



BC FIRST NATIONS
JUSTICE COUNCIL

Advancing an Indigenous-led police oversight and accountability system in British Columbia: Options Paper

*An act of witnessing, restoring, and maintaining
balance within the justice ecosystem*

Prepared in Advancement of Strategy 7 of the
BC First Nations Justice Strategy | 2026

BC First Nations Justice Council

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Reader's Summary

Indigenous-Led Police Oversight in British Columbia

Why this work matters

Indigenous people in British Columbia experience police contact, harm, and justice system involvement at far higher rates than the general population. At the same time, many Indigenous individuals and families report low trust in existing police oversight systems and face barriers when trying to raise concerns or seek accountability after harmful encounters.

While British Columbia has civilian oversight bodies in place, these systems were not designed with Indigenous laws, cultures, or lived realities at their centre. As a result, they can feel inaccessible, confusing, and disconnected from community needs, especially during moments of crisis.

This report responds to those realities. It outlines practical ways to strengthen police oversight to make it more fair, more transparent, and more responsive to Indigenous peoples across the province.

What “Indigenous-led oversight” means

Indigenous-led oversight means that Indigenous people are not just consulted, but have meaningful roles in shaping, guiding, and carrying out oversight processes.

Indigenous-led oversight includes:

- Indigenous staff and leadership within oversight systems
- Culturally safe supports for people navigating complaints
- Indigenous approaches to accountability and healing
- Frequent and transparent reporting back to communities
- Sovereignty over data about Indigenous people

At its core, Indigenous-led oversight is about ensuring accountability systems reflect Indigenous values of respect, responsibility, and care—while still meeting public expectations for fairness and transparency.

What this report does

This report sets out six options for Indigenous-led police oversight in British Columbia. These options could be implemented individually or a combination of multiple options could be implemented over time.

Each option is designed to:

- Improve access to oversight mechanisms for Indigenous people
- Increase cultural safety and trauma-informed supports
- Strengthen accountability when harm occurs
- Build trust between communities and oversight institutions
- Respect Indigenous rights, laws, and self-determination

The focus is on practical change, what can realistically be implemented in the short term, and what can be built over time.

Six options presented in this report

This report outlines six Indigenous-led oversight models as options which could work individually or in tandem, based on community needs.

1. Ministry Office Model: Indigenous accountability steward within Province

The creation of a co-managed Indigenous-led oversight office within the provincial ministry that provides Indigenous-led intake services, cultural navigation, coordination with existing oversight agencies, and early rollout of civilian monitors.

This model offers a fast set up and low-cost option, but limited independence from government.

2. Embedded Unit Model: Indigenous units within oversight agencies

Creating dedicated Indigenous teams within each existing oversight agency (OPCC, IIO and CRCC) to support complainants, guide investigations with cultural context, and improve accessibility for Indigenous people.

This model could improve practices quickly without creating new institutions but remains within non-Indigenous agencies and risks being symbolic unless empowered.

3. Monitor Reform Model: Civilian Monitor Program reform

Reforming and standardizing the existing Civilian Monitor (CM) system with a cogoverned registry, stronger training, clear confidentiality rules,

automatic assignment for Indigenous-involved files, and well-being supports.

This model offers rapid, high-impact cultural safety improvements but requires strong cross-agency coordination and support to avoid monitor burnout.

4. Community Network Model: Hybrid police complaints network

Creating a province-wide, cogoverned network that links community restorative processes to formal oversight through recognition agreements and a centralized secretariat and Indigenous data trust.

This model recognizes Indigenous restorative outcomes and data sovereignty but is complex to coordinate and would need sustained funding and community capacity.

5. Crown Corporation Model: Indigenous justice oversight corporation

The creation of an Indigenous Justice Oversight Corporation (IJO), a separate statutory Crown corporation with an Indigenous-majority board to conduct reviews and systemic investigations, manage monitors, and sets cultural standards while remaining arm's-length from the government.

This model offers greater independence and durability than ministry models but requires significant legislative changes, capacity building, and may still be perceived as less independent than a legislative officer.

6. Legislative Office Model: Indigenous police oversight authority

Creating an Indigenous Police Oversight Authority (IPOA) to be a fully independent, Indigenous-led oversight body reporting to the Legislature with authority over investigations, standards, data governance, and with formal recognition of Indigenous legal orders.

This model has the maximum potential for independence and legitimacy but demands the largest legislative, operational, and transitional effort.

How these options work together

This report does not provide recommendations or ask decision makers or communities to choose just one path. Instead, it starts a conversation and shows how reforms can be phased and combined over time:

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- Immediate changes can improve access and cultural safety in the short term
- Medium-term structures can strengthen coordination and trust over time
- Long-term reforms can establish fully independent Indigenous-governed oversight bodies

This flexible approach recognizes that communities differ in readiness and capacity, and that meaningful reform takes time.

Weaving policy options with community-led processes

Any of the six policy options can work in tandem with community-led processes that are already in place. Through linking community-based justice and restorative processes with formal oversight systems, outcomes could be formally recognized by provincial oversight bodies.

This approach respects local decision-making while maintaining public accountability and consistency across the province.

What this report does, and does not do

This report explains what is possible and provides practical options for moving forward.

This report does not make final decisions or replace community authority. It does not claim to speak for all First Nations or Indigenous Peoples.

This is meant to be a foundation for future dialogue, co-development, and decision-making led by Indigenous communities and leadership.

The overall goal

The goal of this work is to initiate dialogue and advance the BC First Nations Justice Strategy, specifically Strategy 7.

Once implemented, the Strategy will ensure that when harm involving police occurs, Indigenous people have access to oversight systems that are fair, understandable, culturally grounded, and capable of real accountability.

By strengthening Indigenous-led oversight, British Columbia has an opportunity to rebuild trust, improve public confidence, and move closer to a justice system that works for everyone.

Executive Summary

This work advances Strategy 7 of the BC First Nations Justice Strategy.

Strategy 7: Advancing legislative and policy development to ensure there is a strong independent oversight and accountability function regarding the justice system and Indigenous people.

This report advances Line of Action A (establishing an oversight and accountability model) by setting out concrete options for strengthening Indigenous-led police oversight and accountability systems in British Columbia. It responds to persistent and well-documented concerns regarding the accessibility, cultural safety, fragmentation, and legitimacy of existing police oversight mechanisms for Indigenous people, including the Independent Investigations Office (IIO), the Office of the Police Complaint Commissioner (OPCC) and the Civilian Review and Complaints Commission for the RCMP (CRCC).

Grounded in Indigenous legal principles, systems thinking, and relational governance, the report moves beyond critique to propose actionable institutional pathways. It translates years of Indigenous testimony, oversight experience, and policy analysis into a set of models that span a spectrum of independence and implementation requirements—from immediate, low-lift reforms within existing structures to the creation of independent Indigenous-governed authorities over time.

This report presents six core policy options, each articulated with mandate, function, governance, legislative and policy pathways, resourcing implications, and risk considerations, including:

1. **Indigenous accountability steward within Province:** A cogoverned Indigenous office within the provincial ministry that provides Indigenous-led intake services, cultural navigation, coordination with existing oversight agencies, and early rollout of civilian monitors.
2. **Indigenous units within oversight agencies:** Indigenous units embedded within existing oversight agencies providing short-term improvements in cultural safety, navigation, and Indigenous participation.
3. **Civilian Monitor Program reform:** Reform of the Civilian Monitor (CM) Program, including a provincial registry, standardized agreements, trauma-informed supports, and automatic assignment for incidents involving Indigenous persons.

4. **Hybrid police complaints network:** A cogoverned hybrid network linking community-led restorative justice mechanisms to statutory oversight through formal recognition and shared data governance.
5. **Indigenous justice oversight corporation:** A justice oversight Crown corporation with an Indigenous-majority board to conduct reviews and systemic investigations, manage monitors, and sets cultural standards while remaining arm's-length from the government.
6. **Indigenous police oversight authority:** An independent Indigenous-led oversight body reporting to the Legislature with authority over investigations, standards, data governance, and with formal recognition of Indigenous legal orders.

Each option is designed to be modular and interoperable, allowing phased implementation and combination rather than a binary choice. A comparative matrix outlines how reforms can be sequenced to deliver short term improvements while building structurally independent Indigenous oversight over time.

Methodologically, the work integrates Indigenous legal traditions (including Longhouse teachings and kinship-based governance), Complex Adaptive Systems Theory, and Convergence Theory to frame oversight not as a static institution but as a living accountability ecosystem.

Initial engagement was undertaken through existing BCFNJC justice forums, leadership discussions, interjurisdictional scans, and sustained dialogue with Elders, Knowledge Keepers, practitioners, and oversight bodies. This phase intentionally did not involve dedicated Nation-to-Nation engagement honouring the extensive body of Indigenous knowledge already on record, avoiding premature consultation fatigue, and allowing space for more meaningful Nation-to-Nation engagement in the following phase of this work.

Collectively, the options offer government and Indigenous leadership a credible, principled, and practical roadmap to rebuild trust, enhance accountability, and align police oversight with Indigenous rights, law, and lived realities in British Columbia.

Purpose

The purpose of Strategy 7 is to design and advance an Indigenous-led oversight and accountability framework for policing and public safety in British Columbia.

This work supports the mandate of the BC First Nations Justice Council to transform the justice system in ways that uphold Indigenous rights, restore trust, and ensure that accountability mechanisms are accessible, culturally legitimate, and effective for Indigenous people. It responds directly to long-standing concerns that existing oversight models — while civilian in structure — remain procedurally complex, culturally misaligned, and insufficiently responsive to Indigenous experiences of harm involving police.

Specifically, this report aims to:

- Identify and define the core functions that Indigenous-led police oversight models must perform, including complaint intake and resolution, serious incident monitoring, systemic review, restorative pathways, data governance, and public reporting.
- Assess the strengths, limitations, and jurisdictional boundaries of existing oversight bodies (IIO, OPCC, CRCC) as they relate to Indigenous people.
- Develop and compare feasible policy and legislative options for Indigenous-led oversight across a spectrum of levels of independence, from reforms within existing institutions to fully independent Indigenous-governed authorities.
- Provide decision-ready analysis for leadership, including governance models, legislative pathways, implementation sequencing, and risk mitigation strategies.

On a deeper level, the purpose of Strategy 7 is transformative rather than incremental. It seeks to shift police oversight from exclusively colonial accountability logics to a relational framework grounded in Indigenous law, responsibility, and care. Drawing on Longhouse Teachings and kinship-based governance, oversight is reframed not merely as institutional supervision, but as collective witnessing, truth-telling, and the restoration of balance when harm occurs.

This report is not intended to represent final decisions or Nation-level authorization. Rather, it provides a structured foundation for informed dialogue, co-development, and future engagement led by the BCFNJC. Its role is to clarify options, surface trade-offs, and enable Indigenous and provincial government decision-makers to move from principle to practice in building a police oversight system that is credible, just, and Indigenous-led in both design and operation.

Guiding Principles

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- **Self-determination & Indigenous law** (Longhouse/witnessing, Elders' roles, healing circles, guardians not warriors).
- **Cultural safety & reciprocity** (restorative first; proportionality; transparency without harm).
- **Independence & accountability** (actual change when harms are found; public reporting).
- **Accessibility & trust** (navigators; trauma-informed processes; clear routes for complaints & resolution).
- **Flexibility & Inclusion** (flexibility by Nation/region, modular options; readiness-based adoption; urban Indigenous inclusion).

Methodology

This section outlines the theoretical and methodological framework that informed the development of this research on *Indigenous-led police oversight models and potential companion frameworks* for the BCFNJC. The work draws upon Indigenous legal and philosophical principles, systems thinking, and the relational governance model embedded in BCFNJC's Kinship Protocol.

The purpose of this section is to clarify how the research, analysis, and drafting of the Strategy 7 oversight frameworks were approached, both conceptually and relationally, and to make transparent the worldview and methodology that underpinned its development. By blending Indigenous and systems-based theories, this work seeks to ensure that the resulting models are not only institutionally credible but also spiritually, culturally, and ecologically coherent.

The theoretical architecture rests on four pillars:

1. BCFNJC Kinship Protocol, which grounds all relations in respect, reciprocity, and responsibility.
2. Complex Adaptive Systems Theory (CAST), which explains how dynamic, interconnected systems evolve through feedback and adaptation.¹
3. Convergence Theory, which supports the alignment of Western and Indigenous systems of governance.²
4. Longhouse Teachings, which offer a model of relational accountability, consensus decision-making, and cyclical governance.

¹ Sundstrom, S.M., Angeler, D.G., Bell, J. et al. Panarchy theory for convergence. *Sustain Sci* 18, 1667–1682 (2023). <https://doi.org/10.1007/s11625-023-01299-z>

² Sundstrom, S.M., Angeler, D.G., Bell, J. et al. Panarchy theory for convergence. *Sustain Sci* 18, 1667–1682 (2023). <https://doi.org/10.1007/s11625-023-01299-z>

These frameworks were held together through an Indigenous research paradigm emphasizing interconnectedness, the ethical use of stories, and the law of relationships, an approach consistent with Atleo's *Tsawalk* ("One") ontology³, LaDuke's laws of nature⁴, and Kimmerer's concept of reciprocity as a law of return⁵.

³ Atleo, E. R. (2005). *Tsawalk: A Nuu-chah-nulth Worldview*. Vancouver: UBC Press.

⁴ LaDuke, W. (2022). "Laws of Nature as Highest Rules for Living." In *Restoring the Kinship Worldview*, edited by Wahinkpe Topa & Darcia Narvaez. Toronto: North Atlantic Books.

⁵ Kimmerer, R. W. (2013). *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants*. Minneapolis: Milkweed Editions.

Theoretical Architecture

Kinship as Governance: A relational foundation

The Kinship Protocol of BCFNJC formed the relational and ethical foundation for this work. Kinship is not a metaphor but a methodology, it requires all processes to be guided by relational accountability and grounded in respect for living systems; human and more-than-human alike. This meant structuring engagement, drafting, and feedback loops through relationships rather than hierarchies.

The framework development process was therefore relational rather than transactional. Engagement with Elders, Knowledge Keepers, and community members was not framed as “consultation” but as a reciprocal exchange of perspectives, woven into a shared outcome. In practice, this meant prioritizing relational continuity and accountability over procedural compliance. Rather than one-time or extractive consultations, the process unfolded as ongoing dialogue built on trust, consent, and reciprocity. Meetings with Elders, Knowledge Keepers, and community representatives were guided by the Kinship Protocol, beginning with introductions, acknowledgment of territories, and moments of Ceremony to establish relational context. Feedback was invited in circles rather than through formal submissions, and insights were carried forward with attribution and follow-up, ensuring that each contribution informed the next iteration of the framework. This approach treated participants not as consultees but as co-authors in shaping oversight grounded in lived experience. The emphasis was on sustaining relationships beyond project timelines, reflecting the belief that the legitimacy of oversight depends on the strength of the relationships that uphold it. Through this lens, oversight is not merely institutional supervision but a process of restoring balance within a living system.

