as we look at the cost and fiscal impact of policing within Canada.

We do point out that in terms of police per population, Canada has one of the lowest rates per capita when you look at many large countries across the globe. We continue to see some adverse impacts around crime rates, particularly in large urban communities across Canada, when you look at western Canada and particularly Ontario, where violent crime continues to increase and is actually bucking the national trend over the last number of decades. What we see as being behind one of the reasons for this is that we're looking at organizations very differently in terms of who performs certain tasks. Traditionally where police officers would have performed a role within the police agency, organizations have moved towards hiring police professionals, such as within the telecommunications centre, media and public information, or various forms of community outreach. For example, in Ontario and British Columbia, many police services have mental health nurses who are working within the police service and are embedded within the police budget.

This is one of the challenging pieces. As we look at the ability to deploy police officers, we're seeing a decline in that ability. It's always a cause for concern, but it speaks to the heart of leadership that we're willing to do business differently, that we're willing to change our organizations. We can't lose sight of the fact that the core of what we do is to preserve public peace and to ensure that the rule of law remains within the communities to which we provide services. What you'll see in the data, though, if you look very deeply at Stats Canada, is an increase in civilianization within many different police services.

The Chair: Excuse me, Mr. Paul-Hus. The technicians have told us that possibly the chief has a few extra electronic devices a little bit too close. It's causing a bit of difficulty.

I'm not quite sure why, but you seem to be creating some dissonance in the transmission. Perhaps you could readjust your microphone.

Mr. Paul-Hus, you have a little over a minute.

[*Translation*]

Mr. Pierre Paul-Hus: I hear no noise around me, Mr. Chair. I don't know what the problem is.

[*English*]

The Chair: No, it's not you, it's the chief. Go ahead, Pierre.

[*Translation*]

Mr. Pierre Paul-Hus: Thank you, Mr. Chair.

Mr. Duraiappah, Indigenous people have a very strong presence in Canada's urban centres. Half of the Indigenous population lives in urban settings.

Do police forces have any specific measures with respect to relations with Indigenous people? Are any measures already in place as to the required way to interact with them?

[*English*]

The Chair: Be very brief, please.

Chief Nishan Duraiappah: As you indicated, Mr. Paul-Hus, our populations, particularly in Ontario with our indigenous communities, are defined very dramatically. As you know, in the greater Toronto area we have upwards of 12 million people in a dense amalgamated blur. Then you can very easily get to northern Ontario, where defined first nations communities are present.

Our experience in the more urban centres is that the indigenous communities are of course far less defined and therefore are far less able to be, in a coordinated manner, in touch with, but we do see.... For example, I know that in Peel region, 1% of the 1.5 million will identify as indigenous here in our community. That is still a fairly significant number in relation to the many other diverse racialized and immigrant populations.

● (1230)

The Chair: Unfortunately, we will have to leave Mr. Paul-Hus's question time there.

With that, I will go to Madam Khera, who may want to let the chief finish his answer.

You have six minutes.

Ms. Kamal Khera (Brampton West, Lib.): Thank you, Chair.

Thank you to both chiefs for being here and for your testimony.

Chief Nish, the past few months have been extremely difficult for the region of Peel with the tragic loss of D'Andre Campbell, a young black man from Brampton West, and Ejaz Choudry, a Muslim man from Mississauga, both dealing with mental health crises and both losing their lives at the hands of the police. Although these unfortunate incidents are currently under review with the special investigations unit, it is hard not to link them to systemic racism. The ongoing negative impact of systemic racism is eroding the public's trust and confidence in policing, which, as you know, is essential in keeping our communities safe.

Chief, D'Andre Campbell was a resident of Brampton West. As the member representing this diverse community, I've had many conversations with the black community in Brampton. Many of them are concerned. They are worried. They are hurt, rightfully so, and are losing confidence in our police. I know that you've been in your role in Peel for just over a year. You have been also engaging with the community and have been very open to and are proposing many changes. What my constituents want to know is this: What is the future of policing in Brampton and the region of Peel, and how do you plan on specifically addressing systemic racism in Peel Regional Police so that we don't have any more losses like D'Andre and Ejaz in our community?

Chief Nishan Duraiappah: I'd first like to acknowledge that we too acknowledge the tragic circumstances and the deaths of individuals. I think any police leader across Ontario and Canada would agree that none of our people set out with that intended outcome. Notwithstanding that I can't speak to the specific nature of both of those deaths, because they are being investigated by the special investigations unit, I can comment on the confluence of factors that brought us to the doorstep of individuals such as Mr. Campbell.

In this case, I think this speaks to the broader conversation that both Chief Larkin and I spoke to earlier about multiple systems and a multiple system failure. Within it is an element of systemic discrimination, but also in it is a failure of the system's support of individuals who need access. As an example of this, we see all too many times here in Peel region an average of 18 mental health apprehensions a day. That's just the apprehensions, let alone the calls for service.

Here in Ontario, the legislative framework allows that for anybody in mental health crisis who needs to be taken to a hospital involuntarily, the legislative responsibility lies with the police. We would all agree that, fundamentally, that is the wrong framework for an individual to access services. Add to that a racialized community. We've seen two circumstances where in the past year we've had multiple, multiple contacts with an individual. The family calls us because they don't have the supports to provide to an individual, whether in mental health crisis or not. You would think that the same individual would have multiple contacts with the health system, with their physician. We're all operating in multiple silos. If you look back, the fact that a family can rely on calling 911 as the only source of support for an individual in crisis and for us to be on the doorstep that day and it end in a tragic circumstance is really the failure of all of those multiple contacts along other systems to not have found an off-ramp at a previous time.

For me, yes, it's tragic. I mentioned earlier the emphasis on multi-sector collaboration and the shifting of responsibility to other human systems so that it's not the police, in the end, who are responsible. Notwithstanding the fact that we are needing to improve our abilities, which we do through the mental health crisis response with nurses and plainclothes officers and CMHA workers and multiple other initiatives, it really is a situation where, again, as we see in our region, individuals of racialized communities don't have access to services or connection to services. As a result, it's us in the end, unfortunately, in crisis.

● (1235)

Ms. Kamal Khera: Thank you, Chief.

I know you alluded to this in terms of mental health support. A couple of years ago I did a ride-along with Peel Regional Police on a night shift. Nine out of 10 calls were related to mental health, as you mentioned, and yet there was no mental health expert present at the scene.

I know that just recently, in collaboration with the Canadian Mental Health Association Peel-Dufferin, Peel Regional Police has launched the mobile crisis rapid response team to deal with such calls.

You may not have time, but perhaps in your other interventions you can talk about the success of that. I know it's pretty recent. How does it operate? Could you walk us through the whole process for when a call comes in, and the success of this crisis unit?

Thank you.

The Chair: It's a very important question. Unfortunately, she has left you 10 seconds to answer it.

Can you answer it in five seconds?

Chief Nishan Duraiappah: I don't think I can actually. It's a very complex one, but I would be happy to speak to it again if it came up.

The Chair: Let's hope it does come up.

Thank you.

[*Translation*]

Ms. Michaud, you have six minutes.

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

I would like to thank the witnesses for their testimony.

I will start with you, Mr. Larkin. You say that more and more care is being taken in selecting police officers to ensure that they meet and espouse your organization's values. How do you do it? Do you follow a list of criteria? How do you select your police officers?

[*English*]

Chief Bryan Larkin: It varies from province to province. As all of our members are aware, policing and the actual provincial legislation fall under provincial governments, so it does vary, but very much so we have national standards. There is a national use-of-force framework that all police services including the federal police service participate in, so I will bring a perspective from Ontario.

The hiring process is governed by the Ministry of Solicitor General. It's administered by police services. Similar to the case in Quebec, we have a provincial college, the Ontario Police College, which is very similar to École Nicolet.

One of the processes, though, is that we do select. We have human resources branches in all of our police services. In Ontario, we have a province-wide constable selection system, so we have a set standard that every police leader and police service has agreed to, which the government has endorsed, which leads to the Ontario Police College basic recruit training program, which, again, is government-sponsored and government-approved, but the selection of the candidates is based on the police service.

