



FEDERATION OF
BLACK FÉDÉRATION DES
CANADIANS CANADIENS
NOIRS

TO REFORM, DEFUND, ABOLISH:

An Evaluation of Canadian Policing
and Discriminatory Practices

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1.0 Introduction

Recent high-profile cases of police brutality have highlighted that those who are most likely to bear the brunt of police scrutiny and violence are Black people and other minorities (Gerster, 2019). The use of excessive force contributes to the alienation of citizens from the police, and the resultant lack of trust between police forces and marginalized populations is particularly damaging for Black and Indigenous communities (Goldsmith, 2005). Therefore, this report focuses on alternatives to policing to reduce crime, with the ultimate goal of ensuring that Black and Indigenous people in Canada can live and participate safely and freely within society. To that end, this report: (1) evaluates the Canadian context through an analysis of existing data on police reform, abolition, and defundment, (2) provides research on community support, restorative justice, and transformative justice efforts, and (3) identifies and evaluates countries with significant police reform measures and practices of police disarmament.

In order to address the anti-Black and anti-Indigenous racism that exists in the criminal justice system, the findings outlined in this report have been organized in a manner such that they: (1) establish the history and current context and analysis of policing within Canada— such as the impact and emergence of police reform, defundment, and abolition movements, and (2) evaluate actionable solutions and alternatives to policing that align with the Defund/Abolish movement. Ultimately, the purpose of this report is to bridge the gaps in existing policy discourse by recommending strategies that support the Federation of Black Canadians guiding principle, namely, creating an equitable society where Black people may prosper and participate freely. This report aims to highlight that policing in Canada disproportionately targets and perpetuates violence against Black and Indigenous communities, as well as to demonstrate that there are viable alternatives and improvements to policing that can be applied within the Canadian context.

2.0 History and Current Context

2.1 Early Black Canadian Abolitionist History

Today, the abolitionist movement is often associated with police brutality, state violence, and reimagining the modern police force. In the past, the abolitionist movement has been used as a response to nineteenth century chattel slavery, racism, colonization, and the prison industrial complex (Berger, Kana & Stein, 2017). This section intends to provide an overview of the historical roots of the abolitionist movement; its reimagination of life, community, and justice; and its modern manifestation in the Defund movement, Black Lives Matter protests, and Black activism (Beardall, 2020).

Volume II, *The Black Abolitionist Papers: Canada, 1830-1865* provides insight into Canada's black community, from the perspective of emigrants from the United States (Ripley, 1987; Waldo, 1988). Canada was framed as the "promised land" (Waldo, 1988) and for the thirty years preceding the American Civil War 1861-1865, approximately forty thousand Black refugees emigrated to Canada (Ripley, 1987)—many of whom having anti-slavery experiences. They began to settle, buy land, and enter professions, making the success of Black Canadian communities symbols of successful emancipation (Ripley, 1987).

By the 1820s, Canada was already deemed a threat by slaveholders in the United States (Ripley, 1987). As more Black refugees escaped to Canada, slaveholders turned to the extradition process and courts. In 1860, the last slave extradition case came before the Canadian courts involving John Anderson, a fugitive slave, and Seneca T.P Diggs, a white neighbour of the slaveholder who was killed in Anderson's escape (Ripley, 1987). Abolitionist reaction to this case was intense, as it began to appear that Anderson would likely be returned to the United States (Ripley, 1987). Abolitionists in Canada and Britain instituted legal proceedings, exerted full pressure and influence, and petitioned key officials to drop the case (Ripley, 1987). As the outcome of the Civil War became clearer amidst the growing pressure of the trail, the Anderson Extradition case was dropped, and it became a celebrated win for abolitionists in Canada and Britain (Ripley, 1987).

