

Police Brutality in Canada: A Symptom of Structural Racism and Colonial Violence

By Krista Stelkia

THE DEATH OF GEORGE FLOYD has sparked mass actions against the ongoing issues of police brutality against Black communities in the United States. The calls for justice flow through time, as this violence and corresponding lack of accountability and responsibility are historical as well as contemporary realities. This trend reflects a starkly similar pattern in Canada; both for Black people but also Indigenous peoples. While there are many differences, there can, at times be a shared reality of injustice.

One trait of these lived realities is a refusal to accept it among many in the political class. Current and former political leaders, including Doug Ford and Stockwell Day, were quick to say that Canada is not a racist society.

These statements were made during the same week as the one year anniversary of the release of the *Missing and Murdered Indigenous Women and Girls (MMIWG)* report and the shooting death of Chantel Moore, a young woman from the Tla-o-qui-aht First Nation, by a police officer in Edmundston, New Brunswick after being called to her residence for a wellness check. There has yet to be an explanation for Moore's killing, and limited to no accountability from the officer involved. Meanwhile the RCMP Commissioner (who questioned the realities of systemic racism in Canada), told the family "it is very clear to me that the RCMP could have done better and I promise to you we will do." There has been no indication that promise is being kept.

This is one case, among many in Canada, that reveals the RCMP "could have done better."

These acts of colonial violence on Indigenous bodies continue to happen in Canada. Both Indigenous and Black people are overwhelmingly overrepresented in police-involved deaths in Canada. Between 2007 and 2017, Indigenous peoples represented one third of people shot to death by RCMP police officers (Mercer, Fiddler, & Walsh, 2020). The Ontario Human Rights Commission found that a Black person was more than 20 times more likely to be shot and killed by the police compared to a white person (Ontario Human Rights Commission, 2018).

The notion of police being there to serve and protect in times of need often does not apply to Indigenous, Black or other racialized minorities in Canada. The notion of "help" more often resembles harm.

STRUCTURAL RACISM & MULTIPLE SYSTEMS OF FAILURE

This leads to the question, why does police brutality against Indigenous and Black people continue to happen? Because it is a symptom of the structural racism that exists within Canadian society.

Structural racism is “the totality of ways in which societies foster racial discrimination through mutually reinforcing systems of housing, education, employment, earnings, benefits, credit, media, health care, and criminal justice” (Bailey et al., 2017, p. 1453). Mounting evidence demonstrates that both Indigenous and Black peoples are disproportionately overrepresented, compared to other Canadians in several areas used to measure structural racism. For example, although Indigenous children represent 7.7% of all children in Canada, they represent 52% of all foster children in the child welfare system (Government of Canada, 2020). Both Black and Indigenous peoples continue to face higher rates of poverty and unemployment than the rest of Canadians (Statistics Canada, 2019, 2020).

In healthcare, Indigenous peoples have disproportionately higher rates of chronic disease than their non-Indigenous counterparts (Indigenous Services Canada, 2018; Reading, 2009). The prevalence of racism in the healthcare system towards Indigenous peoples has been well documented (Allan & Smylie, 2015; Browne et al., 2011). Most notably is the case of Brian Sinclair, a First Nations man who died of a treatable bladder infection after waiting 34 hours in an emergency room in Winnipeg without receiving treatment (Allan & Smylie, 2015). An inquest into Mr. Sinclair’s death found that emergency department staff incorrectly assumed his presence was because he was intoxicated and homeless, thus sleeping off his intoxication (Brian Sinclair Working Group, 2017).

The neglect by these systems, structures, and authorities is too commonly manifested in the discourse of victim blaming, wherein, Indigenous peoples are blamed for their own poor health, chronic illness and at times, even blamed for their own deaths (Razack, 2015). Black, Indigenous, and Black Indigenous peoples both continue to be overrepresented in the justice system. Despite Indigenous peoples only being 4.1% of the population in Canada, they represent one-third of provincial and federal correctional services admissions in Canada (Malakieh, 2018). This is even further concentrated in specific provinces such as Saskatchewan where the proportion of Indigenous inmates is seven times than their representation in the population (Department of Justice, 2019).