In operationalizing kinship, the drafting process followed a circle-based logic: each phase of research (e.g., legislative analysis, model design, engagement, drafting) was revisited in relation to the others, ensuring alignment and iterative feedback. This approach allowed Strategy 7-related work, such as the proposed Oversight Frameworks, to be shaped through layered dialogue and reflection.

Complex Adaptive Systems Theory: Oversight as living ecology

Complex Adaptive Systems Theory (CAST) provided a structural and analytical lens through which to understand the interdependencies of the justice system. CAST posits that in complex environments, order emerges through relationships and adaptation, not through top-down control. The police oversight ecosystem, spanning the OPCC, IIO, CRCC, and community-based entities, exhibits exactly this kind of complexity: semi-autonomous agents

interacting through feedback loops and evolving in response to new conditions.

Applying this theory to Indigenous oversight required recognizing justice as a living ecology rather than a fixed structure. In this view, the oversight framework is not a single entity but an evolving web of relationships, between laws, communities, governments, and data systems, capable of learning, adapting, and renewing itself over time. In practical terms, “regeneration” meant designing feedback mechanisms that allow the system to heal and strengthen in response to its own findings. For example, insights from complaint reviews inform systemic investigations; those investigations generate policy recommendations; and the resulting reforms reshape future practice. This cyclical process mirrors ecological regeneration, where every layer of activity contributes to restoring balance rather than merely correcting errors.

By embedding regeneration into the framework, oversight becomes a continuous learning process, one where each cycle of review, reflection, and reform contributes to greater alignment with Indigenous principles of balance, accountability, and care. This systems-based approach allowed the framework to:

- Identify nodes of interconnection between provincial, federal, and Indigenous accountability mechanisms;
- Map feedback loops (e.g., complaint resolution → systemic review → public reporting → legislative reform);
- Support adaptive governance, enabling iterative improvements rather than rigid institutionalization; and
- Integrate Indigenous epistemologies into a model that can evolve over time without being absorbed by colonial structures.

By viewing oversight as an adaptive system, the models in this report, from the proposed Legislative Office Model to the Community Network Model were designed to gather information, self-correct, and maintain equilibrium as external conditions change.

Convergence Theory: Bridging legal orders

Convergence Theory offered a bridge between Indigenous and Western systems of governance. Within the Strategy 7 context, rather than framing these systems as oppositional, Convergence Theory recognizes their potential to align in shared purpose through ongoing dialogue and mutual adaptation. In practice, this means Indigenous and Western legal systems were brought

into conversation with one another not in competition but in exchange. Ideas and processes evolved through discussion, reflection, and adjustment, much like a dialogue that changes both speakers over time. For example, provincial oversight standards were reviewed alongside Indigenous laws and restorative practices to identify areas of alignment, while maintaining space for cultural specificity. This process of co-learning allowed each system to inform the other, creating models that are practical, lawful, and culturally grounded.

By focusing on convergence rather than replacement, the framework honours both Indigenous law's relational ethics and Western law's procedural accountability. It reflects Kimmerer's principle of "braiding", where different knowledge systems intertwine without domination, maintaining their distinct integrity while forming a stronger whole⁶.

This is consistent with LaDuke's argument that Indigenous governance operates according to the laws of nature as the highest rules for living⁷. Convergence, then, is not an act of assimilation but of ecological alignment of bringing the human-made system back into relationship with natural and spiritual laws.

Longhouse Teachings: A Framework for process and legitimacy

The Longhouse Teachings were used as an epistemological and procedural framework to guide how the work was done, validated, and shared. Within many Indigenous legal traditions, the Longhouse represents not only a physical structure but a way of organizing governance: rooted in Ceremony, consensus, and responsibility to future generations. In this context, Elders and Knowledge Keepers were essential to ensuring cultural legitimacy and ground the work in Indigenous law and worldviews.

By *Elders*, this work refers to individuals recognized within a Nation or community for their wisdom, lived experience, and responsibility to hold and transmit cultural teachings.

By *Knowledge Keepers*, this work refers to those who carry and share specific cultural, legal, linguistic, or experiential knowledge, whether through ceremonial roles, community leadership, front-line justice work, or lived expertise. Knowledge Keepers do not need to be elderly; they are defined by the knowledge they hold and the community's recognition of their role.

For the purposes of this project, the term *Knowledge Keeper* includes:

⁶ Sundstrom, S.M., Angeler, D.G., Bell, J. et al. Panarchy theory for convergence. *Sustain Sci* 18, 1667–1682 (2023). <https://doi.org/10.1007/s11625-023-01299-z>

⁷LaDuke, W. (2022). "Laws of Nature as Highest Rules for Living." In *Restoring the Kinship Worldview*, edited by Wahinkpe Topa & Darcia Narvaez. Toronto: North Atlantic Books

- The Indigenous voices represented in the reports, submissions, and proceedings reviewed as part of the research process (e.g., community submissions to national inquiries, policing reviews, Truth and Reconciliation processes);
- The individuals who contributed to past BCFNJC justice forums and regional gatherings, where lived expertise and community-based justice knowledge were shared; and
- The Indigenous professionals, community advocates, justice practitioners, scholars, and front-line workers with whom I had conversations throughout, many of these dialogues arose organically and formed a relational network of guidance and insight. Direct community engagement with First Nations across BC was not conducted for this phase of the work.

While some of these interactions were formal and scheduled, many occurred through natural relational pathways created by ongoing engagement. As is often the case in Indigenous research contexts, one conversation would open the door to the next person with relevant experience or knowledge, creating a web of relational accountability that extended across British Columbia and to other jurisdictions in Canada. These relationships continue to evolve beyond the timeline of this report.

Engaging Elders and Knowledge Keepers at these critical junctures ensured the evolving models were not only procedurally sound but culturally legitimate and spiritually aligned. Their input shaped the conceptual foundations, validated the emerging models, and grounded the oversight options within Indigenous legal and relational frameworks. Decision-making followed Longhouse logic: collective, reflective, and guided by responsibilities to the broader community and to future generations.

Data Collection Methodology

Research began with legislative and policy review (e.g., *BC Police Act*, *RCMP Act*), environmental scanning, and analysis of comparable oversight models. These formal sources were complemented by dialogues, internal Steering Committee deliberations, and the substantial body of Indigenous testimony already expressed through prior reports, inquiries, forums, and strategies.

Importantly, direct community engagement with First Nations across BC was not conducted during this phase of the work, and it is essential not to overstate the nature of “community feedback” at this stage.

Instead, four main *circles* of contributors informed this work, whose insights shaped the development of the proposed Strategy 7 oversight models over time. The four *circles* of contributors are:

Internal BCFNJC Circles

- Members of the BCFNJC Bundle F Steering Committee
- Senior leadership (CEO, Provincial Directors)
- Strategy 7 internal working groups

These discussions provided direction, validation, and alignment with the Council's Kinship Protocol.

Indigenous community knowledge circles

- Participants in the BCFNJC Justice Forums and regional dialogues
- Indigenous practitioners and advocates from Nations across BC and other provinces
- Individuals who shared lived experience with policing, oversight, or justice system navigation

These voices offered grounded perspectives on what Indigenous-led oversight must look like in practice and shaped the relational and community-facing elements of the models.

Elders and Knowledge Keepers

- Elders recognized for their teachings
- BCFNJC Front-line staff
- Scholars
- Indigenous professionals

This circle included those whose expertise is rooted in cultural, legal, or community-based knowledge. They contributed insights at key junctures, helped validate the direction of the models, and ensured cultural coherence.

Interjurisdictional and institutional partners

- Representatives from oversight bodies such as OPCC, IIO, CRCC
- Indigenous oversight leaders and practitioners from other provinces

- Experts in systemic review, data governance, or legislative design

While not part of Indigenous consensus processes, these partners contributed to the “convergence” aspect of the work, ensuring the models were operationally feasible and aligned with statutory realities.

Limitations

The ideal process for Indigenous-led oversight development would include:

- direct Nation-to-Nation engagement; community-based dialogues
- discussions grounded in local law, protocol, and governance structures; regional
- gatherings led by Elders and Knowledge Keepers; and iterative
- validation cycles with affected families and community members

However, several factors limited the ability to undertake full community engagement at this time. These include the six-month project timeline, resource constraints, and the fact that the Strategy 7 oversight model is still in an early design stage, not yet at the phase where outreach would be appropriate. Additionally, there is significant consultation fatigue among First Nations communities in BC, many of whom have already provided extensive feedback through national and provincial inquiries, policing reviews, justice reform processes, and community safety strategies, which could be referenced.

In recognition of this, a Two-Eyed Seeing approach was taken to community knowledge. Rather than seeking new engagement prematurely, the cumulative body of Indigenous voices already on record, including submissions to the National Inquiry into MMIWG, police oversight reviews from other jurisdictions, What We Heard reports from past BCFNJC Justice Forums, regional reports, and Nation-level safety strategies, were treated as legitimate expressions of community knowledge and priorities. These were approached as co-generated knowledge, not as static data points. They informed themes, gaps, and principles embedded in the Strategy 7 models.

While direct in-person engagement with Nations was not undertaken during this phase, the next stage of the process will focus on meaningful rights-holder engagement now that foundational concepts and policy options have been developed. The process will move into a broader engagement phase with First Nations rights holders. At that stage, the intention is for communities to guide, refine, and inform the direction of the work through

structured engagement led by the BC First Nations Justice Council. This reflects the long-term vision that Indigenous-led oversight and accountability mechanisms must ultimately be grounded in the voices, priorities, and authority of First Nations themselves.

Data Synthesis: Weaving theory and practice

The data collection approach followed a braided research design integrating Indigenous methodologies with applied policy analysis. It was iterative, reflexive, and guided by the principles of respect, relevance, reciprocity, and responsibility.

Iteration and Reflection

The four *circles* formed the “collective” referenced in the Longhouse description. Consensus emerged not from a single decision-making table but through layered rounds of dialogue, review, and realignment. Each pass through the circle, research, engagement, drafting, reflection, and feedback, served as a mechanism for consensus-building, allowing the models to be refined until they reflected coherence across cultural, operational, and statutory dimensions.

In this way, the Longhouse logic was enacted not as a rigid governance structure but as a relational method: knowledge moved in circles, decisions were shaped by multiple voices, and legitimacy emerged through collective alignment rather than hierarchical approval.

Information was organized thematically across the framework’s major areas (complaints, systemic review, data governance, and community engagement), with feedback loops ensuring that findings informed subsequent drafts. Each new insight, whether from a meeting, a report, a legislative source, or a conversation, prompted a return to the material already collected. This method meant that earlier assumptions were revisited, themes were refined, and the interpretation of information evolved as my understanding deepened. In this way, the feedback loops functioned as cycles of reflection and recalibration, consistent with an Indigenous research paradigm and with systems thinking methodologies.

As a comprehension of the justice system as a whole expanded, so too did the approach to the central research question underpinning Strategy 7: *How can legislative and policy development advance strong, independent oversight and accountability for Indigenous people within the justice system?*

With each conceptual shift, whether informed by a new statute, a comparative oversight model, or the insights of Elders, Knowledge Keepers,

and practitioners, the thematic categories were reconsidered. This process allowed the framework to remain dynamic and responsive rather than static, enabling the models to reflect a maturing understanding of both the structural barriers and the relational possibilities inherent in Indigenous-led oversight.

These iterative feedback cycles ensured that the final framework was not simply a compilation of discrete findings, but a woven synthesis shaped by continuous learning and evolving perspective.

Reflexivity and Accountability

The process recognized that oversight work itself must be subject to oversight. Reflexivity was embedded through journaling, relational check-ins, and Council review cycles. Each iteration was measured not only by technical accuracy but by relational integrity, asking, “Does this uphold kinship? Does this strengthen balance?”

Presentation and Translation

The presentation of this work followed the principle of ethical translation, translating Indigenous philosophical principles into forms legible to policymakers without diluting their meaning. This aligns with Atleo’s assertion that Indigenous theory must be “expressed within the structures of modern governance without surrendering its source in spiritual and ecological law”⁸.

Integration: From Theory to Application

The work’s application is visible in how each of the proposed oversight models operationalizes the above principles:

Theoretical Lens	Application in Strategy 7
Kinship Protocol	Grounds engagement and decision-making in reciprocal relationships with communities and Elders.
Complex Adaptive Systems Theory	Positions oversight as a dynamic ecosystem capable of continuous learning and adaptation.
Convergence Theory	Enables legal and jurisdictional hybridity between Indigenous and provincial systems.
Longhouse Teachings	Provides governance structure, process legitimacy, and validation through ceremony and consensus.

⁸Atleo, E. R. (2005). *Tsawalk: A Nuu-chah-nulth Worldview*. Vancouver: UBC Press.

Through these integrated approaches, Strategy 7 does not simply propose structural reform, it articulates a relational model of justice oversight that is both spiritually anchored and institutionally actionable.

The framework guiding the *Indigenous-Led Police Oversight Models and Companion Frameworks* emerges from a synthesis of Indigenous law, systems thinking, and ecological consciousness. Its strength lies not in linear logic but in relational coherence, a design where every component supports the integrity of the whole.

At its core, this work repositions “oversight” as care, an act of witnessing, restoring, and maintaining balance within the justice ecosystem. This approach reflects the teachings of Atleo’s *Tsawalk*, which remind us that “all things are one and all are related”⁹; LaDuke’s vision of governance that follows the laws of nature rather than human ambition¹⁰; and Kimmerer’s reminder that the world asks of us reciprocity, not domination¹¹.

In this way, Strategy 7 is not only a policy initiative but a living system, one capable of adaptation, reflection, and renewal in service of justice that is Indigenous in spirit, inclusive in practice, and transformative in effect.

Oversight and Accountability

Definitions through a Western lens

Oversight refers to the systems, structures, or authorities put in place to monitor, evaluate, or supervise the actions of individuals or institutions to ensure they follow the law, rules, and standards.

Legal Examples:

- Civilian review boards
- The Office of the Police Complaint Commissioner (OPCC)
- The Independent Investigations Office (IIO)

Legislative Role:

Oversight is built into legislation (like the *Police Act*) to create mechanisms like external investigations and public complaints process, often including

⁹Atleo, E. R. (2005). *Tsawalk: A Nuu-chah-nulth Worldview*. Vancouver: UBC Press.

¹⁰LaDuke, W. (2022). “Laws of Nature as Highest Rules for Living.” In *Restoring the Kinship Worldview*, edited by Wahinkpe Topa & Darcia Narvaez. Toronto: North Atlantic Books

¹¹Kimmerer, R. W. (2013). *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants*. Minneapolis: Milkweed Editions.

authority to gather information and make recommendations, and sometimes to impose consequences. **Accountability** is about being held answerable for one's actions or decisions and facing consequences or remedies when those actions violate laws, policies, or expectations.

