

**The RCMP:  
Cultural Transformation  
and Reconciliation**

*by*

Anita Olsen Harper, PhD

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## **EXECUTIVE SUMMARY**

Cultural transformation is critical to the success of the Royal Canadian Mounted Police's (RCMP) journey of Reconciliation with the Indigenous Peoples of Canada. As with all conciliatory efforts, the most formidable challenge is to mitigate the deeply-entrenched barrier of mistrust that is germane to the need for Reconciliation. This complex, multi-faceted pursuit cannot be by happenstance, nor by whim. Reconciliation with Indigenous Peoples, an on-going directive from Canada's current Prime Minister, the Right Honourable Justin Trudeau, is essential for all Canadians as a way of moving forward.

As such, Reconciliation needs strong, stable leadership that works in conscious, concerted ways through a national strategy that is mutually and respectfully derived with Indigenous Peoples. As a process that is entirely about, not only establishing solidarity in relationships, but also maintaining and advancing them, Reconciliation activities must be sufficiently and appropriately resourced. Healthy relationships are never self-sustaining; they need constant attention and support, the nourishment that gives them energy to develop and thrive.

This Position Paper is a roadmap for the RCMP as it undertakes the journey of Reconciliation. The process begins with truth-telling in narrations of the past which also provides a powerful release from long-standing defamation and misrepresentation of the Indigenous Peoples. As Senator Murray Sinclair, former Truth and Reconciliation of Canada (TRC) Commissioner, stated, "In order for that [Reconciliation] to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour" (2015, p. 6).

From a valid, legitimate acknowledgement of the past, Indigenous and non-Indigenous people can arrive at a good place—the present—in which fresh, new beginnings can take root. This place is where Canadians recognize their responsibilities, and with a clear and collective conscience, commit to daily acts of Reconciliation. The constant reproduction of even small conciliatory moves in an orderly, strategic way leads to a future that reflects the goal of Indigenous inclusion in systemic structuring, of healing and self-representation. As well, the cultural transformation that is required of the RCMP in order to pursue Reconciliation with the First Peoples can only make the entire organization stronger and healthier, internally and externally—indeed, for all people of diversity who make Canada their home. The RCMP is ideally situated as a role model for all Canadians on how to progress with Reconciliation.

### ***The Past***

One of the main aspects of Canada's prevailing societal structures that continues to damage Indigenous-RCMP relations is the unrecognized, invisible roots of racism that were sown in this country's genesis. Colonial law-making which furthered the emerging country was enforced by the precursor of the RCMP, the North-West Mounted Police (NWMP)—with disastrous outcomes to the First Peoples. Since then, deepening scars in Indigenous and non-Indigenous relations,

entrenched by the one-sidedness and fabrication of Canada's historical recordings and heritage depictions, are commonplace in daily interactions throughout this country.

The past must now be viewed in the light of strenuous truth-telling because the far-reaching, foundational roots of racism through colonialism have thrived unchecked and exponentially over the generations. Canada's intentions in its nation-building activities must be re-told in a new spirit that includes the perspectives of the First Peoples. It was their lives that were devastated by adventitious laws and regulations that impinged on their livelihoods to the point of the overwhelming impoverishment that is perpetuated in Indigenous populations.

The RCMP, an institution that has long contributed to the debasement suffered by Indigenous populations, must now move forward in positive, conciliatory ways. As an organization, it must take the steps that are founded on an examination of the historic intentions and activities that produced the *status quo*. As individuals within the RCMP, employees may not be aware of the foundations of the NWMP and, consequently, of the RCMP, from the perspectives of those they policed, but this is essential knowledge for why the RCMP must pursue Reconciliation. These activities have always been predominantly expressed to Canadians in dogmatic and therefore, incomplete narratives—and stand in the way of Reconciliation with those that were wronged.

### ***The Present***

The past always eventually leads to the present. No one should forget or develop amnesia about the past; the roots of Yesterday will always reach Today. The transgressions that Canada perpetrated onto the First Peoples are catching up with the collective health and well-being of all Canadians. Waiting to take action until every member of a family is infected is simply deplorable, but this is exactly what has been done. This country should never have waited so long: the first members of a family becoming ill from the directed actions of other members should never have been tolerated, let alone allowed to fester and multiply. It is today that Canadians must predominantly understand that truth must dominate over distortion and disinformation, and that, unless Reconciliation starts and progresses, relationships and conditions which are already in a state of impoverishment, can only deteriorate further.

The current federal government is actively committed to Reconciliation, and all Canadians must take this to heart as a serious and welcomed opportunity because it means life improvement for everyone, including themselves. The steps must be considered and identified to bring into fruition the outcomes that Canada sorely needs to move on, as well, into a position of being a progressive world-leader in Reconciliation—an outcome that is entirely possible with mindful motivation and dedication. Foundationally, conciliatory work must be based on spiritual aspirations—ones that recognize and interweave Reconciliation, not as a “project” or current fad, but as the only way to develop, in daily recommitments, lasting, truth-based relationships with one other. Dr. Marie Wilson, former Commissioner of the TRC, observed that Canada is “. . . at a cross-roads . . . We are a country faced with the historic opportunity to begin anew; to begin

living up to both our legal obligations and our stated national values in dealing with the Indigenous peoples” (2015, p. 13).

In 2016, Canada officially withdrew its objector status in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). While not legally binding or enforceable, the Declaration provides a strong, definite framework for Reconciliation for all ministries, departments and sectors in Canada, including the RCMP. This is vitally important because the intentions of Reconciliation as a powerful, positive process start by setting goals that work at intertwining active, authentic and distinctions-based Indigenous input into Canada’s values, aspirations, and purposes. As well as UNDRIP, Canadian institutions must blend in the TRC’s *Calls to Action* (CTAs) wherein the RCMP is specifically and uniquely identified, and its independence referenced. This means that whatever the changes are in federal leadership, the RCMP will consistently produce and reproduce its own Reconciliation strategy and activities in its daily work.

The RCMP has already embarked on Reconciliation, given the apologies of several Commissioners: Zaccardelli (2004), Paulson (2016) and Lucki (2018). Apologies are never enough, however, and must be followed up with concrete and decisive action. The promises to do better and build strong, stable relationships must demonstrate authentic, substantive results. Fostering the essential element of respect even in relationships with those of dichotomous views, is core to conciliatory success. Sometimes opposing stances are very strong, such as in instances where Indigenous people work hard to protect their traditional territories from encroachment.

One way that sustainability in the RCMP’s Reconciliation endeavours can be achieved is through teaching cadets at the training academy to be the new truth-seekers, the new conciliators. Staff and members in middle ranks must also be similarly and consistently apprised. They must learn from current documentation such as *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (MMIWG). All RCMP employees need to be cognizant of what specifically and historically has led to current Indigenous realities, including the extreme violence directed at Indigenous women and girls.

### ***The Future:***

Reconciliation is more than getting at the truth and educating the public. It also emphatically involves attitudinal changes that are accompanied by appropriate, conscious activities that strengthen Indigenous and non-Indigenous relationships. Reconciliation does not happen overnight and it is not magical or wistful thinking. Indeed, tangible and visible results of work that corrects past injustices may take a long time to materialize and those involved in Reconciliation have to be prepared for that, and not become discouraged. At times, there may be severe blows to hope that builds up, but efforts must persevere and keep moving onwards. Relationship-building takes a long time *especially* when two distinct groups are working together.

The future includes an RCMP-specific National Strategy on Reconciliation—a formal structure that is collaborative, well-planned and well-funded—and, with clear goals and objectives that include the active conceptions of Indigenous Elders, thinkers and knowledge-keepers from all

over Canada. Such a structure, once established, will be a place where Reconciliation work emanates and aligns with input from Indigenous groups. As well, it is important to note that, within the RCMP, more than 7.8% of all employees are Indigenous; this is almost 3% higher than the Indigenous population in Canada.<sup>1</sup> This current state of human resources is a substantial base through which the RCMP Reconciliation efforts should be engaged, provided it is adequately resourced in terms of both financial support and recognition as a valid activity that takes concerted time and energy.

Important pieces of a national strategy are a conflict resolution mechanism that reflects regional and Indigenous-specific differences and efficient, detailed partnerships that are jointly monitored, supported and demonstrate accountability. The methodological framework of a national strategy should correspond to the UNDRIP recommendations and consist of these parts:

- Situational analysis;
- Formulation of policies and action plans;
- Implementation; and,
- Monitoring and regular reviewing.

The RCMP is Canada's national police force, a famous symbol of this country all over the world. It is ideally placed to be the impetus for Reconciliation between Canada and the First Peoples. Keeping in mind its motto of *Maintain the Right*, RCMP-led Reconciliation can find alignments with Indigenous concepts of *well-being* and *living well*—that of *minopimaatisiwiin*. This should be a desired goal of Reconciliation for all Indigenous and non-Indigenous members of the RCMP.

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<sup>1</sup>This figure is 4.9% according to the 2016 Census of Population; see [www150.statcan.gc.ca/n1/daily-quotidien/171025/dq171025a-eng.htm](http://www150.statcan.gc.ca/n1/daily-quotidien/171025/dq171025a-eng.htm)

## 1. Why this document?

### 1.1 The federal government

The Prime Minister of Canada, the Right Honourable Justin Trudeau, is committed to achieving Reconciliation with the Indigenous Peoples in this country. He has spoken about it at all the Assembly of First Nations' (AFN) Annual General Assemblies since being elected in late 2015 and consistently articulates the importance of the relationship between the federal government and Indigenous Peoples. The following is a very limited listing of significant occasions wherein he spoke about the importance of Reconciliation:

1. December 15, 2015, at the release of the final report from the TRC of Canada: "And we will, in partnership with Indigenous communities, the provinces, territories, and other vital partners, fully implement the Calls to Action of the *Truth and Reconciliation Commission*, starting with the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*".<sup>2</sup>
2. December 15, 2016, when the Prime Minister met with Cabinet ministers and leaders of National Indigenous Organizations: "Last year, I committed to a renewed relationship with Indigenous Peoples, one based on the recognition of rights, respect, co-operation, and partnership. Today, we take further steps on the journey of Reconciliation."<sup>3</sup>
3. August 28, 2018, when the Prime Minister announced House committee changes and restructuring: "A new Cabinet Committee on Reconciliation has been formed to strengthen the relationship with Indigenous peoples and advance the commitment to a renewed nation-to-nation, Inuit-Crown, and government-to-government relationship with First Nations, Inuit and the Métis Nation based on recognition of rights, respect, co-operation, and partnership. This committee will build on the work previously undertaken by the Working Group of Ministers on the *Review of Laws and Policies Related to Indigenous Peoples*."<sup>4</sup>
4. November 3, 2018, when the Prime Minister, on behalf of the Government of Canada, personally delivered a statement exonerating six T̓silhqot'ín chiefs of any crime and all wrongdoing. In 1864 and 1865, the chiefs were hanged for resisting colonial authority by defending their traditional territories. Trudeau stated that, "It was important to me to meet members of the T̓silhqot'ín Nation and deliver in person the statement of exoneration of six chiefs – heroes of this Nation – who were treated and tried as criminals. Together, with the T̓silhqot'ín leaders, elders, and youth, we can build a new relationship

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<sup>2</sup><https://pm.gc.ca/eng/news/2015/12/15/statement-prime-minister-release-final-report-truth-and-Reconciliation-commission>

<sup>3</sup><https://pm.gc.ca/eng/news/2016/12/15/statement-prime-minister-canada-advancing-Reconciliation-indigenous-peoples>

<sup>4</sup><https://pm.gc.ca/eng/news/2018/08/28/prime-minister-announces-changes-cabinet-committees>

– based on respect, recognition of rights, collaboration, and partnership – and realize a better future for the T̓silhqot’in peoples, for all of Canada, and for the generations that will follow.”<sup>5</sup>

In spite of Prime Minister Trudeau’s push for Reconciliation in a “whole-of-government approach”,<sup>6</sup> it may be largely unattainable unless some vital, long-standing issues are defined, examined and addressed by coordinated, harmonious cooperation from all federal government ministries. For example, it is essential to find a workable, consensus-derived definition of “nation” in the context of Mr. Trudeau’s references to a “nation-to-nation” relationship. Nickerson (2017, Institute of Governance & Canadians for a New Partnership) states in a Discussion Paper that a “nation-to-nation” relationship is “. . . a fundamental component of fostering Reconciliation and resilience to Indigenous Nations” (p.3).<sup>7</sup> If this oft-used term is not defined in a pragmatic, viable way, individuals and groups will have their own assorted understandings, and the “meeting of the minds” that is germane to Reconciliation cannot transpire.

Indeed, many question if there can be “nation-to-nation” interaction between Canada and the First Nations because all reserves, and their memberships, fall under the federal *Indian Act*. Reserves are defined as a “tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of a band.” The legally-designated realities of reserves are largely contrary to “nation-to-nation” concepts. The views of the Inuit and Métis are important in these contexts, too, because Canada’s formal placement of Indians impacts them as distinct Peoples.

The contradictions embedded in Canada’s legalities and the understanding of words such as “nation” in the “nation-to-nation” language used in Reconciliation efforts are a part of truth-telling, and must be declared. The federal government’s *Nation Rebuilding Program*<sup>8</sup> uses the Royal Commission on Aboriginal Peoples’ (RCAP) definition of “nation” and will be used in all references to *nation* herein:

By Aboriginal nation we mean a sizeable body of Aboriginal people with a shared sense of national identity that constitutes the predominant population in a certain territory or group of territories. Currently, there are between 60 and 80 historically based nations in Canada, compared with a thousand or so local Aboriginal communities. (p. 182)<sup>9</sup>

## **1.2 Ministry of Public Safety and Emergency Preparedness**

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<sup>5</sup><https://pm.gc.ca/eng/news/2018/11/03/prime-minister-visits-tsilhqotin-nation-personally-deliver-statement-exoneration>

<sup>6</sup>Government of Canada at [www.budget.gc.ca/2018/docs/plan/chap-03-en.html](http://www.budget.gc.ca/2018/docs/plan/chap-03-en.html)

<sup>7</sup><https://iog.ca/docs/IOG-Nation-to-Nation-Discussion-Paper-2017-02.pdf>

<sup>8</sup>Crown-Indigenous Relations & Northern Affairs Canada at [www.rcaanc-cirnac.gc.ca/eng/1530815582699/1530815652516?wbdisable=true](http://www.rcaanc-cirnac.gc.ca/eng/1530815582699/1530815652516?wbdisable=true)

The RCMP is governed by the *Royal Canadian Mounted Police Act*, under the direction of the Minister of *Public Safety and Emergency Preparedness*—currently, this is the Honourable Ralph Goodale. Responsibilities of individual RCMP members are, among others: to maintain the integrity of the law, law enforcement and the administration of justice; to perform the member’s duties promptly, impartially and diligently, in accordance with the law and without abusing the member’s authority; and, to maintain the honour of the Force and its principles and purposes.<sup>10</sup> In May 2018, Minister Goodale, in a mandate letter to newly-appointed Commissioner Brenda Lucki, stated that, in leading the RCMP, her role of reinforcing and supporting the RCMP through transformation into modernization and reform, she will be “. . . enhancing its role in Reconciliation with Indigenous Peoples”.<sup>11</sup> He also stated that:

- i. I know you will continue to act and lead the RCMP in a manner that supports our continued efforts for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation and partnership given the current and historical experiences of Indigenous Canadians with policing and the justice system.
- ii. It is important that Canadians see themselves reflected in the people that police them. To that end, I would encourage you to ensure that the RCMP is representative of Canada’s diverse population, including gender parity, and that women, Indigenous Peoples and minority groups are better reflected in positions of leadership.

In response, in her Change of Command speech, Commissioner Lucki acknowledged the treaty land on which the ceremony was taking place (Regina, SK) and further in her talk, she stated that she is, “committed to building strong relationships with Indigenous communities”.<sup>12</sup> As well, Commissioner Lucki expedited Reconciliation prior to her testimony at the MMIWG institutional hearing in Regina (June 25, 2018) by saying:

On behalf of myself and my organization, I am truly sorry for the loss of your loved ones and for the pain this has caused you, your families, and your communities. I'm sorry that for too many of you, the RCMP was not the police service you needed it to be during this terrible time in your life. It's very clear to me that the RCMP could have done better. I promise to you, we will do better. You are entitled to nothing less than our best work in your communities.<sup>13</sup>

The RCMP has started to address its mandate for Reconciliation with Indigenous peoples and recognizes that it must be an ongoing process involving cooperative work in mutually-respectful ways. One step in this direction is this position paper, *The RCMP: Cultural Transformation and Reconciliation*. It articulates Indigenous perspectives and important facts and outlooks on various

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<sup>10</sup>P. 31, the Royal Canadian Mounted Police Act at <https://laws-lois.justice.gc.ca/PDF/R-10.pdf>

<sup>11</sup>[www.rcmp-grc.gc.ca/about-ausujet/mand-eng.htm](http://www.rcmp-grc.gc.ca/about-ausujet/mand-eng.htm)

<sup>12</sup>[www.rcmp-grc.gc.ca/en/news/2018/commissioner-brenda-luckis-change-command-speech](http://www.rcmp-grc.gc.ca/en/news/2018/commissioner-brenda-luckis-change-command-speech)

<sup>13</sup>[www.rcmp-grc.gc.ca/en/news/2018/statement-apology-families-missing-and-murdered-indigenous-women-and-girls](http://www.rcmp-grc.gc.ca/en/news/2018/statement-apology-families-missing-and-murdered-indigenous-women-and-girls)

topics that impact Reconciliation, and will inform the RCMP's reconciliation activities. An ultimate objective of this paper is for it to facilitate how the RCMP will situate itself in strengthening and maintaining strong, healthy and sustainable relationships with Indigenous people within a strong, healthy and sustainable Canada.