They participate in a province-wide system. This year the Ontario chiefs introduced a new system that looks, obviously, at the candidate's values, education and physical fitness, but there is also the administration of a predictive index to look at their success within policing. There's also an evaluation around implicit bias that allows our recruiting divisions and recruiting branches to look at the candidate. That is followed by a series of interviews with a local focus, an essential competency interview, and mandatory psychological testing by approved psychologists from across Canada. There are also financial inquiries, financial checks, as well as a psychological assessment followed by a home visit by police officers to ensure a candidate meets the standards.

That is then followed by a series of approved training that takes them through a 13-week program at the Ontario Police College and that includes a series of different cultural awareness and sensitivity training, etc.

One of the opportunities the Canadian chiefs are looking at is that for a national framework for recruitment, for training and for hiring. If we were able to set national standards right across the nation, we would be hiring police officers who have specific skill sets. We naturally understand that the various regions of our country require different skill sets and different attributes, but the basic work we do is fundamental.

That's the process in Ontario, but something we as an association recommend is to look at a national framework. Previously, there was a lot of work done with the Police Sector Council, which has since ceased to exist.

Our recommendation would be to look at a larger national framework that ensures we select the best candidates to perform a very complex role in a very complex society.

● (1240)

[*Translation*]

Ms. Kristina Michaud: Thank you. I also feel that the national framework could be a good recommendation, indeed.

In terms of training, you say you are going beyond fundamental police skill sets. That recommendation has come up often from the various witnesses who have appeared before us. They tell us that more cultural awareness is needed.

You brought that up in your opening remarks and you say that training is already being provided. However, if you want more training and more awareness, you need more resources. I would like to know how you see the federal government's involvement in this. Should funding be reduced, or should it be increased to ensure that police recruits receive training that is better adapted to the various communities?

[*English*]

Chief Bryan Larkin: Thank you, MP Michaud. You raise an excellent question.

Clearly, although there is cultural sensitivity, cultural awareness, and equity and inclusion training built into the various systems across our nation, I think we'd all agree that it's simply not enough. When we look at the police training, although it has evolved over the 30 years that both Nishan and I have been policing, we also recognize that society's evolved significantly. Naturally, when we look at training, we try to balance the cost on our ratepayers. Policing in Canada, for the most part, is funded by municipal taxpayers, particularly municipal policing. There are provincial and national responsibilities that are funded separately—that's a much larger discussion.

One recommendation of the CACP is that we establish a national equity, diversity and inclusion tool kit for all police services, for all police colleges, that we could roll out nationally. How we go about funding that is something we would be looking to work on with Public Safety Canada, with the national police service, as well as various provincial bodies that oversee policing—whether that be the solicitor general or public safety. These are phenomenal options.

Also, as I think my colleague alluded to, we must look at our systems through an equity lens. Our encouragement and our recommendation is that the training and/or the work we're doing within policing be reviewed and have community experts, those with lived experience, participate in those processes, with the outcome of a delivery of a national training tool kit. It would vary by different sectors, which would provide a much more enhanced skill set for our recruits.

I will say, anecdotally, and I think—

The Chair: Unfortunately, we're going to have to leave it there. Madame Michaud's time has well passed. Again, you'll have to work it into another answer.

Mr. Harris, you have six minutes.

Mr. Jack Harris (St. John's East, NDP): Thank you very much, Chair.

Thank you to the presenters today.

First of all, I want to note that we have had you, Chief Duraiappah and Chief Larkin, and two very progressive and excellent witnesses in Chief Peter Sloly of Ottawa and Chief Dale McFee of Edmonton, testify before us. In hearing four chiefs of police and experienced police officers, it seems to me that there is a full recognition of systemic racism. There is an expectation that, as was said here today, we have the best training system in the world. We have the best recruitment. We have ideas as to how to deal with this.

I'm just wondering—

The Chair: Excuse me, Jack. Your picture is not coming through. You're a handsome lad and I'm sure that's depriving everyone—

Mr. Jack Harris: Oh, I'm sorry to deprive you of the benefit of my visage.

The idea, what I'm trying to convey, is that all of this was true six months ago. This leadership was in place, all of these training programs, etc. However, for the last six months we've witnessed the visible effects of systemic racism in policing in Canada.

Is there something missing from this picture? I know there are some nuances in your responses here today, but if all of this is taken at face value, do we have a problem or do we not? I think it's pretty clear that we do. What I want to know from you folks, if you can help us, is this: Are there things we ought to be recommending as a committee that will actually substantially affect this? It is recognized as a crisis by the public, and I think we need to have something by way of solutions.

Let me ask you, for example, about the training aspect. We do know about, and you've talked about it here, the cultural awareness, the de-escalation, the anti-bias training. All of that, if it were properly executed, would have actually prevented many of the deaths we've seen in the last number of months. Something is missing from this picture.

We have heard, and that this has to be repeated, it's not a one-time thing. Are there national standards, not just tool kits, that ought to be put in place to ensure that use of force is applied properly, and properly across the country, or do we rely on 200 individual police forces to get it right?

● (1245)

Chief Nishan Duraiappah: Bryan, do you want to wrestle over this one? I'll bet we'd both like to take this one.

Maybe I can answer and save some time for Chief Larkin as well.

The way I've always articulated this is that, yes, we generally say that we are a better policing model than anywhere else. However, the discussion items that we're talking about are a confluence of not just the police sector; they are intersecting points with other sectors as well, such as mental health or crisis, housing, homelessness and addictions, which we can't and don't have control over. The same scenario happens with systemic racism. If it does exist in policing, we have the responsibility, which we've both illustrated, to weed it out. We are on the way to doing it. I think we would all agree, however, that despite our best efforts, we still feel the compounded impact of other systems.

That being said, speaking for myself, we're not all there nationally. We have a great solid foundation, but there is road to travel. I think not all police environments are ready to shift from traditional law enforcement to a pro-public health model. That has very little to do with our substantive training; it's the leadership and philosophy where we have less emphasis on traditional police responses and more reliance on other systems.

With regard to deaths at the hands of an officer or at the interaction points with an officer, without implying whether the officer was justified or not, I think our issue is that we can no longer be responsible at that intersecting point for the failures of a mental health system at the—

Mr. Jack Harris: No, but if I may interrupt, you do have to be responsible where the interaction takes place. The principle that we talked about—the anti-bias need, the de-escalation need, the recognition of that cultural awareness need—has to be present. It appears that it's not present and that's why we have these incidents. Yes, there may well need to be other systems, but we still need standards that are applicable and acceptable across the country.

Chief Nishan Duraiappah: Absolutely, Mr. Harris. I think in my presentation I illustrated about seven principles with a human rights-centric focus embedded in a policy by the Ontario Human Rights Commission that they issued in 2019. I think all chiefs would say they like the seven principles, but thus far we have not had a chief successfully implement all the recommendations. There is work to be done. I think it would be inaccurate to say that we are in good stead. I think you are hearing from Peter Sloly, Chief McFee, Chief Larkin and me that we are in that consortium of the willing and are saying there's more we can do. I think we can achieve that. I think at this point we are not doing it as a wholesale entity across policing.

There is space there, I think, at a provincial level and at a federal level for some of these practices to be brought together. Chief Larkin referenced them as a tool kit. I think at a municipal level it can be framed out and hand-held and delivered to different chiefs. There is space for us to do it, and I agree 100% that we—

● (1250)

The Chair: Unfortunately, we'll have to leave the answer there. Mr. Harris has exhausted his time.

We're now moving to a four-minute round. First up is Mr. Morrison. Then we have Mr. Sikand, Mr. Shipley and Madame Damoff.

Mr. Morrison, you have four minutes, please.

Mr. Rob Morrison (Kootenay—Columbia, CPC): Thank you, Mr. Chair.

My first question is for Chief Larkin, representing CACP. We've had several witnesses come forward and talk about the lack of data and information sharing, especially dealing with systemic racism, between police departments. I know the CACP has the law enforcement information data standards subcommittee, which is designed to help police forces across Canada share information, yet we just don't seem to be getting there.

I'm wondering if you have a recommendation or can help this committee with regard to how we actually get our police departments across Canada sharing information so that we can analyze what's happening and perhaps have some solutions. For example, do you think the federal government needs to step in and say that all police departments will be part of your LEID subcommittee so that we do share information?

Chief Bryan Larkin: In short, yes. One of our key recommendations is to actually create a nationally run centralized race-based data collection system that records and analyzes race-based data within policing. Last month, in partnership with Stats Canada, we launched a national working group moving toward that. It will require support and it will require investment, but absolutely, Mr. Morrison, that's the future.