Legal Examples:

- Disciplinary hearings for police misconduct
- Court remedies or tribunals
- Public reporting and performance measures

Legislative Role:

Accountability is often about reporting obligations, sanctions, or corrective actions written into laws or regulations (e.g., police officers may be removed or suspended under Section 112 of the *Police Act* if misconduct is proven).

Key differences

- Oversight is watching to make sure things are done right: Watching over actions or systems
- Independent reviews, monitoring, audits, investigations.
- Ensures rules are being followed.

Accountability is doing something when things go wrong:

- being held responsible for decisions or actions.
- Sanctions, discipline, reporting, transparency, leads to consequences or reforms.

Definitions through a Longhouse lens

Oversight means keeping watch in a good way in the Longhouse; maintaining harmony, ensuring right relationship, and attending to imbalance before it becomes harmful. Oversight and accountability, from this lens, are not mechanisms of control—but relationships of care, transparency, and shared responsibility.

Oversight is:

- Collective Witnessing – Community members are called to observe, listen, and speak truth when imbalance arises. Oversight is about seeing one another.

- Guidance, not punishment – Oversight functions like the “watchful firekeeper,” who ensures the flame of justice does not go out, but also that it does not burn the house down.
- Transparency as ceremony – Oversight occurs through shared process—storytelling, council, and consensus. It is done in the open, guided by the principles of respect, honesty, and peace.

In practice, Indigenous-led oversight rooted in Longhouse principles would mean creating spaces of listening, storytelling, and reflection—where harm and conflict are examined relationally, not adversarially.

Accountability is relational repair in the Longhouse, not blame or retribution. It is the process of restoring harmony between individuals, families, and the natural world when balance is disrupted.

Accountability is:

- Answering to Relationship: To be accountable is to “answer to the fire,” to one’s ancestors, and to those who are affected by one’s actions.
- Restoration over Retribution: Accountability seeks to heal and renew relationships, not sever them.
- Reciprocal Responsibility: Every person has a role to play in maintaining community wellness; accountability is therefore collective, not isolated.

In practice, Indigenous accountability frameworks prioritize healing, apology, restitution, and learning. The outcome is not judgment but renewed belonging—a rebalancing of the social ecosystem.

Western Framework	Longhouse Framework
Oversight as compliance	Oversight as relational witnessing
Accountability as punishment	Accountability as restoration
Governance through enforcement	Governance through balance and reciprocity
Rooted in hierarchy	Rooted in circle and consensus
Measured by outcomes	Measured by relationships healed

If the Strategy 7 framework were to embed Longhouse principles into its model, oversight would be a ceremony of witnessing and guidance, not surveillance or review. Accountability would be a collective healing process, grounded in truth-telling and restitution. Decisions would arise through council fire dialogue, where truth and story guide judgment. The system would operate as an ecosystem of balance, with each Nation tending its own fire but contributing to the warmth of the collective.

Comparative Table: Overview of BC Oversight Bodies

Category	IIO (Provincial)	OPCC	CRCC / PCRC (Federal)
Mandate	Criminal investigations into death or serious harm involving police	Oversight of misconduct, discipline, and service/policy complaints for municipal police	Civilian review of RCMP conduct; public-interest and systemic investigations
Jurisdiction	All police in BC (municipal, RCMP, Transit, Indigenous police services)	Municipal police departments and Transit Police	RCMP (nationally; includes RCMP in BC)
Legislation	<i>Police Act</i> (BC), Part 7.1	<i>Police Act</i> (BC), Part 11	<i>RCMP Act</i> ; transitioning to PCRC Act (2024)
Investigate or Oversee?	Investigates directly	Oversees; police investigate	Reviews; RCMP investigates, unless public-interest investigation initiated
Key Processes	Independent civilian criminal investigations; referrals to Crown	Complaint intake, oversight of police investigations, discipline authority reviews, public hearings	Complaint review, interim/final reports, systemic reviews, public-interest investigations
Strengths	Civilian-led; consistent province-wide	High statutory independence; strong oversight	Independent federal body; structured review process; ability

Category	IIO (Provincial)	OPCC	CRCC / PCRC (Federal)
	mandate; transparency	powers; systemic review capacity	to initiate systemic investigations
Weaknesses	Investigative delays; narrow mandate; resource constraints	Perception of police investigating police; caseload pressures; limited direct discipline powers	Delays and backlogs; reliance on RCMP self- investigation; recommendations not binding

Considerations

- Fragmented oversight pathways create additional complexity for Indigenous communities navigating accountability processes.
- Alignment, interoperability, and shared standards across IIO, OPCC, and CRCC/PCRC remain limited.
- Gaps persist in trauma-informed processes, Indigenous cultural safety, and Nation-governed oversight mechanisms across all agencies.

BC's current oversight landscape offers multiple layers of civilian oversight but is limited by structural fragmentation, dependence on police-led investigations, delays, and a lack of statutory tools for enforceable corrective measures. Understanding the distinct mandates, powers, and weaknesses of the IIO, OPCC, and CRCC is vital for creating a coherent, Indigenous-led oversight framework under Strategy 7.

Necessary Functions of Indigenous-led Oversight Bodies

Necessary Functions of Indigenous-led Oversight Bodies refers to the core responsibilities, authorities, and operational capacities required for Indigenous-led oversight systems to effectively promote accountability, transparency, cultural safety, and community trust within policing and public safety systems. These functions reflect the practical mechanisms needed to ensure oversight processes are responsive to the rights, experiences, laws, and priorities of First Nations communities, while also supporting Indigenous self-determination in justice governance. These function could include:

- **Serious incident investigation interface** (with IIO; clarify s.44 referrals; definitions of “serious harm”).

- **Public complaints intake, triage & resolution** (with OPCC/CRCC/BC successor body; enable restorative paths).
- **Systemic reviews** (patterns: face strikes, sexual misconduct, discrimination).
- **Standards & practice influence** (use of force, medical aid, record keeping, data flows).
- **Community restorative pathways** (healing circles, mediated agreements, community review councils).
- **Civilian Monitor (CM) program** (selection, training, supports, procurement tools, confidentiality fit-for-purpose).
- **Data sovereignty & reporting** (Indigenous ownership/governance of data about Indigenous peoples).
- **Public education** (role of CM; complaint options; youth-police dialogue).

What we heard

Theme	Statistical Data	Community Engagement Findings	Implications for Strategy 7
Overrepresentation in System	Justice Canada (2024): Indigenous people = 25–27% of homicide victims; 32–33% of federal prison admissions; 49% of federally incarcerated women.	Forum participants reported daily experiences of over-policing, surveillance, and systemic bias in courts and corrections.	Build Indigenous-led oversight mechanisms that track and address disproportionality across policing and justice outcomes.
Trust & Legitimacy of Police	StatsCan (2022): ~1 in 3 Indigenous respondents rate police performance poorly; Indigenous	Communities described deep mistrust of IIO, OPCC, and CRCC, and skepticism about complaint follow-up.	Create transparent, community-facing reporting and culturally safe complaint pathways under Strategy 7.

Theme	Statistical Data	Community Engagement Findings	Implications for Strategy 7
	women least trusting.		
Access to Justice	Systemic data: Indigenous accused face higher rates of remand, bail denial, and sentencing disparities.	Engagement showed barriers to access, especially in rural/remote areas, and called for culturally appropriate representation.	Link oversight to broader justice equity by embedding advocacy, and wraparound support in Strategy 7.
Gendered & Intersectional Impacts	Corrections Canada: nearly half of federally incarcerated women are Indigenous; Indigenous women report lowest confidence in police.	Forum highlighted MMIWG-related cases, unsafe policing responses for women, and lack of accountability for gender-based violence.	Strategy 7 must apply an Indigenous gender/2SLGBTQ+ lens to oversight investigations and data audits.
Data Gaps & Sovereignty	PIRID rollout incomplete; disaggregated police identity data still patchy and uneven across jurisdictions.	Communities raised frustration with lack of transparency and invisibility of Indigenous experiences in official data.	Oversight requires an Indigenous-led data unit, ensuring data sovereignty, community verification, and independent reporting.

Model Options

Each of the six model options is presented as it could be implemented individually, and as a modular overlay that can be combined with other models.

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1. Ministry Office Model: Indigenous accountability steward within Province

This option would establish a co-governed Indigenous Steward for Police Accountability (ISPA) within an existing ministry, most likely the Ministry of Public Safety and Solicitor General (PSSG), jointly stewarded with the BCFNJC.

The stewardship office would focus on operationalizing the Civilian Monitor (CM) program, setting Indigenous-led oversight standards, and piloting restorative complaint pathways in collaboration with the OPCC, CRCC and the IIO.

Functionally, the stewardship office would serve as a trusted entry point for First Nations people navigating the complex oversight system. It would not possess the statutory authority to impose or recommend sanctions on individual police complaints, but would provide culturally grounded navigation, education, and systemic analysis to ensure Indigenous concerns are meaningfully reflected within existing oversight mechanisms.

Through a Navigator Unit staffed by Indigenous case navigators and supported by Elders, the Directorate would guide complainants and families through the processes of the OPCC, IIO, and CRCC. This includes assistance in understanding complaint options, preparing submissions, clarifying investigation timelines, and supporting trauma-informed participation in oversight processes.

In parallel, the stewardship office would conduct systemic analyses of recurring issues, such as use-of-force incidents involving Indigenous persons, barriers to complaint filing, and outcomes of oversight investigations to identify trends and structural inequities. These analyses would be tabled through annual reports and shared with oversight partners to inform policy and training reforms.

By combining navigation, capacity-building, and systemic review, the stewardship office would help bridge the current trust gap between Indigenous communities and oversight bodies. It would offer a culturally safe, government-recognized forum for First Nations to raise concerns, access supports, and influence standards development, laying a foundation for future independent Indigenous oversight authority.

Intended Outcome

The ISPA would create a co-governed, Indigenous-led but ministry-housed mechanism designed to deliver *immediate, tangible improvements* to how Indigenous people experience and access police oversight in BC. While not

an independent body, the stewardship office would operate with a clear co-governance mandate under the shared stewardship of the BCFNJC and PSSG, ensuring Indigenous decision-making authority in program design, staffing, and priority-setting.

The immediate objective is to stabilize and strengthen existing oversight interfaces by addressing operational pain points that have repeatedly been identified through engagement and research. This includes:

- Civilian Monitor (CM) program infrastructure — finalizing contracting templates, certification standards, and wellness supports to enable consistent and trauma-informed deployment of Indigenous monitors to IIO-led investigations;
- Training and standards development — producing DRIPA-aligned cultural-safety curricula for oversight professionals and service members, co-delivered with Indigenous educators and Elders; and
- Confidentiality and information-sharing protocols — developing plain-language, culturally sensitive agreements that balance privacy, transparency, and trust between communities and oversight agencies.

By embedding these functions within government, the ISPA would act as a “quick-start” implementation vehicle, an agile administrative structure that can operationalize pilot projects and frameworks in months rather than years. The stewardship office would demonstrate how co-governance can function effectively within the provincial system, offering proof of concept for a future Indigenous-led independent authority (such as a Crown corporation or Officer of the Legislature).

At a systemic level, the ISPA would also model reconciliation in practice by aligning its operations with the Declaration on the Rights of Indigenous Peoples Act (DRIPA) and the BC First Nations Justice Strategy. Through joint policy development, it would institutionalize Indigenous decision-making in oversight policy, integrate Indigenous legal and restorative principles, and establish new accountability measures that reflect the standards of free, prior, and informed participation.

Over the medium term, the ISPA would build:

- Capacity — training a cohort of Indigenous navigators, monitors, and analysts who can transition into future independent oversight institutions;
- Credibility — producing evidence-based systemic analyses and public reporting that demonstrate impact and transparency; and

- Continuity — ensuring that the CM program, restorative pathways, and Indigenous standards do not stall while legislative reforms toward independence are pursued.

Ultimately, the ISPA's intended outcome is to bridge the trust gap between Indigenous communities and police oversight institutions by offering an immediate, co-governed, and culturally safe point of access, one that delivers measurable improvements in accountability and lays the legislative and operational foundation for a fully Indigenous-led oversight authority in the years ahead.

Research Overview

The ministry-housed stewardship office option represents the lowest-lift and fastest-path model along the independence spectrum identified in Strategy 7. It leverages existing administrative infrastructure, statutory authority, and funding mechanisms to enable immediate co-development with BCFNJC.

Comparative scans show that many provinces have embedded Indigenous or community-specific oversight functions within ministries as interim steps toward more independent models. For example:

- Ontario's Indigenous Policing stewardship office within the Ministry of the Solicitor General manages NAPS oversight coordination.
- Manitoba's LERA Secretariat operates under Justice before IIU integration.
- Nova Scotia's SiRT began within Justice before gaining independent standing.

This model therefore aligns with phased implementation approaches used across Canada to pilot culturally responsive oversight while legislation for independent authority is developed.

Engagement Summary

Engagement findings reveal consistent frustration with the *pace of reform* and the *inaccessibility* of existing oversight mechanisms (OPCC/IIO/CRCC). Participants called for:

- Immediate action to operationalize the CM program and address confidentiality barriers;
- Elder- and community-led restorative resolution pathways to complement formal complaints;
- Culturally safe training and wellness supports for civilian monitors; and

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- Transparency through co-governance with BCFNJC to ensure accountability within a Ministry context.

Communities indicated openness to a ministry-based model as a transitional structure, if co-governance is genuine, outcomes are measurable, and independence safeguards are embedded through published KPIs, annual public reports, and a co-signed Charter of Governance.

Policy Option: Indigenous Steward for Police Accountability

Mandate & Functions

- Co-Governance: Jointly managed by BCFNJC and PSSG under a Co-Governance Charter, with a Joint Executive Committee overseeing performance, policy, and budget allocations.
- CM Program Delivery: Administer the Civilian Monitor Registry, including selection, training, deployment, and wellness supports, in coordination with OPCC/IIO.
- Standards & Certification: Develop Ministerial Standards for Indigenous-aligned oversight, confidentiality templates, and trauma-informed investigation practices.
- Restorative Complaint Pathways: Pilot Indigenous restorative resolution options under Police Act authority, co-developed with OPCC/IIO and guided by Elders.
- Data & Reporting: Coordinate Indigenous data governance standards within FOIPPA and DRIPA frameworks, with annual public reports.

Legislative & Policy Pathway

Police Act Amendments

- Reference the Indigenous Steward for Police Accountability as a recognized function within the Ministry.
- Enable *Ministerial Standards* that recognize Indigenous restorative resolution and Civilian Monitor deployment.
- Authorize PSSG to enter co-governance agreements with BCFNJC for oversight functions.

Ministerial Instruments

- DRIPA Alignment Directive mandating co-governance and cultural safety in oversight delivery.

- Mandate Letters from the Minister confirming BCFNJC partnership and delegated authorities.
- Treasury Board Policies adjusted to allow culturally appropriate procurement, honoraria for Elders, and Nation-based contracting flexibility.