### 1.3 The Supreme Court of Canada

Governed by the *Supreme Court Act*, Canada's final court of appeal is the Supreme Court of Canada (SCC). It consists of nine judges, including the Chief Justice of Canada. In 2018, newly-appointed Chief Justice, the Right Honourable Richard Wagner, P.C., was welcomed into this position. In his introductory speech, Wagner stated that

We have begun the process of reconciliation with our indigenous co-citizens, with the goal of building a new relationship. The process is difficult, as it has to be; the scars run deep. We cannot change the past, but we can recommit ourselves each day to right the wrongs that we can. It will take time. But we will do the work. We are committed.<sup>14</sup>

In her remarks regarding Canada's legal system, then-SCC Chief Justice Beverley McLachlin spoke about Reconciliation between Indigenous and non-Indigenous peoples.<sup>15</sup> She warned that

If we are not successful in this project, Canada will fall short of its potential, not only in matters of justice, but also on the economic and cultural fronts. Over the past three decades, the courts have been involved in resolving legal issues central to the project of reconciliation. The work is not complete. How the three branches of governance – legislative, executive and judicial – meet the task of finding reconciliation with the descendants of our first nations will shape the country in the decades to come. My hope is that we meet this challenge with courage and determination, in the spirit of respect and magnanimity demanded by the honour which binds the Crown in all its relations with Canada's indigenous peoples.

McLachlin has acknowledged that residential schools were a form of "cultural genocide" against Indigenous peoples and that Canada practiced an "ethos of exclusion and cultural annihilation."<sup>16</sup>

It appears that Reconciliation with the First Peoples and the SSC will be long and arduous. For example, both Chief Justices referred to "our indigenous co-citizens" and "our first nations". The First Peoples are not possessions of any branch of Canadian governance, and many Indigenous people do not consider themselves citizens of Canada but adhere primarily to their own tribal affiliations as self-identification and as acts of self-determination. Canadians in positions of authority who use "our" in reference to the First Peoples are articulating their own ignorance of

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<sup>14</sup>[www.scc-csc.ca/judges-juges/spe-dis/rw-2018-02-05-eng.aspx](http://www.scc-csc.ca/judges-juges/spe-dis/rw-2018-02-05-eng.aspx)

<sup>15</sup>*Canada's Legal System at 150: Democracy and the Judiciary* at [www.scc-csc.ca/judges-juges/spe-dis/bm-2016-06-03-eng.aspx](http://www.scc-csc.ca/judges-juges/spe-dis/bm-2016-06-03-eng.aspx)

<sup>16</sup>[www.theglobeandmail.com/news/national/chief-justice-says-canada-attempted-cultural-genocide-on-aboriginals/article24688854/](http://www.theglobeandmail.com/news/national/chief-justice-says-canada-attempted-cultural-genocide-on-aboriginals/article24688854/)

“nation-to-nation” relationships—which is, admittedly, a concept difficult to comprehend and articulate. Judges, though, are expected to be especially learned regarding justice-related concepts in Canada and know how to address various populations within the country.

Nevertheless, by those in leading positions of authority within the SCC, Reconciliation is seen as an imperative, long-term achievement. A major issue that will have to be addressed is how Reconciliation can be used in judicial decisions that aim to balance the aspirations of Indigenous sovereignty in the context of the particular brand of colonialism that founded this country, one which has evolved in various, intricate ways over the generations.

Notably, there is no Indigenous judge sitting in the SCC, nor has there ever been.<sup>17</sup> The TRC’s Chief Commissioner, (now) Senator Sinclair’s observation is that the greatest act of Reconciliation is for the Prime Minister to ensure that an Indigenous person sits in the SCC. Sinclair’s stance is that Indigenous judges, “are going to bring that other perspective that it is not only common law and civil law — you have Indigenous law, First Nations law that has to be incorporated into the justice system”.<sup>18</sup> A long-standing but weighty obstacle is the statutory requirement that SCC judges be functionally bilingual—meaning both French and English proficiency (working in either language without a translator). The word “bilingual” that Canadian institutions use, including the SCC, means French and English; a person speaking only Anishinaape and English, for example, would not be considered bilingual.

On June 21, 2019, though, the *Indigenous Languages Act*, received Royal Assent. The AFN, the Inuit Tapiriit Kanatami (ITK), the Métis Nation of Canada (MNC) and Canadian Heritage worked collaboratively to develop this Act which employs the distinction-based Reconciliation approach that the federal government furthers, and echoes the various geographical, political and cultural contexts that affect the language preservation, promotion and revitalization of the First Peoples.<sup>19</sup> It still does not recognize an Indigenous language as “official” under the *Official Languages Act*, however.

#### **1.4 The Truth and Reconciliation Commission of Canada (TRC)**

Internationally, truth commissions are transitional instruments that a state can utilize in dealing with intense societal disruption or unrest. They are a formal route by which pragmatic recommendations can be made by the state to replace inaccurate historical and other types of representations with truthful, inclusive, and fair-minded narrations. They are a means by which societal healing can be facilitated for everyone involved, and are aimed at Reconciliation (Bakiner, 2016).

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<sup>17</sup>C. Portelance (Director, Communications Services), personal correspondence January 25, 2019.

<sup>18</sup>[www.theglobeandmail.com/news/national/supreme-courts-bilingual-requirement-unfair-sinclair-bellegarde/article32011596/](http://www.theglobeandmail.com/news/national/supreme-courts-bilingual-requirement-unfair-sinclair-bellegarde/article32011596/)

<sup>19</sup>[www.canada.ca/en/canadian-heritage/campaigns/celebrate-indigenous-languages/legislation.html](http://www.canada.ca/en/canadian-heritage/campaigns/celebrate-indigenous-languages/legislation.html)

In Canada, the TRC, an independent body, was formally initiated on June 1, 2008 as a component of the *Indian Residential Schools Settlement Agreement*.<sup>20</sup> While the five-year mandate is now complete, the TRC’s work is foundational to a forward-looking process of Reconciliation that is based on the truth of former students who attended the over 130 residential schools in Canada. Not only does the spirit of the UNDRIP<sup>21</sup> act as a symbolic guide to Reconciliation, the TRC refers to it as the “framework for reconciliation”. As well, of the TRC’s 94 CTAs, 16 are directly linked to the UNDRIP while 76 are federal government-led. The two segments that are under “Canadian governments and the UNDRIP”, (Nos. 43 and 44), state:

43. We call upon federal, provincial, territorial and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.

44. We call up the Government of Canada to develop a national action plan, strategies, and other concrete measure to achieve the goals of the *United Nations Declaration on the Rights of Indigenous Peoples*.

The TRC has stated that it “. . . believes that in order for Canada to flourish in the twenty-first century, Reconciliation between Aboriginal and non-Aboriginal Canada must be based on the following principles”.<sup>22</sup> It proceeds to outline 10 Reconciliation Principles—on the left-hand side of the chart (below). On the right are corresponding RCMP principles that originated with the *Circle of Change*;<sup>23</sup> its members articulated that the RCMP should align itself with these principles in post-TRC responses to Reconciliation:

<b><u>Principles of Reconciliation</u></b>		
	<b><u>TRC</u></b>	<b><u>RCMP</u></b>
1.	The <i>United Nations Declaration on the Rights of Indigenous Peoples</i> is the framework for Reconciliation at all levels and across all sectors of Canadian society.	The <i>United Nations Declaration on the Rights of Indigenous Peoples</i> is the framework for Reconciliation at all levels and across all sectors of the RCMP.

<sup>20</sup>[www.trc.ca/websites/trcinstitution/index.php?p=3](http://www.trc.ca/websites/trcinstitution/index.php?p=3)

<sup>21</sup>For the 46 articles under the UNDRIP, see [www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

<sup>22</sup>*What we have learned: Principles of truth and Reconciliation* at [www.myrobust.com/websites/trcinstitution/File/Reports/Principles\\_English\\_Web.pdf](http://www.myrobust.com/websites/trcinstitution/File/Reports/Principles_English_Web.pdf)

<sup>23</sup>The *Circle of Change* is internal to the RCMP; it is an advisory committee that was created in 2016 to provide direction to the RCMP on its initiatives, identify gaps in existing initiatives, and establish partnerships. Members are Indigenous leaders, subject matter experts and advocates. Dr. Anita Olsen Harper is a members of this group. See [www.rcmp-grc.gc.ca/en/working-together-end-violence-indigenous-women-and-girls-national-scan-rcmp-initiatives-may-2017](http://www.rcmp-grc.gc.ca/en/working-together-end-violence-indigenous-women-and-girls-national-scan-rcmp-initiatives-may-2017)

2.	First Nations, Inuit and Métis peoples, as the original peoples of this country and as self-determining peoples, have Treaty, constitutional, and human rights that must be recognized and respected.	First Nations, Inuit and Métis peoples, as the original peoples of the lands that are now known as Canada, and as self-determining peoples, have traditional, constitutional (“aboriginal and treaty rights”), <sup>24</sup> and human rights about which the RCMP must be knowledgeable, and always recognize, respect and reinforce.
3.	Reconciliation is a process of healing of relationships that requires public truth-sharing, apology, and commemoration that acknowledges and redresses past harms.	Reconciliation is a process of healing of RCMP-Indigenous relationships. It requires that the RCMP be purveyors of public truth-sharing, apology, and commemoration that acknowledges and redresses past harms with which it has been involved.
4.	Reconciliation requires constructive action on addressing the on-going legacies of colonialism that have had destructive impacts on Aboriginal peoples’ education, cultures and languages, health, child welfare, the administration of justice and economic opportunities and prosperity.	Reconciliation requires constructive action on addressing the on-going legacies of colonialism that continue daily to have destructive impacts on Indigenous peoples’ education, cultures and languages, health, child welfare, the administration of justice, economic opportunities and prosperity. The RCMP must contribute by examining their current and past policing practices that sustain long-standing issues that face First Nations, Inuit and Métis (FNIM), such as MMIWG.
5.	Reconciliation must create a more equitable and inclusive society by closing the gaps in social, health, and economic outcomes that exist between Aboriginal and non-Aboriginal Canadians.	The RCMP must be aware of and advocate for how Reconciliation between Indigenous and non-Indigenous individuals and groups can create a more equitable and inclusive society. All employees must have on-going education as to how closing the gaps in social, health, and economic outcomes that exist between Indigenous and non-Indigenous individuals and groups are an outcome of Reconciliation. Policies and procedures must also reflect the perceptions, values and realities of Indigenous people.

<sup>24</sup>S. 35(1), the *Constitution Act, 1982*

6.	All Canadians, as Treaty peoples, share responsibility for establishing and maintaining respectful relationships.	The RCMP is the only police force in Canada that is national, federal, provincial and municipal. Its staff and members, as Treaty peoples, share responsibility for establishing and maintaining respectful relationships in all its efforts and interactions with Indigenous Peoples.
7.	The perspectives and understandings of Aboriginal Elders and Traditional Knowledge Keepers of the ethics, concepts and practices of Reconciliation are vital to long-term Reconciliation.	The RCMP must recognize and acknowledge, in pragmatic, integrated ways, and in attitudes of continuous learning, that the perspectives and understandings of Indigenous Elders and Traditional Knowledge Keepers of the ethics, concepts and practices of Reconciliation are vital to long-term Reconciliation.
8.	Supporting Aboriginal peoples' cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the Reconciliation process are essential.	The RCMP support Indigenous peoples' cultural revitalization, and integrating Indigenous knowledge systems, oral histories, languages, laws, protocols, and connections to the land into all Reconciliation processes is essential.
10.	Reconciliation requires sustained public education and dialogue, including youth engagement, about the history and legacy of residential schools, Treaties, and Aboriginal rights, as well as the historical and contemporary contributions of Aboriginal peoples to Canadian society.	The RCMP recognizes and acknowledges that Reconciliation requires sustained public education and dialogue, including youth engagement, about the history and legacy of residential schools, Treaties, racism and Indigenous rights, as well as the historical and contemporary relegation of land and its resources that Indigenous peoples were forced to give up in order for Canada to become a nation. A recognition of the past will help the RCMP move forward into a more progressive, conciliatory future.

The TRC's CTAs regarding justice start at No. 25 and continue through to No. 42. In response to No. 41<sup>25</sup> and in the spirit of Reconciliation, the RCMP established a dedicated Inquiry Team at

<sup>25</sup>This CTA states: We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry's mandate would include:

- i. Investigation into missing and murdered Aboriginal women and girls.
- ii. Links to the intergenerational legacy of residential schools.

National Head Quarters (NHQ) for full cooperation and participation into the National Inquiry into MMIWG. It was designed to provide accountability, respond to Inquiry requests and manage document retention. The Team, supported by all Divisions, engaged in many activities. It listened to family and survivor testimonies, conducted file reviews, participated in Family Information Liaison Unit (FILU) meetings, redacted and disclosed concluded investigative files, conducted analyses, and prepared the Commissioner and other senior executives for testifying at the National Inquiry.

Of the CTAs, only one mentions the RCMP:

25. We call upon the federal government to establish a written policy that reaffirms the independence of the Royal Canadian Mounted Police to investigate crimes in which the government has its own interest as a potential or real party in civil litigation.

In response, the Government of Canada has stated<sup>26</sup> that it

. . . reaffirmed the independence of the Royal Canadian Mounted Police (RCMP) in the exercise of police powers in criminal investigations in the mandate letter to the Commissioner of the Royal Canadian Mounted Police on May 7, 2018. Any directions provided by the Minister, pursuant to section 5 of the Royal Canadian Mounted Police Act may not include directions which interfere with the RCMP's criminal investigations. In addition, ministers may not attempt to influence in any way the conduct of specific criminal investigations.

Further, the courts have long confirmed that, when carrying out traditional policing duties, such as keeping the peace and investigating crime, police officers are not Crown agents or government functionaries (*R. v. Campbell*, [1991] 1 SCR 565). The existing legal framework, as set out by the Parliament in the Royal Canadian Mounted Police Act and supported by case law, is compatible with that principle.

The Government of Canada recognizes the concern raised about the RCMP disclosing documents collected during a criminal investigation when the federal Crown is also involved in civil litigation unrelated to the activities of the RCMP and the documents may be relevant to the conduct of the litigation.

However, in matters related to civil litigation against the Crown, the RCMP is part of the Crown and is treated as a federal government institution. When required by law, the Crown must list all documents that are in its custody, power, possession or control and relevant to the litigation. In that regard, a protocol entitled *Principals to Implement Legal Advice on the Listing and Inspection of Royal Canadian Mounted Police Documents in Civil Litigation* sets out the internal procedures to be followed when the RCMP

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<sup>26</sup>[www.rcaanc-cirnac.gc.ca/eng/1524502695174/1557513515931](http://www.rcaanc-cirnac.gc.ca/eng/1524502695174/1557513515931)

possesses documents from criminal investigation files that may be relevant to civil litigation involving the federal Crown as a party.

The protocol enables the Attorney General of Canada to meet his obligations to list relevant documents, while ensuring that documents that may be privileged or that were obtained pursuant to a confidentiality agreement or a search warrant are adequately protected and appropriately dealt with.

In correlation with the very essence of Reconciliation, the RCMP leadership, members, staff and cadets must read sector-specific CTAs together with other CTAs because the implications of education and awareness-raising are intertwined throughout. They must also be familiar with the UNDRIP since it is, without question, congruous to the TRC's CTA to the point that UN Secretary General Ban Ki-moon declared that it, "provides a momentous opportunity for states and Indigenous Peoples to strengthen their relationships, promote reconciliation and ensure that the past is not repeated."<sup>27</sup> In Canada, the spirit and intent of the historic treaties include, "Indian institutions and administration, lands and water and other resources, education and health, social assistance, **police protection**, economic development, hunting, fishing, trapping and gathering, as well as the right to cross international boundaries, to meet in council and the right to shelter, mutual consent and implementation" (Littlechild, 2010, p. 113); these are all within the groundwork of the UNDRIP and are reflected in the CTAs.

