

POLICY BRIEF

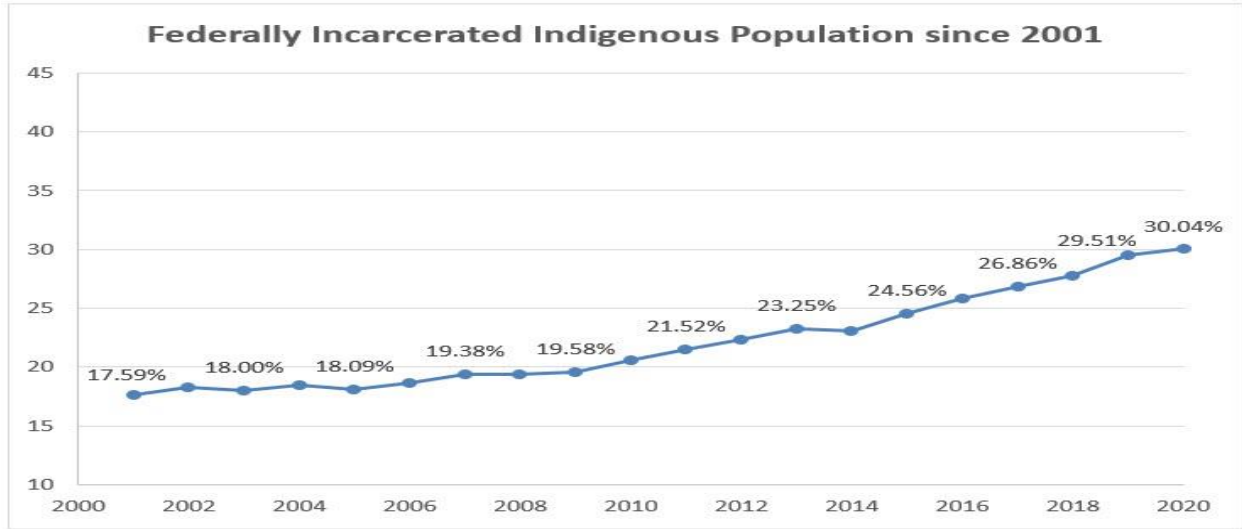
Prepared For: Honorable Alistair MacGregor, MP for Cowichan-Malahat-Langford.

Purpose: To enhance cultural and gender awareness and safety training in the
Royal Canadian Mounted Police.

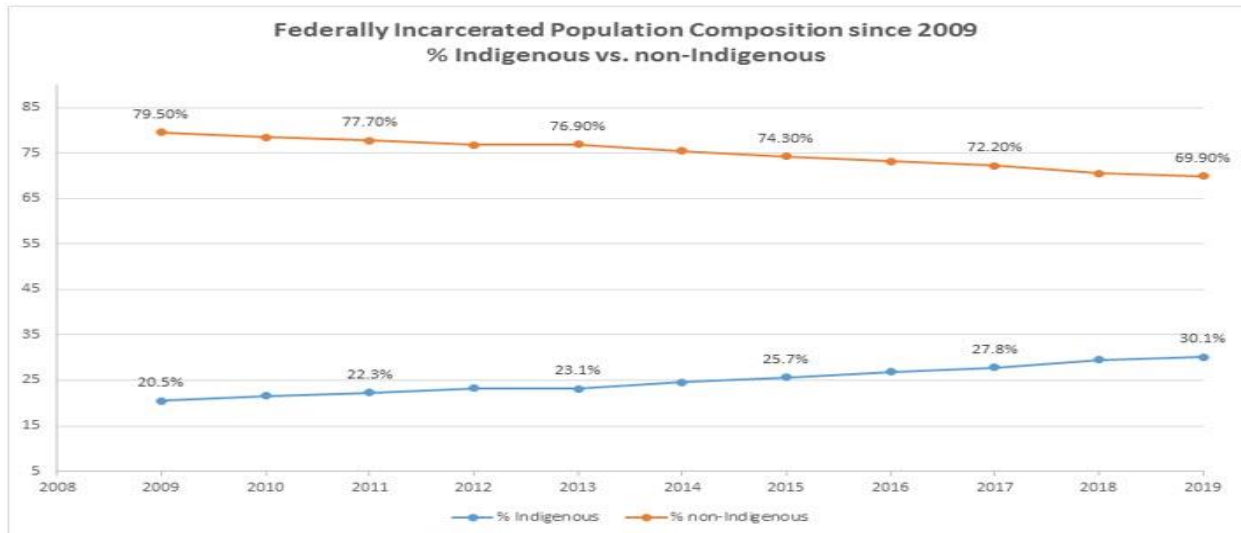
Issue

As per the recent statement of commitment to support the federal implementation of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)¹, this policy brief will outline changes to policing to increase cultural safety in the RCMP as upstream solutions to remedy the increasing “Indigenization” of Canada’s correctional system².