One of the challenges we're facing, even to Mr. Harris's point, is that we don't have a full understanding of the actual magnitude of the challenges and we can't actually analyze all the data. The CACP would recommend to this committee that moving toward a national centralized data bank that captures race-based data collection within policing would be a key recommendation and something that should be implemented in Canada.

Mr. Rob Morrison: Perfect. Thank you.

I have one more short question.

We've had a lot of comments from different witnesses on the hiring of police officers in remote communities. Representing the CACP, where you have some of the remote communities' law enforcement people, can you maybe guide us a little bit in the benefits—or maybe not so much the benefits—of hiring local people to police more remote communities?

Chief Bryan Larkin: Certainly, I can speak specifically for the CACP and within Ontario, which has a large northern section of communities. I do want to advocate for investment in indigenous policing. For far too long in our country it's been underfunded, underinvested in and undersupported.

The reality is that the fundamental root of policing is that police officers are citizens of the community they serve. What we're seeing in many different mechanisms is that police officers are no longer living in the community they serve. That attachment, that commitment to the neighbourhoods that they live within, that they serve, where their children grow up, where they've actually come from, is an important piece.

In remote communities, we should be working actively to promote policing as a profession, as an occupation, and providing the skill sets, the training and the education to support those in remote communities who may not have access to post-secondary education without leaving their community. We should be doing everything we possibly can and actually create an investment to ensure that those who live within remote communities can provide policing services.

There are challenges with that, particularly in the role we have in a complex society, but we do believe this committee should look at the ability to support remote communities to hire local people who know the community, who understand the issues and can bring value added. It's very difficult when you transcend into a community to fully understand it.

The Chair: We're going to have to leave it there, Mr. Morrison. I'm already running behind, in spite of the fact that we're running a tight clock here.

With that, it is Mr. Sikand for four minutes, please.

Mr. Gagan Sikand (Mississauga—Streetsville, Lib.): Thank you, Mr. Chair.

My question will be for Chief Duraiappah.

We were all pretty happy to see you occupy the role. I know right here on this panel Pam stakes a claim to you because you're from Halton; with Gary, obviously you guys share a similar heritage, being Tamil; and naturally you're just across the street from me, so we're happy to see you occupy the role.

Given a couple of the themes that were talked about, my concern is that, if you have a few bad officers in your ranks who perhaps undermine or don't necessarily acknowledge your authority because of your race or otherwise, maybe because you're just from next door, that really undermines what you're trying to do, which is a lot of good stuff, from what I've heard. Similarly, when officers get away with something that would otherwise be criminal—but because of the uniform they're wearing it isn't—that's not good for society. As I always have to mention, by and large our cops are great. It's always a small percentage that perpetrate things that are negligent. The problem with that is that the small percentage sometimes amounts to 100% of somebody's life.

I'd like your comments on a few of those themes we've been talking about.

● (1255)

Chief Nishan Duraiappah: Thank you, MP Sikand. I appreciate the comments and the totality of it.

I will first say that what keeps every police leader up at night is the individual actions of their officers. The front-end investment in making sure we hire the best to do the best and build an environment and a culture in which they can act appropriately is what is within our control.

We would all agree that we fully support.... When an individual officer has a misconduct or criminal activity, that is just as upsetting for me as it is for the general public. We have real confidence, and there have been several reports on the independent oversight that's available for officers' actions. One of the problems we're facing here in Ontario is with expediency and transparency in those two processes. For some of them we can dispense discipline, but for some we depend on independent bodies of the province.

In the interim, I think the task at hand for every chief is to move beyond what we've seen as a traditional model, in which we've hired an individual because they looked at the recruiting poster and it looked pretty amazing and then they started their career and spent 25 or 30 years unnurtured. I say "unnurtured" from the standpoint of being invested in, in terms of culture development, leadership and emphasis on systemic paradigms around them that ensure that equity, diversity and inclusion are the lens.

As somebody with lived experience who, as an immigrant, entered policing 25 years ago, I can tell you that it has changed. I've seen it with my own eyes. As a racialized officer wearing a uniform and belonging to the broader Tamil community, I've seen the impact of the institution of policing. It has evolved, and I think our task at hand is to have a way forward, a systemic change road map that includes not just equity, diversity and inclusion, but also culture change, engagement, technology to support it, modernized policing technologies and—I'll keep saying it—a real emphasis on a human rights-centred focus, which has not been inherent thus far.

Those things need to be communicated, and in time we will see the needle shift. That is my commitment to my community, as it is of every chief, I would say, in this province and country.

The Chair: Thank you, Mr. Sikand.

Colleagues, we've almost run up to the one o'clock barrier. I'm going to propose that we finish with Mr. Shipley and Madame Damoff, and then finish with this particular panel.

With that, Mr. Shipley, you have four minutes.

Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Mr. Chair.

I'll direct this to either chief. Perhaps both would like to weigh in on this. Some police agencies have identified that a full 20% to 30% of the calls for service are mental health calls, often not criminal in nature. I'd like you to comment on this. How is this affecting your services in terms of resources, and what solutions do you have to avoid violent conclusions to a lot of these calls?

The Chair: Is that for any particular chief?

Mr. Doug Shipley: I said either one or both, if they want to, Mr. Chair.

Chief Nishan Duraiappah: Chief Larkin, I'll take a quick run at this and pass it on to you.

You're absolutely right. I need to clarify that quite often what we see is that mental health calls for service are interwoven with other social disorders or criminal activity, so they are sort of inherent in relation to other dominant calls for service. They represent, for me in a four-year period, a 30% increase. As I mentioned to you, we have 18 mental health apprehensions a day, on average, here in Peel Region.

What we have seen is an increase, and we've talked about the policy changes from the 1990s, which saw a lot of psychiatric facilities close. We've seen the saturation of mental health crisis in the community.

Policing institutions have been, for quite some time, seeking progressive opportunities. We have crisis outreach officers, plainclothes officers with mental health professionals and also uniformed officers with crisis response individuals. This exists pretty much right across the GTA, if not the province, with even precharge mental health programming and training with crisis negotiators. There are a variety of initiatives, but what you can see in this whole scenario, Mr. Shipley, is that it's still the police trying to find a way to insert mental health crisis response within our paradigm.

Instead of dispatching an officer to a crisis call, the idea—and I know it's being piloted in other mechanisms—is to look at how, at a previous point of triage, before it even gets to our doorstep, we can get it to the appropriate service, such as a crisis worker in the 911 communications centre, and divert it to an alternate service delivery. As you both know, agencies such as CMHA and our not-for-profits are also asking for more resourcing, since they are underserviced.

Chief Larkin, perhaps you have something to add.

● (1300)

The Chair: You have a little more than a minute.

Chief Bryan Larkin: Certainly. Thanks, MP Shipley.

We would concur that there's an opportunity for this committee to recommend a larger dialogue and discussion with CMHA and our mental health partners. The Canadian Association of Chiefs of Police has had a long-standing partnership with the Canadian Mental Health Association, but we can look to a new opportunity and a new framework for how we triage mental health in our communities: How do they come into our 911 system? What role do paramedics and/or mental health agencies play?

There's a whole opportunity for us, similar to the policy that we, the Canadian chiefs, released last month around diverting even simple possession of drugs. We're criminalizing addictions. We're criminalizing homelessness. We're criminalizing many issues that should be diverted elsewhere within a public health-led model.

The Chair: Thank you, Mr. Shipley. I appreciate the donation of 30 seconds.

With that, I'm going to ask Madame Damoff for the final four minutes.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair. I'm going to split my time with my colleague from Scarborough—Rouge Park.

"Chief Nish" has a nice sound to it. I haven't actually had a chance to personally congratulate you, so congrats on your move to Peel.

I wonder if you could talk a little bit about the crisis response team. You had experience with that for a number of years in Halton. I know you're bringing it to Peel. Can you explain the model? I understand it gets funding, both from police as well as provincially from health, to send an officer along with a nurse or a mental health professional to calls. Have you seen success with that? Is that something that could be expanded to the RCMP, for example, and other police services?

Chief Nishan Duraiappah: The model of a crisis response, where there's a uniformed officer and a crisis professional, is absolutely a successful model. Every municipality that has employed it has seen upwards of 50% of their mental health apprehensions averted. The reason is that, if you send two officers, their only tool available is to transport the individual to a hospital. If you send a crisis worker or mental health professional, they have the ability to not only diagnose but speak the language, discern who's an appropriate person to go to an emergency room and/or even directly connect that individual to services. What you end up having is the right people at the right time in the emergency room and more people getting a direct connection to services. In fact, they have a better ability to understand the nuances of people's behaviour and to de-escalate them.