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<sup>27</sup>[www.afn.ca/wp-content/uploads/2018/02/17-11-27-Introduction-to-the-UN-Declaration-EN.pdf](http://www.afn.ca/wp-content/uploads/2018/02/17-11-27-Introduction-to-the-UN-Declaration-EN.pdf)

## 2. Reconciliation within the RCMP context

### 2.1 Defining Reconciliation

Since Reconciliation has come to mean different things to different people, its definition must be examined to define a working and pragmatic—but visionary—concept. In Australia, for example, a lack of clarity to the answer to *What is Reconciliation?* has contributed to an opaqueness that has dogged a national, unified purpose in that country’s Reconciliation journey.<sup>28</sup> Therefore, using the word “Reconciliation” in so many ways that its meaning becomes too broad and, like a river that has overflowed its banks, becomes shallow, and without depth—must be avoided.

From asking *Circle of Change* members and several others (e.g., Indigenous educators, Elders, students, organization leaders) about what they have determined to be a desired RCMP approach to Reconciliation, and what Reconciliation means, the following are themed responses:

#### *Process, planning and strategy:*

- A long-term process and commitment based on truth-telling, informed decision-making on the part of everyone in the RCMP’s executive positions. This speaks to a cultural change that’s needed within the organization—to modernize and harmonize activities with what they say they need to do.
- Something that’s well-planned and covers the country. We know it will not be instant, but we have to start somewhere. So let us start planning now, there is political will to do this, and we have the expertise.

#### *Co-operation and engagement:*

- Efforts must be carefully planned in order to be well-functioning; goals and objectives must be mutually derived. Activities must be meaningful and coordinated by Indigenous communities and partners as well as with the RCMP employees and with the RCMP as a whole. Efficient partnerships must be closely monitored, supported and based on mutual respect and accountability. The details and expectations of a partnership must not be ambiguous, but clearly stated such as “who does what, and when”.
- Engagement is vital, especially when there is potential to reach a “boiling point”—this is always prudent. A challenge will be strategizing this from an overarching Ottawa stance to on-the-ground members all over the country in a way that aligns the hearts and minds of everyone doing the job. I think there is an opportunity where the perspective is to be a peaceful warrior, for after all, a true warrior seeks to be a peacemaker, to be effective

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<sup>28</sup>A *Parliament of Australia* report states that, “. . . while the idea of ‘Reconciliation’ now seems to be permanently part of the Australian political vocabulary, there is no universally accepted understanding of what the term means. Rather, the amorphous nature of the term ‘Reconciliation’ allows a broad range of political players to attach their own different, at times contradictory, meanings to the term.” (Pratt, 2003, p. vii)  
See: [www.aph.gov.au/binaries/library/pubs/monographs/pratt/practisingReconciliation.pdf](http://www.aph.gov.au/binaries/library/pubs/monographs/pratt/practisingReconciliation.pdf)

in finding peace through conflict (be it prevention, a quick resolution, or if need be, to have the strength to emerge from tough times). As sworn police officers, this is what is being sought: to make peace. A determined account for how to do this should be made to move forward with Reconciliation.

- Public displays of partnership that utilize social media outlets to articulate instances of goodwill between the RCMP and Indigenous people or communities, and showing them in a positive light. A good example is when, on Social Justice Day (2019), AFN tweeted out a commitment to inspire change and demand justice through Reconciliation and the RCMP Commissioner re-tweeting it with her own message of support and promoting safe, healthy relationships.
- The RCMP needs to represent the communities it serves and this is being accomplished in one way by augmenting the number of Indigenous members and employees. This can become community self-representation because, to some degree, Indigenous officers and employees will be able to speak on their communities' behalf—when it is appropriate and supported by community leaders. Communications must continue to extend to Indigenous organizations and NGOs.
- To encourage relationship-based approaches, RCMP officers must learn the specific history and customs of the Indigenous people in the communities they serve. This includes having knowledge about the traditional practices of laws, ceremony, rituals, rites-of-passage, spirituality and basic epistemological beliefs. These help policing within a community using social connections that are grounded in a deep understanding of the community. Police must have the training needed to ensure they have this understanding before they are assigned to different detachments.
- In a non-Indigenous institution, we created a Grandmother's Council to have autonomy, but the administration had a hard time with that. So, we drew up an MOU, we kept engaging, we articulated that we would adhere to the institution itself but we all agreed that policies could be enhanced as need arises (e.g., going to ceremony); thus the RCMP should make room for a governance process, such as the Grandmother's Council which would have as much say as possible.

*Communication:*

- Indigenous groups involved in Reconciliation must understand how much of the law that the RCMP enforce is the “letter of the law”, and how much is not—such as, what is at a member's discretion? They must also understand RCMP jurisdiction. Many times, these things are vague and incomprehensible to those outside the organization.
- When the outcome of a trial is contrary to what Indigenous families and communities were hoping for hits the news—such as in the Tina Fontaine and Colton Bushie cases—the RCMP have to say something; they cannot remain silent, or just say “No comment”.

It is understood that whatever is said will probably be carefully worded but at least the RCMP are saying something. It is often difficult for those apart from the dominant Canadian culture to understand the process of justice: the RCMP (in the mentioned cases) laid the charges, but it is the Crown (a non-police entity) which takes it to trial, and a judge (or judge and jury—also non-police entities) who render the verdict. RCMP must recognize that the very words they speak and write during in the entire justice process has monumental implications to the case and that this is why families often blame them for unforgettably painful trial results.

- The RCMP needs to ensure victims of crime feel heard and supported by its members and employees, particularly after being victimized, sometimes by the investigation itself, and when the outcomes of a trial are announced.

*Respect:*

- Deep and respectful listening to all community members, especially the Elders and youth; there are always good outcomes when members speak kindly to the community grandmothers and grandfathers, or to children and young mothers.
- Seeing a respectful approach on initial calls is an obvious one—don't make assumptions that could eat away at a person's dignity (such as assuming someone is inebriated, or stoned); what is, and what is not, a "respectful approach" should be taught to all cadets so they understand what these things mean and look like in different cultural contexts

*Deal with racism, history:*

- RCMP should not to shy away from confronting racism and misogyny within its ranks without getting defensive; there is strength in vulnerability because it is an extension of trust to the other person/s. Acting as if racism and misogyny do not exist (except in the other person's imagination) simply cuts off communication and credibility.
- Senior RCMP personnel need to be aware of, and challenge their members'—those between top management and the cadets—negative stereotypes of Indigenous people.
- Stereotypes, bias and discriminatory practices regarding Indigenous Peoples have to be addressed.
- The RCMP must reflect Indigenous communities, especially on the front lines; one response is to make recruitment processes more fluid and inclusive.
- Seeing the RCMP reflecting Indigenous people, especially on the front lines—recruitment processes must be more inclusive
- The RCMP must take a hard look at its own history and understand why feelings from Indigenous people run so deeply against them. The RCMP need to know its tumultuous past with Indigenous people before it can move forward.

- If the RCMP approach is to use the UNDRIP (recommended) as a guiding process, then a few case studies for the RCMP on how Indigenous people are reclaiming their responsibilities in Reconciliation efforts should be provided (e.g., addressing racism by anti-racism training, or racism awareness sessions).

*Knowledge, education:*

- That the RCMP's members and employees are well-versed on the various issues Indigenous people face.
- The RCMP must be engaged in self-examination, and have the ability to predict and assess the impact of police operational practices on Indigenous peoples.
- The RCMP leaders need cultural safety training, need to tell their truth, and truth-telling defined by community consultation groups, the TRC, MMIWG commissioners, and Elders.
- Indigenous people need to learn the intricacies of contemporary Western institutional cultures, and learn to respect them, regardless of how little agreement they have with them. This understanding can facilitate and support the creation of space for Indigenous governance, policy and processes, and foster respect for the times, places and instances where the RCMP's hands are tied.
- A critical piece of Reconciliation is conflict resolution processes that are derived by both groups. An example might be that, when conflicts arise, traditional restorative practices are used to set boundaries and determine further action. Then a non-binding Memorandum of Understanding (MOU) is signed by both parties.
- At the Depot, the place set aside for Indigenous cadets/recruits must be truly welcoming, well-maintained, and inviting to those who will use it, and be accessible to all (cadets, employees and members).

Finally, regarding the meaning of Reconciliation, the Right Honourable J.T. Trudeau stated:

Reconciliation calls upon us all to confront our past and commit to charting a brighter, more inclusive future. We must acknowledge that centuries of colonial practices have denied the inherent rights of Indigenous Peoples. The recognition and implementation of Indigenous rights will chart a new way forward for our Government to work with First Nations, Inuit, and Métis Peoples and to undo decades of mistrust, poverty, broken promises, and injustices. We have listened and learned and we will work together to take concrete action to build a better future and a new relationship.<sup>29</sup>

## **2.2 Meetings**

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<sup>29</sup><https://pm.gc.ca/eng/news/2018/02/14/government-canada-create-recognition-and-implementation-rights-framework>

**i. Senator Kim Pate:**

The Senator has a long career in working with imprisoned Indigenous women<sup>30</sup> and noted that as the fastest growing segment in Canada's prison population, an overwhelming majority (~98%) had suffered from violence in the home prior to imprisonment. She also spoke of the huge sums that are spent to keep a single woman in prison for one year (~\$600,000) and questioned whether this could be better spent on Reconciliation efforts, such as from proactive policing, that bring down incarceration rates.

Three main points resulted from this meeting:

- The RCMP has Core Values.<sup>31</sup> Consider incorporating them as Grandfathers' Teachings.
- The RCMP need to understand the implications of legislative changes to anything related to justice. While the public sees the proposed changes in Bill C-83, for example, as "ending the practice of segregation by Correctional Services Canada", it is much more than that. For Indigenous prisoners including those in temporarily police custody, it means that the concept of "Aboriginal community" is being replaced by "Indigenous governing body". This change ignores the ten recommendations of the Office of the Correctional Investigator in its 2012 Annual Report, *Spirit Matters: Aboriginal People and the Corrections and Conditional Release Act Report*<sup>32</sup>. This report identifies chronic failures to make full use of S.81 and S84 of the *Corrections and Conditional Release Act* (CCRA). These sections make "specific reference to the unique needs and circumstances of Aboriginal Canadians in federal corrections" and provides for "special provisions . . . which are intended to ameliorate the chronic over-representation of Aboriginal people in federal penitentiaries and address long-standing differential outcomes for Aboriginal offenders." (Executive Summary, p. i)

While CSC is not a part of the RCMP's mandate nor is it in RCMP control, this and other legislative changes may well affect the RCMP's work in Indigenous communities, especially in the north. Further exploring potential outcomes is required, particularly since police are the only constantly visible representation of the various components of the justice system.

- The RCMP's understanding of MMIWG will be enhanced if they can trace the trajectory of Indigenous women/girls from the time they leave home (mostly overcrowded, involvement in violence) to ending up on the street where they become prey to human vultures engaging in human trafficking and other kinds of exploitation.

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<sup>30</sup>RCMP members and Dr. Olsen Harper met with Senator Pate on October 21, 2018.

<sup>31</sup>Integrity, honesty, professionalism, compassion, respect and accountability.

See <http://www.rcmp-grc.gc.ca/about-ausujet/mission-eng.htm>

<sup>32</sup>[www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022-eng.aspx#TOC15](http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022-eng.aspx#TOC15)

**ii. Ontario Provincial Police (OPP):**

There is no umbrella framework for Reconciliation with Indigenous people in the OPP but it has an *Indigenous Policing Bureau* which is conciliatory.<sup>33</sup> It works to:

- Achieve effective First Nations policing and healthy Indigenous communities;
- Improve relationships that can identify, mediate and assist in resolving potential conflict situations;
- Focus on wellness and healthy youth development through Community / Youth Initiatives (e.g., two important OPP youth initiatives are *Niigan Mosewak*, a culturally-based, summer camp diversion program); and, *Walking the Path* facilitator training for teachers, students, police officers, community leaders and service providers;
- Provide effective Indigenous awareness training for OPP employees, police and community partners;
- Raise awareness and understanding of Indigenous culture, history and contemporary issues for frontline employees through *Indigenous Awareness Training*; and,
- Deliver the *Provincial Liaison Team (PLT) Program*—a key part of police planning and response to major events and conflict situations; proactive focus on relationship-building as a means to resolve issues, to establish and maintain open and transparent lines of communication with all stakeholders, teaching effective negotiation and mediation techniques to communicate and avoid conflict.

**iii. Wabano Truth and Reconciliation Panel:**

This panel consisted of former TRC Commissioner Marie Wilson, David General and Dr. Madeleine Dion-Stout.<sup>34</sup> Main findings from these presentations:

- Indicators of achievement of Reconciliation—or that Reconciliation is actually taking place—need to be developed.
- A critical thought: What is to be gained by simply acknowledging the territory before each meeting? Can acknowledgement progress further? Good intentions can derail and potentially get in the way of Reconciliation.
- Language is a big part of Reconciliation; recognition of more than two official languages, to include the many Indigenous languages.

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<sup>33</sup>Dr. Olsen Harper met several times in October and November 2018 with OPP members.

<sup>34</sup>This panel was held at the Wabano Health Center in Ottawa on December 4, 2019; several RCMP employees and Dr. Olsen Harper attended.

- Reconciliation is a value-laden word but everyday forms of lived Reconciliation can make a big difference.
- Evidence of Reconciliation includes:
  - Improved graduation rates (e.g., from high-schools, colleges, universities, technical institutes); that education attainment of Indigenous students meets, at least, provincial graduation rates;
  - Diminishing incarceration rates for Indigenous people;
  - Self-medication which results from unhealthy living and mental instability goes down; health outcomes, such as maternal health and well-being keeps improving, Fetal Alcohol Syndrome Disorder (FASD) going down; *minopimaatisiwiin* (living life in a good way) among Indigenous people increases;
  - An Indigenous Rights Framework that has been derived by Indigenous People—not by Canada by itself and without Indigenous participation;
  - Police ensuring safety for all, not just settler populations, particularly in times of protest or confrontation;
  - Peaceful resolution to conflict, particularly regarding resources allocation, exploration and extraction;
  - Women breaking “glass ceilings” in economic realms, especially Indigenous women;
  - Everyday gestures of Reconciliation, of kindness towards one another
  - A CBC radio news story was spoken in Inuktitut as this was the reporter’s first language—an effort and outcome of Reconciliation; and,
  - In Caledonia, Ontario, a public school program of pen pals with a school on the Six Nations reserve found that they had a lot in common. Both groups of students met and made cards to form a Wampum belt and the RCMP donated a plane to fly overhead to photograph the large belt. Sharing, engagement, respect and understanding were key to this program.

**iv. Chantal Marin-Comeau (Reconciliation Secretariat):<sup>35</sup>**

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<sup>35</sup>The mandate of this Secretariat, not the same as the *National Council for Reconciliation*, covers all Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

Regarding the Secretariat’s main views on Reconciliation, Ms. Marin-Comeau quoted the following:<sup>36</sup>

- a. *PM Trudeau:* Reconciliation calls upon us all to confront our past and commit to charting a brighter, more inclusive future.
- b. *Sen. M. Sinclair:* A wholesale change in thinking. I’m pretty convinced that by the end of the first term of this government, we will not see significant change in results yet; but I think we will change the foundation of doing business so that we will eventually be able to say that things are getting much better within the next two generations. **We have to recognize that Reconciliation will be harder than getting to the truth.** (*emphasis mine*)

There are three areas of needs in order for Reconciliation to progress: funding (the federal budget 2019), legislation (e.g., child and family and CIRNAC) and policy decisions by Cabinet Committees.

A “wholesale change of thinking” means:

From:	To :
<ul style="list-style-type: none"> <li>• An approach that is based on deficits and denial of rights</li> </ul>	<ul style="list-style-type: none"> <li>• Principle-based approach to recognition of rights and self-determination</li> </ul>
<ul style="list-style-type: none"> <li>• Focus on <i>Indian Act</i> bands</li> </ul>	<ul style="list-style-type: none"> <li>• Focus on decolonization, reconstituting nations and distinctions-based approaches</li> </ul>
<ul style="list-style-type: none"> <li>• Policies, laws, processes and structures based on colonialism and concepts of European supremacy</li> </ul>	<ul style="list-style-type: none"> <li>• Adopting flexible approaches, such as no “one size fits all” approach</li> </ul>
<ul style="list-style-type: none"> <li>• Misconceptions and misperceptions about Indigenous Peoples</li> </ul>	<ul style="list-style-type: none"> <li>• Educating Canadians and public servants at all levels on Reconciliation</li> </ul>

The main features of advancing Reconciliation are:

- A whole of government approach;
- Adhering to the Indigenous concept of “nothing about us without us”;
- Meaningful co-development; and,
- A distinction-based approach—First Nations, Métis and Inuit.

Pillars of Reconciliation approach by Canada:

- A renewed relationship;

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<sup>36</sup>Dr. Olsen Harper met with then-Minister Jane Philpott’s representative, Chantal Marin-Comeau, on January 29, 2019.

- Closing socio-economic gaps; and,
- Increasing self-determination.

