



Sarnia Police Services Board Policy

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Approved By: Board Chair	Signature: <i>Paul Wiersma</i>

A Legislative Authority

Section 4(1) of the **Police Services Act** states every municipality to which this subsection applies shall provide adequate and effective police services in accordance with its needs.

Section 4(2) of the **Police Services Act** states adequate and effective police services must include, at a minimum, all of the following police services:

- (a) Crime prevention.
- (b) Law enforcement.
- (c) Assistance to victims of crime.
- (d) Public order maintenance.
- (e) Emergency response.

Section 1 of the **Police Services Act** sets out principles for the provision of police services throughout Ontario, including:

- (a) The need to ensure the safety and security of all persons and property in

Ontario;

- (b) The importance of safeguarding the fundamental rights guaranteed by the **Canadian Charter of Rights and Freedoms** and the **Human Rights Code**;
- (c) The need for co-operation between the providers of police services and the communities they serve;
- (d) The need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario society.

Section 42(1)(a) of the **Police Services Act** states the duties of a police officer include, preserving the peace.

Section 42(3) of the **Police Services Act** states a police officer has the powers and duties ascribed to a constable at common law.

Section 2 of the **Criminal Code** defines peace officer, referring to a duty to ensure the preservation and maintenance of the public peace.

1. For the purposes of this guideline, Aboriginal occupation means: the seizure and control of an area arising from assertions of Aboriginal or treaty rights by members of an Aboriginal group.
2. For the purposes of this guideline, Aboriginal protest means: a physical demonstration related to assertions of Aboriginal or treaty rights by members of an Aboriginal group.
3. For the purposes of this guideline, Aboriginal people has the same meaning as in s. 35(2) of the **Constitution Act, 1982**. Subsection 35(2) states that Aboriginal peoples includes Indian, Inuit and Metis people.

B Policy

1. The objective of policing Aboriginal occupations and protests is to preserve the peace, prevent offences, and enforce the law in a manner that respects the rights of all involved parties. To this end, it is the policy of the Sarnia Police Services Board with respect to policing Aboriginal occupations or protests that:
 - (a) The role of the police at an Aboriginal occupation or protest is to preserve the peace, prevent offences, and enforce the law including offences against persons and property, in accordance with the powers and discretion available to a police officer under the law;
 - (b) The consideration of police actions at an Aboriginal occupation or protest include

preserving the peace, communication, negotiation and building trust with participating and affected communities;

(c) The Chief of Police will develop and maintain procedures on:

- (i) Communicating information in relation to police procedures on Aboriginal occupations and protests;
- (ii) Training requirements for policing Aboriginal occupations and protests;
- (iii) Fostering community understanding of the police response to the events;
- (iv) The collection and analysis of information prior to and during events; and
- (v) Addressing the uniqueness of Aboriginal occupations and protests.