Operational Instruments

- MOUs with OPCC/IIO/CRCC establishing pilot referral protocols, confidentiality templates, and restorative resolution recognition.
- Data-Sharing Agreements under FOIPPA enabling Indigenous data indicators in oversight metrics.

Actors & Roles

Core Actors	Roles
BCFNJC	Co-governance; oversight policy development; community engagement; Indigenous appointments.
PSSG	Host ministry; provides funding, legal authority, and policy support.
OPCC / IIO	Collaborate on pilot restorative pathways, CM deployment protocols, and data exchange.
CRCC (Federal)	Recognizes triage and restorative processes for RCMP-related complaints.
First Nations Governments / Elders	Guide community-based restorative pathways and cultural protocols.
Treasury Board	Approves co-development funding models and honoraria policies.
Privacy Commissioner	Oversees data governance compliance under FOIPPA and DRIPA.

References from Other Jurisdictions

- Ontario – Indigenous Policing Stewardship Office (Ministry of Solicitor General): model for ministry-based Indigenous oversight coordination.

- Nova Scotia – SiRT’s initial ministry integration offers precedent for staged independence.
- Manitoba – LERA’s evolution within Justice demonstrates internal oversight scalability.
- Saskatchewan – FSIN–Justice partnerships illustrate co-management within ministry frameworks.

2. Embedded Unit Model: Indigenous units within oversight agencies

This model proposes establishing dedicated Indigenous-led units within British Columbia’s three main oversight bodies: the Independent Investigations Office (IIO), the Office of the Police Complaint Commissioner (OPCC), and the Civilian Review and Complaints Commission (CRCC). Each unit would share a consistent goal of enhancing cultural safety, accessibility, and Indigenous participation in complaint intake, investigations, systemic reviews, and community engagement.

The embedded unit model tackles ongoing gaps in Indigenous representation and trauma-informed practice within existing statutory oversight processes. Current oversight systems operate within strict legislative boundaries (*Police Act*, *CRCC Act*, IIO mandate limitations) that offer limited scope for culturally grounded pathways or direct Indigenous governance. Establishing Indigenous units enables meaningful improvements within existing frameworks while broader governance models are developed.

These units would be staffed by Indigenous investigators, analysts, navigators, Elders, and cultural advisors, and they would operate through protocols collaboratively developed with BCFNJC. Their responsibilities would include intake support, Indigenous-specific investigative functions, systemic data analysis, and community-led recommendations. This approach incorporates Indigenous worldviews directly into oversight processes without requiring new institutions or legislative changes.

Intended Outcome

The embedded unit model seeks to significantly improve Indigenous experience, trust, and participation within existing oversight agencies by implementing consistent, culturally rooted mechanisms across the whole oversight system. Intended outcomes include:

- Culturally safe participation in oversight processes through Indigenous navigators and trauma-informed investigative supports.

- Improved access to oversight for First Nations, including remote and rural communities, via dedicated intake channels, outreach, and Nation-specific communication protocols.
- Consistent representation and cultural interpretation within investigations involving Indigenous persons (complainants, affected persons, subject officers, key witnesses).
- Better systemic reporting of trends affecting Indigenous peoples, such as racialized use of force, complaint barriers, and gaps in police contact data.
- Co-governed cultural safety and training standards across OPCC/IIO/CRCC, reducing fragmentation and enabling alignment with DRIPA and the BC First Nations Justice Strategy.
- Foundational architecture development for future Indigenous-led oversight models (Crown Corporation or Independent Office of the Legislature).

Overall, embedded Indigenous units serve as a transitional yet impactful model that modernizes the oversight system, rebuilds trust, and enhances cultural safety during a period of broader reform.

Research Overview

Research conducted across Strategy 7 provides clear evidence that Indigenous people face disproportionately high levels of harm involving police, encounter significant barriers to complaint processes, and have low trust in existing oversight bodies. Indigenous complainants frequently report:

- Difficulty navigating complaint and investigation procedures.
- Fear and mistrust related to engaging with police oversight due to historical and ongoing systemic harms.
- A lack of culturally safe supports, navigation assistance, and trauma-informed communication.
- Limited Indigenous presence within investigative or review teams.

A comparative review of various jurisdictions shows that oversight systems are increasingly creating Indigenous-specific units or liaison structures (e.g., Ontario's Inspector General Indigenous Engagement Unit, Saskatchewan's FSIN/SIRT integration model), establishing a precedent for incorporating Indigenous voices within independent oversight bodies.

Internationally, culturally rooted liaison or navigator programs, such as those used within New Zealand's Independent Police Conduct Authority and U.S. tribal-state cooperative oversight, demonstrate that specialized units can be effective measures for developing more independent Indigenous accountability structures.

The embedded unit model aligns with Strategy 7's spectrum of independence as a low-lift, medium-impact option that can be implemented quickly while establishing the groundwork for Crown-based or Legislature-based Indigenous oversight models. It does not fully resolve independence-related challenges but provides practical, measurable improvements.

Engagement Summary

Engagements with First Nations, Elders, legal counsel, oversight bodies, and policing partners consistently highlighted the need for Indigenous units within existing oversight agencies. First Nations and community representatives emphasized that the absence of Indigenous representation in current oversight structures directly contributes to mistrust, low engagement, and reluctance to participate in complaints and investigations.

Participants also observed that current investigative processes are often perceived as culturally unsafe, overly procedural, and insufficiently trauma informed. They identified significant potential for Indigenous navigators, Elders, and investigators to enhance cultural safety, communication, and support for complainants and families during challenging investigative procedures. There was strong and repeated support for Indigenous-led systemic analysis, especially to identify patterns of harm affecting Nations across British Columbia.

Oversight bodies, including the IIO, OPCC, and CRCC, recognized gaps in their capacity to provide culturally safe and trauma-informed oversight. They indicated that their legislative mandates already permit Indigenous-specific support roles and functions without requiring statutory amendments, and that formalizing these roles through dedicated Indigenous units would address current inconsistencies and ad hoc practices. Agencies expressed interest in structured models that offer clarity, consistency, and improved cultural competence.

Legal and advocacy stakeholders stressed the importance of transparent, consistent, and FOIPPA-compliant communication protocols tailored for Indigenous complainants and families. They highlighted the need for Indigenous staff within these units to have clearly defined investigative powers, cultural responsibilities, and accountability mechanisms. Stakeholders cautioned that Indigenous units must possess meaningful

influence, not just symbolic presence, and recommended that their authority, scope, and community responsibilities are explicitly outlined and publicly overseen.

Overall, engagement suggests that establishing Indigenous Units would fill key gaps in access, cultural safety, and trust; enhance investigative and systemic review functions; and serve as a practical, near-term reform within existing institutional frameworks.

Policy Option: Indigenous Unit Embedded Within Each Oversight Body

Mandate & Functions

The embedded unit model promotes establishing dedicated Indigenous units within the IIO, the OPCC, and the CRCC. Although each unit would operate within the legal boundaries of its host agency, all would share a common mandate to improve cultural safety, increase accessibility for Indigenous people, and elevate the quality and legitimacy of investigative and systemic review processes.

Core Functions Across All Agencies

Each Indigenous unit would carry out a standard set of functions to promote consistent, culturally grounded oversight practices throughout British Columbia's accountability system:

- **Indigenous Navigators:** Offer culturally informed support during complaint intake; facilitate communication between agencies and Indigenous complainants; develop safety plans; and ensure Nation-specific protocols are respected throughout investigations.
- **Indigenous Investigators and Analysts:** Carry out Indigenous-focused investigative activities, including contextual assessments, interview participation, evidence review, and systemic analysis contributions. These roles would improve investigative quality and ensure appropriate cultural interpretation.
- **Elders and Cultural Advisors:** Maintain cultural integrity, guide trauma-informed practices, support agency staff in culturally sensitive communication, and participate in post-incident wellness and debriefing.
- **Systemic Review Capacity:** Deliver Indigenous-centred systemic reviews and trend analyses, identifying recurring issues affecting Indigenous peoples and suggesting policy and practice improvements across oversight bodies.

- Community Engagement Functions: Lead proactive outreach, provide education on oversight processes, and foster sustained relationships with First Nations and Indigenous communities, including those in remote and rural areas.

Agency-Specific Adaptations

While the core mandate remains consistent, each unit would be tailored to reflect the operational context and legislative scope of its host oversight body:

- IIO: Deployment of Indigenous investigators within investigation teams; structured Navigator involvement at both pre-deployment and post-deployment stages; and culturally informed protocols for interviews, next-of-kin contact, and communication following serious incidents.
- OPCC: Indigenous complaint advisors integrated into intake and early-resolution pathways; Indigenous analysts contributing to systemic reviews and annual reports; and development of Nation-specific restorative resolution pathways where appropriate.
- CRCC (RCMP Oversight): Indigenous investigators and analysts assigned to RCMP-related cases involving Indigenous persons; tailored support for investigations in remote or fly-in communities; and coordination with Nations to address local safety, communication, and cultural needs.

Co-Governance Structures

The embedded unit model would be supported through formal co-governance mechanisms to ensure cultural integrity, accountability, and alignment with the BC First Nations Justice Strategy:

- Co-developed standards, protocols, and performance expectations established jointly with the BCFNJC;
- BCFNJC involvement in designing competency frameworks, training curricula, and community engagement protocols to ensure consistency and cultural grounding;
- Shared annual reporting to First Nations and the public to enhance transparency, trust, and systemic accountability.

Collectively, this policy approach strengthens Indigenous representation within existing oversight systems while maintaining operational stability and continuity. It provides a practical, actionable pathway to improve cultural safety, elevate investigative quality, and foster public trust during the move towards broader Indigenous-led oversight structures.

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Legislative & Policy Pathway

The embedded unit model can be adopted with minimal legislative changes, mainly relying on policy updates, regulatory revisions, and administrative directives:

Police Act / IIO Regulations

- Amend regulations to authorize Indigenous Navigators and advisory roles.
- Mandate cultural safety protocols and Indigenous engagement standards.
- Facilitate Indigenous staff participation in IIO deployments where appropriate.

Ministerial Standards and DRIPA Alignment

- Issue Ministerial Standards requiring all oversight agencies to establish Indigenous Units with clear functions.
- Use DRIPA alignment directives to ensure reconciliation-based oversight practices.

Internal Policy Amendments (IIO / OPCC / CRCC)

- Revise investigative manuals, complaint intake procedures, and systemic review frameworks.
- Incorporate Indigenous Unit participation into investigative workflows.
- Clarify confidentiality and transparency rules in line with FOIPPA.

Treasury Board and HR Policies

- Approve Indigenous-specific compensation structures (Elders, cultural support workers).
- Offer exemptions or flexibility for travel, ceremonies, and community engagement.

This pathway allows for quick implementation, in line with your Strategy 7 framework.

Actors & Roles

BCFNJC	Co-develop training, standards, cultural safety protocols.
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	Advise on Unit structure and Nation-relations expectations. Support systemic review and community engagement linkages.
IIO / OPCC / CRCC	Establish Indigenous units within their organizational structures. Integrate Indigenous staff into investigations, intake, and systemic reviews. Participate in shared reporting, training, and DRIPA-aligned practices.
PSSG / Executive Council / Treasury Board	Approve regulatory amendments and administrative standards. Ensure ongoing funding and accountability mechanisms.
First Nations & Elders	Provide Nation concurrence on cultural protocols. Participate in care, guidance, and post-incident wellness supports. Support recruitment and contextual interpretation.

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3. Monitor Reform Model: Civilian Monitor Program reform

The CM Program reform option addresses systemic barriers that have undermined transparency, continuity, and cultural safety within the current CM framework administered through IIO and associated provincial oversight bodies. Existing confidentiality requirements, ad hoc procurement practices, inconsistent monitor selection, and inadequate supports have weakened trust among Indigenous Nations and nearly resulted in the withdrawal of legal counsel advising the program.

The CM Program reform model proposes a competency-based Provincial Civilian Monitor Registry, co-governed by the BC First Nations Justice Council (BCFNJC) and the Province, grounded in transparent selection processes, standardized agreements aligned with FOIPPA, and trauma-informed support systems for monitors. It also embeds automatic CM assignment to

files involving Indigenous persons and integrates Nation concurrence and conflict screening.

The program serves as an early architecture-building mechanism for future Indigenous-led oversight and aligns with the BC First Nations Justice Strategy and DRIPA obligations to ensure Indigenous participation in accountability systems.

Intended Outcome

The reformed CM Program aims to ensure that Indigenous peoples have consistent, credible, culturally safe, and transparent representation when serious incidents occur, while eliminating procedural and administrative barriers that have hindered CM deployment.

The intended outcomes include:

- Standardized agreements, clear confidentiality parameters, and FOIPPA-aligned transparency clauses resolve prior disputes and restore confidence in oversight processes.
- A structured support ecosystem, complete with honoraria, trauma-informed mental-health access, legal briefings, Elder support, and safety protocols will strengthen monitors' wellbeing and readiness.
- Monitors are selected and deployed based on training, regional knowledge, Nation relationships, and conflict-screen criteria, reducing inconsistency and bias.
- Ensure monitors are present on all IIO files involving Indigenous persons, reducing discretion-based gaps and enhancing community legitimacy.
- A province-wide registry, competency standards, and performance tracking create a professionalized cadre of Indigenous monitors and allies prepared for future oversight roles.

Overall, the CM Program reform option acts as an essential component of a broader Indigenous-led oversight ecosystem, improving immediate practice while contributing to long-term structural change.

Research Overview

Evidence underpinning Strategy 7 shows that Indigenous peoples experience:

- disproportionately higher rates of police-involved harm;

- low trust in existing oversight bodies (IIO, OPCC, CRCC);
- barriers to participation in complaints and investigations;
- limited culturally safe mechanisms for representation and monitoring.

These findings highlight the need for a monitor system that is transparent, accessible, and supported, particularly during critical incidents.

The Crown Corporation model document identifies CM program challenges, training gaps, fragmented procurement, burdensome confidentiality, that shape this reform option's functions. As with other Strategy 7 models, the CM Program Reform is positioned along a spectrum of independence and can be implemented rapidly through policy, regulation, and co-governance directives.

International and national comparative reviews demonstrate that jurisdictions with effective community-monitoring systems rely on:

- independent registries; clear competency frameworks;
- transparent public reporting;
- and culturally anchored support systems.

These comparative insights reinforce the need for a strengthened, standardized monitor program in BC.

Engagement Summary

Engagements with community members, legal partners, and oversight bodies consistently highlighted significant concerns with the current Civilian Monitor (CM) processes. Participants expressed widespread dissatisfaction with monitor selection practices, inconsistent deployment, and limited transparency regarding confidentiality requirements. Legal counsel also raised substantial concerns, particularly around vague agreements and unclear risk-management protocols, issues that at one point jeopardized the continuation of the program.

Across First Nations, there was strong and consistent support for automatic CM assignment, with many emphasizing that monitors should be mandatorily involved in all incidents involving Indigenous persons. Participants also stressed the need for culturally grounded protocols, including the involvement of Elders, trauma-informed supports, and the selection of regional monitors who are familiar with local Nation contexts.