For instance, although Indigenous peoples comprise 4% of the adult population in British Columbia, they represent 29% of the adult custody population³. As the graph below demonstrates, the proportion of the federally incarcerated Indigenous population has been steadily increasing, from 18% in 2001, to 30% at present⁴.



The Correctional Investigator of Canada, Dr. Ivan Zinger, issued a report in January 2020 indicating that the number and proportion of Indigenous individuals under federal sentence has reached new historic highs. The Correctional Investigator suggests that surpassing the 30% mark indicates a deepening “Indigenization” of Canada’s correctional system. Dr. Zinger referred to these trends as “disturbing and entrenched imbalances,” noting that the numbers are even more troubling for Indigenous women, who now account for 42% of the women inmate population in Canada. He drew attention to the fact that federal corrections seem “impervious to change and unresponsive to the needs, histories and social realities behind high rates of Indigenous offending”⁵.



This graph shows that since 2010, while the population of non-Indigenous inmates has decreased by 24%, the Indigenous population has increased by 52%⁴. Correctional Services Canada (CSC) also report that Indigenous prisoners served a higher proportion of their sentence before being released on parole compared to non-Indigenous prisoners⁶.

According to the Correctional Investigator Canada Report there has been a 50% increase of federally incarcerated women and the population of federally sentenced Indigenous women has increased by 74% over the last 10 years⁵.

Background

Most incarcerated persons are in poorer health than the average Canadian. CSC reports that:

- HIV rates and tuberculosis rates are each approximately 10 times higher
- Hepatitis C rates amongst incarcerated men is over 30 times higher and amongst incarcerated women is over 66 times higher

- 80% of federally incarcerated persons have a “serious substance use problem” and have more than double the number of convictions than those without a substance use disorder.

CSC recently reported that the number of prisoners presenting with mental health problems at admission almost doubled and in BC alone, the proportion of inmates with at least one identified mental health issue upon admission to custody has risen from 33% to approximately 70% over the last ten years⁴. Whilst Indigenous prisoners comprise about 29% of the overall inmate population, they account for approximately 52% of all incidents of self-injury and 39% of all attempted suicides⁶. The CSC estimates the prevalence of psychiatric illness among incarcerated women to be as high as 80% with a 200% increase in incidents of self-harm over the last 5 years. Indigenous women are over-represented at maximum-security (56%) and account for 46% of all self-harm incidents⁶.

Indigenous women (self-identified as Aboriginal, Metis, Inuit, or First Nations) represented approximately 47 % of the overall custody population, despite comprising less than 5% of the female population in BC³. Over 85% of Indigenous federally sentenced women are incarcerated for nonviolent property or drug-related crimes, including theft to support drug addiction and theft whilst under the influence of drugs. 72% report experiencing abuse during childhood⁶.

Intervention

All the above evidence points to a disproportionate effect of incarceration on Indigenous women especially. Tackling both the upstream and downstream effects of incarceration will address these issues.

Interventions to consider would involve:

1. Improving RCMP training and practices in order to decrease disproportionate arrest rates and thereby incarceration of Indigenous populations and the intergenerational trauma that this produces.
2. Improving mental health and substance use care to mitigate the downstream effects of incarceration.

The disproportionate prevalence of Indigenous women in the correctional system reflects the disproportionate encounters and arrest of Indigenous women by RCMP, mostly for substance-related offences as outlined above.

Indigenous ancestry and incarceration is a remnant of the Canadian settler colonial context.

