

# Audit at a Glance

## Chapter 5—First Nations Policing Program— Public Safety Canada

### What we examined (see [paragraph 5.5](#) and [Focus of the audit](#))

The First Nations Policing Program is a contribution program for the funding and negotiation of policing agreements between the federal government, provincial/territorial governments, and First Nations and Inuit communities. The Program is intended to implement the principles of the First Nations Policing Policy and to enhance the existing policing services so that they are dedicated, professional, effective, and responsive to the particular needs of the communities they serve.

Our audit objective was to determine whether the design and delivery of the First Nations Policing Program are consistent with selected principles of the First Nations Policing Policy. As part of this objective, we also examined whether the Program's performance is adequately measured and reported. Our audit focused on agreements related to First Nations communities on reserves.

### What we found

#### **Some policing agreements do not clearly require full compliance with the applicable provincial legislative framework (see [paragraphs 5.14-5.25](#))**

In Alberta and Manitoba, *we found that* all three self-administered agreements that we examined clearly required policing services funded by the Program to comply with provincial policing legislation and standards. For the two agreements we examined in Ontario, *we found that* there was no clear requirement for First Nations self-administered policing services to fully comply with provincial policing legislation and standards.

*This finding is important because* the agreements should contain requirements to ensure that the delivery of policing services to First Nations comply with the provincial legislative framework that applies to all policing services in the province.

*Recommendation.* Public Safety Canada should work with the Province of Ontario and First Nations to ensure that all self-administered agreements funded through the First Nations Policing Program clearly state that First Nations policing services comply with the provincial legislative framework that applies to all policing services in the province.

**Selected elements of the First Nations Policing Policy principles are not fully incorporated in policing agreements (see [paragraphs 5.26-5.29](#))**

*This finding is important because* policing services for First Nations communities may continue to be lower in quality and level than the services offered to nearby communities.

*Recommendation.* Public Safety Canada should take appropriate measures to update the principles of the First Nations Policing Policy and incorporate these updated principles in the First Nations Policing Program's terms and conditions and, as applicable, in the policing agreements.

**The Program is not accessible or transparent to all First Nations (see [paragraphs 5.31-5.37](#))**

*We found that* Public Safety Canada's systems and practices for assessing applicants, selecting recipients, and allocating First Nation Policing Program funds were not transparent. *We also found that* assessments and selection decisions were not adequately documented.

*This finding is important because* decisions related to the Program are not transparent to First Nations and could be considered arbitrary. For example, since 2006, 16 First Nations communities that had passed official Band Council Resolutions to join the Program had been formally notified that they were not able to join or were still waiting for a reply to their applications.

*Recommendation.* Public Safety Canada should ensure that the First Nations Policing Program is accessible and transparent, and operates in full compliance with Treasury Board's Policy on Transfer Payments and Directive on Transfer Payments.

**Program funds are often not used for enhanced policing services as intended (see [paragraphs 5.38-5.44](#))**

*This finding is important because,* according to Public Safety Canada, the First Nations Policing Program is intended to enhance existing policing services in First Nations communities. It is not intended to replace core policing services that are normally provided by the provinces.

*Recommendation.* Public Safety Canada should clarify what specific policing services the First Nations Policing Program is intended to fund (see full recommendation [paragraph 5.44](#)).

**First Nations are not meaningfully included in negotiations of agreements (see [paragraphs 5.45-5.50](#))**

For 7 of 9 new and renewed policing agreements we assessed, *we found* no documented evidence of the nature and extent of input by First Nations. *We also found that* 30 agreement holders had less than one month's notice to complete negotiations of agreements that would have otherwise expired on 31 March 2013.

*This finding is important because* effective inclusion of First Nations communities in the negotiations of agreements brings all parties together during the design stage and allows meaningful input to determine community policing needs and priorities.

*Recommendation.* Public Safety Canada should ensure that First Nations have meaningful input when entering into new and renewed policing agreements.

**Public Safety Canada does not have reasonable assurance that policing facilities in First Nations communities are adequate (see [paragraphs 5.51-5.62](#))**

*We found that* Public Safety Canada does not systematically collect information about whether policing facilities maintained by First Nations (who are party to the policing agreements) comply with the National Building Code of Canada, the National Fire Code of Canada, or applicable provincial standards for policing facilities.