Police partners indicated a willingness to work with a more structured and professionalized CM program, if training standards, clear role definitions, and

reliable deployment procedures are established. At the community level, respondents requested improved public education on the purpose and function of monitors, noting that misunderstandings about their role can lead to unrealistic or misaligned expectations.

Evaluated together, these engagements demonstrate that CM reform must extend beyond administrative adjustments. They point to the need for a broader governance shift toward greater predictability, cultural safety, and transparency within the oversight system.

Policy Option: Co-Governed Provincial Civilian Monitor Registry

Mandate & Functions

A Provincial Civilian Monitor Registry would establish a formal, province-wide system for the recruitment, vetting, and management of Civilian Monitors, jointly overseen by the Province and the BCFNJC. The current CM program relies heavily on informal and ad hoc selection practices, which has resulted in inconsistent monitor quality, credibility concerns, and uneven regional representation. Creating a structured registry would introduce a transparent and competency-based selection process that communities and oversight bodies can rely upon. The registry would include clear pathways for both Indigenous and non-Indigenous monitors, regional pools to ensure familiarity with local Nation contexts and timely deployment, and mandatory annual competency renewal supported by ongoing training requirements. This framework would significantly enhance accountability, professionalism, and trust across the oversight system.

A standardized Civilian Monitor Agreement would provide a consistent, plain-language contract outlining monitor responsibilities, confidentiality expectations, evidence-handling rules, and reporting requirements. The absence of such an agreement has previously led to overly broad, ambiguous, and legally problematic documentation that jeopardized program stability. Establishing a uniform agreement would provide monitors, communities, oversight agencies, and legal counsel with a clear understanding of roles and obligations. The agreement would set confidentiality requirements proportionate to the monitor's function rather than relying on expansive non-disclosure clauses, and it would include explicit transparency allowances that support community-level reporting and accountability. It would also set clear rules related to evidence access, note-taking, disclosure, and conflict-of-interest screening, while embedding cultural safety expectations and trauma-informed practice within its operational requirements.

A comprehensive support system would ensure that Civilian Monitors receive the cultural, legal, financial, and wellness resources necessary to perform their

duties safely and effectively. Monitors often engage with high-stress situations and traumatic incidents without adequate preparation or post-deployment support. Establishing structured supports would improve the sustainability and professionalism of the program while strengthening community trust. These supports would include honoraria provided through pre-approved standing offer agreements, legal briefings prior to deployment, and debriefing opportunities following participation in an investigation. Monitors would also have access to trauma-informed mental-health services, as well as guidance from Elders and Knowledge Keepers to maintain cultural grounding. In addition, standardized safety planning and communication protocols would ensure that monitors are adequately protected and informed throughout their involvement in an investigation.

A standardized, co-developed training curriculum would ensure that all Civilian Monitors receive consistent, high-quality education in the skills and knowledge necessary to carry out their role. Co-designed by BCFNJC and provincial training partners, the curriculum would professionalize the CM program by providing clear expectations and competency benchmarks. Training would include modules on investigative processes, information management, and oversight principles, ensuring monitors understand procedural requirements and their defined role within an investigation. It would also incorporate trauma-informed practice, cultural safety, and Nation-specific considerations to ensure monitors are prepared to engage respectfully and effectively in diverse contexts across BC. This curriculum is essential for building a credible, well-prepared monitor cohort equipped to support both communities and oversight agencies.

Clear, standardized placement protocols would establish when and how monitors are assigned to investigations, ensuring fairness, consistency, and legitimacy in deployment. The current system lacks uniformity and often relies on discretionary decisions, resulting in gaps that undermine community trust. Under the reformed framework, Civilian Monitors would be automatically assigned in any investigation involving an Indigenous person—whether as a complainant, victim, subject officer, or key witness—thereby removing ambiguity and ensuring consistent representation. Placement protocols would also include Nation concurrence in the selection of monitors, enabling Nations to recommend specific individuals when appropriate. Mandatory conflict-of-interest screening would further strengthen impartiality, credibility, and community confidence in the monitoring process.

Policy and systems integration would ensure that the Civilian Monitor program functions cohesively within the broader provincial and federal oversight landscape. Integration with the IIO, OPCC and the CRCC is essential

for ensuring alignment of procedures, role clarity, and consistent deployment. Harmonized policies and interoperable data-sharing systems would streamline communication and improve oversight efficiency. Additionally, the program would include annual public reporting on deployment rates, systemic trends, and key issues observed across investigations, enhancing transparency and accountability. This integration ensures that the reformed CM program does not operate in isolation but functions as a coordinated component of the province's overall oversight architecture.

Legislative and Policy Pathway

Implementing the reformed Civilian Monitor (CM) Program can be achieved through a regulatory and directive-based approach, avoiding the need for a standalone statute while still providing a clear and enforceable foundation for program operations. This pathway allows the Province and the BCFNJC to move quickly on urgent reforms while ensuring alignment with existing legislation, administrative frameworks, and DRIPA commitments.

A series of targeted *Police Act* regulations would form the core of the legal structure for the program. These regulatory amendments would authorize the creation and operation of the provincial CM Registry, including provisions for competency criteria, administration, and oversight. Regulations would also establish the automatic assignment of monitors in cases involving Indigenous persons, clarify data-sharing authorities between oversight bodies and the registry, and prescribe standards governing the use of agreements, confidentiality provisions, and procurement mechanisms. Together, these regulatory measures would ensure consistency, predictability, and legal clarity across agencies.

Complementing these regulatory changes, a provincial procurement directive would be required to support the financial and cultural aspects of the program. This directive would authorize Indigenous-specific standing offers to ensure timely and equitable payment of honoraria to monitors, as well as culturally grounded support payments for Elders, interpreters, and Knowledge Keepers. Embedding these flexibilities in procurement policy is essential to operationalize cultural safety commitments and to recognize the unique contributions Indigenous partners bring to the oversight system.

To ensure operational alignment across oversight agencies, coordinated policy amendments within the IIO, OPCC and CRCC would be required. These updates would define the precise boundaries of the CM role, standardize deployment protocols and communication processes, and integrate FOIPPA-aligned transparency clauses to ensure clarity around confidentiality and community reporting. Additionally, these agencies would recognize CM

observations and reports at a systemic level, ensuring that monitor insights contribute to broader oversight improvements and public reporting.

Finally, formal partnership agreements with BCFNJC would establish the co-governance approach central to the program's success. These agreements would outline shared oversight of the registry, co-development and co-delivery of training, and mutual recognition of restorative pathways developed in collaboration with First Nations. This partnership framework ensures that Indigenous governance principles and community expectations are substantively embedded throughout the program's design and implementation.

Taken together, these legislative and policy mechanisms provide a coherent, coordinated, and culturally grounded pathway for implementing the reformed Civilian Monitor Program without the need for complex legislative restructuring. This approach balances urgency with accountability and supports the long-term goal of strengthening Indigenous-led oversight within British Columbia's justice system.

Actors & Roles

BCFNJC	Joint governance of registry; cultural architecture; training co-development. Oversight of cultural safety protocols and Nation-relations practices.
PSSG / Executive Council / Treasury Board	Approve regulatory amendments and procurement flexibilities. Sponsor CM program reforms within Ministerial Standards. Ensure budget adequacy and DRIPA alignment.
IIO / OPCC / CRCC	Update deployment protocols; integrate CM into investigations. Recognize CM observations in systemic analysis. Maintain shared data standards.
First Nations & Elders	Provide concurrence, recommend monitors, and guide culturally grounded expectations.

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	Support CM wellness and cultural integrity.
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References from Other Jurisdictions

- Manitoba: Community-based oversight integration and Indigenous liaison models.
- Saskatchewan: FSIN Special Investigations Unit (community monitors integrated with SIRT).
- Ontario: Inspector General's Office's Indigenous engagement and liaison units.
- International: Community observer models with registry-based assignment (e.g., New Zealand, certain U.S. tribal policing jurisdictions).

4. Community Network Model: Hybrid complaints network

This option proposes a BC Indigenous Police Complaints Network (IPC Network), a jointly governed hybrid network connecting the provincial Indigenous Justice Oversight Corporation (Crown Corporation Model) or future Indigenous Police Oversight Authority (Legislative Office Model) with Community Review Councils, Indigenous Courts, and Justice Hubs across the province. The Community Network Model would establish a province-wide network linking community-based restorative justice systems with statutory oversight under the *Police Act*, creating a layered and culturally grounded accountability framework. It is founded on the principle that justice must be both locally rooted and systemically recognized. Co-led by the BCFNJC and Indigenous governance partners, the Network would not replace existing agencies (OPCC, IIO, CRCC) but serve as a bridge connecting Indigenous restorative processes with formal oversight systems.

Core Design

- Standardized Recognition Agreements (SRAs): Allow OPCC, IIO, and CRCC to formally accept outcomes of community-led restorative resolutions such as apologies, restitution, or ceremonial healing processes validated by Elders or Justice Hubs.
- Central Secretariat: Coordinates policy, data management, and training while ensuring regional autonomy and cultural integrity.

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- Indigenous Data Trust: Jointly governed by Indigenous partners, it manages all Indigenous-identifier complaint data using OCAP principles (Ownership, Control, Access, Possession) to uphold transparency and Indigenous data sovereignty.

This model allows local restorative justice pathways to be officially recognized within provincial frameworks while ensuring consistent reporting and accountability standards. It balances cultural legitimacy with legal reliability, adapting to regional capacity and preparedness.

Intended Outcome

The IPC Network would establish a co-managed network that incorporates Indigenous restorative justice into the formal police oversight system. Its aim is to enable Indigenous communities to exercise self-determined accountability, with outcomes recognized, transparent, and enforceable across both provincial and federal mechanisms.

The model establishes three interconnected levels:

1. Community Hubs – Elders' Councils and Justice Hubs conduct restorative or consensus-based processes grounded in Indigenous law.
2. Provincial Authorities – IJOC/IPOA, OPCC, and IIO recognize and record outcomes through SRAs.
3. Secretariat – Manages coordination, data, training, and cross-system communication.

The IPC Network would formally acknowledge community-led restorative resolutions within provincial oversight systems, bridging Indigenous and statutory justice. Its networked design allows flexible, scalable participation across regions based on community readiness. An Indigenous Data Trust ensures transparency through annual public reporting while safeguarding privacy and community control. Co-governance with the BCFNJC fosters nation-to-nation collaboration and shared accountability. Together, these outcomes strengthen trust, cultural legitimacy, and systemic fairness in police oversight. Legislatively, the Network relies on a hybrid approach combining Police Act recognition clauses with MOUs, regulations, and privacy exemptions under FOIPPA to enable restorative recognition and secure data sharing.

As a transitional innovation, the IPC Network balances flexibility and structure, expanding cultural legitimacy across the province while maintaining legal coherence and public accountability. It facilitates immediate collaboration between oversight agencies and communities, reduces duplication by recognizing community resolutions across systems, and provides training for Restorative Navigators and Community Monitors.

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The model also establishes an evidence base for future Indigenous-led oversight. Ultimately, it represents a dynamic system of accountability that unites Indigenous law and provincial oversight through shared governance and reconciliation in practice.

Research Overview

Recent national reports and academic analyses provide strong evidence supporting the development of a co-governed, hybrid network model integrating Indigenous restorative justice with statutory oversight frameworks. Chartrand and Horn (2016) highlight that Indigenous legal traditions already operate as legitimate systems of restorative accountability and that formal recognition of these processes within the justice system can foster meaningful cross-cultural collaboration. Similarly, the *Federal-Provincial-Territorial Working Group on Restorative Justice* (2020) provides empirical evidence of expanding restorative justice (RJ) adoption across Canadian jurisdictions, emphasizing intergovernmental cooperation and the institutional viability of networked models.

The National First Nations Justice Strategy (Assembly of First Nations [AFN], 2025) further advances this by calling for joint governance mechanisms, legislative recognition of Indigenous jurisdiction, and Indigenous data sovereignty guided by OCAP principles, elements that align directly with the proposed Indigenous Data Trust. The Expert Panel on Policing in Indigenous Communities (2019) reinforces the need for structured collaboration between Indigenous communities and justice institutions to promote culturally responsive policing, echoing the Network's multi-level coordination between community hubs and provincial authorities. Finally, Committee Report No. 11 – INAN (43-2) (House of Commons of Canada, 2020) urges the formal integration of community-led restorative mechanisms within broader justice and oversight systems. Collectively, these sources substantiate the legitimacy and feasibility of a BC Indigenous Police Complaints Network, demonstrating that hybrid governance, data sovereignty, and restorative recognition can coexist within an accountable and culturally grounded oversight framework. The evidence base confirms that robust oversight systems must adapt to Indigenous legal traditions, data sovereignty imperatives, and collaborative governance models. The RJ and Indigenous legal traditions report (Chartrand & Horn, 2016) underscores that Indigenous legal orders already engage in healing and community-based justice and thus have institutional credibility for partnership. The national RJ baseline (2020) demonstrates that referral networks, partnerships, and collaborative frameworks are operationally viable. The AFN's National First Nations Justice Strategy (2025) explicitly calls for co-governance, Indigenous jurisdiction, and data frameworks aligned with OCAP® principles, which dovetails with the proposed Indigenous Data Trust. Meanwhile, the policing in Indigenous communities report (2019) and the

Parliamentary Committee report (2020) reinforce the need for structured networks bridging local and statutory justice systems. Together, these sources lend strong support to the legitimacy, design features, and feasibility of the IPC Network model.

Engagement Summary

Participation in the BC First Nations Justice Council internal working groups, regional dialogues, and Strategy 7 submissions shows strong support for locally led culturally grounded oversight that complements formal accountability systems. Participants emphasized that trust must be rebuilt through community-based mechanisms, not solely through external processes.

Four core themes emerged:

1. **Local Autonomy and Recognition:** Communities seek authority to resolve complaints through Elders' Councils, Justice Hubs, or Restorative Circles, with outcomes recognized by OPCC, IIO, and CRCC, reflecting a "two-way recognition" between Indigenous and provincial systems.
2. **Co-Governance Infrastructure:** A central secretariat is essential to coordinate processes, standardize practices, and ensure consistent recognition and reporting across institutions.
3. **Data Sovereignty:** Widespread agreement supports an Indigenous-led Data Trust to manage Indigenous-identifiable data, ensuring oversight information is interpreted through Indigenous governance.
4. **Capacity and Equity:** Nations differ in readiness; the network model's flexibility enables phased participation and shared regional capacity-building.

Policy Option: BC Indigenous Police Complaints Network

Mandate & Functions

1. Develop and manage Standardized Recognition Agreements (SRAs) so community-led resolutions are formally acknowledged within oversight processes, enabling mutual referrals and consistent standards.
2. Operate a central secretariat to coordinate training, policy, and communications, and manage a Navigator Network that supports complainants, families, and communities through oversight systems.