Moving forward, what is needed is to:

- **Acknowledge** that Indigenous people are foundational to Canada’s constitutional framework, and vision of an inclusive, just and respectful society while at the same time building high levels of trust and respect so that Indigenous partners and the federal government can work successfully together.
- **Recognize** Indigenous Peoples’ right to self-determination and inherent jurisdiction over matters that directly affect their socio-economic and cultural well-being, which also requires distinctions-based approaches in order to reflect the particular circumstances of each Indigenous group’s relationship with Canada.
- **Protect, preserve and promote** Indigenous languages and cultures, as it is intrinsically linked to the well-being and identity of Indigenous communities.
- **Respect** Indigenous Peoples’ unique connection to and constitutionally protected interest in their traditional lands and resources.
- **Balance** long-term goals with pragmatic short-term results to show progress.
- **Maintain momentum** and an ongoing emphasis on the whole-of-government approach through open and transparent reporting and information-sharing.
- **Build awareness and understanding** of the legacy of residential schools, Indigenous history and culture, and contemporary and historical contribution to Canadian society.

Ms. Marin-Comeau spoke about the *Deputy Ministers Task Force on Reconciliation* (DMTFR) which “facilitates engagement on major initiatives, provides oversight, work reviewing operational practices within the public service and develops guidance for the public service on approaches to co-development with Indigenous Peoples”.<sup>37</sup> She also talked about the *Task Force on Diversity and Inclusiveness* (TF-D&I) whose mandate “examines and formulates advice on how to promote inclusion, to ensure Canadians fully benefit from the participation of all Canada in our economic, social, cultural and civic life”.<sup>38</sup> She noted that RCMP Commissioner Lucki sits on both the DMTFR and TF-D&I Committees. To conclude, Ms. Marin-Comeau emphasized the importance of coordinating all Reconciliation efforts with federal structures already in place.

### 2.3 Case studies: RCMP-Indigenous Reconciliation

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<sup>37</sup>[www.canada.ca/en/privy-council/programs/appointments/senior-public-service/deputy-minister-committees.html](http://www.canada.ca/en/privy-council/programs/appointments/senior-public-service/deputy-minister-committees.html)

<sup>38</sup>See previous website.

Indigenous policing is one of the RCMP's five national strategic priorities and there is much being accomplished through the approach of community-based measures. As Reconciliation with Indigenous people develops, however, activities need to be vetted from an UNDRIP perspective to ensure strategic and progressive ways forward. There are excellent examples of conciliatory relationship-building activities between the RCMP and Indigenous people taking place in all parts of Canada. Some of these are described, and provide insight into the context of a particular problem and its resolution. These case studies are points along a Reconciliation "roadmap" for how activities can unfold in certain, specific circumstances in exemplary ways.

#### **i. AFN - RCMP Memoranda of Understanding**

**Issue:** Canada's nation-building activities excluded Indigenous Peoples' participation in establishing and maintaining institutional infrastructure. This exclusion, extended also to sociopolitical collaboration, has been girded by a potent desire by Canada to lay claim to the land that Indigenous peoples have always occupied; consequently, no other minority group has ever posed such a significant and lasting threat to Canadian political legitimacy. Over the years, though, and through alliances with non-Indigenous Canadians, the political views of First Nation chiefs were starting to be heard. Since the end of WWII which saw changes to the federal *Indian Act*, First Nations became increasingly positioned to articulate their political stances. Most recently, this has been through the AFN.

**Reconciliatory activity:** Over the last number of years, the AFN<sup>39</sup> and the RCMP have entered into various MOUs to facilitate better working relationships with one another. The *Relationship Building Protocol* was signed in July 2016 by AFN National Chief Bellegarde and then-RCMP Commissioner Paulson. The Protocol reinforces the importance of mutually-respectful relationships as the cornerstone of Reconciliation, and addresses issues of discrimination. The RCMP plans to continue meeting with the AFN to support positive dialogue, seek advice on recruiting, training, and public safety, and strive to increase culturally-competent policing in the Indigenous communities over which it has jurisdiction. It is also committed to a policy of bias-free policing that ensures everyone is treated fairly in transparent, independent and neutral investigations. Unless there is a need to do so, such as for missing persons' investigations, ethnicity is not a demographic collected through most policing forms.<sup>40</sup>

RCMP Commissioners have also significantly contributed to Reconciliation efforts by apologizing for the ways that the RCMP furthered and sustained residential schools. Zaccardelli (2004) stated, "We, I, as Commissioner of the RCMP, am truly sorry for what role we played in the residential school system and the abuse that took place in that system."<sup>41</sup> In 2016, Paulson spoke at the AFN AGA, re-stating the RCMP's 2004 apology and also that the RCMP "continue to carry the shame

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<sup>39</sup>This national First Nations lobbying organization is wholly funded by the federal government.

<sup>40</sup>[www.rcmp-grc.gc.ca/en/news/2017/rcmp-statement-human-rights-watch-report](http://www.rcmp-grc.gc.ca/en/news/2017/rcmp-statement-human-rights-watch-report)

<sup>41</sup>[www.rcmp-grc.gc.ca/aboriginal-autochtone/apo-reg-eng.htm](http://www.rcmp-grc.gc.ca/aboriginal-autochtone/apo-reg-eng.htm)

of our role in residential schools, just as your subsequent generations struggle to free themselves from the harm done”<sup>42</sup>

## ii. **Returning Louis Riel artifacts**

**Issue:** The state of explicit ownership of Indigenous Peoples’ artifacts anywhere in Canada is messy and unresolved. At question is if the state or individual(s) own them, or if the Indigenous people do. The TRC’s CTA No. 79 states:

We call upon the federal government, in collaboration with Survivors, Aboriginal organizations, and the arts community, to develop a reconciliation framework for Canadian heritage and commemoration.

As well, Nos. 67 to 70 are directed at museums and archives with the recommendation that their current practices be reviewed for compliance with the UNDRIP. Clearly, the TRC’s view is that Indigenous Peoples must manage their own heritage and heritage representations even though different provinces have official jurisdiction, and enacted distinct laws governing archaeological and more recent artifacts. There may be different rules and regulations, depending on whether the artifact was found on provincial Crown land, or on fee simple property. The rights of Indigenous people in this arena are few; for example in Ontario, landowners are not legally obligated to inform Indigenous people about what they find on their land, and can proceed to work on that site as long as they conform to provincial reporting and recording requirements.

In Manitoba, a Métis community member sought the repatriation of artifacts that once belonged to one of Manitoba’s founding fathers—a Métis leader named Louis Riel.

**Reconciliatory activity:** Arising from the request to return Riel artifacts from the RCMP Heritage Centre Museum in Regina, an MOU was signed in 2016 by the RCMP, the Manitoba Métis Federation (MMF) and the Métis National Council (MNC). Three Riel artifacts are now being repatriated to the Métis community: a knife, a crucifix and a poetry book. There is a delay in that the museum in Winnipeg that will house the objects is incomplete. As soon as it is finished, the artifacts will be placed therein. The importance that the RCMP placed on acknowledging the request, and the subsequent steps taken to meet the community’s wishes are an authentic commitment by the RCMP to Reconciliation with Indigenous Peoples.

## iii. **RCMP National Eagle Staff, Red River cart and inunnguaq**

**Issue:** Historically, the RCMP has had no Indigenous representation in its imagery. This is a visual indication of exclusion—it is obvious that the people of the land were on the opposite side of the RCMP. By virtue of their very identity, the Indigenous people could never see themselves reflected in the workings of this powerful Canadian authority. For example, the elements of the

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<sup>42</sup><https://globalnews.ca/video/2390934/rcmp-commissioner-bob-paulson-speaks-about-relationship-between-police-first-nations>

RCMP regimental badge—the bison head,<sup>43</sup> maple leaves, a scroll and crown—have no Indigenous connotation at all. There is little wonder, then, that Indigenous people, generally, still do not relate to the RCMP. Indeed, the word “police” from many Indigenous languages translates to “those that hold us”—“hold” in this instance meaning jail, handcuffs and capture.

Since an important part of Reconciliation is inclusion and fostering cooperative relationships, RCMP Reconciliation efforts with the First Peoples must integrate these concepts. A meaningful, physical way of starting is by incorporating Indigenous expression into its working environment, for both every-day, and special events. These expressions should originate from the Indigenous peoples themselves in order to mitigate the effects of any well-intentioned but misguided, inappropriate, and/or ill-advised attempts at Reconciliation.

**Reconciliatory activity:** There are strong, appropriate expressions of Indigenous presence within the RCMP that have been underway within (mostly) the last decade. One of the most impressive has developed with the diligence and cooperation between First Nations Elders and military veterans, and the RCMP: a special symbol to recognize and honour the First Nations. This is the RCMP’s National Eagle Staff which was unveiled in 2018 at a birthing ceremony that was led by several Algonquin Elders in Ottawa. This special Eagle Staff was created to honour and celebrate the First Nations on what some had always known as *Turtle Island*. The Eagle Staff is also a physical expression of the Reconciliation journey on which the RCMP and First Nations are embarking. It is the first flag of *Turtle Island*.

The Eagle Staff<sup>44</sup> is composed of significant Indigenous representations: an overall, salient one is the spiritual and heart connection that the First Peoples have always had with the land that the Creator bestowed to them for stewardship. Different parts of the Eagle Staff signify different things. Its “backbone” is a wooden staff from a tree in Nova Scotia that was gifted by RCMP friends. The antler, shed from a white tail deer, is a contribution from a Métis in Saskatchewan; the animal sinew used in attaching it was given by an Algonquin First Nations Elder. The 13 eagle feathers, representing Canada’s provinces and territories, are from the Manitoba Wildlife Federation—the province’s oldest and largest conservation group. The provinces and territories are also represented by small Ensign flags which were created by the RCMP Master Tailor. The RCMP Indigenous Relations Services (RIRS)<sup>45</sup> ensign at the top of the Eagle Staff was beaded by an Inuk, Karen Fleming.

The National Eagle Staff is used in both formal and less formal RCMP events and gatherings. For instance, it was part of the Change of Command Ceremony when Brenda Lucki was sworn in as RCMP Commissioner. This ceremony was a two-fold “first”: Lucki as the RCMP’s first permanent female Commissioner, and the first time the Eagle Staff was present during a Commissioner’s

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<sup>43</sup>The bison was seen by plains First Nations and Métis people as a source of life. Not only did bison provide as food, but also for shelter, clothing and ceremonial artefacts. Early members of the NWMP, too, depended on the bison for food, fuel and clothing.

<sup>44</sup>[www.rcmp-grc.gc.ca/en/eagle-staff](http://www.rcmp-grc.gc.ca/en/eagle-staff)

<sup>45</sup>RIRS was previously known as the National Aboriginal Policing Services (NAPS).

swearing-in. The Staff was also a part of the AFN's General Assembly, the Moose Hide Campaign's National Day of Fasting, and the Remembrance Day ceremonies at the National War Memorial in Ottawa—all in 2018. The Eagle Staff is a living artefact and in constant care; it is always smudged before becoming a part of any celebratory RCMP event.

The year 2018 saw additional cultural items at the RCMP NHQ in Ottawa. These are meant to improve RCMP awareness of Canada's Indigenous cultures, and honor the diverse backgrounds and traditions of the First Nations, Métis and Inuit peoples. There is a First Nation teepee on its grounds, and also on display are an *inunnguaq*<sup>46</sup> and a Red River cart. The wooden *inunnguaq* was made for the RCMP's National Aboriginal Policing and Crime Prevention Services by retired RCMP member Lew Phillips, an Inuk living in Iqaluit, NU. The Red River cart was created for this Unit by Armand Jerome, a Métis living in Beausejour, MB. He is well-known as a Master Red River cart builder who teaches a participatory "hands-on" program for making these carts. The RCMP Red River cart is half-size (as are most of Jerome's creations).

Finally, there is consideration for altering the RCMP crest because of Queen Elizabeth II's increasing age—she is 93 years old. A new crest would reflect the ascendancy of a male sovereign and would be an opportune time for a new crest bearing Indigenous representation.

#### **iv. Moose Hide Campaign: G Division (NT)**

**Issue:** Indigenous women and girls face challenges that are not necessarily shared by non-Indigenous women, and are unique targets for sexism and discrimination. To begin to understand these prevalent dynamics, one must see the clear relationship between acceptable Western masculine identity and the accompanying behaviors and expressions of physical and sexual violence against women. That gender violence is institutionally sanctioned is expressed by Ptacek (1999): ". . . individual women are assaulted by individual men, but the ability of so many men to repeatedly assault, terrorize, and control so many women draws on institutional collusion and gender inequality" (p. 9).

As gender is not innate, patriarchal hierarchies of importance and value are assigned through internal interactive processes and entrenched by reiterated cycles of replay. Entire institutions, such as the Western concept of "family", the criminal justice and legal systems, police and the military, are gendered. Through Canada's colonization processes, that "at first claim the land of the colonized as their own through a process of violent eviction, justified by notions that the land was empty or populated by peoples who had to be saved and civilized" (Razack, 2000, p. 97), Western-based gender systems and its accoutrements<sup>47</sup> were imposed on Indigenous

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<sup>46</sup>An *inunnguaq* is not an *inuksuk*. (Inuit prefer the spelling "inuksuk", rather the common Canadian spelling "inukshuk", and we honour the Inuit by using their preferences. As well, "Inuksuit" is plural of "inuksuk"). An Inuit representation of a human is the *inunnguaq* which is not what an *inuksuk* is—the latter is a monument made of piles of rocks used in communicating with other humans, and for survival; it is not in the shape of a human.

<sup>47</sup>For example, the study of the assumption of the historic innocence of white women in aiding and abetting the oppression of Indigenous people is revealing. Discrimination against Indigenous women continued as legislation, "based on colonialist assumptions about race, Nativeness, and civilization" (Lawrence, 2003, p. 24), was enacted. As

populations. All Indigenous Peoples have experienced substantial and devastating losses to their traditional social, economic and political institutions which were egalitarian in substance and where gender complementarity was practiced.

Consequently, violence against Indigenous women and girls has been rampant, and continues to be. According to a CBC report<sup>48</sup> that referred to 2014 Statistics Canada data, the three territories (NT, NU and YK—where there are more Indigenous than non-Indigenous people), had the highest rates of police-reported domestic violence in Canada. Correspondingly, the incidence of violence against Indigenous women is much higher than that against non-Indigenous women anywhere in Canada.

**Reconciliatory activity:** The Moose Hide Campaign (MHC)<sup>49</sup> is a grassroots movement of Indigenous and non-Indigenous men whose aim is to end violence towards women and children. The members support each other as men and hold each other accountable for their actions. They are teachers of young boys about the true meaning of love and respect, and strive to be healthy role models for them.

In October 2018, community partners and the RCMP Detachment in Whatì<sup>50</sup> jointly hosted a highly successful MHC event at the community's cultural centre. Many hours of planning, advertising and promoting had gone into making the gathering a reality; its goal was to share the message of ending violence against women and girls.

Chief Alfonz Nitsiza publicly endorsed the MHC, its values and activities. The MHC pin, a small square of moose-hide, was clearly beneficial for starting conversations within the community which adopted it effortlessly for what it represents. As moose-hunting and the tanning of moose hides is a part of everyday life in Whatì, there was no doubt that the MHC symbol appropriately represents a very serious issue in the north.

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well, popular notions about race were utilized to establish a class system. Because white people were seen as superior to Indigenous people, and congruously, white women as superior to Indigenous women, conscious efforts were expended on alienating Indigenous women from “respectable” society (Nelson, 2002). Common thinking was that white women, by associating with Indigenous women, would themselves become tainted through what was seen as Indigenous women's inherent capacity of polluting the body politic. Some historians note that the increase in numbers of white women during the settlement years paralleled the mounting racism against First Nations and Métis women (Carter, 2000; Nelson, 2002; Van Kirk, 1999). In describing the extent of the mobilization of white women immigrants in fulfilling colonial ideology, Perry (1997) writes, “[i]ndeed, for most colonial promoters, white women's role as agents of white supremacy was a matter for celebration, not a problematic issue for reflection” (p. 508).

<sup>48</sup>[www.cbc.ca/news/canada/north/family-violence-rates-in-territories-1.3417850](http://www.cbc.ca/news/canada/north/family-violence-rates-in-territories-1.3417850) and [www150.statcan.gc.ca/n1/daily-quotidien/160121/dq160121b-eng.htm](http://www150.statcan.gc.ca/n1/daily-quotidien/160121/dq160121b-eng.htm)

<sup>49</sup>[www.moosehidecampaign.ca/](http://www.moosehidecampaign.ca/)

<sup>50</sup>Whatì, which is about 170 km. northwest of Yellowknife in the Northwest Territories, had been known as Lac La Martre. Under the Tłı̄chǫ Agreement in 2005, its name was officially changed.

Prior to this event, only one person in Whatì had said he had ever heard of the MHC. The attentiveness and respect showed by all participants, including children, was beyond expectation. This was a highly positive experience for the community and for the RCMP.

**v. Freedom to express spirituality: H Division (NS)**

**Issue:** Articles 12 and 25 of the UNDRIP refer to Indigenous Peoples' "spiritual and religious traditions, customs and ceremonies" and a "distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands".<sup>51</sup> While there are some Indigenous people who hold to Christian faiths, many do not; it is mainly for the latter group that the *Eagle Feather Initiative* is especially relevant. As non-Christians, they do not recognize the Bible as most sacred, or that "swearing on the Bible" is the ultimate gesture of truth-telling.