There is no justice in the justice system for Indigenous peoples in Canada. There are countless and painful examples of where the justice system has failed, including the cases of Colten Boushie, Tina Fontaine, Kristian Ayoungman, Everette Patrick, Frank Paul, Neil Stonechild, and many, many more. Where is the accountability? Who answers for the failure to protect Indigenous and Black lives?

A WAY FORWARD:

ADDRESSING STRUCTURAL RACISM BY HOLDING SYSTEMS ACCOUNTABLE

To address the root causes of police brutality and injustice towards Indigenous, Black, and racialized communities, there needs to be explicit focus on addressing the very systems and structures that uphold and protect the perpetrators of colonial violence. While focus and attention is often on the individual police officers and “bad apples”, these rationalizations are used as a scapegoat to avoid a focus on the systems and structures that ultimately create individuals who perpetrate these acts.

While addressing structural racism in Canada requires a multifaceted and system wide approach, there are several ways in which the path to eliminating structural racism in Canada can begin:

Governmental Commitment to Address Structural Racism At All Levels:

To combat the structural racism that is pervasive in our society against Indigenous, Black, and other racialized minorities, there needs to be a demonstrated commitment at the highest levels by federal, provincial, municipal governments towards addressing structural racism across all systems and sectors. This involves a commitment towards reforming legislation and policy that may disproportionately impact specific communities, advancing anti-racism training, funding trauma-informed care interventions and approaches, and re-establishing a genuine commitment to engagement with communities.

Development of Structural Racism Indicators & Collection of Race-Based Demographic Data:

To be effective at measuring progress towards efforts of dismantling structural racism, the development of structural racism indicators that can be used to measure and report on structural racism is essential. Given the limited availability of race-based data collection by key organizations within various systems and sectors, there needs to be an explicit focus on collecting and reporting race-based demographic data. This will allow for the identification of systemic inequities disproportionately impacting particular groups and help to have a strategic, evidence-based focus on how to address them.

Implementation of the Recommendations by the RCAP, TRC, MMIWG:

The full implementation of the recommendations put forward by the *Royal Commission on Aboriginal Peoples*, the *Truth and Reconciliation Commission*, and the *Missing and Murdered Indigenous Women and Girls Inquiry (MMIWG)* would help stimulate the system-wide changes that are required to adequately begin to address structural racism in Canada. In relation to police accountability, specific focus towards those recommendations on changes to policing, police training, and police oversight should be made to advance change in the criminal justice system. In particular, the MMIWG call to justice 5.7 calls for the:

“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 2SLGBTQIA 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.”

There has just been a systemic lack of action on behalf of police organizations and police oversight agencies on addressing the recommendations put forward by the MMIWG. The implementation of call to justice 5.7 would make a positive change to the way the police complaints and oversight systems work towards bringing justice and accountability to cases involving police-involved death or harm.

While these strategies do not include defunding police forces or abolishing prisons, given the focused arguments made primarily by Black communities for justice, it is time that Indigenous people engage with those ideas - and perhaps help advocate for them as well.

SOLIDARITY FOR THE END OF SYSTEMIC RACISM

From the killings of George Floyd to Chantal Moore, there is much needed attention and focus on racism and police violence in the United States and Canada. The lived realities and often shared experiences of racism, police brutality, oppression between Black and Indigenous communities are increasingly coming into dialogue. The moment represents an opportunity for Canadians to reflect on how they will address police violence, but also the broader structural challenges that cause it.

These institutions that serve Canadians actually harm racialized communities, and in disproportionate ways.

The changes required to address structural racism fundamentally require undoing hundreds of years of settler ideologies and dismantling the very systems and structures that have upheld power and privilege to settler society at the expense and oppression of Indigenous and Black people in Canada.

However, through solidarity between Indigenous, Black, and allied communities perhaps we can begin to make the structural changes required to dismantle structural racism within our society.

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