The model itself is remarkable. However, I would say that every police agency in Ontario almost self-funds their efforts. They are pleased to see agencies such as CMHA receive a one-time or sustainable grant funding, but I think from the perspective of what it could be, this certainly is a model that should be available to everybody. However, we recognize that the availability of funding to support the not-for-profits or the mental health agencies is quite restricted across geography.

● (1305)

Ms. Pam Damoff: Sadly, I have to pass you off.

I'll pass it over to Gary now.

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Thank you, Pam.

Chief Nish, thank you very much. I know there was a great deal of anticipation when you took office last October. You became the first chief of South Asian descent to be a chief in Ontario. It's a great deal of responsibility that you carry.

You indicated seven principles that you're trying to implement as per the Ontario Human Rights Commission. What has been your biggest challenge in implementing them?

Chief Nishan Duraiappah: Thank you, MP Anandasangaree.

Yes, the seven principles are acknowledgement, community engagement, policy guidance, data collaboration, monitoring, accountability and the sustainability piece.

I would say that what would have been anticipated was getting over the acknowledgement that systemic racism exists. That is not actually the case. In fact, it is the nimbleness to be able to implement some of these mechanisms that achieve the accountability. What we want is for police organizations to have a better awareness of their activities. For example, Chief Larkin spoke about the data collaboration. It requires significant funding to build the infrastructure behind that, and there is a sustainability piece.

The other big component is that the accountability piece, in the public's eyes, when they see us maintaining our own accountability, often doesn't have full trust. I've spoken to the commissioner of the human rights commission in Ontario and the new one, and the desire for an independent ombudsman who has oversight on human rights is almost their desire. For us to self-monitor often creates the biggest questions around how authentic a human rights approach is for a chief. I would say that this would be one of the biggest stumbling blocks.

The Chair: We will have to leave it there.

Chief Nish, you're probably the only person in the House of Commons who has pronounced Mr. Anandasangaree's name correctly.

Voices: Oh, oh!

The Chair: On behalf of the committee, I want to thank both of you for a really excellent dialogue with the committee. It will inform our deliberations. From time to time, we might call on you for further thoughts.

With that, we are suspended.

● (1305)

_____(Pause)_____

● (1310)

The Chair: Welcome to the witnesses. Unfortunately, time is the enemy. I appreciate the challenge for lawyers to talk within seven-minute time frames, so to Mr. Falconer in particular, just pretend you're in front of the Supreme Court and you have to get to the point.

Without any further commentary, I will ask witness Falconer to speak for seven minutes. Generally speaking, at five minutes I'll put up two fingers and at six minutes one finger, so please just keep an eye on the chair as you do the presentation. After that, we will go to rounds of questions.

Mr. Falconer, we're keen to hear what you have to say for the next seven minutes.

Mr. Julian Falconer (As an Individual): Thank you, Mr. Chair.

My name is Julian Falconer. I'm a human rights lawyer. I've dedicated my 30-year career to advocating and writing on issues of racism in policing. I'm the founding partner of Falconers LLP, a law firm with offices in Toronto, Thunder Bay and Manitoulin. We have a long history of representing victims of police racism and violence in Ontario. I am honoured to attend before this Standing Committee on Public Safety and National Security as part of your sessions on systemic racism in policing in Canada.

Of course, the recognition of the existence of systemic racism in policing in Canada means little more than accepting that racism pervades all corners of Canadian society and that it should hardly be a surprise that our policing institutions are no exception. As a bencher for the Law Society of Ontario, I'm embarrassed to admit that there remain many leaders in our profession—a significant number of my fellow benchers, to be honest—who continue to deny the existence of systemic racism in the legal profession. Obviously, there's no prospect of change if those in a position of power and privilege deny the existence of a problem. The very fact of the title of these committee meetings is testament to how far we have come in terms of dialogue.

I understand the time constraints, so I want to very quickly start with a bit of a caution and sound a cautionary note for a person who's in my business.

I'm fortunate in the work I do. Far from only being exposed to bad policing, I have the honour of acting for a number of indigenous police services in the province of Ontario. I believe fundamentally that policing has an essential role in our society as part of the social contract to keep all of us safe. Our police officers simply represent a microcosm of the entirety of society. They are our brothers, our sisters, our cousins. Like the rest of us, police officers have the right to be safe and go home to their families.

This submission focuses on systemic racism, and by necessity it focuses on bad policing. Make no mistake about it, there is good policing, but our failure to effectively address bad policing overshadows and risks continuing to overshadow good policing. The George Floyd tragedy in the U.S. has given rise to an awakening in this country. The very fact that these committee sessions are dedicated to the topic of systemic racism in policing represents an important breakthrough in dialogue. While I feel it is incumbent on me to recognize this, I wish to state from the outset that dialogue is not enough. What plagues us is a lack of change, a lack of progress and an inability as agents of change to effect real, new outcomes. We have an inability to actually have agents of change influence outcomes.

My life's work has been legal advocacy in the battle against racism and social injustice in its many forms. At Falconers LLP, our work spans three decades. We have provided services to a diverse range of clientele whose differences have spanned race, ethnicity, mental health and culture. I'd like to think of myself and my team as agents of change. I've had the honour of working on such cases as the shooting deaths of Lester Donaldson, Wayne Williams, Edmond Yu and Sammy Yatim. I have represented the family of Ashley Smith. I have acted for Maher Arar. Since 2008, I've had the honour of representing various levels of indigenous governments, members of indigenous communities and indigenous police services.

In all this time, in all of these battles, I've learned that one famous and undeniable French expression applies perfectly.

[*Translation*]

I am just a "*petit gars de Mont-Saint-Hilaire*". As they say there: "*plus ça change, plus c'est pareil*".

● (1315)

[*English*]

I travel the provinces of Ontario, Quebec and Manitoba under my own steam in a small four-seater plane that we like to call Falconair. As a lawyer and bush pilot, much of my time is spent flying in the north. I've seen first-hand the highs and lows of the battles against systemic racism. Its manifestations through the justice system as a whole, whether we are speaking about education, health, child welfare or our justice system, are apparent, and they remain unchanged. While we're able to talk—the talk has started to occur—we are far from able to walk the walk. Even when the ugly truth of systemic racism is seen and agents of oppression are held accountable, there's no mechanism to enforce change. I've seen this.

I saw this in Thunder Bay, when in 2018 the Office of the Independent Police Review Director made a historic finding through a report entitled "Broken Trust", which I commend to you as committee members. That report, "Broken Trust", made a finding that an entire police service suffered from systemic racism and that its incompetent investigations of indigenous deaths were attributable not just to a lack of resources or a lack of skills but also to racism that pervaded every level of the service. In my career, this has been the most damning finding in relation to a police service.

Yet here we sit in 2020, and I say this to you: Nothing has changed. Why? Why is it that we seem unable to get out of our own way? I say the reason is that we are unable to actually effect real change.

On page 3 of my submission—I'm well aware of the fact that I am moving along in time—I point out that there is a way to start taking concrete action so that words translate into change. The first thing I want to point out is the concept of mobile crisis teams and the concept that police left on their own, rank-and-file police officers left on their own to de-escalate the situation, doesn't work. People die unnecessarily.

When you're somewhat of an old fart like me, you've been around for long enough. Three decades, 28 years, ago at the inquest into the death of Lester Donaldson, in 1992, we looked at the importance of having mobile crisis teams available. In 1994.... I attach these recommendations in the footnotes. They recommend the creation of a crisis intervention team with a 24-hour response time. It still doesn't exist in the form of a 24-hour response time in Toronto.

I've seen it repeatedly, for instance with Edmond Yu and Sammy Yatim. I've seen it over and over again. We're seeing it right now in Toronto, in Mississauga, with deaths. We are unable to implement and reallocate our resources so that de-escalation, wellness checks and all of the features of keeping people alive are operating. I would say that the reason is that we put so many resources into a militaristic concept of policing, into creating an occupying force in communities, that we are unable to wrap our minds around creating compassionate policing.

What does that mean? It's not some platitude. It means you take mental health professionals and you team them up with police officers interested in de-escalation. You create mobile crisis teams. These teams are brought in not only when the police “have the situation under control”; they're brought in to de-escalate.