Every individual ought to have the freedom to affirm an oath of truthfulness by whatever she/he most highly values, and whatever this is should not support any particular religion unless that person desires it.

**Reconciliatory activity:** In March 2018, a ceremony at the Halifax RCMP Head Quarters was launched for the *Eagle Feather Initiative*. At this event, all of Nova Scotia's 54 RCMP Detachment Commanders/ Supervisors were presented with eagle feathers from the Mi'kmaq community. These feathers are special in that they provide an option to swearing legal oaths for those (e.g., an accused, victims, witnesses, police officers) who are uncomfortable with making an affirmation or swearing on the Bible. Also, an eagle feather is available for the comfort of any client when interacting with the RCMP at any detachment. The initiative was supported by the Commanding Officer of H Division, the Deputy Minister of Justice, and the Deputy Attorney General for Nova Scotia.

The ceremony included the Elders' explanation of the significance of the eagle feathers and cleansing and blessing them through a smudging ceremony before distributing them. "It's important to have the eagle feather available in RCMP detachments across Nova Scotia," said A/Commissioner Brian Brennan, then-Commanding Officer of the NS RCMP.<sup>52</sup> "We value Indigenous culture and this is a step toward increasing cultural awareness in the Force." The Mi'kmaq Honour Song closed the ceremony.

The *Eagle Feather Initiative* has since led to developing a similar eagle feather protocol for all RCMP detachments in Manitoba.

**vi. Suicide prevention: V Division, NU**

**Issue:** Indigenous people worldwide are impacted in very similar ways by colonialism, including the pernicious problem of suicide and suicide ideation in families and communities. In Nunavut,

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<sup>51</sup>See pp. 12 and 19 of [www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](http://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

<sup>52</sup>Brian Brennan is now Deputy Commissioner of Contract & Indigenous Policing at the NHQ.

for example, where about 49% of all Inuit in Canada live, rapid changes to traditional societies have been devastating, especially since the mid- to late-1940s when the Cold War era began. During this period, American military presence and political influence combined with Canadian exploitation of natural resources in the Arctic and, to the detriment of the Inuit, led to their relocation into permanent settlements (Diubaldo, 1992; Duffy, 1988). Many Inuit continue to suffer from subsequent dislocation into the contemporary world, and the new images of youth (both male and female), from a Western perspective, have little to do with life in the far North. This means that reinforcement of self-confidence and self-worth for Inuit is difficult, both individually and collectively. There is difficulty in being neither modern nor traditional; the transitional image often emerges blurred and ambiguous. Finding a right place that is congruous to the Inuit sense of self may be extremely difficult, especially without guidance or strong role modeling. Looking at outside views of First Nations or Métis men is not helpful, either. This imagery tends to be critical and expressed without the understanding of Indigenous cultural values and does not reflect the role that the foundation of colonialism is playing in the lives of First Peoples' populations. Such ethnocentric portrayals work at alienating youth from their own societies, and alienation perpetuates struggles for a clear self-identity. It eats away at the individual's sense of well-being within everyday social and familial contexts and relationships. In Nunavut, many youth, especially males, resort to suicide and suicide ideation.

**Reconciliatory activity:** The *Embrace Life Council* (ELC), a non-profit suicide prevention organization in Iqaluit that was formed in 2004, has long recognized the need for a coordinated initiative to address Nunavut's high suicide rates. It has partnered with the RCMP's V Division Community Policing which also sits on its board of directors—along with the territorial government's *Quality of Life Secretariat*. In addition, V Division is also a member of the Nunavut Suicide Prevention Strategy Committee (NSPS) led by Nunavut Tunngavik Incorporated (NTI) and was an active participant in NSPS's long-term strategic plan. Members of this Committee meet regularly and offer programs on suicide prevention such as the Applied Suicide Intervention Skills Training (ASIST). This is a two-day interactive workshop on suicide, and teaches participants to recognize thoughts of suicide (in themselves and others), and how work at a plan that will support their immediate and long-term safety.

## **2.4 International comparison: Canada, USA, Aotearoa/New Zealand, Australia**

*Why do a comparative?*

This is a sketch to provide a comparative view of Reconciliation in four countries that are closely related through colonial ties with the United Kingdom (UK): Canada, the United States of America (USA), Australia and Aotearoa/New Zealand. A comparative approach broadens the knowledge of what ensues in other countries, and being in Canada, helps with checking Canada's propensity towards ethnocentric bias in Reconciliation development. It allows for analyzing these countries' performances and helps identify the factors contributing to their successes/failures in reconciling with Indigenous Peoples. Comparisons also allow for objective re-assessments of Canada's own

contexts to derive more positive, realistic conclusions about the processes and summative aspects of Reconciliation.

Further, comparisons of countries with similar inceptions allow for describing common, generalized themes that emerge in these jurisdictions. They can also facilitate the specific variables and other contextual factors that produce certain results, such as understanding the difference that having treaties with Indigenous Peoples has made, or is making, in Reconciliation. Comparative approaches have much to do with knowing the history of each country and how, foundationally, the Indigenous Peoples were addressed—those who had already lived for countless millennia in the territories that explorative activities had claimed for a “mother country” in the far-off British Empire.

The UNDRIP, which the United Nations (UN) adopted in 2007,<sup>53</sup> is another vital reason for adopting an internationally comparative approach to Reconciliation. In the 2007 UN vote, only four member states were not supportive:<sup>54</sup> Canada, Australia, the USA and Aotearoa/New Zealand—all of whom had started off as British colonies. Interestingly, the UK supported the Declaration. Currently, all four countries have moved to endorse the Declaration in some informal way even though the UNDRIP is not binding in any of these countries’ laws. The UNDRIP was adopted by Canada in 2016, the USA in 2010, Australia in 2009 and Aotearoa/New Zealand in 2010. Non-Indigenous populations in these countries are now all significantly greater than Indigenous populations, even though the latter are rapidly expanding.

The UNDRIP will likely become the universally-accepted standard by which Indigenous Reconciliation will unfold anywhere in the world. Further, Canada can lead a trend towards the internationalization of Reconciliation, particularly since the spirit of the TRC’s 94 CTAs are based on the UNDRIP. In speaking to the 2016 UN Permanent Forum on Indigenous Issues, *Indigenous and Northern Affairs* Minister C. Bennett stated, “We are fully adopting this and working to implement it within the laws of Canada, which is our charter.”<sup>55</sup>

All police forces around the world, including the RCMP, should familiarize themselves with the 46 articles that comprise the UNDRIP, although none specifically mention police. However, there is copious direction in the area of justice and law (e.g., Articles 1, 11, 17, 27 and 46). Police can read these with the thought of the specific areas that are most conflicting with Indigenous people, and a salient one is resources extraction on traditional Indigenous territories. This is important since there is an abundance of natural resources in Canada and many Indigenous-led conflicts result such as, recently, with the Unist’ot’en people in BC and the Mi’kmaq near Fort Ellis, NS.<sup>56</sup> As a response, Article 26(1) states, “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or

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<sup>53</sup>See p. 16 of *Resolutions and Decisions adopted by the General Assembly during its sixty-first session, Volume III*, at [www.un.org/ga/search/view\\_doc.asp?symbol=a/61/49\(Vol.III\)\(SUPP\)](http://www.un.org/ga/search/view_doc.asp?symbol=a/61/49(Vol.III)(SUPP))

<sup>54</sup>There were, though, 11 abstentions.

<sup>55</sup>[www.cbc.ca/news/indigenous/canada-position-un-declaration-indigenous-peoples-1.3572777](http://www.cbc.ca/news/indigenous/canada-position-un-declaration-indigenous-peoples-1.3572777)

<sup>56</sup><https://atlantic.ctvnews.ca/n-s-rcmp-arrest-three-grassroots-grandmothers-at-alton-gas-protest-site-1.4373715>

acquired.” It directs a state to recognize the legality of these territories. However, the question still would be between a literal acceptance of the UNDRIP through law—which is outside police control—and what Coates and Favel (2016) describe as “political interpretation that uses the UNDRIP as a guideline for addressing Indigenous needs and aspirations” (which Coates and Favel recommend) (p.2).

Again, this comparison of the four countries is only a sketch. Whole studies can be expanded on this topic alone.

<b>1.</b>	<b>CANADA</b>
<b><u>Government and Indigenous Peoples:</u></b>	
<ul style="list-style-type: none"> <li>• Federal parliamentary system under a constitutional monarchy</li> <li>• Has treaties with Indigenous Peoples (both historic and modern-day)</li> <li>• Recognized as Aboriginal Peoples in Section 35(1) of the <i>Constitution Act, 1982</i> as Indians, Métis and Inuit</li> <li>• Indigenous Peoples have multiple cultures, languages, worldviews</li> </ul>	
<b><u>Police:</u></b>	
The national police is the Royal Canadian Mounted Police (RCMP), founded in 1920. The RCMP originated from the North West Mounted Police (NWMP), founded in 1873.	

**Reconciliation:**

Aim is to achieve visible, concrete results from Reconciliation and is supported by Prime Minister Trudeau in a “whole of government” approach, such as:

- The Apology for residential schools (2008) by Prime Minister Harper
- On Parliament Hill, on November 26, 2012, the stained glass window titled *Giniigaaniimenaaning* (meaning is “looking ahead”) was installed and unveiled in Centre Block; created by Métis artist Christie Belcourt to commemorate the survivors and families of Indian residential schools<sup>57</sup>
- Indian and Northern Affairs Minister Duncan’s apology (2010) to Inuit for relocation to Resolute Bay, Grise Fjord in the High Arctic during the Cold War
- Métis Nation was honoured (2009) in Juno Beach for WWII participation
- Self-government agreements (e.g., the Nunavut Agreement, the Nisga’a Final Agreement, the James Bay and Northern Quebec Agreement (JBNQA), the Labrador Inuit Land Claims Agreement, the Westbank First Nation Self-Government Agreement) paving the way for Reconciliation and self-determination; CIRNAC as well as Indigenous Services Canada (ISC)—negotiating land claim and self-government agreements in areas such as education, economic self-sufficiency
- Support for Métis to work with provinces to improve governance capacity, program delivery, bilateral and tripartite processes (e.g., Canada and the MNC signed the *Governance & Financial Accountability Accord* in 2008)
- Improved funding for the National Association of Friendship Centres (NAFC)
- Efforts to reconcile with residential school survivors (e.g., the Sixties Scoop Settlement, 2018; the Indian Day School Settlement, 2019; the Inuit Tuberculosis Management apology by Prime Minister Trudeau, 2019; the TRC which emphasized education as a way to proceed with Reconciliation, established in 2008)
- The MMIWG Inquiry, established in September 2016, to examine the systemic issues, including government policies, resulting in an over-representation of extreme violence and victimization of Indigenous females

**2. AUSTRALIA**

**Government and Indigenous peoples:**

- Federal parliamentary system under a constitutional monarchy
- No recognition of Aboriginal<sup>58</sup> sovereignty; no recognition of Aboriginal Peoples in its constitution
- No treaties with the two distinct Indigenous Peoples (i. the Indigenous people of Tasmania and the mainland, and, ii. the Torres Strait Islanders; Torres Strait Islanders are referred to separately)<sup>59</sup>

<sup>57</sup><http://christibelcourt.com/stained-glass/>

<sup>58</sup>Common terminology in Australia is “Aboriginal” or “Aborigine”, not “Indigenous”.

<sup>59</sup>The term “Aboriginal Australians” is used in Australia for both Indigenous Peoples.

- Indigenous Peoples have multiple cultures, languages, worldviews

**Police:**

The Australian Federal Police (AFP) originated in 1979. Prior to that, police were the Commonwealth Police Force (CPF) from 1917-1919 and afterwards until 1979, there were several different federal policing agencies.

**Reconciliation:**

- Is predominantly a social movement
- Council for Aboriginal Reconciliation (CAR) established in 1991 by federal government (Minister of Indigenous Affairs)
- Ongoing debate as to how all Aboriginal Peoples might be recognized in the Australian constitution
- Reconciliation seen as having to address the generations of stolen children into missions

**3. USA**

**Government and Indigenous Peoples:**

- Representative democracy, constitutional federal republic
- Has treaties with Native American tribes
- American Indian nations, tribal sovereignty recognized in constitution and allows Native American tribes to claim (varying) “nation-to-nation” relationships with US government; to some extent, have legal recognition as sovereign nations<sup>60</sup>
- The 1975 *Indian Self-determination and Education Assistant Act* allows for the Bureau of Indian Affairs (BIA) to contract services to the tribes for self-implementation
- Indigenous peoples have multiple cultures, languages, worldviews

**Police:**

Federally, there are 2:

- i. police with full federal authority as given under the United States Code (USC); and,
- ii. law enforcement agencies which are authorized to enforce various laws at the federal level.

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<sup>60</sup>This is also a consideration for the Indigenous Peoples of Alaska and Hawaii.

The Federal Bureau of Investigation (FBI)<sup>61</sup> has components of both and can make for jurisdictional complications.

**Reconciliation:**

- The *Apology to Native Peoples of the United States*, part of the *Defense Appropriations Act* (2010), never been read aloud to the public by any elected official, nor any official White House announcement made about it
- Treaties were signed and define the nature of the relationship between most Indian Americans and the federal government by US Constitution, Art. 1, S8, Cl3<sup>62</sup>
- The *National Native American Boarding School Healing Coalition*<sup>63</sup> (non-profit incorporation in 2012) advocating for healing and Reconciliation for survivors of boarding school systems

**4. AOTEAROA/ NEW ZEALAND**

**Government and Indigenous People:**

- Federal parliamentary system under a constitutional monarchy
- Recognized in its constitution
- Has the Treaty of Waitangi (1840) with Māori
- One Indigenous people: the Māori (although made up of many different tribal groupings) originate from eastern Polynesia

**Police:**

The New Zealand Police, or Ngā Pirihimana o Aotearoa, is New Zealand's national police force, founded in 1886. Policing, as the Armed Constabulary, began in 1840.

**Reconciliation:**

- Began in the late 1980s with the Treaty of Waitangi settlement process; terms of a finalized settlement are passed in Parliament to bind it legally
- Also, the Office of the Race Relations Conciliator established—later becoming part of the Te Kāhui Tika Tangata or Human Rights Commission—and various public educational offerings
- The Treaty of Waitangi (1840), results in loss of land, resources, power and eroding of Māori cultural identity; government now affirms the moral, political and jurisprudential authority for Māori self-determination as Māori do not oppose settler (non-Māori) presence but contest Crown's unilateral sovereign authority
- The Waitangi Tribunal established in 1975—a forum for hearing treaty-based grievances and diverts expensive court processes

<sup>61</sup>[www.fbi.gov/investigate/violent-crime/indian-country-crime](http://www.fbi.gov/investigate/violent-crime/indian-country-crime)

<sup>62</sup>The Congress shall have Power ... To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

<sup>63</sup><https://boardingschoolhealing.org/>

- The Office of the Race Relations Conciliator established in 1971 under the *Race Relations Act* and works to promote positive race relations
- Public education about Māori integrated into national curriculum—voluntarily, not by mandate
- Māori culture and identity being centralized in many areas, New Zealand-wide (e.g., sports, education, tourism, language revitalization/retention)
- RCMP NHQ officers from the National Crime Prevention and Indigenous Policing Services visit Ngā Pirihiimana o Aotearoa (2018) for observation and exchange of Reconciliation practices<sup>64</sup>

### *Conclusions:*

- The wealth and identities of Canada, USA, Australia and Aotearoa/New Zealand are founded on the dispossession of the Indigenous Peoples of the lands that currently make up these nation-states.
- Indigenous Peoples of these countries struggle for recognition and restitution from the colonial violence from the founding of the nation-state, and persistent non-Indigenous harms. This is the basic need for Reconciliation.
- For many Indigenous Peoples, these countries' national days (such as Canada Day and Independence Day) represent cultural/population genocide, massacres and wars, degradation of ancient laws and protocols, violence against women and girls, forced relocations, and overall denials of basic human rights. They are generally seen by Indigenous Peoples as a celebration of their own dispossession as distinct populations by others who charged into their lives in very destructive ways. Everyone who is involved in Reconciliation must ask themselves if they would celebrate a national day if they suffered the same consequences as Indigenous Peoples do.
- Reconciliation takes time. Constitutional recognition and formal rights, compensation payments, archives and apologies for genocidal practices are all important gestures of Reconciliation but do not complete the Reconciliation picture, especially in and of themselves.
- Political transformations that recognize Indigenous sovereignty and lead to genuine self-determination—as opposed to continuing paternalistic policies—is a part of meaningful Reconciliation.
- The work of Reconciliation rests *more* with those who have done the harm than those who were, or are being, harmed. Careful consideration must be given to Indigenous employees working in institutions that have been particularly and historically causing harm to Indigenous people (e.g., police forces, certain government agencies).