Although Black refugees in Canada were protected from extraditions and slavery, they faced mounting social challenges as racism and discrimination were not eliminated from their lives (Ripley, 1987). Causal segregation began to emerge in Canadian society as the supply of cheap land began to decline and Black communities began shifting into towns and cities (Ripley, 1987). Black people faced poor treatment in public institutions, theatres, and churches, as well as verbal abuse and public criticism (Ripley, 1987). The Act of Union (1840) sanctioned segregated schools to protect Roman Catholic institutions and was commonplace in the Maritimes and out west (Ripley, 1987). The Common School Act of 1950 guaranteed education for all Canadians, but it did not specify the integrity of said education, leaving Black communities to a separate school system of lower quality (Ripley, 1987).

Pushing back against this racial injustice, Black activists fought through the courts with cases such as *Hill v. School Trustees of Camden and Zone* (Ripley, 1987). They challenged separate schools and school systems in courts, they sent thousands of letters to government offices, and they organized protests to promote social egalitarianism (Ripley, 1987). The issue of segregated schools was a long one, as the last segregated school in Canada closed in 1983 after the passing of the 1977 Canadian Human Rights Act. Despite these social issues, Canada still

maintained its status as a haven for Black refugees and continued to attract many seeking freedom (Ripley, 1987).

Finally, early abolitionists played a key role in establishing Black settlements in Canada (Ripley, 1987). The four largest settlements, Wilberforce, Dawn, Elgin, and the Refugee Home Society (RHS) were founded by newly free Black refugees in Canada to support others who might be arriving (Ripley, 1987). These settlements offered financial and legal services, arranged the purchase of land, and organized services such as post offices, schools, hotels, and general stores (Ripley, 1987).

Abolitionists in Canada and the United States pointed to these settlements as evidence of Black achievement and self-reliance (Ripley, 1987). They were also evidence of the falsehoods of proslavery rhetoric in the United States (Ripley, 1987). However, their final vision never materialized as the presence of white leadership and dependence on white philanthropy led to a series of mismanagement and loss of public confidence (Ripley, 1987). Further, the settlements could never live up with the myth-building and expectations for entirely self-reliant communities that was expected by new arrivals and residents (Ripley, 1987). Even in the early beginnings, reimagining safer and more reliant communities was a primary objective of the abolitionist movement.

2.2 Indigenous Abolitionist History

Indigenous people struggled with colonial law, the reduction of political authority, and increased illegality during the nineteenth century. Treaties and relationships between Indigenous peoples and the Canadian state transformed into land cession contracts, imposition of colonial law, and the expansion of settler borders (Stark, 2016).

In 1873, the establishment of the North-West Mounted Police, also known as the Royal Canadian Mounted Police (RCMP), outlined the colonial purpose of fully controlling the Northwest that was not yet fully Canadian (Gouldhawke, 2020). The RCMP was primarily used to maintain borders while the government completed large infrastructure projects such as the Canadian Pacific Railway (Gouldhawke, 2020). Further, the Dominion Lands Act of 1872 required a paramilitary police force to enforce the new laws designed to redistribute land to settlers and control Indigenous peoples (Gouldhawke, 2020).

The first military confrontation launched in 1885 during the North-West Rebellion as tensions were rising between Cree people and settlers in the Northwest territories. The situation escalated to a violent confrontation that prompted the Canadian government to send in the RCMP. Its failure to control the resistance resulted in the Canadian Army swooping in to end the conflict (Gouldhawke, 2020).

The aftermath resulted in 8 Indigenous leaders being hanged and 100 Indigenous people tried for criminal offense with 60 convicted (Stark, 2016). The introduction of the RCMP and the growing pockets of Indigenous resistance reflected the transforming relationship between Indigenous people and the Canadian state as the national borders began to expand (Stark, 2016).

Less of an intentional abolitionist movement and more of a way of life, Ojibwe Elder Art Solomon explains, “We were not perfect, but we had no jails... no old peoples’ homes, no children’s aid societies, we had no crisis centres. We had a philosophy of life based on The Creator, and we had our humanity” (Toronto Abolitionist Convergence, 2020, p. 4). An abolitionist future for Indigenous peoples involves the anti-colonial analysis of penal systems, the dismantling of carceral structure, and pivot towards “Indigenous Knowledges as a guide to how to create and sustain good relations with each other” (Toronto Abolitionist Convergence, 2020, p. 4).

