



FIRST VOICE
Urban Indigenous Coalition

Working Group on Police Oversight Terms of Reference

Adopted on April 29, 2021

PURPOSE

The purpose of the First Voice Working Group on Police Oversight (the “Working Group”) is to develop a provincial framework for implementing Calls for Justice 5.7 and 9.2(iii) of the National Inquiry into Missing and Murdered Indigenous Women and Girls (“MMIWG”).

These two Calls for Justice urge federal, provincial, and territorial governments to establish robust and well-funded civilian-led oversight authorities of police services within their own jurisdictions. They also call on all actors at all levels of the justice system to work together to ensure adequate and appropriate representation of Indigenous Peoples, women, and 2SLGBTQQIA people within all such oversight authorities.

The Working Group will advance action in these areas by bringing together First Voice Partners, Contributors, and Supporters along with community members, government representatives, and other stakeholders to discuss, debate, and develop a set of recommendations to strengthen civilian oversight of police services in Newfoundland and Labrador.

MANDATE

The Working Group is constituted under First Voice’s own *Terms of Reference* and is accountable to the First Voice Partnership Table. In pursuing its purpose, the Working Group shall strive to be fully inclusive of Black, Indigenous, and People of Colour (BIPOC) as well as women and 2SLGBTQQIA people.

SCOPE OF WORK

[The Working Group’s Scope of Work will be determined following discussions at its regular monthly meetings in June and July 2021.]

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DELIVERABLES

The Working Group is responsible for overseeing the production, review, approval, and publication of the following documents:

- An interim ***Discussion Paper***, which will include (1) a legislative review of existing civilian-led oversight mechanisms in Newfoundland and Labrador; and (2) an environmental scan of civilian-led oversight mechanisms that are already in place in other relevant common-law jurisdictions.
- A ***Final Report***, which will include specific recommendations in line with MMIWG 5.7 and 9.2(iii) for strengthening civilian oversight of police services in Newfoundland and Labrador.

Final versions of both documents will be made publicly available on the First Voice website and any other appropriate channels by no later than December 15, 2021.

COMPOSITION

i. Membership

The following organizations are Permanent Members of the Working Group:

- First Light: St. John's Friendship Centre (Co-Chair)
- St. John's Status of Women Council (Co-Chair)
- Newfoundland and Labrador Human Rights Commission
- Provincial Advisory Council on the Status of Women
- Safe Harbour Outreach Project
- YWCA St. John's

All members of the First Voice Partnership Table shall be *ex officio* Permanent Members of the Working Group.

In addition, Permanent Members of the Working Group may from time to time invite other organizational stakeholders as well as non-affiliated individuals to participate in the Working Group. Such participants may serve either as contributing Associate Members or as non-contributing Observers.

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ii. Decision-Making

All substantive decisions related to the Working Group's Deliverables shall be made by consensus among the Working Group's Permanent and Associate Members. As defined in First Voice's *Terms of Reference*, "consensus" means that everyone involved in making the decision:

- Feels they have been heard;
- Understands the reasons for the decision and the need to take action; and
- Can support the final outcome, even if they personally hold an opposing view.

Observers are not entitled to be present during the decision-making process.

iii. Quorum

No substantive decision shall be made at any meeting of the Working Group unless a majority of Permanent Members (4) and a majority of Indigenous individuals (50 percent plus one) who are entitled to attend and to participate in the decision-making process are present.

iv. Code of Conduct

Everyone who participates in the Working Group agrees, by virtue of their participation, to abide by First Voice's *Code of Conduct*.

ADMINISTRATION

First Voice is responsible for providing all necessary administrative support to ensure the Working Group is able to achieve its Deliverables. This includes:

- Coordinating and facilitating all meetings, including compiling and circulating agendas, meeting minutes, and other meeting papers in a timely manner;
- Facilitating information-sharing between and among participants and other stakeholders, including drafting and disseminating reports;
- Maintaining accountability to all project funders, including fulfilling reporting requirements;
- Providing all necessary research support;
- Ensuring compliance with the Working Group's *Terms of Reference*, First Voice's *Terms of Reference*, and the *Code of Conduct*.

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AMENDMENTS

These *Terms of Reference* may be amended in writing after discussion at any regular meeting of the Working Group upon consensus of the Working Group's Permanent Members and consent of the First Voice Partnership Table.

ANNEX A:
Selected Calls for Justice of the
National Inquiry into Missing and Murdered Indigenous Women and Girls

- 5.7 We call upon federal and provincial governments to establish robust and well-funded Indigenous civilian police oversight bodies (or branches within established reputable civilian oversight bodies within a jurisdiction) in all jurisdictions, which must include representation of Indigenous women, girls, and 2SLGBTQQIA people, inclusive of diverse Indigenous cultural backgrounds, with the power to:
- i. Observe and oversee investigations in relation to police negligence or misconduct, including but not limited to rape and other sexual offences.
 - ii. Observe and oversee investigations of cases involving Indigenous Peoples.
 - iii. Publicly report on police progress in addressing findings and recommendations at least annually.
- 9.2 We call upon all actors in the justice system, including police services, to build respectful working relationships with Indigenous Peoples by knowing, understanding, and respecting the people they are serving. Initiatives and actions should include, but are not limited to, the following measures:
- i. Review and revise all policies, practices, and procedures to ensure service delivery that is culturally appropriate and reflects no bias or racism toward Indigenous Peoples, including victims and survivors of violence.
 - ii. Establish engagement and partnerships with Indigenous Peoples, communities, and leadership, including women, Elders, youth, and 2SLGBTQQIA people from the respective territories and who are resident within a police service's jurisdiction.
 - iii. Ensure appropriate Indigenous representation, including Indigenous women, girls, and 2SLGBTQQIA people, on police services boards and oversight authorities.
 - iv. Undertake training and education of all staff and officers so that they understand and implement culturally appropriate and trauma-informed practices, especially when dealing with families of missing and murdered Indigenous women, girls, and 2SLGBTQQIA people.