3. Administer an Indigenous Data Trust (guided by OCAP and CARE principles) to collect, analyze, and report complaint data, producing annual Systemic Analysis Reports to inform reform.
4. Develop provincial guidelines for restorative recognition, confidentiality, and training standards aligned with DRIPA and the BC First Nations Justice Strategy.
5. Support Nations in developing Community Review Councils or Justice Hubs, and convene annual gatherings to share best practices and monitor progress.

Legislative & Policy Pathway

The hybrid model needs a combination of legislative authority and administrative tools to establish recognition, coordination, and data governance.

Police Act Amendments

- Establish a “Restorative Recognition and Indigenous Oversight Network” clause authorizing the IPC Network and Standardized Recognition Agreements (SRAs).
- Define the legal status of recognized community resolutions and require oversight bodies (OPCC, IIO, CRCC) to collaborate with the Secretariat and share Indigenous-identifier data.
- Enable the Minister to approve SRAs by regulation to ensure flexibility as the network evolves.

Ministerial Instruments & MOUs

- Issue a DRIPA Alignment Directive mandating co-development with Indigenous governments.
- Sign a Framework MOU among the Network, oversight bodies, and IJOC/IPOA to establish mutual recognition, referrals, and confidentiality protocols.
- Develop Community MOUs outlining Nation-specific participation and funding terms.
- Implement Data Sharing Agreements under FOIPPA for secure Indigenous data exchange and culturally appropriate privacy exemptions.

Regulations & Guidelines

- Create Restorative Recognition Regulations detailing referral, validation, and outcome registration processes.
- Establish Data Governance and Reporting Protocols for consent, anonymization, and transparency.
- Define Training and Certification Standards for Navigators, facilitators, and Elders.

Treasury Board & Funding Directives

- Approve a multi-partner funding model supporting the Secretariat, Navigator training, and regional implementation.
- Allow culturally appropriate procurement and honoraria policies and shared resource agreements for smaller Nations.

Federal Interfaces

- Develop an MOU with Public Safety Canada and CRCC recognizing the Network's role in RCMP oversight.
- Explore RCMP Act amendments or recognition agreements allowing restorative resolutions under SRAs to satisfy federal complaint requirements.

Actors & Roles

Actor	Roles and Responsibilities
BC First Nations Justice Council (BCFNJC)	Co-governs the Network; provides strategic leadership; oversees the Secretariat and Indigenous Data Trust; ensures alignment with the BC First Nations Justice Strategy.
Indigenous Justice Oversight Corporation (IJO) / Indigenous Police Oversight Authority (IPOA)	Provincial oversight partner; manages Recognition Agreements; ensures alignment with the <i>Police Act</i> and oversight standards.
Community Review Councils / Justice Hubs	Conduct community-led restorative processes; validate outcomes through Elders' Councils; submit resolutions for recognition via SRAs.
Secretariat	Coordinates governance, data management, training, and communications; administers the Navigator Network and Data Trust.

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Actor	Roles and Responsibilities
OPCC / IIO / CRCC	Recognize community resolutions; share Indigenous-identifier data; collaborate on systemic reviews and training.
Ministry of Public Safety and Solicitor General (PSSG)	Legislative and funding sponsor; supports policy, legal, and DRIPA alignment across provincial partners.

References from Other Jurisdictions

- Ontario – Community Justice Hubs and Indigenous Policing Integration: Demonstrates how Indigenous-led restorative processes can be formally recognized within provincial oversight through standardized agreements and liaison structures.
- Saskatchewan – FSIN Justice Commission and SIRT: Illustrates co-managed oversight and shared investigative responsibility through MOUs and relationship-based governance.
- Manitoba – Indigenous Justice Committees and LERA: Provides a hybrid framework where community restorative resolutions are formally recognized within provincial justice systems.

5. Crown Corporation Model: Indigenous justice oversight Corporation

The Indigenous Justice Oversight Corporation (IJOc) represents a structural innovation in police accountability: a special purpose Crown corporation designed to operationalize Indigenous participation and leadership within BC's oversight regime while maintaining statutory independence from direct ministerial control. Functioning as a co-governed institution, the IJOc would hold delegated powers to conduct complaint reviews, systemic investigations, and administer the Civilian Monitor (CM) Program, acting as both an operational oversight body and a bridge between Indigenous law and provincial regulatory frameworks.

The creation of a Crown corporation model reflects a deliberate choice to balance Indigenous self-governance, public accountability, and administrative continuity. Within BC's legislative landscape, Crown corporations such as *WorkSafeBC*, *ICBC*, and the *BC Human Rights Tribunal* illustrate how quasi-independent entities can uphold public-interest mandates while remaining financially and operationally autonomous. Applying this model to Indigenous oversight allows for legislated autonomy,

co-governance, and enforceable public transparency, ensuring the IJOC can function credibly within the broader justice ecosystem.

In practice, the IJOC would perform oversight functions traditionally dispersed across several agencies, contracting complaint investigations, conducting systemic reviews, and developing policy advisories related to professional conduct and cultural standards. Its Civilian Monitor Registry would establish the first provincial mechanism for Indigenous civilian participation in serious incident reviews, including those led by the IIO, where Indigenous presence and trust are most critical.

Beyond its administrative mandate, the IJOC also carries symbolic and constitutional significance. It advances the DRIPA commitment to co-develop new justice institutions and recognizes Indigenous peoples' inherent right to participate in decision-making that affects them. As such, the IJOC is both an institutional innovation and a transitional mechanism, a step toward a future Indigenous Police Oversight Authority (Legislative Office Model) that will be fully governed and directed by Indigenous Nations. Its establishment demonstrates the Province's recognition that Indigenous accountability systems must be embedded within the architecture of state oversight, not appended to it as advisory afterthoughts.

The IJOC's proposed structure includes:

- A majority-Indigenous Board of Directors, appointed jointly by BCFNJC and the Province, with clear statutory protection from political interference;
- A Chief Executive Officer accountable to the Board and required to table annual plans and reports to the Legislative Assembly;
- Authority to enter into contracts and memoranda of understanding with oversight bodies such as the IIO, OPCC and CRCC; and
- Capacity to issue binding systemic review recommendations and training standards related to cultural safety, trauma-informed practice, and Indigenous legal principles.

By institutionalizing Indigenous governance within the framework of a Crown corporation, the IJOC establishes a dual accountability system, one that answers to both Indigenous peoples and the Crown. It embodies a model of shared sovereignty that is pragmatic, scalable, and responsive to BC's diverse Indigenous Nations and justice contexts.

Intended Outcome

The Indigenous Justice Oversight Corporation (IJOc) seeks to transform how police oversight operates in BC by embedding Indigenous governance, cultural legitimacy, and systemic accountability into the province's statutory framework. Its establishment aligns with the BC First Nations Justice Strategy (Strategy 7: Oversight and Accountability), which calls for the creation of Indigenous-led institutions capable of conducting complaint reviews, systemic analyses, and culturally informed monitoring functions.

The overarching goal is to build public trust, particularly among Indigenous peoples who have historically been alienated from oversight processes, while ensuring that accountability mechanisms reflect Indigenous laws, values, and lived experiences. The IJOc's twofold purpose is therefore:

1. To enhance Indigenous participation, access, and transparency within police oversight through structured co-governance, and
2. To lay the institutional and legislative foundation for a future Indigenous Police Oversight Authority (Legislative Office Model) that exercises full jurisdictional autonomy.

Through its core functions, the IJOc creates a continuum between existing statutory bodies and Indigenous justice frameworks:

1. **Complaint Resolution and Systemic Review:**
The IJOc would conduct investigations and systemic reviews referred by the OPCC, IIO, or CRCC, and those initiated by the Minister under the *Police Act*. By integrating Indigenous investigators and legal experts into review processes, the Corporation ensures that both procedural fairness and cultural legitimacy are upheld.
2. **Civilian Monitor Program Administration:**
The IJOc would establish and maintain a Civilian Monitor Registry, certifying Indigenous monitors who can be deployed to IIO-led investigations involving Indigenous persons or Nations. This initiative strengthens community trust and ensures culturally appropriate observation and reporting in critical incidents.
3. **Standards, Training, and Advisory Functions:**
Through formal advisories and training standards, the IJOc would promote culturally competent oversight across provincial agencies. These standards would include trauma-informed practice, the

application of Indigenous legal principles, and frameworks for community engagement and restorative accountability.

Structurally, the IJOC's governance model ensures statutory independence and co-governance integrity. The enabling legislation would codify independence clauses, limiting ministerial direction to broad policy parameters rather than operational decisions. It would also require public annual reporting, independent auditing, and consistent alignment with DRIPA and the *BC First Nations Justice Strategy*.

In effect, the IJOC operates as a transitional institution, bridging current statutory oversight and future Indigenous self-governed accountability systems. It institutionalizes a pathway where Indigenous participation in oversight evolves from consultative to directive, ultimately leading to Indigenous sovereignty in justice administration.

By legislating a majority-Indigenous board, codifying independence, and anchoring its mandate in shared governance, the IJOC model achieves a balance between provincial accountability and Indigenous authority, a balance essential to restoring trust, equity, and legitimacy within BC's justice system.

Research Overview

The rationale for creating an Indigenous Crown oversight body is grounded in contemporary policy research supporting hybrid governance and institutional recognition of Indigenous legal traditions. Chartrand and Horn (2016) emphasize that Indigenous law already operates as a legitimate system of social accountability; its formal inclusion within statutory frameworks strengthens justice legitimacy and cultural alignment. The Federal-Provincial-Territorial Working Group on Restorative Justice (2020) notes that intergovernmental collaboration through shared mandates and co-designed governance models can expand both efficiency and legitimacy in oversight processes.

The Expert Panel on Policing in Indigenous Communities (2019) highlights persistent gaps in oversight and cultural safety, calling for new Indigenous-led governance structures that combine community legitimacy with legal authority. The National First Nations Justice Strategy (Assembly of First Nations [AFN], 2025) specifically identifies Indigenous-controlled institutions and Indigenous data sovereignty as essential to reforming justice accountability. Finally, Committee Report No. 11 – INAN (2020) recommends

formal integration of Indigenous participation in police oversight and investigative processes.

Together, these sources affirm that hybrid oversight institutions, such as an Indigenous Crown corporation, can balance independence, statutory authority, and cultural legitimacy. They also underscore that Indigenous co-governance must be built into the structure, not appended as advisory. Embedding Indigenous governance through board composition, statutory objects, and reporting requirements ensures cultural continuity and compliance with reconciliation frameworks, such as DRIPA.

Furthermore, comparative jurisdictional evidence supports the feasibility of Indigenous-led oversight within Crown frameworks. Ontario's Community Justice Hubs demonstrate how provincial authority can coexist with Indigenous-administered accountability (Chartrand & Horn, 2016). Saskatchewan's Federation of Sovereign Indigenous Nations (FSIN) Justice Commission and Special Investigations Unit offer a precedent for regional oversight operating through co-developed MOUs and shared investigative powers. Manitoba's Indigenous Justice Committees under the Law Enforcement Review Agency (LERA) illustrate how community resolutions can be recognized within a statutory complaints process. These examples collectively validate the IJOC's co-governed Crown structure as a viable, transitional innovation in BC's evolving oversight landscape.

Engagement Summary

Engagement under Strategy 7 and consultations with Indigenous leadership indicate consistent support for an Indigenous-governed, legally mandated oversight institution rather than purely advisory participation within existing provincial agencies. Community representatives and justice practitioners expressed that arm's-length oversight with statutory authority is essential for rebuilding public trust, as it allows Indigenous peoples to oversee investigations involving their own communities within a protected, co-developed framework.

Three key themes emerged from engagement:

1. **Governance Independence:** Indigenous participants emphasized the need for an institution independent from direct ministerial control, capable of making binding recommendations, and insulated from political interference through legislated independence clauses and fixed-term board appointments.

2. **Cultural and Operational Integration:** Stakeholders highlighted that oversight must embed Indigenous knowledge systems and healing practices alongside investigative and analytical processes. The IJOC's Civilian Monitor Program and training mandates directly respond to this, ensuring oversight reflects both Indigenous and Western accountability traditions.
3. **Pathway to Self-Governance:** Many participants viewed a Crown corporation as a transitional step—an intermediary model that can evolve into a fully Indigenous-governed oversight authority once institutional capacity, data infrastructure, and legislative recognition mature.

Overall, engagement findings confirm that a co-governed Crown structure offers both legitimacy and pragmatism: it is familiar within provincial administrative law yet adaptive enough to incorporate Indigenous governance principles.

Policy Option: Indigenous Justice Oversight Corporation

Mandate & Functions

The Indigenous Justice Oversight Corporation (IJOC) would be established as a special purpose Crown corporation under a dedicated statute. Its legislated objects would include:

- Conducting contracted complaint investigations and systemic reviews in partnership with the OPCC, IIO, and CRCC.
- Operating a Civilian Monitor Registry for training, certification, and deployment of Indigenous monitors to IIO-led investigations.
- Providing advice and standards on police accountability, cultural safety, and Indigenous legal integration.
- Publishing annual systemic analysis reports and training guidelines.
- Promoting Indigenous data sovereignty and culturally fit procurement practices under Treasury Board exemption clauses.

The IJOC would be governed by a Board of Directors with a majority Indigenous membership, appointed through a transparent merit-based process jointly administered by the BC First Nations Justice Council (BCFNJC) and the Province. A Chief Executive Officer would report to the Board and

table an Annual Plan and Annual Report in the Legislative Assembly, ensuring public accountability and transparency.

Legislative & Policy Pathways

The IJOC requires a stand-alone enabling statute, The *Indigenous Justice Oversight Corporation Act*, defining its powers, governance, and independence. Key legislative elements include:

Objects and Powers

Authorize the Corporation to conduct reviews, investigations, systemic studies, and administer training programs; enable contracting arrangements with oversight bodies and Indigenous governments.

Governance and Independence

- Board of Directors: 9–11 members, majority Indigenous, jointly appointed by the Province and Indigenous partners.
- Fixed board terms (e.g., five years) to insulate from political turnover.
- Ministerial direction limited to high-level policy alignment, not operational matters.
- Requirement for public Annual Plans, Reports, and independent audits.

Integration with the Police Act

Amend the *Police Act* to reference the IJOC as a designated oversight partner, enabling referrals from OPCC, IIO, or the Minister.

Treasury Board and Procurement Provisions

Include culturally fit procurement and staffing clauses, allowing Indigenous hiring preferences, honoraria for Elders, and flexible community contracts under Treasury Board policy exemptions.

DRIPA Alignment

Explicitly reference the *Declaration on the Rights of Indigenous Peoples Act*, affirming the IJOC's role in advancing Articles 4, 5, and 18 concerning Indigenous participation in decision-making and autonomous institutions.

This legislative design mirrors other BC Crown oversight entities while embedding statutory safeguards to ensure the IJOC operates as a co-governed, arm's-length institution rather than a ministerial division.

