

U of T Policython Human Rights Stream

Challenge the System

Welcome!

Analysis of Last Year's
Winning Policy Brief:

“Police Accountability for Violence
Against Indigenous Peoples”



Today we will analyze...

Police Accountability for Violence Against Indigenous Peoples

https://www.uoftpolicython.com/_files/ugd/0e6068_293a90cdec94401ebcb853c8c6ddda97.pdf



Last year's prompt:

Indigenous individuals represent about 4.1% of Canada's overall population but represent $\frac{1}{3}$ of federal and provincial federal correctional services admissions (Malakieh, 2018).

Moreover, findings from the inquiry on Missing and Murdered Indigenous Women and Girls reveal racist policing practices which have prevented authorities from protecting Indigenous women and twospirited individuals against violence (Human Rights Watch, 2013).

How can policymakers and the policy community in Canada address police brutality and the disproportional prejudice in the justice system as it impacts indigenous communities? Construct a brief that addresses this area of policy concern?

How to write a policy brief:

Writing Template

- a) Title
- b) Executive summary
- c) Introduction
- d) Approach & Results
- e) Policy Recommendations
- f) Conclusion

Executive Summary

Currently, there is no effective policy in Canada that directly protects members of the Indigenous communities against police brutality. Systemic racism within the police force has led to the dismissal of violence against members of the Indigenous community, especially women and two-spirited individuals. Through the reallocation of funding within the police system and the implementation of stricter amendment of “Use of Force” guidelines against RCMP officers, police officers will be less prejudiced towards Indigenous individuals in Canada.

Executive Summary

An executive summary encapsulates a policy brief in a quick and engaging manner to provide clarity to readers. Typically, it is one to two short paragraphs long. An executive summary should aim to do 5 things:

- Distil the essence of the brief
 - Through the reallocation of funding within the police system and the implementation of stricter amendment of “Use of Force” guidelines against RCMP officers, police officers will be less prejudiced towards Indigenous individuals in Canada”
- Provide an overview (problem, findings, recommendations)
 - “Systemic racism within the police force has led to the dismissal of violence against members of the Indigenous community, especially women and two-spirited individuals.”
- Entice readers to go further
- Appear on cover or top of first page
- Be written last
 - Writing the executive section as the last step of the process of formulating a policy brief will allow writers to gain clarity on each section of the brief and ensure it matches the analysis, findings, and recommendations.

Introduction

1) Background

The racism, misogyny, and violence that was practiced in Canada's history of settler colonialism, the Indian Act of 1876, and the Residential School System in Canada, has extended its presence into the Canadian criminal justice system, including correctional services and law enforcement. For instance, Indigenous women constitute only two percent of the Canadian population, and yet they continue to remain disproportionately overrepresented as victims of sexual and physical violence (Gilchrist, 2010). Likewise, despite only constituting six per cent of the Canadian youth population, Indigenous youth are eight times more likely to be sentenced than the Caucasian youth population (Kong cited in Corrado et al 2014).

3) Cause of problem

An intersectional, historical, and structural context is essential to understanding why Indigenous peoples in Canada are disproportionately overrepresented as victims of sexual and physical violence, police brutality and discriminatory mass incarceration. Upon evaluation of said contexts, it becomes clear as to why utilizing criminalized responses arranged by the criminal justice system perpetually fails to provide Indigenous peoples in Canada with the protection that they are promised. Hence, in spite of the national inquiry into missing and murdered Indigenous women and girls (MMIWG), and the Civilian Review and Complaints Commission (CRCC) for the RCMP, Indigenous peoples continue to be disproportionately prejudiced against in the Canadian criminal justice system

2) Problem

4) Effects of problem

Approach & Results

- Mostly empirical; some normative statements here and there
- Explains research method (what topic and how) and sources (what sources)
- Explains necessary background info and useful facts that are applied later
when recommending policies
- Note: While this section deals in facts, one does not want to get too specific

Policy Recommendations

- Recap of Policy Recommendation Writing
 - Be specific, keep recommendations **short, concise, and clear**
 - Often times **Less is More**, focus on 2-3 recommendations
 - Be **Practical**, the recommendation should be feasible
 - What are the Benefits? Costs?

Looking closely

Implications and Policy Recommendations

As exemplified above, Indigenous peoples, most significantly women and two-spirited people, remain vulnerable to racist, misogynistic, and violent policing practises. The CRCC for the RCMP lacks proper legitimacy and transparency required to enforce such accountability because of police investigating other police. Hence, failure to address the issue of police brutality against Indigenous communities could result in increased structural racism through violent policing practises. We propose to Policymakers in the RCMP Senior Executive Committee to reallocate funding from the over surveillance of Indigenous communities, to implement mandatory cultural sensitivity training programs tested annually by police forces. Mandatory cultural sensitivity training and testing will ensure police officers are qualified to de-escalate situations and prevent police brutality when dealing with Indigenous members by better understanding the socioeconomic disparities present among Indigenous communities. In addition, we propose the implementation of stronger “Use of Force” guidelines against RCMP officers to better hold them accountable for their misconduct. This can be done by specifying s. 25 (1) of the Criminal Code that states: a public officer is, “if he acts on reasonable grounds, justified in... using as much force as is necessary for that purpose” (Legislative Services Branch, 2021). Instead, s. 25 should include “with particular attention to the circumstances of Indigenous offenders”—present in s. 718 regarding sentencing practises—as it would allow for judiciaries to adhere to Indigenous perspectives, and thereby holding police officers more accountable for their abuse of force. These proposals act as a first step to addressing structural racism and sexism present against Indigenous individuals that can eventually lead to less incarceration rates and more financial and mental health support in Indigenous communities.

Conclusion

An understanding of Canada's colonial, violent, and mysogistic past towards Indigenous peoples can provide insight on the racist trends evident within policing practices and Canada's legal system in contemporary times. Moreover, intergenerational trauma that is rooted in past events, like the Sixties Scoop and the Residential School System, is another key factor as to why Indigenous peoples are disproportionately overrepresented in correctional facilities, police brutality cases as well as victims of sexual and physical assault. Furthermore, law enforcement like the RCMP must be held accountable for reinforcing violence and racist beliefs towards Indigenous peoples. By utilizing a historical, structural, and intersectional lens, it is evident that Canadian law enforcement as well as the Canadian justice system fails to protect Indigenous peoples, most importantly women and two-spirited persons. Therefore, systemic change is necessary in order to uproot widespread internalized racism and discrimination within the criminal justice system, public policy, and Canadian legislature that endangers Indigenous lives.



Conclusion

The author summarizes what has been said and, by doing so, reinforces what the reader has been presented with. Checklist for a good conclusion paragraph:

- Use section to interpret data
- Aim for concrete conclusions
- Express ideas using strong assertions
- Ensure ideas are balanced and defensible