2.3 Abolition and the Prison Industrial Complex

The anti-prison movement, which began in the 1990s, ultimately focuses on downsizing and closing prisons justified by the prison-industrial complex (Sudbury, 2008). Activists in the United States and Canada have drawn attention to the economic basis of prison expansion and the symbolic relationship between corporate and government interests (Sudbury, 2008). They also point out the socio-economic trends that are present in mass incarceration and the disproportionate growth of Black incarceration in the United States and Canada.

Anti-prison activists operate in six main categories: (1) human rights advocacy, (2) challenging “post-incarceration sentences”, (3) campaigns for decarceration through legal reform, (4) moratorium activism, (5) abolitionist organizing for alternatives to the prison-industrial complex, and (6) campaigns for the release of political prisoners (Sudbury, 2008). Many of these categories are connected and overlapping, but for the purposes of this introduction the focus will be pointed towards the fifth category: abolitionist organizing for alternatives to the prison-industrial complex.

The anti-prison movement, consistent with other abolition movements, believes that the prison-industrial complex cannot be “fixed” (Sudbury, 2008). Similar to slavery, the colonial state, or the police, these abolitionist movements seek to dismantle the systems oppressing them, rather than reform. The role of prisons as repressive has been perpetuated by the targeting of political figures from Black liberation, American Indian, and Indigenous resistance movements (Sudbury, 2008). Organizations that currently promote anti-prison dialogue in the United States and Canada include Critical Resistance, Justice Now, California Coalition for Women

Prisoners, Prisoner Justice Action Committee (Toronto), the Prisoners' Justice Day Committee (Vancouver), and Joint Action in Canada.

These groups play an important role in supporting a political vision of a future without the need for prisons by shifting political opinion, shrinking the current system, and transforming people's consciousness so they can believe a world without prisons is possible (Sudbury, 2008). For example, Critical Justice focused on education and movement building by coordinating large conferences for organizations to generate collective alternatives to the prison-industrial complex (Sudbury, 2008). Justice Now helps facilitate communication solution for community problems including reducing violence against women and creating accountability that does not rely on prisons, police or punishment (Sudbury, 2008). This understanding of transformative justice offers methods of healing and transforming, rather than punishment and imprisonment.

2.4 Current Context: Reform, Abolition, and Defunding

The Black Lives Matter movement and Canadian cases of police brutality against Indigenous and Black and brown individuals have sparked protests and calls to defund, reform, and abolish the criminal justice system across Canada.

Defunding the police refers to the reallocation and redirection of funds from policing to other government agencies (Ray, 2020). It entails the diversion of police funding to social services and anti-poverty services, alternatives to police as first responders, and community infrastructure (Coleman, 2020). In addition, an important component of defunding the police includes the decriminalization and destigmatization of mental health (Ray, 2020). The defund movement emerged from the mass incarceration of Black men in the 1980s and 1990s in the United States and the subsequent prison abolishment movement (Boynton, 2020). One case of defunding the police is Baltimore City Council's plan to reallocate \$22 million of the city's police budget to trauma services, forgivable loans for Black-owned businesses, and recreation centres (Richman & Wenger, 2020). It is important to note that perspectives on defunding the police vary (Koziarski & Huey, 2020).

Reforming the police refers to procedural reforms that enhance police force accountability and transparency and the reallocation of police funding to social services (Boynton, 2020). It is premised on the belief that police forces are necessary to combat violent crime and are capable of functioning in a non-corrupt manner through increased investments in police officers, such as increased training (Coleman, 2020). A recent effort to substantially reform the police occurred in Camden, New Jersey where the police force was disbanded and a new force was created (Boynton, 2020). Another case of police reform is Massachusetts' police

reform legislation that mandates a majority civilian oversight board of police and a duty-to-intervene for police officers (Government of Massachusetts, 2020).

Abolishing the police takes defunding the police a bit further and refers to the total elimination of police forces and prisons due to their inherent racist history and the structural racism within current criminal justice institutions (Coleman, 2020). Anti-racist feminists, such as Angela Davis, argue that a future without police and prisons can be imagined (Davis, 2020). This argument is premised on the belief that the fulfilment of socio-economic needs, such as affordable housing, mental health support, and living wages will eliminate violence and the need for police (Lartey & Griffin, 2020).