Actors & Roles

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Actor	Role
BC First Nations Justice Council (BCFNJC)	Co-governance and Indigenous board appointment partner; alignment with the BC First Nations Justice Strategy.
Ministry of Public Safety and Solicitor General (PSSG)	Legislative sponsor; provides funding and policy alignment under DRIPA.
OPCC / IIO / CRCC	Referral partners; contract investigations, share data, and collaborate on training standards.
Treasury Board Secretariat	Approves exemptions for culturally fit procurement and flexible funding mechanisms.
Indigenous Governments and Justice Hubs	Provide community input, assist in civilian monitor recruitment, and validate culturally grounded review practices.

6. Legislative Office Model: Independent Indigenous police oversight authority

Indigenous-led police oversight in British Columbia under this option would establish an Independent Office of the Legislature: the Indigenous Police Oversight Authority (IPOA). As an Officer of the Legislature, the IPOA would be structurally independent from Cabinet and ministries, reporting directly to the Legislative Assembly. Its mandate would include: (1) complaint review and resolution involving Indigenous individuals, Nations, and First Nations police services; (2) systemic investigations and inquiries into patterns of police and justice-system interaction with Indigenous peoples; and (3) design and governance of a provincial Civilian Monitor (CM) Program, including a CM Registry, training, and deployment standards. The IPOA would exercise joint and complementary jurisdiction with existing oversight bodies—such as the Office of the Police Complaint Commissioner (OPCC), the Independent Investigations Office (IIO), and the Civilian Review and Complaints Commission (CRCC)—through statutory pathways, memoranda of understanding, and recognition clauses that ensure Indigenous-led processes and findings are integrated into provincial and federal oversight frameworks rather than remaining purely advisory.

Intended Outcome

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The Independent Office of the Legislature model is intended to create a high-independence, Indigenous-led oversight institution that is both credible to Indigenous communities and authoritative within BC's statutory policing framework. Concretely, this option aims to:

- Enhance trust and access to justice for Indigenous peoples
- Provide a visibly independent, Indigenous-governed point of entry for complaints and concerns involving police and other justice-system actors.
- Ensure Elders, Knowledge Keepers, and community-based supports are embedded in oversight processes, including restorative and land-based pathways where appropriate.
- Standardize restorative and Indigenous-led pathways that are recognized in law
- Develop provincial standards for restorative complaint resolution, civilian monitoring, and Indigenous cultural safety that are formally referenced in the BC Police Act (and related statutes), in a similar way to how other jurisdictions have codified specialized oversight standards and practices.
- Ensure that resolutions reached through IPOA-led or co-led processes are recognized and enforceable within existing complaint, discipline, and prosecution frameworks (e.g., OPCC, IIO, CRCC, and Crown policy).
- Provide transparent data, systemic reviews, and recommendations to the Legislature
- Publish regular public reports to the Legislative Assembly on trends in complaints, serious incident responses, and systemic issues affecting Indigenous peoples, similar to how Independent Investigation Units and review agencies in other provinces provide public accountability on serious incidents and misconduct.
- Support Indigenous data governance by ensuring Indigenous Nations and organizations co-design data standards and retain meaningful authority over how their information is used and reported.

While this model represents a heavier legislative and implementation lift than a ministry directorate or Crown corporation, it offers the strongest signal of independence and long-term commitment. It is designed to be a destination model that could build upon earlier, transitional stages (e.g., a co-governed directorate or a special-purpose Crown) rather than needing to be implemented from a standing start.

Research Overview

Current Strategy 7 work has mapped an independence spectrum of institutional options:

- a co-governed ministry directorate (lowest formal independence, highest ease of implementation);

- a special-purpose Crown corporation (medium lift, arm's-length from Cabinet); and
- an Officer of the Legislature (highest independence, highest institutional and legislative complexity).
- In that typology, the Indigenous Police Oversight Authority as an Office of the Legislature sits at the “high-independence/high-rigour” end of the spectrum, intended to insulate oversight from political direction and day-to-day executive control while entrenching Indigenous governance in statute. The IPOA model carries forward the design work already completed under Strategy 7—on CM registry functions, restorative pathways, Indigenous standards, and Indigenous data governance—but re-locates these functions within a Legislature-appointed authority rather than a ministry or Crown setting.

Comparative research and environmental scans demonstrate that all Canadian provinces and territories already rely on a mix of serious-incident units and public-complaint bodies, often connected through statutes and MOUs that extend to RCMP oversight:

Ontario operates the Special Investigations Unit (SIU) and a complaints framework under the Community Safety and Policing Act, 2019; recent reforms brought the Nishnawbe Aski Police Service (NAPS) under this legislation and SIU oversight, illustrating how Indigenous police services can be integrated into a modern provincial oversight regime through opt-in mechanisms and tailored agreements.

Saskatchewan introduced the Serious Incident Response Team (SIRT) in 2023 and supports Indigenous oversight participation through collaboration with the Federation of Sovereign Indigenous Nations (FSIN) Special Investigations Unit, demonstrating layered Indigenous–provincial arrangements.

Manitoba maintains the Independent Investigation Unit (IIU) for serious incidents and the Law Enforcement Review Agency (LERA) for non-criminal complaints, supplemented by a Civilian Monitor Program, creating multiple entry points and oversight layers.

Quebec's Bureau des enquêtes indépendantes (BEI) and the Atlantic provinces' shared Serious Incident Response Team (SiRT) provide regionalized models, while Yukon contracts Alberta's Serious Incident Response Team (ASIRT) through formal agreements, illustrating how small jurisdictions can secure independent, civilian-led oversight at arm's length.

These examples confirm that multiple statutory pathways already exist for integrating Indigenous-specific and arm's-length oversight functions within Canadian policing law. They also show that serious-incident units and complaint bodies can:

- operate at varying distances from the executive;
- share jurisdiction across municipal, provincial, and RCMP policing; and

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- incorporate Indigenous-specific agreements or units (e.g., NAPS under Ontario's CSPA; FSIN SIU in Saskatchewan).
- Building on this comparative landscape, the Independent Office of the Legislature option for BC would represent an incremental but distinct evolution: rather than merely adding Indigenous advisory components onto existing agencies, it would create a dedicated Indigenous-led oversight authority whose independence is anchored in the Legislature itself, with formalised relationships to OPCC, IIO, CRCC, and other bodies through statute and inter-agency agreements.

Engagement Summary

Across engagements with Elders, First Nations leaders, community members, legal counsel, oversight bodies, and policing partners, several consistent themes emerged:

- Deep mistrust of current oversight structures (OPCC, IIO, CRCC) as inaccessible, overly legalistic, and disconnected from Indigenous experiences.
- Clear desire for a fully independent Indigenous-led authority rather than piecemeal representation inside existing institutions.
- Strong support for legislated restorative pathways that Nations can control, with Elders and ceremony recognized in statute.
- Demand for independent systemic reviews specific to Indigenous policing experiences and race-based harm patterns.
- Consensus across oversight bodies that they lack the cultural competence, staffing capacity, and legitimacy to lead Indigenous-centred oversight without a structurally independent partner.
- Recognition of the need for Indigenous data governance to be embedded in legislation, not reliant on policy.
- Stakeholders highlighted that anything less than a Legislature-based model risks being perceived as symbolic, temporary, or politically influenced.

Policy Option: Independent Office of the Legislature – Indigenous Police Oversight Authority

Mandate & Functions

The IPOA would be a standalone oversight institution with legislated authority equal or superior to OPCC, IIO, and CRCC for matters involving Indigenous peoples. Its mandate would include:

Core Functions:

1. Complaint Resolution and Review

- Lead Indigenous complaint reviews involving municipal police, RCMP, First Nations police services, and special constables.

- Operate both formal investigative pathways and culturally grounded restorative pathways.

2. Serious Incident and Systemic Investigations

- Conduct systemic reviews on policing trends affecting Indigenous peoples.
- Initiate inquiries into race-based policing issues, data gaps, and patterns of harm.

3. Civilian Monitor (CM) Program

- Certify, train, deploy, and oversee Indigenous Civilian Monitors across BC.
- Ensure CM reports feed into systemic recommendations and oversight body operations province-wide.

4. Restorative and Cultural Pathways

- Provide Indigenous-led alternatives or complements to formal investigations.
- Outcomes recognised by OPCC/IIO/CRCC through statutory recognition clauses and MOUs.
- Agency-Specific Interoperability

While the IPOA is fully independent, its work would interconnect with existing agencies through statutory referral and recognition pathways:

- IIO: CM deployment for serious incidents; joint reviews; data-sharing.
- OPCC: Referral of complaints suitable for restorative resolution.
- CRCC: Joint systemic reviews involving RCMP interactions with Indigenous peoples.
- Co-Governance Structures

The IPOA would be structured through:

- A Legislature-appointed Indigenous Board or Commissioner
- A statutory requirement for co-developed standards with BCFNJC
- Indigenous data-governance authorities and nation-based reporting rules
- Elders and ceremonial guidance embedded in governance and operations

Legislative & Policy Pathway

This option requires major legislative reform, including:

1. New Indigenous Police Oversight Authority Act

- Establishes the IPOA as an Officer of the Legislature.
- Defines investigatory powers, subpoena authorities, reporting obligations, and systemic review mandates.
- Creates statutory recognition mechanisms for restorative and community-led pathways.

2. Amendments to the Police Act and Related Statutes

- Create cross-references requiring OPCC, IIO, and CRCC to recognise IPOA findings.

- Clarify jurisdiction where Indigenous persons, Nations, or Indigenous police services are involved.
- Enable co-led systemic reviews.

3. MOUs and Recognition Agreements

- Define referral triggers, timelines, confidentiality, and reciprocal investigatory rights.
- Codify restorative pathways and CM deployment standards.

4. Treasury Board and Financial Authorities

- Multi-year appropriations model typical for Offices of the Legislature.
- Compensation frameworks for Elders, ceremonial roles, and Indigenous Navigators.
- This pathway is the highest implementation lift but results in the strongest, most durable form of Indigenous-led oversight.

Actors & Roles

First Nations, Elders, and Knowledge Keepers	Shape restorative pathways, cultural protocols, and investigations. Participate in decision-making through governance and operational roles.
PSSG / Executive Council	Sponsor legislative amendments. Support implementation and budget approvals.
Oversight Agencies (IIO, OPCC, CRCC)	Collaborate through statutory referral and recognition pathways. Incorporate IPOA systemic findings into operational reform. Participate in cross-agency systemic reviews.
Indigenous Police Oversight Authority (IPOA)	Conduct investigations, systemic reviews, and restorative processes. Maintain independence from the executive branch. Report to the Legislative Assembly.
BC First Nations Justice Council (BCFNJC)	Co-develop IPOA standards, training, and ceremonial guidance. Advise on nation-relations protocols and cultural safety requirements.

	Lead Indigenous data governance policy design.
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Comparative Matrix (snapshot)

Criterion	IPOA (Officer of Legislatu re)	Crown Corp (IJOC)	Ministry Directorat e	Hybrid Network	Civilian Monitor program reform	Indigenou s unit within the existing bodies
Independence	High	Medium	Low– Medium	Medium– High	Low	Low
Cultural authority	High (Elders’ Council, witnessin g)	High (if Board is Indigenou s-led)	Medium (needs strong co-gov)	High (communit y councils)	Medium (if indigenou s – led)	Low
Speed to stand-up	Low– Medium	Medium	High	Medium	Medium	Low
Data authority	High (statutor y)	Medium	Low– Medium	High (via data trust)	Medium	Low
Fit for CM reform	Strong	Strong	Strong	Strong	Strong	Strong
Legislative lift	High	Medium	Low	Medium	Low	Low

Modular Overlay Pathways

Community-Led restorative oversight pathway

A structured, Indigenous-governed complaint resolution route that can operate instead of, or in parallel with, formal investigations.

This policy option presents a community-led set of supports that can be added to any Indigenous-led oversight model, including the IJOC Crown corporation, the Indigenous Police Oversight Authority (IPOA), or the Networked Network, to enhance cultural integrity, safety, and accountability across the province.

This is not a standalone model. Rather, it provides portable, interoperable components that can be integrated into any Indigenous-led oversight architecture to enhance cultural legitimacy, accessibility, safety monitoring, and enforceability.

Purpose

This pathway aims to strengthen the integrity and accessibility of Indigenous-led oversight by expanding culturally grounded, community-driven accountability tools that are officially recognized within statutory systems. It establishes consistent, province-wide safety protections and creates clear,

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enforceable mechanisms for cross-system recognition through legislation, regulation, and Memoranda of Understanding. By enabling shared or diverted pathways, the overlay helps reduce duplication across complaint systems and builds community trust through Elders-guided, trauma-informed, and consensus-based approaches. Collectively, these measures support transparent, coordinated oversight through harmonized reporting requirements and mandatory data collection across agencies.

Overview

The community-led restorative oversight pathway offers a standardized yet highly adaptable Indigenous-governed mechanism for addressing police-related harms through culturally grounded processes. Beyond serving as an optional diversion, supplementary, or post-investigation pathway, this model affirms the inherent authority of First Nations to design, implement, and enforce their own legal orders, accountability mechanisms, and oversight frameworks. Its flexibility allows each Nation to progress at its own pace, whether by strengthening existing community justice structures or establishing new models that interface with provincial and federal systems. This approach reflects legislative arrangements already in place in jurisdictions such as Alberta, where Part 3.1 of the Police Act (ss. 33.1–33.3) enables Alberta and Canada to establish a First Nation police service by agreement and treat it as a police service under the Act. Likewise, amendments to the Provincial Offences Procedure Act (POPA) recognize First Nation band by-laws as “enactments,” permitting enforcement, including ticketing and summary offence procedures, using the same mechanisms applied to municipal bylaws and certain provincial statutes. Although no single clause explicitly states that First Nation laws are “equal” to provincial laws, the combined effect of these provisions operationalizes that equivalency in practice. Importantly, many Nations in British Columbia and across Canada are already developing their own laws, regulatory regimes, and restorative justice processes; therefore, this pathway is not prescriptive but supportive, designed to meet Nations wherever they are in their governance journey while ensuring that any outcomes remain compatible with statutory obligations, procedural fairness, and public safety requirements.

Core Elements

Indigenous Intake and Navigator Function

The pathway starts with a culturally sensitive intake process led by an Indigenous Navigator who serves as the main contact for complainants, families, and, when appropriate, respondents. The Navigator’s role is both procedural and relational: they offer trauma-informed support, promote

cultural safety, and guide participants through each stage of the process. The intake includes an early assessment to determine if the matter is suitable for a restorative pathway, considering factors such as the nature of the harm, safety concerns, power imbalances, consent of all parties, and whether legal or public safety thresholds necessitate a formal investigation. This screening does not replace statutory oversight; instead, it ensures proper coordination between community-based and formal pathways. Navigators also handle logistics, accessibility, travel, cultural supports, and family involvement, keeping the process rooted in community expectations and relational accountability.

