



ABORIGINAL OCCUPATIONS AND PROTESTS

PO-003

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Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that the policy requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to comply with these requirements in his/her administration and operation of the Peel Regional Police.

1. Subject

The guiding principles under which procedures and processes relating to Aboriginal Occupations and Protests are to be established.

2. Definitions

“Aboriginal Occupation”

Means the seizure and control of an area arising from assertions of Aboriginal or treaty rights of an Aboriginal group

“Aboriginal protest”

Means a physical demonstration related to assertions of Aboriginal or treaty rights of an Aboriginal group

“Aboriginal people”

According to Section 35(2) of the *Constitution Act, 1982*, Aboriginal peoples include Indian, Inuit and Métis people

3. Policy Requirements

The objective of policing Aboriginal occupations and protests is to preserve the peace, prevent offences, and enforce the law in a manner that respects the rights of all involved parties. Therefore the Board directs that this section of the policy and any police service directive and/or procedure relating to policing Aboriginal occupations and protests be based on the following principles:

- (a) That it is in complete compliance with legislative and constitutional requirements, and recognized legal principles;
- (b) That members act with full respect for human dignity and according to professional standards of skill, integrity and accountability;
- (c) That it maintains both officer and public safety as a priority;
- (d) That it ensures members are provided with the necessary tools and equipment to perform this function
- (e) That the police service regularly review procedures relating to public order unit services to remain current with case law, inquests, inquiry findings, and amendments to related legislation with respect to policing Aboriginal Occupations and Protests;

- (f) That the Chief of Police ensure the role of the police at an Aboriginal occupation or protest is to preserve the peace, prevent offences, and enforce the law including offences against persons and property, in accordance with the powers and discretion available to a police officer under the law;
- (g) That the consideration of police actions at an Aboriginal occupation or protest include preserving the peace, communication, negotiation and building trust with participating and affected communities;
- (h) That the Chief of Police will develop and maintain procedures on:
 - i) communication information in relation to police procedures on Aboriginal occupations and protests;
 - ii) training requirements for policing Aboriginal occupations and protests;
 - iii) fostering community understanding of the police response to the events;
 - iv) the collection and analysis of information prior to and during events; and
 - v) addressing the uniqueness of Aboriginal occupations and protests.

4. Measurement Methods/Systems

The Chief of Police shall conduct ongoing statistical analysis, qualitative and quantitative review of public order unit services as may be required to:

- (a) Ensure the integrity of the police service directive and/or procedure; and
- (b) Collect information with respect to the number of incidents involving the public order unit services with respect to Aboriginal Occupations and Protests.

5. Reporting

The Chief of Police shall report on those circumstances where policing of an Aboriginal Occupation and/or Protest has resulted in an “exceptional” circumstance, or a circumstance which may be detrimental to the police service; and/or has significant issues of potential liability to the Board and/or the police service.

As part of a separate Annual Report on Adequacy Regulation, the Chief of Police shall report on compliance with this section of the policy.

6. Authority/Legislative Reference

Ontario Regulation 03/99, Sections 18, 19, and 29.
Board Minute #191/00
Board Minute # 63/13
January 29, 2016

7. Linkage to Appropriate Police Service Procedure/Directive

I-B-137(F)