2.5 Current Context: Canada

The current context of Canada's criminal justice system is characterized by a long history of over-policing, over surveillance, displacement, and killing of Indigenous and Black and brown bodies. The most recent event that fuelled the resurgence of the Black Lives Matter movement on a global scale was the murder of George Floyd by Derek Chauvin, a White Minneapolis police officer. George Floyd was a 42-year old Black male who was murdered while Derek Chauvin knelt on his neck for more than nine minutes (Spocchia, 2020). On April 20, 2021, Derek Chauvin was found guilty of second-degree murder, third-degree murder, and manslaughter (BBC News, 2021). While this is a victory for holding police accountable, it is clear that there is a long road to justice for Black and brown people.

In May 2020, Toronto police were called to attend to a domestic incident that resulted in the death of 29-year old Regis Korchinski-Paquet after she fell from her apartment balcony (Herhalt, 2020). According to Korchinski-Paquet's mother, her daughter was in mental distress and she wanted the police to take her daughter to the Canadian Centre for Mental Health and Addiction (CAMH) (Herhalt, 2020). In April 2020, Peel Regional police were called to a domestic call that involved 26-year old D'Andre Campbell who had schizophrenia. The officers were aware that Campbell had a mental illness, but the situation ended with the officers killing him (The Canadian Press, 2020). In October 2020 the RCMP was scrutinized for its inaction in response to the attack on non-Indigenous fishers of the Sipekne'katik First Nation at the Mi'kmaq fishery (McKinley & McKeen, 2020). These cases highlight a small scope of the racism within Canada's criminal justice system and the disproportionate negative impact that policing has on Indigenous and Black and brown individuals in Canada.

Within the criminal justice system, Black and Indigenous individuals are overrepresented in fatal police interactions. Between 2007 and 2017, Indigenous individuals accounted for one third of those who were killed by the RCMP (Mercer,

Fiddler, & Walsh, 2020). According to a recent report from the Ontario Human Rights Commission (2018), Black individuals are 20 times more likely to be shot and killed by the police. Black Torontonians encompass 8.8% of the population, but comprise 32.4% of charges (Wortley & Jung, 2020). Additionally, they are four times more likely to be charged with an “out-of-sight” charge (Wortley & Jung, 2020). Black Canadians are also over-represented in the prison system. They represent 3% of Canada’s population and 8.6% of the federal prison population (Morgan, 2018).

According to a recent poll from Angus Reid, approximately two in five Canadians believe that Canadian police force interactions with Black, Indigenous, and racialized individuals is problematic (Angus Reid Institute, 2020). The federal government has responded to the current context through their commitment in the most recent Speech from the Throne to address systemic racism in all phases of the criminal justice system. The federal government has committed to enhancing civilian oversight of law enforcement agencies, modernizing training for police and law enforcement, reforming the RCMP, and co-developing a legislative framework for First Nations policing (Royal Canadian Mounted Police [RCMP], 2020).

2.5.1 The Royal Canadian Mounted Police

The RCMP plays a significant role in policing in Canada and has committed to certain initiatives through their Vision 150 and Beyond Strategy. The Vision 150 and Beyond Strategy aims to modernize the RCMP through several initiatives. The RCMP has committed to advance the collection, analysis, and reporting of disaggregated race-based data. In addition, the RCMP is modernizing their crisis intervention and de-escalation tools, working with provinces and territories to increase referrals to restorative justice programs, and modernizing the recruitment process to increase diversity (RCMP, 2020). The RCMP has also created the Body-Worn Camera Program to increase transparency and accountability.