Right now, the police culture is unable to wrap its mind around this. They believe these teams should be used only after they, the experts, have brought the situation under control. It's a mistake.

● (1320)

The Chair: Mr. Falconer, we're going to have to wrap it up. I'm sorry.

Mr. Julian Falconer: Certainly.

It's an example of the kinds of concrete steps I'm talking about.

Second, and I want to emphasize this as well—

The Chair: We're not going to have a “second”, unfortunately. I apologize, but the clock is just killing me.

Mr. Julian Falconer: No problem, but could I wrap up with this?

The Chair: Okay.

Mr. Julian Falconer: I think it's essential that we all consider and understand that without the work of the auditors general to enforce these reports and these recommendations, this will all remain platitudes and empty apologies. If you want time for action, please read our submission and start taking concrete steps. Let's get past the words. Let's get into action.

Thank you for your time.

The Chair: Thank you.

Madame Whitman, you and Mr. Pink have seven minutes. Go ahead, please.

Ms. Lorraine Whitman (President, Native Women's Association of Canada): Thank you, Mr. Chair. Thank you for your words, Mr. Falconer.

Good afternoon. My name is Lorraine Whitman Grandmother White Sea Turtle. I would like to acknowledge the territory of Mi'kma'ki, from where I am, of the L'nu people. I am also the president of the Native Women's Association of Canada. I represent and I defend the rights of the first nations, Métis and Inuit women across Canada.

You have asked me here today to talk to you about systemic racism in Canada's police force. This is an issue of highest priority for indigenous women, who fear that their daughters or sons could be injured or killed by the very officers who are sworn to protect them. This was what happened earlier this year when a young man reached out to the police in Edmundston, New Brunswick, because he was worried about Chantel Moore.

I would say we all know what happened next, but in fact we don't know what happened next. Two months later the investigation into Chantel Moore's death has yet to be completed, and her mother has yet to receive the autopsy report. All we know from the media is that Chantel, who was not armed with a gun, was shot five times by the police who were sent to her apartment to conduct a wellness check. How is it possible that a wellness check could end in a murder?

These are sensitive issues, and I do not want to compromise the investigation by prejudicing its conclusion, but I can tell you that we at NWAC have significant concerns about what happened on the night Chantel was gunned down. We have significant concerns in general about systemic racism in police forces across Canada, and about the apparent lack of concern on the part of governments regarding the violence that is being directed at indigenous women.

I have met twice with Chantel's mother, Martha Martin. I can tell you she's devastated and wonders why the officer involved was not suspended, when other suspensions have occurred in Edmundston police shootings. Was it because she was indigenous? I join and support Chantel's mother in her demand for a public inquiry into this case. A simple coroner's investigation is not adequate.

I have also met with indigenous women who've supported Martha since Chantel's death on June 4. They are mortified; they're angry and they're traumatized by the death of Chantel.

There have been many Chantels. There have been many cases in which our need to protect has been met with indifference, or worse yet, brutality. I am not here to tell you that all police are racists, because they certainly aren't. As indigenous women, we know all too well what it means to be painted with a single brush, but the brutality has to end. Our members still face systemic racism in dealings with police. These acts of violence and torture must be exposed and eliminated, and those who do them must be brought to justice.

The rule of law means no one is above the law and that we are all equal under the law. It appears clear that the rule of law does not apply to indigenous people in Canada.

I spoke in July with RCMP Commissioner Brenda Lucki. We have since sent her a list of recommendations that we hope will inform her review of the systemic racism within her force.

To summarize the recommendations, we asked her for body cameras to be worn by all officers. We asked for more transparent oversight and investigation of serious incidents involving police and indigenous people. We asked that not only an indigenous lens but a gender-based lens be applied to RCMP investigation protocols and procedures. We asked her to appoint an indigenous woman as an ombudsperson. We asked her to consult with us on reconciliation strategies and to collaborate with indigenous women's groups.

● (1325)

We asked for an increase in restorative justice programs to keep indigenous people out of the criminal justice system wherever possible. We asked for her to work with indigenous people when developing and delivering training to RCMP officers. We asked for new de-escalation protocols that are developed with indigenous people for indigenous people. We called for an enhancement of the collection of race-based data that would help expose the extent of the violation and violence being committed against indigenous women, girls and gender-diverse people.

But where is the outrage being expressed over the police killings of indigenous people in this country? Where are the protests over the deadly shooting of a beautiful young first nations woman in Edmundston, New Brunswick? Why are the indigenous people of Canada left to fight this fight by themselves?

The evidence of violence against indigenous women by the police is clear and overwhelming. To government and police forces in this country, do you finally hear us? Do you finally see us? Or do you continue to ignore and allow the violence to continue? I urge this committee to make it clear to the government and to purge the systemic racism from the police forces of Canada. We cannot wait for further deaths to occur and for other mothers, mothers like Martha Martin, to be left with their grief and memories.

Wela'lin. *Merci beaucoup*. Thank you.

The Chair: Thank you, President Whitman.

Colleagues, we are running way behind. Unfortunately, I will have to propose that in the first round we cut back the time from six minutes to five minutes.

With that, Madam Dancho, welcome to the committee. You have five minutes, please.

● (1330)

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): Thank you, Chair.

I want to start off by saying thank you sincerely to the witnesses, Mr. Falconer and Mrs. Whitman, for their opening remarks, which were very powerful and very emotional. I think all members of the committee can agree that we very much appreciated them.

I have a number of questions for you, Mrs. Whitman. I hope we can fit them all in.

I am the shadow minister for diversity, inclusion and youth. My counterpart is Minister Chagger. Over a year ago, the Liberal government announced the anti-racism secretariat with the mandate to help end systemic racism in our institutions and to inform all government departments on how they can combat this, essentially. This was well over a year ago. We know that it's been in working order since at least June, from the minister's remarks.

Mrs. Whitman, you represent the Native Women's Association of Canada as their president. It is the most prominent advocacy group in Canada for native women. Have you been contacted by the anti-racism secretariat or Minister Chagger's office within the past year?

Ms. Lorraine Whitman: Not to the best of my knowledge, but we are still moving forward with systemic racism. We are trying to do the best we can to be able to work with regard to the violence that's occurring in our communities. We know that systemic racism is there. That's why we're supporting Chantel Moore's mother and using her death to.... It was very unfortunate. It was just a health check. How could it be that it escalated into five shots when it was a health check of a young indigenous woman?

We need some changes and we need them done now. That's why the national inquiry needed to be given....the day it was supposed to have been addressed by the ministers, and yet her death occurred the day after the anniversary of that.

Ms. Raquel Dancho: Actually, that leads really well into my next question. On June 3 you released a rather scathing report card of the Trudeau government regarding their response to the national inquiry for missing and murdered indigenous women, which we know was released over 14 months ago. My understanding is that the Liberal government was supposed to release a strategy implementation plan and they have not.

I have seen your comments in the news about enough consultation; time for action. Can you just comment for the Liberal members of this committee and for all members of this committee on what you want to see in this strategy plan, if it ever does get released by the government?

Ms. Lorraine Whitman: First of all, I want to have them be able to correlate with us and to be able to include us at the table when anything is being done. It's been told in history that we've always been the problem. We know we've never been the problem. But you know what? We can be a solution to the problem. Without us being at the table, being there to support our women, our girls, our gender-diverse and the communities, it won't change. It won't change unless we're there.

We need dollars to be able to give support. We have our staff, but we're short-staffed in those areas. It's important that we have the dollars here as well so that we can do an effective, efficient job for our women, our girls and our gender-diverse—and Canada as a whole, because, after all, we are all treaty people.

Ms. Raquel Dancho: That was very well said, Mrs. Whitman. Thank you for those remarks. I appreciate them. I'm sure all members of the committee have heard them and I hope they are taken back to the ministers responsible for releasing the strategy from the Liberal government.

My last question is about human trafficking. We know this government has cut resources to several facilities combatting human trafficking in Canada. I know we see indications that indigenous women and girls are more likely to fall victim to human trafficking.

How can we better resource indigenous communities to stop women and girls from being victims of human trafficking? How can we also better staff our police to get women out of this horrendous industry?

Ms. Lorraine Whitman: I'm not sure. When we look at the human trafficking, we have to look at where it's coming from. We look at our women as being very vulnerable, so do we put the emphasis on them? No. We need to be able to give them support.