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<sup>64</sup>Although it is apparent that New Zealand is advanced in its Reconciliation efforts, there are many areas of policing in which both police forces can learn from the other.

- Various government policies and programs may be reconciliatory, whether or not they bear that label.
- Serious Reconciliation efforts include establishing mutually-respectful relationships and an understanding of relationship dynamics.
- Indigenous ways-of-life, including legal traditions and governance must be recognized as valid and equal to those of the rest of dominant society.
- Indigenous People want their historical representations to be of their own choosing, to have platforms for self-interpretation.
- Reconciliation efforts by police and other government agencies should vary to respond to different Indigenous populations—there should be no “pan-Indigenous” approaches.
- Efforts to improve the situations of Indigenous people must be continuous, even if a key authority figure, such as a police detachment commander, is transferred elsewhere.
- In Canada, the RCMP cannot take it for granted that Indigenous people self-identify as Canadians. The First Peoples understand the concepts of colonialism, and their lived experiences with colonialism’s manifestations have excluded them and denigrated their accomplishments. Consequently, some Indigenous people do not feel affinity, closeness or association with Canada; the RCMP are seen as a common representation of Canadian colonialism. Their non-Canadian stance must be respected.

### **3 Requirements of RCMP**

Reconciliation with Indigenous Peoples as an on-going process must start with Canada because of its disparaging conduct towards, and treatment of Indigenous peoples over the generations. In this light, Prime Minister Trudeau wrote a mandate letter to each of his Cabinet Ministers directing them to advance Reconciliation using a “whole-of-government” approach. This means the RCMP must have a pulse on what all departments of the federal government are doing in Reconciliation, and work at harmonizing its activities with those. For example, the Deputy Ministers Task Force on Reconciliation (DMTFR) on which Commissioner Lucki sits, “facilitates horizontal engagement on major initiatives, provides oversight to work reviewing operational practices within the public service, and develops guidance for the public service on approaches to co-development with Indigenous Peoples.”<sup>65</sup>

The RCMP is therefore responsible, within its jurisdiction, for Reconciliation with the First Peoples. To be successful, its commitments require a plan or strategy by which to fulfil those commitments; goals need a way to move from conceptualization into concerted action in orderly, responsive ways. The RCMP commitments to Reconciliation need to be interwoven into every action at every level of a sustainable development strategy that is national in scope.

While this Position Paper does not formulate the National Strategic Plan itself, it outlines the basic parts of a strategic plan. Using the New Zealand Police’s “*Our Business Tā Tātou Umanga*”, an ambitious, thoughtful and successful model, it articulates what the RCMP can do to appropriately emulate some of its relevant aspects. These can be integrated into the Strategic Plan as it is being prepared.

#### **3.1 National Strategic Plan on Reconciliation**

##### **3.1.1 The Plan**

The UN defines national strategic planning as a “coordinated, participatory and iterative process of thoughts and actions to achieve economic, environmental and social objectives in a balanced and integrative manner” (2002, p. 1).<sup>66</sup> Also, the strategy must be a “‘macro’ approach that needs on-the-ground ‘micro’ actions” (p. 26). UN guidelines are important because of the feasibility of the UNDRIP becoming the achievable standard through which Indigenous Reconciliation will be globally implemented, and a foundational premise of this Position Paper is that Canada is well-positioned to be a world leader in Indigenous Reconciliation. Keeping in mind that the AFN’s National Chief Bellegarde referred to the UNDRIP and the TRC’s CTAs as “our guide to true reconciliation and a brighter future for us all” (2018),<sup>67</sup> it is indeed appropriate to look at the UN-established strategic plan guidelines.

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<sup>65</sup>See p. 7 of [www.canada.ca/content/dam/pco-bcp/documents/sps/JAN2019DMCOM.pdf](http://www.canada.ca/content/dam/pco-bcp/documents/sps/JAN2019DMCOM.pdf)

<sup>66</sup>[https://sustainabledevelopment.un.org/content/documents/nsds\\_guidance.pdf](https://sustainabledevelopment.un.org/content/documents/nsds_guidance.pdf)

<sup>67</sup>[www.afn.ca/2018/06/01/third-anniversary-truth-reconciliation-commissions-calls-action-assembly-first-nations-urges-governments-canadians-commit-progress-results/](http://www.afn.ca/2018/06/01/third-anniversary-truth-reconciliation-commissions-calls-action-assembly-first-nations-urges-governments-canadians-commit-progress-results/)

The UN plan is a methodological framework that encompasses four main parts:

- a. *Situational analysis*: These questions need realistic responses: *Where is the RCMP at in Reconciliation right now? What is working? What is not working?* Finding the answers can be linked to the everyday processes that the RCMP uses to review its policies and other internal workings. A picture will then emerge at national, divisional and detachment levels of the various pockets across the country where Reconciliation is already in progress, whether they are “formally” known as Reconciliation, or not. These can then be placed into an UNDRIP framework and become linked as part of the Strategy that enhances, not diminishes, their successes as activities in Reconciliation.
- b. *Formulation of policies and action plans*: Some policies and action plans are short-term, others are medium and longer in term. All these must meet the test of leading to what is important—the goal of Reconciliation with Indigenous Peoples. If policies and activities do not lead to this common end goal, they must be deleted or modified. If a policy or activity does not lead *directly* to a goal, the path towards that goal must be made clear to everyone who participates—participants must always understand how the policy helps achieve the goal.
- c. *Implementation*: Consistent application, as an underlying principle of implementation, is essential although flexibility due to regional disparities will undoubtedly be most pragmatic and efficient. Questions need to be asked and answered definitively in order for successful implementation. These include: *Which department is funding the various aspects of Reconciliation? What other resources are required, such as for human resources for recording various processes (e.g., technical, participatory, resource allocation) needed for implementation?*
- d. *Monitoring and regular reviewing*: Recording mechanisms that are established in the implementation phase are there to document, clarify and iterate the processes, impacts and outcomes of activities. This focus on cyclical monitoring emphasizes making and managing progress towards the goal of Reconciliation, rather than producing the strategic plan as an end product, or as a wish list. From constant reiteration and fluidity, the Plan evolves and becomes customizable, feedback is received and reviewed, and Lessons Learned and Good Practices emerge.

The main components of *Monitoring and regular reviewing* are that they are participatory, practical and reflective. They facilitate frequent generative adjustment to national, regional and local priorities in transitioning to meet the main goal. Other relevant aspects can be included, such as: evaluating performance, identifying and establishing indicators of change in culture, implementing timelines, determining overall communication methods, reporting and measuring specific areas of progress, and appraising the results to ensure that objectives are being met.

### 3.1.2 Principles of a successful National Strategy

In a keynote address, Senator Sinclair (2017) stated that

Reconciliation is going to take . . . very clear understanding, commitment, leadership and planning. And the things that are currently standing in the way of Reconciliation in this country are understanding, commitment, leadership and planning . . . Together those [TRC's] *Calls to Action* constitute a plan for Reconciliation.

Sinclair emphasized the “we” in Reconciliation work—meaning that both Indigenous and non-Indigenous people have to be doing the work together to change the way things are being done. He also spoke about the need to see change, and the cost of this:

It’s going to take time, and it’s going to take change, and it’s going cost us money—there’ll no question of that. But the cost of doing nothing, or of continuing to do the same thing, is going to be even greater. We have to recognize that we have failed, and in fact we have created this mess because of what we have tried in this country to this point. And we need now to move on from that, both in term of leaving it behind but also in terms of the way we do business, changing the way that we do things.<sup>68</sup>

There are many essential principles that must guide any strategy to success so it can produce the expected results. The overriding principles of a national RCMP Reconciliation strategy are:

- a whole-of-RCMP approach—paralleling the federal government’s “whole-of-government approach”;
- referring to Indigenous Peoples and participation: “nothing about us without us”;
- meaningful co-development by ensuring the articulation of Indigenous community voices;
- distinction-based perspectives to guarantee the inclusion of cultural outlooks, diversity in experiences and respectful partnerships; and,
- acquiring more Indigenous employees, and developing their skills and expertise in all areas of the RCMP.

Other principles are:

**Central coordination:** a managing function, this facilitates the efficient, harmonized collaborative work among all components (e.g., departments, work groups, committees) and the timing aspects of the Strategy. Coordination includes knowing the *status quo* of Reconciliation efforts in all parts of Canada, and articulating the movement of activities for reaching the goal.

**Sustainable culture for development:**

- the main aspect of sustainability is dynamic, consistent RCMP executive team support and encouragement

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<sup>68</sup>Speech to the Canadian Centre for Policy Alternatives (BC Office); see [www.youtube.com/watch?v=SxtH\\_E6FqVo](http://www.youtube.com/watch?v=SxtH_E6FqVo)

- sufficient resources (e.g., human, financial, IT, capacity-building resources) are required, so their availability must be certain, and allocations made in timely ways
- institutionalizing the National Reconciliation Strategy within the RCMP will ensure permanency as opposed to it being an ad hoc, “one-time”, or the “flavor of the year” activity
- training, including “refresher” courses or workshops, is essential for sustainability and continuous improvement—from cadets to those already in established positions throughout the RCMP, and
- clearly-defined roles, responsibilities and accountability mechanisms within Sections, Divisions and Business Lines are crucial.

**On-going communication**, internally within

- the RCMP executive team, and champions of Reconciliation;
- all RCMP cadets (trainees) at Depot and other new employees; they should be aware of, and participate in the National Reconciliation Strategy in appropriate ways;
- Developing and mentoring cadets to be the future of Reconciliation, for on-going sustainability; and,
- all regular members and employees—including those in middle ranks; as with the cadets, this ensures a foundational “bottoms up” approach.

**On-going communication and meaningful partnerships**, externally with:

- Indigenous community leadership;
- Indigenous organizations, particularly those with police interest (e.g., the First Nations Chiefs of Police Association (FNCPA), the AFN, Inuit Tapiriit Kanatami (ITK), Congress of Aboriginal People (CAP), Native Women’s Association of Canada (NWAC), National Association of Friendship Centres (NAFC), Pauktuutit Inuit Women of Canada (PIWC), the MNC);
- those within the federal government who are also involved in Reconciliation efforts (e.g., Cabinet Council for Reconciliation, National Council for Reconciliation); and,
- social media and to external websites.

**Effective, clearly-articulated roles in all partnerships:** these can effect change more readily and enhance cooperation, commitment and connectedness by

- recognizing each partner’s distinctive strengths, traditions and expertise so they can directly maximize the achievement of common clearly-defined goals (Apolonio, 2008);
- acknowledging disproportionate power relations among partners (e.g., Indigenous communities are marginalized within society, and tend to be in isolated areas whereas the RCMP is a strong and well-known national entity); and, also, being aware of the dynamics that result from unequal power distribution among partners;
- being cognizant of unequal distribution of funds and access to funds if there is funding involved—dynamics that always favour the more assertive partner; recognizing the challenges of procuring funds; and,

- fostering mutual respect among partners at all times.

### 3.1.3 The Aotearoa/New Zealand model

In October 2018, several Ottawa members of the RCMP travelled to Aotearoa regarding the exemplary efforts of the New Zealand Police in its Reconciliation efforts with the Māori people. Many parts of New Zealand’s *Our Business Tā Tātou Umanga*<sup>69</sup> is adaptable to a Canada-wide version of reconciliatory policing. See Figure 1 (below) for a visual representation of this model.

Figure 1. *Our Business Tā Tātou Umanga*

The following chart is a listing and comparison of some ways that the RCMP can consider appropriating to reflect reconciliatory goals:

	New Zealand	RCMP
1.	Māori language and symbolism in logo	No Indigenous-related language, nor is there any Indigenous symbolism in the RCMP logo <i>NB. The bison, a largesse on the RCMP logo, associates the NWMP with the prairies of Western Canada where</i>

<sup>69</sup>The Māori words translate to “our Code of Standards”. See: [www.police.govt.nz/about-us/publication/our-business](http://www.police.govt.nz/about-us/publication/our-business)

		<p><i>its first tasks were performed at a time when large herds of this native animal roamed the prairies.<sup>70</sup> It was a source of survival for the Plains Indigenous People but the reason for the bison head in the RCMP badge is unknown except that it was a part of RCMP Commissioner Macleod's crest in Dunvegan in northwestern Alberta. NWMP were well aware of the bison as a source of survival for all.<sup>71</sup></i></p>
2.	<p>One of its values is "Commitment to Māori &amp; the Treaty"</p>	<p>No values that relate specifically to Indigenous Peoples, nor any mention of the treaties that Canada signed with the First Nations. <i>Can the RCMP evolve its Core Values to reflect more closely the Grandfathers' Teachings?</i></p>
3.	<p>Its vision is:  <i>To have the trust and confidence of all</i></p>	<p>The RCMP's vision<sup>72</sup> is focused more internally than externally. Two of its vision statements most apply to communities:</p> <ul style="list-style-type: none"> <li>• provide the highest quality service through dynamic leadership, education and technology in partnership with the diverse communities we serve</li> <li>• be accountable and efficient through shared decision-making</li> </ul> <p><i>N.B. Neither of these specifically identify Indigenous peoples.</i></p>
4.	<p>Motto is:  <i>Safer communities together</i></p>	<p>Motto is: <i>Maintiens le Droit—or, Defending the Law</i> This European-inspired motto first began around Confederation times, prior to the NWMP which was formed in 1873. A General Order (1915) corrected "Maintien" to "Maintiens". The current RCMP badge was approved by Order-in-Council on February 25, 1954 (after Elizabeth II ascended the British throne).<sup>73</sup> In the modern era of the RCMP, it is drilled in at Depot that officers are to <i>Maintain the Right</i> – doing the right thing, not just defending the law. <i>Maintain the Right</i> can also be associated with Indigenous concepts of</p>

<sup>70</sup>Memorandum from A/Comm. Bullard to the Deputy Commissioner of the RCMP, 1951.

<sup>71</sup>[www.rcmp-grc.gc.ca/unif/badge-insigne-eng.htm](http://www.rcmp-grc.gc.ca/unif/badge-insigne-eng.htm)

<sup>72</sup>The RCMP website ([www.rcmp-grc.gc.ca/about-ausujet/mission-eng.htm](http://www.rcmp-grc.gc.ca/about-ausujet/mission-eng.htm)) states that, "We will: be a progressive, proactive and innovative organization; provide the highest quality service through dynamic leadership, education and technology in partnership with the diverse communities we serve; be accountable and efficient through shared decision-making; ensure a healthy work environment that encourages team building, open communication and mutual respect; promote safe communities; and, demonstrate leadership in the pursuit of excellence."

<sup>73</sup>M. Gaillard, CD (RCMP Historian/historien de la GRC), personal communication, February 15, 2019.

		<i>well-being</i> in a wholistic sense wherein it is “free of disorder and chaos” (Salée, 2006, p. 8) and based on security, stability and harmony.
5.	One of its five stated targets is a 25% reduction in reoffending by Māori by 2025	The RCMP is <ul style="list-style-type: none"> <li>• contributing to the development of community capacity to prevent crime through on-going social development</li> <li>• promoting and using alternative/ community justice initiatives for Indigenous people</li> </ul>
6.	Two of its six Transformation programs pertain to the Māori: <ul style="list-style-type: none"> <li>• Safer Whānau</li> <li>• Iwi and community partnerships</li> </ul>	One of five RCMP Strategic Priorities is <i>Contributing to safer and healthier Aboriginal Communities</i> . <sup>74</sup> <ul style="list-style-type: none"> <li>• Restorative Justice (RJ) is a focus on rehabilitating the offender; the RCMP partners with the Department of Justice (Indigenous Justice Program), Public Safety Canada, Correctional Services Canada, Parole Board Canada, and Statistics Canada.</li> <li>• The RCMP is working on a number of initiatives to increase member awareness, pre-charge referrals (referrals made by police as a diversion out of the criminal justice system, prior to any charge being laid), and to make RJ part of standard operating procedures.</li> </ul>

**3.2 RCMP and racism**

**3.2.1 TRC’s CTA No. 57**

Several of the TRC’s CTAs raise the issue of racism in Canada.<sup>75</sup> Pertinent to the RCMP is No. 57 which states:

We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights and **anti-racism**. (*emphasis mine*)

The TRC noted, in its Interim Report of 2012, that Canadian education about the nature of the relationship between settlers and Indigenous Peoples has been practically non-existent—a denial of “a full and proper education” (p. 27). All provinces and territories, since education is a provincial/territorial jurisdiction, have been exercising a similar educational *modus operandi*:

<sup>74</sup>[www.rcmp-grc.gc.ca/prior/index-eng.htm#ac](http://www.rcmp-grc.gc.ca/prior/index-eng.htm#ac)  
<sup>75</sup>These are 24, 27, 28, 57, 90 and 92.

ignoring or vilifying Indigenous presence, particularly in the subject of Canadian history. This deliberate distortion flaws all students' understandings of Canada and its history, and have led to racist, condescending attitudes that produced residential schools and other institutions that are damaging to Indigenous Peoples. These mindsets, beliefs and ways-of-doing are not in the past, according to the TRC Report and, "They continue to animate much of what passes for Aboriginal policy today" (Blake, Keshen, Knowles & Messamore, 2017, p. 329). These attitudes and outcomes can no longer be overlooked, particularly in the vital area of Indigenous–police relations since one of the main functions of any police force is to enforce the law.<sup>76</sup>

Even though early government policy on Indigenous Peoples was based on a model of segregation onto reserves and then, assimilation through education into the lower rungs of an emerging EuroCanadian society, the attitudes and activities of settlers and groups of settlers towards Indigenous people were varied. Indigenous legal professor, John Borrows (2010), stated that, "From the 1500s onward, a number of European individuals submitted themselves to Indigenous legal order. For example, many traders and explorers adopted Indigenous legal traditions and participated in their laws" (p. 134). Undoubtedly, many strong bonds and relationships had been formed. He observes, though, that as time went on, mutually-beneficial conceptions and demonstrations of reconciliation of differences through the blending of legal and other practices were attenuated in the favour of settlers: "[i]nteractions became more dependent on non-Aboriginal cultural and legal norms as these groups grew stronger in North America" (p. 135). As the new government strengthened in power and as Eurocentric law became increasingly entrenched, "the aborigines of the New World were always disregarded for these purposes [of law-making] also, no matter how numerous they might be" (Côté, 1977, p. 42).