Elders-Guided Restorative Circle

Once a matter is deemed suitable, Elders or designated cultural authorities convene a restorative circle or related community-based process. This element places Indigenous law, protocols, and relational ethics at the center of the oversight response. The circle may involve witnesses, community mentors, advocates, language keepers, or other culturally appropriate participants who help contextualize the harm and uphold community-based standards of accountability. Elders guide the discussion towards understanding the nature and impact of the harm, clarifying obligations owed between parties, and supporting meaningful repair. This model shifts from adversarial or investigative approaches to relational, consensus-based processes, while still respecting safety, fairness, and procedural integrity. The restorative circle is where the core truth-telling, acknowledgment, and commitment to change occurs.

Structured Agreement Terms

Outcomes resulting from the restorative process are recorded as structured, action-oriented agreement terms. These conditions are customized to the harm, the individuals involved, and community expectations. Agreements may include ceremonial or relational acknowledgements (oral, written, or protocol-based apologies), training or professional development requirements, behavioral commitments, community service, or participation in healing practices. They may also incorporate recommendations for policy or practice improvements within the police service or oversight body. Each term aims to ensure accountability, foster learning, and repair relationships, while avoiding punitive measures unrelated to community context. The structured agreement acts as the formal link between community-based resolution and statutory oversight expectations.

Statutory Enforceability

To ensure legitimacy and compliance, structured agreements gain legal standing through regulation, directive, or enabling legislation. This prevents the restorative model from being seen as “soft justice” and ensures outcomes are upheld by provincial oversight bodies. Each agreement is registered within the relevant oversight system (e.g., OPCC, IIO, CRCC, or successor bodies), creating a formal record and allowing for monitoring. If a respondent fails to meet the agreed terms, or if new information arises that alters the risk profile, the matter automatically reverts to the statutory process, ensuring that restorative participation cannot be used to evade formal accountability. This connection between community-based pathways and statutory authority is vital for maintaining system credibility, data integrity, and public trust.

Participant Protections

Throughout the pathway, trauma-informed safeguards are embedded to protect complainants, witnesses, families, and police members. Protections include clear and flexible withdrawal, pause, or re-entry provisions, recognizing that readiness for restorative engagement can fluctuate. Fit-for-purpose confidentiality agreements support cultural safety while ensuring that non-disclosure does not restrict systemic learning or data reporting obligations. Elders and Navigators help manage power dynamics, cultural appropriateness, and emotional safety throughout the process. These protections ensure that participation is voluntary, informed, and grounded in principles of mutual respect.

Together, these elements create a coherent, end-to-end restorative oversight pathway that is culturally rooted, procedurally sound, and aligned with statutory oversight frameworks. The Navigator ensures safe access and meets statutory thresholds; Elders provide cultural legitimacy and relational guidance; structured agreements turn the outcomes of the circle into enforceable commitments; statutory recognition guarantees accountability and prevents evasion of oversight; and participant protections uphold trauma-informed practice throughout.

This integrated model supports nations at various stages of legal, governance, or restorative justice development. It allows communities to uphold their own laws and protocols while maintaining clear connections to provincial and federal oversight systems, ensuring that restorative pathways strengthen rather than isolate Indigenous-led accountability within the broader justice system.

Actors and Roles

Role of the Community

The community holds the primary authority in shaping, guiding, and delivering the restorative process. Elders, cultural authorities, and community-designated practitioners lead the circle processes, determine culturally grounded protocols, and articulate community standards for accountability and relational repair. Communities decide when and how restorative pathways are appropriate, define harm in their own legal and cultural terms, and oversee the local supports needed for participants. Their role is fundamentally about governance, cultural legitimacy, and ensuring that the resolution reflects the community's laws, values, and expectations.

Role of the BCFNJC

The BC First Nations Justice Council offers provincial-level coordination, infrastructure, and governance support for the pathway. This involves developing training standards, managing the Navigator role, maintaining registries (e.g., Elders, cultural authorities, civilian monitors), establishing data governance frameworks, and assisting Nations with templates, policy tools, and capacity-building. BCFNJC also acts as the link between community-based processes and provincial/federal oversight structures, ensuring that restorative outcomes are recognized and enforceable where legislation or regulation mandates. Its role is not to replace community authority but to provide the system-wide scaffolding that facilitates equitable access, consistency, and statutory compliance across Nations.

Role of the Province, Oversight Bodies, and Police Services

The Province and oversight bodies (OPCC, IIO, CRCC, or successors) establish the statutory framework that endows restorative agreements with legal status, ensures compliance, and maintains public-safety standards. They evaluate issues that must remain under formal oversight due to criminality, risk, or public interest considerations, and they record the outcomes of restorative pathways as part of the official oversight record. Police services participate in the restorative process when appropriate, support the implementation of agreement terms, and remain accountable to statutory bodies if agreements are breached or if new information emerges. Their role is to ensure procedural fairness, uphold safety standards, and preserve the statutory integrity of the broader oversight system while recognizing and integrating Indigenous-led processes where suitable.

Pathways to Recognition and Interoperability

For the community-led restorative oversight pathway to operate effectively across the policing and oversight system, its outcomes must be officially recognized by the provincial and federal oversight bodies that currently

handle police complaints and serious incidents. This recognition guarantees that restorative processes are not regarded as informal or optional but are incorporated into the wider accountability framework.

Statutory and MOU-Based Recognition

Restorative outcomes are formally acknowledged by the civilian oversight agencies responsible for police accountability in British Columbia:

- The Office of the Police Complaint Commissioner (OPCC) for municipal police complaints.
- The Independent Investigations Office (IIO) for cases where, after completing its investigation, restorative action is appropriate and does not compromise public safety or legal requirements.
- The Civilian Review and Complaints Commission for the RCMP (CRCC) or any future BC-specific replacement agency, ensuring federal policing matters also recognize community-led outcomes.

To make this recognition legally and operationally sound, the system relies on three types of instruments:

1. Enabling clauses in legislation

The Police Act, or its eventual modernized replacement, contains provisions that permit oversight bodies to refer cases to Indigenous-led restorative pathways and to recognize the resulting agreements as valid outcomes. These clauses create the legal “gateway” that grants restorative agreements status within the oversight framework.

2. Standardized Recognition Agreements (SRAs)

SRAs are operational agreements used across all oversight bodies. They establish common rules for how restorative outcomes are reviewed, accepted, tracked, and enforced. They ensure consistency among agencies so that a nation's restorative process is recognized the same way, whether the matter involves a municipal police service, the RCMP, or an IIO post-investigation process.

3. Memoranda of Understanding (MOUs)

MOUs clarify how the restorative pathway interacts with each oversight body's workflow. They set out:

- When a referral can take place (e.g., before investigation, after investigation, once safety thresholds are met).

- Timelines for decision-making and communication.
- Confidentiality and information-sharing protocols, ensuring both cultural safety and compliance with FOIPPA.
- How outcomes are registered in the oversight body's system so the resolution becomes part of the official record.

Together, legislative clauses, SRAs, and MOUs establish a transparent, trustworthy, and interoperable system. They enable community-led restorative decisions to integrate into the formal oversight framework while safeguarding community authority, cultural protocols, and procedural fairness. They also ensure that restorative resolutions are not isolated or informal, but recognized as legitimate, enforceable outcomes across the province.

Where it applies

The restorative pathway is suitable for:

- Misconduct cases not involving major injury or death
- Relationship-based harms
- Situations where complainants explicitly request restorative resolution
- Cases where cultural repair is central to healing

Not appropriate for:

- Criminal conduct where public safety is at issue
- Sexual violence (unless community-led processes explicitly support and ensure survivor consent)
- Cases where coercion or power imbalance cannot be safely mitigated

Benefits

The community-led restorative oversight pathway provides several system-wide benefits that bolster accountability, increase cultural legitimacy, and boost overall public confidence in police oversight.

By centering complainants, families, and communities in the decision-making process, the pathway addresses longstanding concerns about exclusion and disempowerment within mainstream oversight systems. Participants regain agency over how harms are understood and resolved, which can significantly improve trust in both the police and the oversight system. When individuals and nations see their own laws, voices, and protocols leading the process, confidence in outcomes increases and pathways to justice become more accessible.

The involvement of Elders, knowledge keepers, and community-designated decision-makers roots the process in the laws, ethics, and teachings of the Nation involved. This not only enhances cultural relevance but also guarantees that accountability aligns with local legal systems rather than solely external frameworks. Incorporating Indigenous law into oversight pathways fosters legitimacy, community support, and more lasting resolutions.

Currently, parallel complaint mechanisms, statutory investigations, internal discipline processes, and community-based resolutions often operate without coordination, leading to duplication, re-traumatization, and inefficiencies. A formally recognized restorative pathway reduces administrative burden by providing a clear, alternative route that is compatible with existing oversight structures. This streamlines decision-making, clarifies referral points, and prevents complainants from having to navigate multiple overlapping systems.

Because the pathway is formally connected to oversight bodies through legal and MOU-based recognition, all restorative outcomes are documented and included in central oversight databases. This offers a complete view of police-community interactions, covering both official investigations and community-led resolutions. Better data integration supports more effective systemic reviews, improves the ability to identify trends or recurring issues, and informs evidence-based policy decisions. Over time, this increases accountability, enables targeted prevention strategies, and encourages continuous improvements across the policing system.

Conclusion

This report sets out a comprehensive, Indigenous-led framework for transforming police oversight and accountability in British Columbia. It responds directly to long-standing concerns raised by First Nations, Indigenous families, and community advocates regarding harm, mistrust, and structural exclusion within existing oversight systems. Grounded in Indigenous law, systems thinking, and relational governance, the Strategy 7 options presented here move beyond incremental reform toward a re-imagining of oversight as a living, accountable ecosystem rather than a narrow compliance function.

Across the analysis, a consistent finding emerges: British Columbia's current oversight architecture, while formally independent and procedurally robust in certain respects, remains fragmented, difficult to navigate, and culturally unsafe for many Indigenous people. Reliance on police-led investigations, limited restorative pathways, weak data sovereignty, and the absence of Indigenous governance authority have collectively undermined public confidence and accountability outcomes. These challenges are not failures of

intent, but of structure. They reflect oversight models designed without Indigenous legal orders, relational accountability, or community-defined legitimacy at their core.

The policy options outlined in this report deliberately span a spectrum of independence and implementation readiness. From Indigenous Units embedded within existing oversight bodies, to a co-governed Ministry-based Indigenous Oversight Directorate, to more structurally independent models such as a Crown Corporation or an Officer of the Legislature, each option is viable, defensible, and capable of advancing accountability when aligned with clear legislative authority and Indigenous governance. Importantly, these options are not mutually exclusive. The report demonstrates how modular and phased implementation can allow near-term improvements in cultural safety and access while building the legal, institutional, and human capacity required for longer-term independence.

A central contribution of this work is the articulation of Indigenous oversight not as an alternative or parallel system operating at the margins, but as a recognized, interoperable component of the provincial accountability framework. Through tools such as standardized recognition agreements, restorative oversight pathways, co-governed Civilian Monitor reform, and Indigenous data governance, the models presented here enable Indigenous legal traditions to operate with legitimacy, visibility, and enforceability within statutory systems. This convergence approach honours both Indigenous self-determination and the public interest in transparent, consistent oversight. Equally significant is the report's methodological foundation. By applying Kinship Protocol, Longhouse teachings, complex adaptive systems theory, and convergence theory, the work models the very governance principles it recommends. Oversight is positioned as collective witnessing and care, accountability as relational repair and systemic learning. This orientation does not weaken rigor or independence. Rather, it strengthens them by embedding oversight in relationships, feedback loops, and continuous improvement, conditions necessary for durable public trust.

Taken together, Strategy 7 offers government a clear, actionable pathway forward. Immediate steps can be taken to stabilize and improve Indigenous experiences of oversight through regulatory amendments, ministerial standards, and co-governed program reform. In parallel, legislative and institutional design work can proceed toward more independent Indigenous-led oversight structures, informed by evidence, piloted practice, and sustained engagement with Nations. This phased approach mitigates risk, addresses consultation fatigue, and ensures reform momentum is not lost while larger statutory changes are pursued.

Ultimately, this report affirms that effective police oversight for Indigenous peoples is not solely a technical or administrative challenge. It is a question of governance, relationship, and legitimacy. By centering Indigenous law,

restoring balance through accountability, and designing oversight as a living system capable of learning and renewal, Strategy 7 provides a foundation for meaningful, lasting change. The task now is not whether reform is necessary, but how decisively and collaboratively it will be advanced.

References

- Atleo, E. R. (2005). *Tsawalk: A Nuu-chah-nulth Worldview*. Vancouver: UBC Press.
- Kimmerer, R. W. (2013). *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants*. Minneapolis: Milkweed Editions.
- LaDuke, W. (2022). "Laws of Nature as Highest Rules for Living." In *Restoring the Kinship Worldview*, edited by Wahinkpe Topa & Darcia Narvaez. Toronto: North Atlantic Books.
- Sundstrom, S.M., Angeler, D.G., Bell, J. et al. Panarchy theory for convergence. *Sustain Sci* 18, 1667–1682 (2023). <https://doi.org/10.1007/s11625-023-01299-z>
- UBC First Nations House of Learning. "Longhouse Teachings." *University of British Columbia*, <https://fnhl.ubc.ca/longhouse/longhouse-teachings/>.
- British Columbia First Nations Justice Council (BCFNJC). *Kinship Protocol*. British Columbia First Nations Justice Council.
- Legislative Assembly of British Columbia. (2022, April 28). *Transforming policing and community safety in British Columbia: Report of the Special Committee on Reforming the Police Act* (42nd Parliament, 3rd Session). https://opcc.bc.ca/wp-content/uploads/2023/02/SC-RPA-Report_42-3_2022-04-28.pdf opcc.bc.ca+
- Government of British Columbia. (2024). *Police Amendment Act, 2024 (Bill 17)*, S.B.C. 2024, c. 16. <https://www.bclaws.gov.bc.ca/civix/document/id/bills/billsprevious/5th42nd%3Agov17-3> [BC Laws](https://www.bclaws.gov.bc.ca/civix/document/id/bills/billsprevious/5th42nd%3Agov17-3)+
- Government of British Columbia. (n. d.). *Police Act, R.S.B.C. 1996, c. 367 (consolidated to [date])*. BC Laws. https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96367_01 [BC Laws](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96367_01)
- Government of British Columbia. (2025, April 7). *B.C. Reg. 48/2025: Order in Council under the Police Amendment Act, 2024 bringing certain sections into force May 1 2025*. BC Gazette (Vol. 68, No. 5). https://www.bclaws.gov.bc.ca/civix/document/id/lc/bcgaz2/v68n05_48-2025 [BC Laws](https://www.bclaws.gov.bc.ca/civix/document/id/lc/bcgaz2/v68n05_48-2025)
- Office of the Police Complaint Commissioner. (n. d.). *Legislation: Police Act oversight of the Police Complaint Commissioner*. <https://opcc.bc.ca/about/legislation/>