The RCMP’s lack of oversight and transparency has been heavily scrutinized. The RCMP conducts policing across Canada in municipal, provincial, and federal jurisdictions. The oversight they are subjected to depends on the province they are in and the provincial oversight that is set-up. The Civilian Review and Complaints Commission (CRCC) is the RCMP’s federal oversight body where civilians can file complaints against the RCMP. The RCMP usually investigates the complaint first and the CRCC follows up if the complainant is unsatisfied with the result (Britneff, 2020). The CRCC reviews approximately 250 of 2,500 complaints per year (Maher, 2020). When the CRCC investigates a complaint, they send a report with recommendations to the RCMP and the RCMP decides whether or not to implement the recommendations. This is problematic because the RCMP internally investigates itself in the majority of cases and recommendations from the CRCC are not binding.

Provincial and municipal forces are incentivized to hire contract RCMP officers through the federal government's subsidization of contracted RCMP officers. Quebec and Ontario are the only jurisdictions without RCMP presence. The federal RCMP is trained to combat drugs and organized crime, uphold national security and border safety, and financial crime and international policing (Government of British Columbia, n.d.). RCMP officers are equipped to address federal jurisdiction issues and are unfamiliar with local community needs. In addition, the training that RCMP officers receive is paramilitary (Maher, 2020). Recently, Surrey, British Columbia announced that they are going to replace the RCMP with a municipal force (Maher, 2020). Similarly, Alberta wants to replace the RCMP with a provincial police force (Maher, 2020).

2.5.2 Police Unionization

Police unions in Canada have considerable power and are highly politically involved. In 2018, the Ottawa Police Association publicly endorsed Doug Ford's election campaign (CBC News, 2018). According to Thomas, police unions are strong political lobbyist groups. Police unions are interested in "maintaining their budgets, their militarization, and defending their jobs" (Nash, 2020). Thomas and Tufts (2020) argue that police unions form 'blue solidarity', which undermines racial justice movements and ultimately upholds institutional racism. Rob Gillezeau, an assistant professor at the University of Victoria, conducted a study on the presence of collective bargaining and police behaviour. The study concluded that the number of non-White Americans killed by police increased by 50 to 70 per year when police officers were unionized (Krishnan, 2020). As a result of these strong police protections and police union resistance to change, there have been calls to remove police from the labour movement and to dissolve police unions (Hayes, 2020).

2.5.3 Restorative Justice

As indicated by Eglash (1958), restorative justice is one of three types of criminal justice: (1) retributive justice, based on punishment; (2) distributive justice, based on therapeutic treatment of offenders; and (3) restorative justice, based on restitution (Van Ness & Strong, 2014). Zehr (1990) describes restorative justice as a process between offender, victim, and community to search for solutions collectively that promote repair and reconciliation. There is no single understanding of restorative justice that is definitive and whole. However, the core of this model involves reducing punishment and engaging all stakeholders in a collective process.

Restorative justice has been part of Canada's justice system for the past 40 years. Currently, it is present within the following legislation: The Criminal Code, the Youth Criminal Justice Act, the Victims Bill of Rights Act, and the Corrections and Conditional Release Act (Justice Canada, 2017). Over 400 restorative justice programs exist in Canada (Correctional Services Canada, 2016). Restorative justice

programs take many forms, such as sentencing, support, accountability circles, victim-offender mediation, community justice forums, youth justice committees, family group conferencing, and victim and trauma services (Canadian Families and Corrections Network, 2016). There are various points of the criminal justice system that individuals can enter the restorative justice process. It includes the following stages: police entry point prior to a charge, crown entry point post-charge, judicial entry point post-conviction, and corrections entry point post-sentence (Office of the Federal Ombudsman for Victims of Crime, 2017). In Canada, the most common entry-points are the pre-charge and post-charge stages (Correctional Services Canada, 2016).

In 2018, the FPT Ministers Responsible for Justice and Public Safety released a 3-year target for ministries to increase restorative justice use by 5% (Public Safety Canada, 2020). Common strategies to incorporate increased use of restorative justice across provinces and territories include increased education and awareness of restorative justice amongst criminal justice professionals, increased training for restorative justice practitioners, and collaborations between relevant stakeholders to increase referrals to restorative justice programs (Public Safety Canada, 2020).