While some groups were, without doubt, less hostile than others towards the First Peoples, everyone, both Indigenous and settler peoples, eventually had to comply with Canadian law, a European-based justice system with distinct leanings that were not empathetic towards the epistemologies, values and judgments of Indigenous populations anywhere in the country. The law, an important organizing activity reflecting the distinct cultural roots of the dominant ideology, became increasingly institutionalized. The past century-and-a-half unquestionably reveals that that its outcomes have not been favourable to Indigenous Peoples, one reason being that their unique worldviews and ways-of-doing had never been considered, incorporated or reflected in Canadian law. As well, there were the genocidal attitudes of Canadian prime ministers and their cabinets towards Indigenous peoples that resulted in what Senator Sinclair (2017) observed: "Canada essentially waged war against Indigenous people through the use of law . . . Through the use of law, they were guaranteed success because they controlled everything to do with law, from the time of Confederation."<sup>77</sup> Many Indigenous people see that those who

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<sup>76</sup>The RCMP is beginning to address these predominant educational shortcomings through professional development training, integrating the Kairos "Blanket Exercise (see [www.kairosblanketexercise.org/](http://www.kairosblanketexercise.org/)) into Cadet and other internal training, Indigenous Awareness Training, Aboriginal Perception Training, and on-line courses.

<sup>77</sup>At 36:40, Senator Sinclair's speech to the Canadian Centre for Policy Alternatives (BC Office); see [www.youtube.com/watch?v=SxtH\\_E6FqVo](http://www.youtube.com/watch?v=SxtH_E6FqVo)

were “visitors” simply settled down and took over their unsurrendered, unceded traditional territories.

The extremely high rates of both federal and provincial incarceration of Indigenous people (DOJ, 2017;<sup>78</sup> Milward, 2012; The Conversation, 2018) bear testimony to the targeting of Indigenous peoples as offenders, as does the under-representation of Indigenous authorities within the justice and justice-related systems. Indeed, the late Dr. Patricia Monture-Angus (1995) stated that the law

. . . compound[s] the First Nations or other dispossessed collectivities’ sense of powerlessness. Our understanding of law is not represented within the structure of the Canadian legal system. We experience that system, particularly the criminal justice system, as racist and oppressive. . . . We did not participate in the process of agreeing to the assumptions and values reflected in that system. . . . Only by understanding the history of the Canadian legal system can we then understand why the result of this system is not justice but exclusion and force. (pp. 34-35)

As well, shortly after Confederation, public opinion and common thought mobilized racism-laden legislation against registered Indians in the form of the paternalistic *Indian Act* (1876) which “consolidated and expanded previous Indian legislation” (Borrows & Rotman, 1998, p. 615).

### **3.2.2 The North West Mounted Police (NWMP)**

Canadian students have long been inculcated with imagery of the NWMP as initiators and defenders of the law in the west, as messengers of peace and order, and as pacifiers of nomadic Indigenous people. Standard tight-fitting redcoat uniforms became symbolic of these and related images. Rather than emphasizing NWMP’s role as enforcers of colonial rule, textbooks portrayed a paternalistic benevolence including that as godsends, and saviors, of the uncivilized. Their performance as managers and overseers of Indigenous Peoples—who had always had their own legal and social traditions that organized their own societies—according to racist colonial policies has always been downplayed. In Canada’s nation-building activities, it is true that settlers needed the NWMP because police enforcement and concepts of law and order were according to their own ways, according to their European traditions. But it was not the way of the First Peoples who did not need the NWMP for the functioning of their societal structures.

Reconciliatory truth-telling by the RCMP about the NWMP’s powers, mandate, extent of authority, and activities is vitally important. It must include accurate historical accounts of the key roles the national police played in fulfilling their government’s ambitions of working towards an envisioned ideal citizenry within an ever-expanding British Empire (Cunningham-Armacost, 1995) and how these impacted the Indigenous Peoples. For example, Canada’s Indian agents often called on the NWMP to assist them in enforcing government policy regarding Indians and

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<sup>78</sup>[www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2017/jan02.html](http://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2017/jan02.html)

lands, and other essential traditions that would maintain and bolster British sovereignty. Hildebrandt (2008, p. 35) states that the common narrative of the NWMP is “so influential that even one hundred years later, their history is still written from a single perspective—one that only presents the viewpoint of the colonizer.”

Truth-telling in the NWMP’s history must therefore no longer exclude and misrepresent—it must articulate the Indigenous Peoples’ perspectives, and the impact of the NWMP on the freedoms they had always enjoyed on the lands that the Creator bestowed upon them. History must now begin to narrate truthfulness about paramilitary colonial policing that, in no uncertain terms, was meant to subjugate the original peoples of the land through coercive control. It must tell of the violence that the NWMP inflicted as it policed Indigenous populations, and for what purposes. It must explain why and how the police uniform became representative of the Canadian government and why seeing that uniform is still a cause for anxiety for many to this day. Canada’s interpretation of all its history must transform into a careful, inclusive reflection of whose history—Indigenous and non-Indigenous—is being told and how it is publicly told and commemorated. It must recognize that exclusion in historical recording is a significant contribution to the larger structures of racist institutions that founded the Canadian state.

### **3.2.3 Truth-telling**

While subjugation of Indigenous Peoples by NWMP enforcement may seem distant and historic, such is not the case. Indeed, a 2014 Joint Select Committee in Australia regarding the lack of constitutional recognition of Indigenous Peoples in that country asks, “Without an acknowledgement of the truth and of history, what does reconciliation mean? Without an acknowledgment of history, how can Indigenous people be expected to truly ‘get over it’ and move on?” (Cape York Institute, p. 13). History is not an artifact – it follows us everywhere, even into our homes and our jobs. History is the life of the roots of our everyday thoughts and conceptions.

Long-term oppressions of Indigenous ways-of-life that result from repeated one-sided representations of “truth” internalize themselves within the victims, and manifestations emerge in diverse negative forms. Revenge-inspired anger towards the nameless and faceless perpetrators of colonial-based disinformation is projected onto those closest to the victims whether they are family or bystanders. Indeed, it is not inconceivable to link within the entire people, a vast burning rage at the oppressions into which they have been submerged, at the towering grief and loss for a heritage and traditions of another distant life that had always provided refuge, structure, knowledge and reality. Could any group experiencing first-hand the onslaught of colonialism view their legacy in any other way but through a dark glass, and only try to live out from under it?

It is with these dynamics, these reactions to colonial oppressions that the RCMP and all police, become so deeply involved in their current, everyday work lives. Individual police officers, always with their lives at risk, will be much better prepared for work if they understand the true history

of the on-going contentiousness between Indigenous and non-Indigenous people—clearly, the one-sidedness of what they have learned about Canadian history is not working for them, nor for those they police. Truth-telling in all historical recordings must therefore be central to Reconciliation, and for hope and clear-sightedness to be fostered in all Canadian police forces.

Huron-Wyandot historian, philosopher and educator Georges Sioui (2008) spoke of what he sees as societal “reflection about how to recover a sense of balance” (p. 138). Change must include a reversal in the acceptance of EuroCanadian domination of Indigenous Peoples who “inherited the European patricentric mode, and has been in it for many centuries.” Further, he articulated that “it will be a long journey before we strike a new balance”—a balance that is founded on Reconciliation between mainstream Canada and the Indigenous Peoples who were already occupying the lands that came to be known as Canada long before European immigrants arrived.

Reconciliation includes an acknowledgement of the specific historic and destructive outside meddling that has become ingrained in contemporary Indigenous communal and individual life. Bent-Goodley (2005) concurs with this; she observes that the understanding of colonization “is critical to being able to assist survivors and perpetrators” of violence (p. 195) which is so common in the lives of Indigenous communities. Native American psychologist Eduardo Duran envisions a re-creation of new and empowering family systems that overcome the overwhelmingly brutal systemic forces that continue to contribute to the dysfunctional behaviours and dynamics within many contemporary Indigenous groups. Avoiding pathological interpretations and analyses, he sees the need for communities and families to begin “the historical context for subsequent generations to reinvent themselves as necessary to continue life in a more balanced life-world” (p. 24). Clearly, there are many who recognize the reconciliatory and healing factors of truth-telling in historical narrating because history naturally leads to contemporary happenings and therefore affects daily life.

In 2015, then-RCMP Commissioner Bob Paulson admitted to racists being on the police force. His statements were clear that, in his view, individual officers may be racist, rather than that the RCMP is a racist institution. Professor of Sociology Elizabeth Comack (University of Manitoba) stated that:

The issue is not simply about how the police behave, however problematic that may be. Rather, the issue is much broader. It has to do with how racism is embedded in everyday experiences and institutional practices and implicated in our society’s prevailing patterns of marginalization (2012).

An elementary, legitimate question is to ask: *Where do we start?* Understanding the background, of how the present came to be, is how lawyer/activist Dr. Kim Stanton responded:

RCAP [The Royal Commission on Aboriginal Peoples] continues to provide this country’s most comprehensive review of the historical, social, cultural, economic and political circumstances of Indigenous peoples. It is critical reading for anyone who wishes to better

understand the broken relationship between Indigenous and non-Indigenous peoples in what is now called Canada. (2017, p. 22)

The RCAP recommendations (which have largely been ignored by all levels of government) were borne from national disruptions such as the Oka crisis and the fall of the Meech Lake Accord, both in 1990. These are symbolic of the many activities that have resonated over the decades with the Canadian public and still highlight the dismal *status quo* of Indigenous Peoples in the country. The RCMP should be examining the RCAP for valid Indigenous perspectives on justice and policing (and many other subjects) to help strengthen a foundation of understanding Indigenous ways of thinking and doing. An example of this is *Bridging the cultural divide: A report on Aboriginal People and criminal justice in Canada (1996)*, an RCAP publication.<sup>79</sup>

Concentrating on CTA No. 57 in light of RCAP, is an appropriate place to start learning about anti-racism. This Call is for federal government institutions to educate their employees and the public about the nature of the colonization of Canada, and how the current state of their particular institution's relationship with Indigenous Peoples has been configured by and unfolds, to this day, by the racism of colonialism. Specific to the RCMP, this means a coherent education in truth-telling about its colonial-inspired activities, such as how it facilitated the forced dislocation of Indigenous peoples from their traditional homelands and the implementation of the destructive residential school system.

### **3.2.4 Reactions to knowledge of racism—What to do?**

Understanding that racism against Indigenous Peoples is foundational to Canada's colonization, however, must go beyond knowledge of the history of Canada as told by both Indigenous and non-Indigenous truth-telling narrators. Those who are discovering this history and its long-term dynamics must also be shown *what to do with this knowledge*. Otherwise, their capacity for change will be limited and their takeaway may become stagnant except for an awareness that they do not know what to do. Their reactions cannot progress to the point of dealing with educational dissonance, and making either individual or collective positive changes. Consequently, innovative but unconstructive ways of addressing what has been learned will emerge and they may resort to

- i. drifting into a "that was then, this is now" philosophy and plough forward in varying degrees of denial; they may (unhelpfully) blame the ones who were in power at the times of nation-building, or contemporary institutions/politicians for "letting things go" to the point of current realities;
- ii. putting their newly-found awareness on a "back burner" to be dealt with later, such as when other "Indian problems" arise;

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<sup>79</sup>This publication is found at <http://data2.archives.ca/rcap/pdf/rcap-464.pdf>

- iii. feeling guilt which may also include remorse, sadness, horror, pain, distress; but may, if unresolved, eventually turn into hatred towards those who “caused” the distress (the Indigenous Peoples);
- iv. keeping on with the *status quo*—they may see any change as hopeless or unnecessary—“that’s just how the world works”, with a view that there is little individuals can do to make change; or,
- v. creating convoluted ways to cope (such as finding a great-great-great-grandfather or other distant relative who was Indigenous, and therefore “I’m the target here, not the perpetrator”).

Whatever these reactions are, however, education must move beyond passive, whitewashed teachings about Indigenous Peoples. All Canadians must question why, as distinct populations, this particular group is disproportionately impoverished, marginalized and imprisoned. Are Indigenous Peoples “naturally” poor, “naturally” law-breaking, and “naturally” violent? Or, what? What is the relationship of these outcomes and behaviours to the racism that has been incessantly directed at the Indigenous Peoples for centuries? These questions need responses that are derived with truth-seeking, with open attitudes—they need constructive, progressive, and pragmatic answers. Canadians must be taught why, and how to embrace a new culture of personal responsibility for their history, and learn to look at their country as a colonized space—and comprehend the past and ongoing benefits they have from the displacement of the First Peoples. The Indigenous struggles against colonization are not over—they are current and ongoing, and Canadians need to understand the reasons for this and contemplate their own roles in sustaining the *status quo*. The RCMP, as Canada’s national police and an enduring symbol of Canada, is situated to be a catalyst for such a change.

Indigenous people who feel racism—since they experience it every single day—do not feel any joy and happiness about identifying any of their neighbours and fellow Canadians as racists. They see that it is not satisfying and soul-building to connect the behavior of many Canadians to racism. (However, to be clear, Indigenous people in Canada do not necessarily self-identify as Canadians.) The 2018 *Broken Trust: Indigenous People and the Thunder Bay Police Service*<sup>80</sup> is packed with examples of racism, and the desire of Indigenous people for racism to stop is obvious and blatant. As well, no people are happy with being understood as racists, nor do they enjoy the suspicion and mistrust that results from disharmonious relationships.

The RCMP are working in this area in the form of the *Relationship Building Protocol* which was signed in July 2016 by then-Commissioner Paulson and AFN’s National Chief Bellegarde.<sup>81</sup> While there is mention of “anti-discrimination training regarding police interactions with First Nations people”, there is much more depth needed to deal with all the historic issues of racism that still inhibit true Reconciliation.

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<sup>80</sup><http://oiprd.on.ca/wp-content/uploads/OIPRD-BrokenTrust-Final-Accessible-E.pdf>

<sup>81</sup>[www.afn.ca/uploads/files/afn-rcmp.pdf](http://www.afn.ca/uploads/files/afn-rcmp.pdf)

### 3.3 Well-being: *Minopimaatisiwiin* (living life in a good way)

RCMP Commissioner Lucki has spoken about *minopimaatisiwiin*<sup>82</sup> in the context of Reconciliation. *Minopimaatisiwiin* is an important Anishinaape<sup>83</sup> value that translates to *living a good life, or, living life in a good way* in a wholistic<sup>84</sup> sense. Each First Nation has its own word(s) for it, in their own language. Among many other representations, the Medicine Wheel symbolizes wholism which means fulfilling the four areas of human development: spiritual, physical, emotional and mental/intellectual. It also represents the balance, interdependence and interrelatedness of human growth that make up *minopimaatisiwiin*. In Anishinaape thought, it is the individual's core responsibility towards the self and all Creation, and encompasses their rights and responsibilities. As well as fulfilling Life on an individual basis, *minopimaatisiwiin* becomes integrated into a greater whole, into the cosmological family from which human families are patterned. *Living life well* is meant for all humans on Mother Earth.

The First Peoples view the land as the Mother, or Mother Earth, from which all beings, animate and inanimate, are birthed and sustained (RCAP, 1996; UN, 2013). In his writings about the Cree Nation of Eeyou Istchee and the Inuit of Nunavik, Papillon (2008) emphasizes that *minopimaatisiwiin* is a quality of life involving "more than income and standard of living. For example, a healthy body and environment, as well as a supportive community, are increasingly considered integral to a good life" (p. 5). The concepts of health and well-being among the Whapmagoostui, a Cree First Nation in Québec, are related directly to the land – specifically, it is the actual living off the land as a daily practice for meeting livelihood needs. Their own word for "well-being" directly translates as "being alive well" (Adelson, 2000, pp. 14-15). Other aspects of well-being are strong social relationships and an unshakable cultural identity. Native historian and philosopher Donald Fixico (2003) discusses the central place that the concept of *balance* plays in the interpretations of this word:

Balance is between two things or more and it is the purpose in life for American Indians whose philosophy is inclusive of all things in the universe. At least five kinds of balance exist: (1) balance within one's self, (2) balance within the family, (3) balance within the community or tribe, (4) balance with external communities, including other tribes and the spiritual world, and (5) balance with the environment and the universe. (p. 49)

Many human problems work against achieving *minopimaatisiwiin*; they can prevent balance in an individual's daily life and environment, and obscure personal security and feelings of safety, warmth and peace. Imbalance is pervasive in practically all Indigenous families – it is underpinned and fostered by an imbalance of community/national conditions and dynamics. On a communal

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<sup>82</sup>One occasion was at a national Reconciliation team videoconferencing meeting on December 11, 2018 in Ottawa.