Underlying and persisting colonial systems in Canada continue to institutionalize inequities in the lives of Indigenous peoples, through lasting intergenerational trauma from the forced removal of Indigenous children from their homes in residential schools and the Sixties Scoop, isolating families and perpetuating abuse and cultural genocide^{7,8}. These factors continue to shape the experiences of Indigenous women through surveillance and punishment in the criminal justice system.⁹

Over-representation of HIV infection and incarceration among Indigenous women in Canada, where settler colonialism continues to produce and maintain social and structural inequities through racism, destruction of culture and inter-generational trauma.¹⁰ Trauma-informed care employs a framework that aims to realize and understand the impact of trauma, recognize signs and symptoms and respond by integrating knowledge around trauma into policies and practice as a way to actively resist re-traumatization.¹¹

The WHO Kyiv Declaration on Women's Health in Prison speaks to the significant health burden of mental illness in the lives of incarcerated women, in particular the effects of lifetime victimization and drug use. The declaration calls for specialized health services for women, focusing on reproductive health, mental illness, substance use and physical and sexual abuse. Mental health services and programs should address trauma and substance use disorders, specifically noted as essential in a correctional setting health care. In addition, the WHO Kyiv Declaration recommends that all correctional officers working with women be trained in gender-sensitivity and the specific needs of women in correctional settings.¹²

These interventions will of course need increased monetary and time expenditure, however the health and societal benefits will outweigh increased costs and reduce health, housing and social assistance expenditure burdens.

Recommended Action

The recommendation is that the Minister consider: enhancement of RCMP training. This would be the most cost-effective option and would prevent many of the downstream effects of incarceration, including the pervasive, deep and lasting effects of the intergenerational trauma of incarceration on individuals, families and society. Implementing gender and cultural awareness and safety training into RCMP recruitment, assessment and training practices would not only help the Ministry align with the principles of UNDRIP, but would be a further step on the path towards reconciliation and align with the spirit of the WHO Kyiv Declaration.

Cultural awareness training was introduced to the RCMP in 1974 as a 3-day in-service course called Cross Cultural Education. However, many did not take this training unless it was ordered by an

official inquiry into police conduct such as Oka, Donald Marshall and Ipperwash. The course is now entitled Aboriginal Perceptions Training Course and is 4 days long.¹³

The RCMP Cadet Training Program currently consists of:

- Applied Police Sciences: 432 hours
- Firearms: 104 hours
- Police Defensive Tactics / Immediate Action Rapid Deployment: 94 hours
- Police Driving: 67 hours
- Operational Conditioning: 45 hours
- Drill and Department: 37 hours
- Other: 41 hours

Of note, “Drill and Department” includes being “taught how to care for and maintain their kit and proper turn out in uniform and mufti”¹³, which could easily be reduced or eliminated in favour of a more pertinent and applicable skillset fit for modern policing, i.e. gender and cultural safety training.

The training program totals 820 hours and is essentially a 26-week (6 month) program. In contrast, officers in Norway must attend police universities and leave with a 3-year degree that is equivalent to a Bachelor's. The first year of police education in Norway is focused on the role of police in society and ethics. In the second year, students shadow training officers, before returning full time for a third year focused on investigations and completing a thesis paper.¹⁴ In the United Kingdom, on which many laws in Canada are historically based, police training also has this emphasis, with a 3 year program without a preceding university degree or two year program with a

previous degree.¹⁵ The reasoning behind these systems is that police officers are recruited, trained and expected to be of an equivalent educational standard to other societal service providers, such as teachers and nurses.

There are of course arguments to be made that there are numerous demands on police time and resources and Indigenous cultural safety can be very challenging to design and deliver appropriately and sensitively.

Of special note in August 2020, the all-party Special Committee on Reforming the Police Act has been mandated by the Legislative Assembly of British Columbia to undertake a broad inquiry into policing, including examining the role of police with respect to complex social issues; examining the scope of systemic racism within BC's police agencies; and ensuring consistency of a modernized *Police Act* with UNDRIP.¹⁶

Exploration of measures to implement appropriate recruitment, assessment and training of RCMP officers, as well as embedding ongoing annual gender and cultural safety training into the RCMP, should be undertaken with consultation with stakeholders including RCMP leadership, Indigenous leadership, CSC, Office of Correctional Investigator and Indigenous Rights, Women's Rights and Indigenous Women's Rights NGOs.

Consideration of budget implications should also be addressed with cost-benefit analysis, taking into account the expenditure of implementing police training programs in line with other comparable nations, as well as saving of costs and benefits to the downstream judicial and penal systems.

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