We have these camps, and our women are trafficked in these camps. We need to give our women resources, but we have to educate all of these conglomerates, the mining fields and all of these areas, so they will also be able to be involved, because unless they are involved, it's going to continue. I don't think we need to put that emphasis and that heartache on our women, because they are the vulnerable ones. It's up to us to solve this for our women, our girls, and our gender-diverse people.

● (1335)

Ms. Raquel Dancho: That was very well said. I agree and I think all members of the committee would agree that we need more resources for these facilities to better support indigenous women and girls.

Thank you, Mrs. Whitman, for your candid remarks. We appreciate them.

The Chair: Thank you, Madam Dancho.

Madam Damoff, go ahead for five minutes, please.

Ms. Pam Damoff: Thank you, Chair.

Thanks to both witnesses. I can hear the frustration in both of your voices with regard to how this issue has been studied, and recommendations have been made, and yet we are sitting here in 2020 looking at it again. I am hopeful.

I do have a question specifically because we're looking at recommendations around indigenous policing that we can give to the government. As you know, first nations policing is in the minister's mandate letter to become an essential service.

I feel, though, that it goes beyond just giving funding to those police services. Beyond just with funding, how can we equip them to actually be effective in their communities?

One concern I have is to provide trauma-informed services to indigenous women in communities and to ensure that we don't just replicate mistakes of other police services when we're empowering first nations policing. How do we get more women in police services? How do we deal with women in small communities where their brother-in-law is the chief of police and they don't want to go because of domestic violence, and do things similar to what we do in other systems?

I would like to put that question to both of you as we look at making first nations policing an essential service. How do we ensure we're not repeating mistakes of the past and that we are providing essential services to these women in communities?

Maybe, Ms. Whitman, we could start with you. Then, Mr. Falconer, if you want to add something, that would be great.

Ms. Lorraine Whitman: First of all, I think when you go into the communities, you need to look at the women's organizations. I know at NWAC we have 13 PMAs. Those are president and territorial members who are elected by the women in those provinces. On a national level, I consider us to be the mother board, and those are our daughters below.

If it's discussed with us, then we can reach out and mobilize our women. We need to be part of the conversation. We need to know the women and how they can mobilize to meet the needs of their women. Although we know that violence is there, it may be different in each area, so we can't generalize it all the way across the board.

Again, we need to educate. We need to be respectful of our culture and our ceremonies, because these are what make us who we are. We eat it; we drink it. This is who we are.

We need that correspondence; we need that communication, but first of all we need the respect. I don't see the respect out there. Respect goes a long way. We need to be able to tell the truth and know that, yes, we've made mistakes, but we need to correct these mistakes. Without admitting to those mistakes, we cannot move forward. We need to acknowledge that and let everyone be on the same level.

Ms. Pam Damoff: Mr. Falconer, do you want to add anything to that?

Mr. Julian Falconer: Yes. I agree wholeheartedly with Ms. Whitman and commend her for her good work. It's really a poignant comment.

In acting for a number of indigenous police services, including the largest in Canada—the Nishnawbe Aski Police Service—and the Indigenous Police Chiefs of Ontario, I've had a chance to look at these issues and reflect on them from my own perspective.

I'm not indigenous, and I don't pretend to speak for indigenous people. I have to be very careful about that and respectful, but I will say this: the absence of legislative standards for indigenous policing lies at the heart of all of this, as do health and education.

You talk about making it an essential service. It's really simple. How come non-indigenous people—primarily white folks—get their policing through legislation, but indigenous people get it through programs? The simple answer is that once you go down that path, of course, bureaucrats decide on your funding instead of the rule of law. Indigenous people are entitled to equity, and they are entitled to safety backed by the rule of law.

I'll just close with this observation. Indigenous policing, despite these limitations, is an area from which conventional policing can deeply learn. NAPS is a very good example, and I know you've heard this. In the 25-year history of Nishnawbe Aski Police Service, no officer has ever taken someone's life with their gun. Why is that? That's the relationship with communities that indigenous police services enjoy.

While they are very resource-strapped, they've managed to keep that community relationship going. I would only say it's fine to use the words “essential service”, but the real answer is respect. They do it in child welfare; the federal government just did it. There's provincial autonomy around legislation, but the federal government has an obligation to step in and fill the void for enactment in legislative standards where they are not present in the provinces.

● (1340)

Ms. Pam Damoff: Do you have—

The Chair: Unfortunately, you have three seconds left. I'm sorry, Pam.

[*Translation*]

Ms. Michaud, you have the floor for five minutes.

Ms. Kristina Michaud: Thank you, Mr. Chair.

Mr. Falconer, you had just begun to give us your recommendations. You talked about changing the concept of crisis intervention teams on the ground for the types of situations you described and including mental health professionals on the teams.

How do you see it? Would it be a partnership of sorts between police and mental health professionals? What do you suggest, Mr. Falconer?

Mr. Julian Falconer: I must say that I didn't know how to switch language channels. I hope my understanding of French is good enough for me to answer you properly.

[*English*]

I'm sorry if I got it wrong.

I want to emphasize that there are a number of different kinds of mobile crisis teams. Some are actually made up purely of mental health professionals, but others—the program called COAST, out of Hamilton, is an example—are made up of a combination. What's important about these mobile crisis teams, in terms of the notion of defunding policing, actually, is the allocation of resources.

I'm trying to tell you that if you put the money into police officers who want to de-escalate, who want to do that for a living rather than using their gun or their taser—and there's nothing wrong with officers who joined up to use their toys; that's not unusual—and you team them up with mental health professionals, you'll get different results.

There's an inquest into the death of Beau Baker. He was a Caucasian man with serious mental illness issues in the Waterloo area. We're just about to get that inquest off the ground.

I simply ask you to pay attention, because the issue is that the police are saying they're not going to bring in the mobile crisis team until they've de-escalated the situation and it's safe. Well, of course that's complete nonsense. The reason people are dying is that the police inability to de-escalate is part of the problem.

To answer your question, Ms. Michaud, I think it can take various forms, but it has to involve people skilled in de-escalating.

[*Translation*]

Ms. Kristina Michaud: Thank you very much.

You did not have time to tell us much about it, but you mentioned the idea of reviewing the whole police accountability process. When abuses happen, it is wrong that no sanctions or penalties are imposed. That is not the case when members of the public break the law.

How do you see the process? What do you propose in your second recommendation, which you did not really have time to talk about, Mr. Falconer?

Mr. Julian Falconer: Thank you for asking that question.

[*English*]

This is what I believe. I was in Thunder Bay, literally by the park where the Floyd protests were happening, and I was struck by how many people came out. I am not trying to suggest that it's one solution, but what people have difficulty with, it's become more and more obvious, is the double standard that is applied to bad policing. What I see, whether it's the Thunder Bay police investigation or the Dafonte Miller case....

I have the honour of representing Dafonte and his family. He's the young black male beaten by an off-duty police officer and his brother—the Theriault brothers. In June, just last month, 19,000 people logged in to watch the judge's decision: 19,000 people. Now, why would so many people be engaged? I'm telling you that they're engaged because they're troubled by our double standards. The highest double standard is that when police mislead about an event—again, I'm talking about bad policing, not good policing—they don't face obstruction of justice charges, as a rule. They don't face perjury charges. When they gild the lily, when they kind of fudge the facts to get past what they've done to someone, they don't face serious repercussions. We have to change that. If I lie under oath, I am charged with perjury. If you lie under oath, you're charged with perjury. That doesn't happen to police officers. We have to change that.

Finally, on the Auditor General piece, I appreciate, Madam Michaud, your allowing me the opportunity to raise this. We could involve the Auditor General in auditing inquests and reports. Nishnawbe Aski Nation asked the Auditor General, in writing, to monitor the implementation of the seven youths inquest recommendations in Thunder Bay. The Auditor General refused.

It has to matter to people. Ms. Whitman gets it bang on. Indigenous lives are treated as less than worthy. It comes out—I see it in my work all the time—and it's disgusting. Truly, it's the part that troubles me. If the auditors general of this country, both provincial and federal, cared about indigenous lives the way they care about bean-counting, things would change. I say to you that you could use them to monitor report implementation and to monitor inquest recommendations.

● (1345)

The Chair: Thank you very much, Madam Michaud.

Mr. Harris, you have five minutes, please.