<sup>83</sup>The Anishinaape (there are many variations in the spelling) are a large Algonquian people and include the Ojibwaa, Oji-Cree, Odawa, Saulteaux, Potawatomi, Mississauga, etc. Traditionally, the Anishinaape lived in what is now known as the Great Lakes areas, and eastwards.

<sup>84</sup>Regarding the spelling of "wholistic", many Indigenous people always begin with a "w" to signify the wholeness of the human person; omitting the "w" implies "holy" in a Christian, non-Indigenous (imported) sense.

level in all First Nations, the balance and interrelatedness of the Medicine Wheel concepts have been destroyed to varying degrees. The traditional cultural values that had always supported health and well-being need to be revived so that the nurturing and support necessary for fulfilling each person's total growth can again be a part of everyday family living.

Well-being is defined in Indigenous thought in wholistic terms and founded on security, stability and harmony: "free of chaos and disorder" with "a balance between different aspects of a people's surroundings" (Salée, 2006, p. 8). One particularly interesting concept is from the words of Kehehti:io who stated that, in her Six Nations language, there is no word for "health". In articulating this, Smylie, Williams and Cooper (2006) stated that

Instead, language actively represented concepts of well-being, reciprocity, and the interconnection of all life. For example, there is a word in her language whose main root is 'everything that keeps us alive'. This word can also be translated as 'love' and 'love medicine'. (p. S23)

In a study conducted by Parlee, O'Neil and the Lutsel K'e Dene First Nation (2007), the authors recorded one interviewee who described the interrelatedness of wholistic health and well-being:

Health is not just physical; it is also emotional, mental, and spiritual. *Not everyone in the community has connected it all together yet.* But often the nurses say that people will complain about some physical health problem but later they find out that it is tied to an emotional or mental health problem. When we talk about mental health, we are talking about unhappiness, depression, loneliness, sadness, not being able to feel good about oneself; these problems can be related to some abuse in the past. The people who can connect all of these things together—mental, emotional, spiritual and physical are healthier (Addie Jonasson, 19 August 1996). (p. 125) (*emphasis mine*)

Spirituality is paramount to Indigenous concepts of *minopimaatisiwiin* even though it has a wide range of meanings. Most agree, though, that it includes an individual's consciousness of the sacred that ultimately reflects on relationships with self, others of the Earth and of the Universe. It is "heart and soul" knowledge where wholeness, meaning and inner peace occur and leads to a process of knowing, finding or recovering a strong sense of identity. Spirituality is a sense of being at one with the inner and outer worlds. Historian Georges Sioui (1992) observed that

. . . all human beings are sacred because they are an expression of the will of the Great Mystery. Thus, we all possess within ourselves a sacred vision, that is, a unique power that we must discover in the course of our lives in order to actualize the Great Spirit's vision, of which we are an expression. Each man and woman, therefore, finds his or her personal meaning through that unique relationship with the Great Power of the universe. (p. 9)

All these constructs of wholistic health can enhance the well-being of both perpetrators and victims of racism, of both non-Indigenous and Indigenous Peoples. If Indigenous people are not

doing or living well—are not experiencing *minopimaatisiwiin* – does that not affect the entirety of the Canadian population? A dismal continuation of examples, often daily, show the various ways in which a paucity of good living among Indigenous populations affects the whole nation, province or region. This picture must be revised for the well-being of all Canadians, of all those living within Canada’s borders.

Without question, Canada has to learn to think and act in the wholistic Indigenous ways of *minopimaatisiwiin* because it is an outcome of Reconciliation—for both Indigenous and non-Indigenous Peoples. Reconciliation, though, is not quick and easy for anyone. Senator Sinclair stated: “There are no easy solutions, there’s only hard work. But it begins with each and every one of us”.<sup>85</sup> Well-being, *minopimaatisiwiin* is about which Commissioner Lucki has spoken in the RCMP's commitment to Reconciliation, and where work within the RCMP has already begun. This is in areas of employee assistance which is available for the mental health, overall health and well-being of all RCMP employees (e.g., LifeSpeak, the Peer to Peer Program, Road to Mental Readiness, Support for Operational Injury Program, Operational Stress Injury, Disability Management and Accommodation Program). A future focus must definitely include more closely aligning *minopimaatisiwiin* with Reconciliation as healthy employees and participants are a strong foundation for the efforts needed to forge enduring, healthy relationships.

### **3.4 What else needs to be examined?**

Eruptive conflicts arising between the RCMP and Indigenous people in Canada result in headline-making news that seem to dispel any move towards Reconciliation. Many of these are clustered around certain, sensitive, unresolved areas:

- *Treaties and land claims*

Historically, Canada’s desire to span from ocean-to-ocean, under threat by mainly American territorial ambitions, resulted in treaty-signing between the Indigenous people and the Crown.<sup>86</sup> Canada then began to act as if the signed treaties were the Indigenous people’s formal cessation of their traditional territories. The First Nations, though, have been adamant over the generations that this was never the meaning of the treaty terms and that the treaties were to be in exchange for certain obligations undertaken by the Dominion of Canada. Legally, though—according to Canadian law—all the land in what is now western Canada belongs to the Indigenous people until the Crown, through the government, negotiates surrenders of those lands. The promise that the Government of Canada made to the British Crown, in return for sovereignty in the west, has not yet been fulfilled (Sinclair, 2017).

It is apparent that the NWMP/RCMP acquiesced to federal government policies that were obviously contrary to treaty promises; whether or not the policies themselves were based on Canadian law may have even been questioned by detachment authorities and officers. The extent

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<sup>85</sup>See: 50:08 at [www.youtube.com/watch?v=SxtH\\_E6FqVo](http://www.youtube.com/watch?v=SxtH_E6FqVo)

<sup>86</sup>The “Crown” was the reigning monarch of Canada (Victoria, Edward VII or George V) from 1871 to 1921.

to which police enforced them, though, was varied: from outright refusal, to outright adherence, and sometimes there was total inconsistency (situational responses by individuals or groups of officers). These—treaties and land claims—are two closely-related controversies with which Indigenous people and the RCMP often still clash.

Many First Nations grassroots protest movements stem from unresolved land claims, trampled treaty expectations (e.g., Oka in 1990, Ipperwash in 1996, IdleNoMore in 2012, National Day of Action for Missing and Murdered Indigenous Women—every October 4<sup>th</sup>, Unist’ot’en in 2019) and opposition to natural resources exploration and extraction in Indigenous traditional territories.<sup>87</sup> The long history of these relationships must be examined so all employees have some understanding of the lands and territories they are policing. Managers and supervisors should at least have a basic understanding of the name/s and traditions of the First Peoples of the lands on which they are stationed, knowledge of the contact history there, and how their organization has been implementing policy and legislative directives there. All police should know the difference between exemplary practices and what simply foments more political and social turmoil—this is especially important because these often vary from region to region.

Right to this day, tension exists because of historic perspectives on treaty interpretation. Conflicts also arise, however, when there are no treaties over the traditional lands of Indigenous groups. Without doubt, the RCMP have been placed in the unenviable position of trying to sort out the “correct” responses to complaints and conflicts; is it possible that sometimes the issues are beyond their jurisdiction? Certainly, the federal and provincial governments’ lack of “once and for all” resolution of land and treaty issues perpetuates the strife with the RCMP, the public and Indigenous people. Also to consider is that it often takes years, even decades, for laws to align with the SCC’s rulings—especially those that favour Indigenous people—but, in the meantime, conflicts fester and involve the RCMP between two or more opposing sides.

The RCMP must therefore have, as part of its national strategy, a foundation on how to deal with treaty and land issues that reflect a conciliatory spirit. This is particularly important because the federal and provincial governments have not established fair and equitable legislation and appropriate policy responses to Indigenous peoples’ claims in these areas. In this light, the RCMP may consider advocating for an effective traditionally-aligned, non-partisan forum to settle disputes about the meaning and contemporary implications of both Canada’s historic and modern-day treaties—a forum that is derived with meaningful, active Indigenous participation. For example, Aotearoa/New Zealand’s Waitangi Tribunal is described as “a permanent commission of inquiry that makes recommendations on claims brought by Māori relating to Crown actions which breach the promises made in the Treaty of Waitangi”.<sup>88</sup> A strong, progressive forum, such as a tribunal, would certainly provide another avenue of recourse for

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<sup>87</sup>All Canada, in fact, is Indigenous traditional territory.

<sup>88</sup>[www.waitangitribunal.govt.nz/](http://www.waitangitribunal.govt.nz/)

Indigenous people's complaints and claims, other than the costly, time-consuming and adversarial court process which is the only available remedy today.

- *Violence against Indigenous women and girls, and missing, murdered Indigenous women*  
All police forces—in Canada, the RCMP in particular—should understand the deep historic grounding of violence in Indigenous populations that originated from Canada's colonial developments. The importance of this process should never be ignored because colonialism is, among many definitions, "violence in thought and action; it inflicts mental and physical torture on the colonized" (Ankomah, 2003, p. 332). The effects of the implementation of colonial policies and regulations on Indigenous peoples were particularly destructive in relation to traditional families and gender relationships which structured complementarity between men and women, and the fact that various customs countered the possibility of gendered violence in these older societies.

In post-Contact times, legislation (such as the *Indian Act* which was aimed at assimilating Indians into accepting Canadian values) and other instruments have been used to obliterate traditional family networks and the parallelism of gender functioning in Indigenous societies. It does not take a great leap in thinking to see how the subsequent marginalization of Indigenous women in both the emerging and following generations have led to the brutal activities that are afflicted against Indigenous women but are still basically ignored by the structures in Canadian society that are meant to keep everyone safe. As well, the role of dominant social constructions in sustaining violence in contemporary times must be understood by all police officers—particularly those that impact most directly and severely on Indigenous women. Examples of these are the ideology of patriarchy which runs dichotomous to Indigenous worldview, Western views of masculinity and femininity (e.g., imagery of the "real man", the relentless pursuit of "feminine beauty"), hierarchies of importance within family structures, rape culture, the ingrained relegation of the servitude of women, and unrealistic, fantasized gender obligations (exemplified in pornography and classic literature). Human trafficking, largely targeting Indigenous youth, too, has more impact on females than on males (Government of Canada, 2012).

The RCMP must be well-acquainted with, and be prepared to help negate societal myths pertaining to violence against women, such as "she must like it, or she'd leave", "she must have really deserved it", or that violence is endemic in Indigenous cultures. An example of the latter is Widdowson and Albert (2008): "This is not to say that there is anything 'naturally' violent in the aboriginal character, only that there is a pragmatic cultural sanction for the use of force to aid survival in pre-civilized modes of life" (p. 132). Recognizing stereotypes about women/Indigenous women and violence is vitally important for all police officers so they can be champions against destructive behaviours and reactions, such as human trafficking which is aimed mostly at women and girls. All RCMP employees must be familiar with *The role of the Royal Canadian Mounted Police during the Indian Residential School system*, a report by a civilian RCMP member. This is documentation of the far-reaching activities of the RCMP that acted on behalf of the federal government to rupture Indigenous families by, for example, tracking down young students who

had run away and to tell mothers and fathers they had to send their children to residential schools (LeBeuf, 2011, pp. 36-172). Also, for imperative reading is the *Interim Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*<sup>89</sup>, particularly the findings and recommendations for police and law enforcement. When the Final Report is released, it should be a document of particular study, and taught to cadets, employees and officers already within RCMP ranks.

- *Traditional*<sup>90</sup> versus colonialism-based systems of governance

The First Nations of Canada fall under the *Indian Act*—a paternalistic, patriarchal and meddlesome regime of federal control that continues to be enforced. This piece of legislation imposes, among other egregious types of domination, political structures in the form of “Chief and Council” governance. Many Canadians do not understand that there are at least two systems of governance among the First Nations and that interactions with one another, the public and the police, tend to be fractious. It is clear that when conflicts explode, those reporting the news and many politicians do not recognize that the root of the issue is incongruity between traditional versus colonial-imposed governance systems. For example, a resources extraction company will work at getting permission from a Chief and Council for exploration and extraction, but ignore those adhering to traditional governance systems. Then, when land protectors actively mobilize, the RCMP are called in to settle the matter and take the side of the colonially-imposed Chief and Council. The hereditary chiefs, however challenging this is to contemporary constructs, have the authority as substantiated by the 1997 *Delgamuukw v. British Columbia* case<sup>91</sup> and 2014 *Tsilhqot'in* decision<sup>92</sup>, to disallow the RCMP on their lands. These SCC rulings are, most often, conveniently ignored and Canadians do not protest because, even if they are aware of them, it is not to their advantage to do so.

Neither the federal government nor the provincial/territorial governments of Canada have settled the discrepancies in the meanings and contexts of governance, land authority, treaty interpretation and informed consent. Until this is done, the RCMP will continue to be called in to resolve the many-pronged historic wrongs that are rooted in these inconsistencies even though some are clarified through contemporary SCC rulings. “But as long as they are willing to resort to force instead of diplomacy, we haven't even begun to engage in meaningful reconciliation,”<sup>93</sup> stated C. Newman, Audain Professor of Contemporary Art Practice of the Pacific Northwest at the University of Victoria. But the RCMP cannot write or pass laws that correspond to the SCC rulings—it can only enforce the laws as they are, and not what they can, or will be. What the RCMP can do is analyze the high-profile cases especially, such as *Delgamuukw* and *Tsilhqot'in*, for what currently is the law, and what the law should be, based on the SCC rulings. Determinations

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<sup>89</sup>[www.mmiwg-ffada.ca/files/ni-mmiwg-interim-report-en.pdf](http://www.mmiwg-ffada.ca/files/ni-mmiwg-interim-report-en.pdf)

<sup>90</sup>In the context of governance, “traditional” is sometimes synonymous with “hereditary”.

<sup>91</sup>[www.rcaanc-cirnac.gc.ca/eng/1100100028623/1539611481373](http://www.rcaanc-cirnac.gc.ca/eng/1100100028623/1539611481373)

<sup>92</sup>[www.tsilhqotin.ca/Portals/0/PDFs/2014\\_07\\_03\\_Summary\\_SCC\\_Decision.pdf](http://www.tsilhqotin.ca/Portals/0/PDFs/2014_07_03_Summary_SCC_Decision.pdf)

<sup>93</sup>[www.cbc.ca/news/opinion/gaslink-pipeline-1.4973825](http://www.cbc.ca/news/opinion/gaslink-pipeline-1.4973825)

that reflect Reconciliation and *Maintain the Right* can then be made as to how to proceed in conflicts that so often augment disastrous Indigenous-police relations.

#### **4. Conclusion**

Indigenous playwright Tomson Highway is quoted as saying, “Before healing can take place, the poison must first be exposed” (Ruffo, 2009, p. 96). Every individual deals with anxiety, stress and mental health adversities both as ones being wronged, and as transmitters of philosophies and activities that wrong others. According to Indigenous thought, it is a life responsibility to find understanding of these outcomes in pragmatic and concrete ways, and deal with them within ourselves, and as far externally as we need to go. While this is true for each and every individual, it is especially true for the collective called Canada, and for the institutions it established to carry out its colonial activities.

It is imperative that these institutions be no different in this respect: they must deal with the wrongs they have been perpetrating and recognize the poisons that stand in the way of Reconciliation. The main one between the RCMP and Indigenous Peoples from which all others stem, is that it carried out Canada’s colonial orders which displaced the original populations into continuous entrenched poverty—a poverty on all fronts (e.g., economic, social, cultural, judicial, familial). There can be no hiding from this fact. There have been too many generations wherein Canada worked at burying the truth of its history and stamping out that of the Indigenous Peoples. Truth, though, is eternal. At times, it falls beneath the surface and out-of-sight, but it always arises with much greater impact with each surfacing.

This “ebb-and-flow” must be stopped because, if it is not, all Canadians suffer and collective well-being keeps eroding. Reconciliation is all-directional healing: for those who are wronged, and for those who have inflicted the wrong. In spite of all the ongoing challenges, Canadians must imagine a workable way forward, for hope to be embedded in Reconciliation so we can rethink the future in a positive, enduring light. The solutions to the past painful legacies that require Reconciliation lie in an indomitable will and in a future that is shaped with hopeful hearts and minds. This requires on-going cooperative effort for each and every one of us, both within the RCMP, and those external.

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