*This finding is important because* adequate policing facilities are integral to the delivery of the First Nations Policing Program. The Department informed us, and our work confirmed, that some First Nations and provinces continue to raise concerns regarding the state of policing facilities in First Nations communities.

*Recommendation.* Public Safety Canada should work with provinces and First Nations to develop mechanisms that will provide reasonable assurance that policing facilities located in First Nations communities and used to support policing services funded through First Nations Policing Program agreements comply with applicable building and policing facility standard.

**Real property funds are not necessarily used economically (see [paragraphs 5.63-5.66](#))**

The Program provides operating funds to First Nations communities that may be used by them to secure commercial financing for building real property policing infrastructure on reserves. The First Nations can then lease these policing facilities to the policing service providers, including the RCMP. If the Government of Canada provided capital funds directly to First Nations to build policing facilities on reserves, this may be, with appropriate management of risks, more economical than the current practice of First Nations securing funding from commercial lenders. *We found, however, that* Public Safety Canada has not reviewed whether this approach could be more economical.

*This finding is important because* the cost of borrowing capital for the Government of Canada is normally less than that available to commercial lenders.

*Recommendation.* Public Safety Canada should review whether there are more economical ways than leasing to provide funding for policing facilities to First Nations communities receiving policing services funded under the First Nations Policing Program.

**Performance measurement and reporting are incomplete (see [paragraphs 5.67-5.71](#))**

*We found that* Public Safety Canada adequately measures and reports on the financial performance of the Program. However, *we found that* the Department does not measure and report on whether the purpose and principles of the First Nations Policing Policy, and the objectives of the First Nations Policing Program, are being achieved. Furthermore, the Department does not report on costs and risks arising from inadequate policing infrastructure.

*This finding is important because* performance information is used to determine the extent to which expected results of programs are achieved.

*Recommendation.* Public Safety Canada should measure and report on the performance of the First Nations Policing Program in a manner that brings together financial and non-financial information to link management of risks, attainment of objectives, and results.

## Response

Public Safety Canada agrees with our recommendations, and has responded (see [List of recommendations](#)).

## Why this audit is important

In 1991, the federal government responded to the Federal Task Force on Indian Policing report by introducing the First Nations Policing Policy and the First Nations Policing Program. The purpose of this Policy, which was updated in 1996 and is still in effect, is “to contribute to the improvement of social order, public security, and personal safety in First Nations communities, including that of women, children, and other vulnerable groups.” The Policy applies to First Nations communities on reserves, certain First Nations communities on Crown land, and Inuit communities, and is to be implemented consistently across Canada. In managing the First Nations Policing Program, Public Safety Canada negotiates and funds the policing service agreements with the provinces and First Nations communities.

From the inception of the First Nations Policing Program in the 1991–92 fiscal year to the end of the 2012–13 fiscal year, federal expenditures for the Program totalled approximately \$1.7 billion. As of March 2013, according to Public Safety Canada, 442 of the 593 First Nations communities in all provinces were receiving services from one or more agreements funded by the Program. How well this support is managed can affect the overall safety and security of the First Nations communities participating in the Program.

## Details of the audit

Report of the	Auditor General of Canada
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Type of product	Performance audit
Topics	<ul style="list-style-type: none"> <li>• Justice and Law Enforcement</li> <li>• Safety and Security</li> </ul>
Audited entities	<ul style="list-style-type: none"> <li>• Public Safety Canada</li> <li>• Royal Canadian Mounted Police</li> </ul>
Completion date	17 December 2013
Tabling date	6 May 2014
Related audits	<u>Chapter 1—Royal Canadian Mounted Police—Contract General of Canada</u>

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Exhibit: *National Inquiry into Missing and Murdered Indigenous Women and Girls*

Location/Phase: Part 2: Regina

Witness: Daniel Bellegarde

Submitted by: Big Canoe / Brass

Add'l info: P02 P02 P0101

Date: JUN 25 2018

Intials

63

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Entered

20