Mr. Jack Harris: Thank you, Chair.

To both witnesses, thank you for your presentation. I wish I had more than five minutes.

First of all, Ms. Whitman, thank you for your exposition and your passionate concern about Chantel Moore and the very sad loss of her life—one amongst many, unfortunately. I've looked at, as many have, the report card by your association on the implementation, or lack thereof, of the recommendations of the missing and murdered indigenous women and girls report. Under “Right to Justice”, you talk about the statement that indigenous women and girls are over-policed and over-incarcerated, yet under-protected as victims of crime. You've given the government a fail on implementing these recommendations. I think that's a shame, obviously, and I'm sure you do as well.

What do you think this committee should do as a first step in making a recommendation? Obviously, transformative change has to happen, but it has to start somewhere. What should we do first in terms of recommending what needs to happen? You talked about truth. You talked about respect. We have some recognition that there's systemic racism in Canada and in policing, but what's the first step?

Ms. Lorraine Whitman: First of all, you have to be able to meet with the women at our national organization. We need to be able to be included at the table so we can meet. We know the stories. We know the history. We eat it, we drink it, we walk it every day. The truth is we have cultural components that go with it that differ from some of the non-indigenous people, and we need to respect all of those.

We have gone through so much trauma over the years with colonialism. We need to really look at the root of that colonialism. I look at government as systemic discrimination and racism of its kind because we're not all included. They say we're included, they talk. We're the most surveyed people around. I met with Dr. Ivan Zinger in the institutions and he was talking about all of the women who are there, what treatment.... Even non-indigenous women who have been incarcerated during COVID were able to be released, yet our indigenous women were still there. They weren't able to be released like the non-indigenous. I'm wondering what's happening here? Why are we not as important? We still have the pain that we endure, as any other woman who is incarcerated.

We need to be at those tables. We need to be respected. And, yes, I do say the truth because the truth needs to be known to all Canadians. That's why that national inquiry has taken place: $92 million, 1,575 testimonies, 231 recommendations, Calls for Justice. The population, all of Canada, needs to know. That's our history. And it is a book of history. We need to be there and we need to continue to educate. We may feel that education is out there, but we need to be able to continue and start zooming in on some very serious issues, this being racism.

Mr. Jack Harris: Thank you very much. I hope we can do some justice to our mandate.

Mr. Fantino, I don't have a lot of time, but I do want—

The Chair: I doubt that it's Mr. Fantino.

Mr. Jack Harris: Mr. Falconer. I'm very sorry about that.

Mr. Julian Falconer: Minister Blair will tell you that Julian Fantino would be very uncomfortable with that.

The Chair: I think there's a mutual level of discomfort here.

● (1350)

Mr. Jack Harris: A slip of the tongue, obviously. I saw his name when I was looking up yours, so it must have been a case you had involving him.

Carleton University's criminology department is severing its ties with student placement programs with law enforcement agencies as a result of systemic racism. Police and prison institutions are “hostile to outside critiques”, show “imperviousness to reform” and “do not have the leadership capacity to engage in the transformative change” that's required, says a statement from its Institute of Criminology and Criminal Justice.

Is that a position with which you can agree? Is the state of things so bad that there is no hope for civilian oversight of police forces in Canada? We have over 200 of them, plus the RCMP. Is civilian oversight a working model in our system today?

The Chair: Mr. Harris has a unique talent for asking questions right at the end of the five-minute segment, unfortunately leaving little or no time for answering those questions. Maybe by some means or another Mr. Falconer could come back on that.

With that I'm going to move to Mr. Shipley. Unfortunately, colleagues, I'm going to have to cut this back to three minutes a round.

Mr. Shipley, you have three minutes, please.

Mr. Doug Shipley: Thank you.

Thank you to all the witnesses for appearing today.

Ms. Whitman, this first one is for you. Are you satisfied with the current percentage of police women employed in the various first nations services across this country and the RCMP as a whole?

Ms. Lorraine Whitman: I'd better look at the individuals themselves. It's a career they choose to go into. At the same time, one has to recognize it was the police force that came in and took our children out. With residential schools, with the Sixties Scoop, it was police in uniform who took our children out. It's been the fear of police. Even for myself, from the experience of my four older siblings being taken out of our home due to the Sixties Scoop, that fear has been there. When people see that, they don't want to enter into something that's been so negative and so hurtful because they keep that in back.... We have that instilled in our memory and it's hard for us to be able to come out.

I would hope our younger generation would certainly look into any means to do with the law and criminology, whether it be the police force or any of those areas, in that avenue, to move forward.

Mr. Doug Shipley: Thank you.

That leads into my next question. What strategies could be easily and quickly put in place by the RCMP to recruit into their service more members, specifically women, from first nations communities?

Ms. Lorraine Whitman: First of all, you need communication. You need that open door for communication. The RCMP have to be seen in a first nations community as being allies. They need to come in not just when there's a fight or domestic violence. They need to come in for bike day activities with our children. I know that in our Mi'kmaq communities the RCMP come in when we have our family days and our bike rodeos for the children. It's just to be there, to be seen and valued; it's just to say hi. If they're seen more, then they're appreciated and respected more. If they're only seen once in a while in the community, then you know there are some problems. We don't always have problems. We have good things that happen in our first nations communities. We need to see them in a good light. There are very good RCMP officers. We have worked with many of them. Then again, there are bad ones as well.

I think if we see them out there, and if communication and conversation are there, that makes a big impact on the welcoming of the RCMP into the communities and for us to have a career in that area, especially for our youth.

The Chair: Thank you, Mr. Shipley.

Mr. Anandasangaree, you have three minutes, please.

Mr. Gary Anandasangaree: Thank you, Mr. Chair.

Thank you to the panel.

Mr. Falconer, I just want to put on the record the admiration I have for you and the work you've done over the years. It was a pleasure to work with you on issues around safe schools, I think around 15 years ago.

This question is really to both of you. A number of different commissions of inquiries and a number of different incident responses have taken place over the last three decades. Can you maybe outline specific recommendations relating to accountability that we can put within the police service? I'm talking about a civilian oversight body and what elements would be important to put into a civilian oversight body.

● (1355)

Mr. Julian Falconer: If it's okay with Ms. Whitman, I can go first.

Ms. Lorraine Whitman: Please do.

Mr. Julian Falconer: Thank you.

I've seen this committee's work specifically on the issues surrounding recommendations that have ended up in Bill C-3 concerning the civilian review and complaints commission. What I am left wondering, after 30 years of doing this work in policing specifically, is this: What is the fear of creating independent civilian oversight over the RCMP? I mean, for God's sake, respectfully, why is everybody pussyfooting around this issue?

You talk about adding some teeth to the work of the CRCC. That's fine. Obviously, Madam Lahaie is the real deal as she tries to call them out—all she has is a recommendation function—but isn't the obvious going on here? You create an independent oversight body, a board, that runs the RCMP. The same should be done with the OPP. That's my first point. Then you make sure it's an effective oversight body. That doesn't exist. Honestly, the RCMP remains quite unbridled and quite a law unto themselves. That's what Ms. Lahaie, the chair, has just recently announced. She cannot get them to follow her recommendations, and the reason is that she doesn't run them. She makes recommendations.

My second issue that I want to emphasize is that the role of indigenous police services in this country needs to be legislated and enhanced. Respectfully, Ms. Whitman shouldn't have to answer why and how the RCMP can adapt and change. Why don't all first nations communities have the option of having indigenous policing? You look at NAPS. You look at Wikwemikong Tribal Police Service. You look at the Treaty Three Police Service. You look at the other police services in Ontario that are indigenous. They make huge headway. I think it's an important step in the right direction.

The Chair: Thank you.

Mr. Morrison, you have three minutes, please.

Mr. Rob Morrison: Thank you, Mr. Chair.

Ms. Whitman, in looking at best practices, we're looking at different policing models and what's working and what isn't working. Have you seen some best practices that we should be employing nationally? As well, should local communities be more involved in the hiring of police recruits?

Ms. Lorraine Whitman: First of all, one best practice is the inclusion of the communities, of the groups of people who are there. Also, I'm looking at the incident with Ms. Chantel Moore, what happened with the wellness check. When we're dealing with some of our indigenous people, we know the background. There should be a database in those communities, and understanding of elders, knowledge-keepers, who would know these people. We're all interrelated, no matter what province, territory or community we're from. We have that heart, and we know there's someone they could have called on to help de-escalate what had happened with Chantel Moore. I do think a database would be able to come in play, with the elders and knowledge-keepers of the local area, or a way that they would be able to call and ask for some help.

When you're in a situation, if you have a mental illness and you have a terrible background, and you have someone in a uniform banging at your door, of course it's going to escalate. How could it not? Why would anyone in their right mind go in by themselves, without someone else there who would be able to de-escalate?

I realize that there may be other areas and concerns, but one needs to look at the other areas that would benefit people as well as the officers involved. It's a two-way mirror. We need to work together and put our heads together. I really, truly believe if we do that, it would be a better society for both indigenous and non-indigenous people.

Mr. Rob Morrison: You have great questions. You did touch on that earlier in your response to the police officers being involved in community events. Certainly, unfortunately, that isn't happening across Canada. That is a critical part of being part of a community, not just responding to, for example, violent calls, but actually being there as a friend and not as somebody who's arresting someone. It's critical.

I only have about a minute left. I wonder, Mr. Falconer, if you can just add on to—

● (1400)

The Chair: No, you haven't. You have about 15 seconds left.

Mr. Rob Morrison: Okay, just add on to a best practice that you would see employed across Canada.

Mr. Julian Falconer: The best practice that I would emphasize is the need to cease the emphasis on being an occupying force and reinforce the community perspective. Police services need to align their values with those of community, not the opposite. You see that in indigenous policing. You need to set up indigenous police services for success. The rest will happen. It will follow.

The Chair: Thank you.

With that, we'll go to our final round, some combination of Madame Khera and Mr. Sikand. I would like to give a minute to Madame Michaud and Mr. Harris, particularly the last question for Mr. Harris, since I, unfortunately, cut off Mr. Falconer.

These are your last three minutes, and then one minute to Madame Michaud and then one minute to Mr. Harris.

Ms. Kamal Khera: Thank you, Mr. Chair.

Perhaps I'll start with Mr. Falconer. Thank you for being here and for your testimony.

We've recently seen calls to defund the police. You've alluded to this earlier in your remarks and perhaps in one of the questions. With the understanding that it does not equate to cancelling the police but reviewing their funding and how it's being used while also ensuring they're investing in mental health services, social services in communities, what is your recommendation on this narrative?

Mr. Julian Falconer: This is precisely where you could involve the creation of true civilian oversight, so that it's not the police making this decision. It is a paramilitary organization that is going to go in a paramilitary direction. On the Paquet death in Toronto, Chief Saunders specifically said that he was not going to send in the mobile crisis team when the situation was tricky. In fact, it's the opposite. We need them to do that. You need civilian oversight to force these issues. Don't leave this up to the police. They're not going to change on their own.

Ms. Kamal Khera: Mr. Falconer, we're talking about racism in policing. I also note that in your career you've touched upon systemic racism elsewhere, namely, co-authoring a report on its impact in the legal system. You made about 13 recommendations. What are some of those? If you want to touch on some of those for this committee, that would be great. Thank you.

Mr. Julian Falconer: I'm honoured, Ms. Khera, that you raised this.

You'll notice that in my remarks, I comment that we're still challenged at the Law Society of Ontario. We still have benchers who, literally, deny the existence of systemic racism in the profession.

What I would say is that, in the end, those who are in the business of denying reality will be left behind. The response following the Floyd death is proof positive that the majority of communities want to see real change.

What I suggest is that you take the power and privilege that you, as a committee, have and you force the auditors general, federally and provincially, to start enforcing these reports. It's all there. I don't mean, Ms. Khera, to get off topic, but you could make that change. You could make the change requiring the mobile crisis teams by the RCMP to be real and effective. You can make those changes. There are examples of concrete steps you could take.

Finally, I do want to point out something in regard to Mr. Harris's question about a university or a school not investing in conventional policing. Maybe they should look at aboriginal police services. Maybe what they're not finding for their students in one place, they'll find in another.

Ms. Kamal Khera: Thank you.

The Chair: You have about a minute.

Ms. Kamal Khera: Do any of my colleagues want to ask any of the witnesses a question?

Mr. Gagan Sikand: I'll jump in there.

Mr. Falconer, you were discussing how you envisioned indigenous communities policing themselves. We already see that they have self-government. Perhaps you could speak to that component, which you started off on, please.

● (1405)

Mr. Julian Falconer: In Ontario, in particular, right now.... I had the honour of being part of a team that, on behalf of the Nishnawbe Aski Nation, negotiated with the provincial government over 100 amendments to the Police Services Act—they haven't been proclaimed enforced, but they've been passed by the Ford government—creating legislated police standards for indigenous police services, an option to opt in to legislation.

The reason I raise this is that within these legislated standards is everything from appropriate crime units to emphasis on creating resources that are inclusive in nature. The community values mandate—

Mr. Gagan Sikand: Just because we're short on time, I want to emphasize.... You mentioned an opt-in mechanism.

Mr. Julian Falconer: Yes, that's right.

The Chair: Answer very briefly.

You're not short on time; you're over time.

Mr. Julian Falconer: It's important that indigenous communities choose for themselves. Not everyone wants the Queen's act, and that's fair enough. There may be cultural identity protections in the legislation—I can tell you there are—but they need to be able to opt in.

I'm saying to create that option across the country. It's being done in child welfare. Bill C-92 is passed federally, even though there is provincial legislation. I'm just trying to say that this is an area where the federal government could step in and create federal standards legislatively.

The Chair: Thank you, Mr. Sikand.

We'll have one minute for Madame Michaud, and then one minute for Mr. Harris.

[*Translation*]

Ms. Kristina Michaud: Thank you for the extra minute, Mr. Chair.

My question is for Ms. Whitman.

In recent meetings, we have talked a lot about a national structural framework for training police officers. In addition, we have often discussed community involvement in training.

What changes need to be made to training so that they include such things as cultural realities, the various racialized communities and the prevention of violence against women?

[*English*]

The Chair: Answer very briefly, please.

Ms. Lorraine Whitman: At our national office at NWAC, we do have the means to assist any of the officers and the police in training, as well as with our cultural component, because that's a very important component. We represent the Métis, the first nations and the Inuit. We are able to call in elders. The elders are so...component to this whole stream of change, because they know the history. We have the younger ones. They have to blend with both.

I really do feel that if you're able to do change, then do it in a positive way. Make sure the people who need to be there are at the table, and make use of the women in the community and the elders so that we're all-inclusive and there's not one who's left out.

[*Translation*]

The Chair: Thank you, Ms. Michaud.

[*English*]

Mr. Harris, you have one minute, please.

Mr. Jack Harris: Thank you, Mr. Falconer, for addressing my questions in other answers.

I have another one. What do you think of the possibility...and how could we create enforceable standards on the use of force—mandating de-escalation, outlawing racial profiling and things of that nature—and ensure that these are enforceable across the country, making it the standard that every police force has to follow to avoid the kinds of situations we're seeing now?

Mr. Julian Falconer: First and foremost, Mr. Harris, you're entitled to legislate federally in terms of, obviously, the RCMP, so I would start with the RCMP. The reality is that right now there are mandatory training requirements for use of force and for training around firearms, tasers, etc. You could create the same level of robust, rigorous requirements for training around de-escalation and for highlighting and showcasing those with those skills. Every rank-and-file officer is not going to be able to do this; I think that's totally unrealistic. What you need to do is showcase and feature why being an expert in de-escalation advances you in a police service and puts you in a place, potentially working with mental health professionals or others, that allows you to save lives.

My real point is that you can create training standards for the RCMP that can become the showcase for other police services. That's where to start. I do think, and I insist, that your complaints commissioner doesn't have enough power. She's a watchdog. You need someone who runs the service, not government.

● (1410)

The Chair: We will have to leave it there, Mr. Harris. I apologize.

I apologize for the tyranny of time. It is what it is, but all of us operate with that.

[*Technical difficulty—Editor* your insights and your candour. We will certainly incorporate much of what you've had to say into our report.

With that, colleagues, I'm adjourning the meeting. I look forward to doing this again this time next week.

Mr. Julian Falconer: Mr. Chair, may I ask that the two documents we provided be part of the proceedings?

The Chair: By all means.

Mr. Julian Falconer: Thank you to the committee.

Ms. Lorraine Whitman: Thank you.

The Chair: Thank you again.

Take care, folks.