It is generally agreed upon that restorative justice is a better alternative than traditional criminal justice methods (Condon, 2010; Gavrielides, 2014). While it is the better alternative, state-mandated restorative justice practices are also criticized. Within the Canadian context, current state restorative practices have faced several criticisms. The final report on the review of Canada's criminal justice system revealed that there is inadequate use of restorative justice and alternative methods (Department of Justice, 2019). Additionally, Williams (2013) highlights that restorative justice does not adequately meet the needs of African-Nova Scotian youth. Williams (2013) notes that the process does not provide a culturally specific response for African-Nova Scotian youth. Likewise, police officers often over-police African-Nova Scotian youth and the justice system engages in a biased selection of who does and does not qualify for restorative justice. The community involved in the restorative justice process is not always reflective of the African-Nova Scotian community. The process also does not challenge and transform structural factors, such as racism and misogyny (Boutilier & Wells, 2018; Roach, 2000; Williams, 2013). Gavrielides and Artinopoulou (2013) argue that the Western nature of legal and socio-political institutions needs to be considered if restorative justice is to be inclusive. Integrating restorative justice into a system that works against its primary goals remains a challenge.

2.6 Current Context: Ontario

2.6.1 Race-Based Data Collection

Police forces in Ontario are authorized to collect disaggregated race-based data under the 2017 Anti-Racism Act. Currently, the Toronto Police is the first police force to create a race-based data collection strategy that aligns with this Act and Ontario's Anti-Racism Data Standards. The force will start the collection process with use of force data (Toronto Police, 2020). The Ontario SIU will begin to collect race, ethnicity, Indigenous identity, and religion data in addition to its collection of gender and age data (Carter, 2020). Race-based data collection is important because current gaps and trends can be identified, benchmarks can be created to monitor progress, and it can inform policy (Canadian Race Relations Foundation, 2015). In addition, race-based data collection can strengthen accountability frameworks and mechanisms. Race-based data also allows for intersectional analysis which takes into account "the political, social, and historical contexts and recognizes the unique experience of the individual based on the intersection of oppressions" (Aylward, 1999).

2.6.2 Mental Health Responses

Anti-Black racism compounds crisis interactions between police officers and individuals in crisis (CAMH, 2020). Larger police forces, such as Durham, Ottawa, Peel, and Toronto have mobile crisis intervention teams. These teams consist of an officer and a mental health professional who are secondary responders to mental health crisis calls (OIPRD, 2017). While these forces have mobile crisis intervention teams, the killing and abuse of racialized individuals has resulted from inadequate police responses to mental health crisis calls. This includes the Toronto Police's response to mental health crisis calls that involved the killings of 29-year old Regis Korchinski-Paquet and 26-year old D'Andre Campbell.

In addition to mobile crisis intervention teams, police officers in Ontario are authorized to conduct wellness checks. Police in Ontario are authorized to take individuals to hospital emergency departments (OIPRD, 2017). However, these wellness checks can be problematic if an individual with a mental illness has not had positive interactions with police. There have been calls to change the response model because police officers are not equipped with the appropriate mental health crisis de-escalation tools (Gurney, 2020). Instead, many have advocated for the presence of mental health professionals as the first and only front-line responders. The Toronto Police is piloting a mobile crisis intervention team response that is a non-police led response for non-emergency, non-violent calls, including wellness checks (CBC News, 2021). These teams will consist of health care providers and non-profit organizations that specialize in mental health (Westoll, 2021).

2.6.3 Youth Justice

The Youth Criminal Justice Act was created in 2003, but Black and Indigenous youth are criminalized at higher rates than other racial groups (Crichlow,

2014). Black male youth make up 5% of the population in Ontario and 24% of the population in youth jails (Ranksin & Winsa, 2013). They are also stopped by police 2.5 times more often than White male youths (Toronto Star, 2010). Black youth have reported that over-policing in the form of random stop-and-searches and racial profiling creates distrust between them and police officers (Anucha et al., 2017). Structural violence from the child welfare system also compounds the over policing of Black masculinity (Schwendinger & Schwendinger, 2001).

As part of the 3-year Anti-Racism Strategic Plan, the Ontario government has created the Black Youth Action Plan which provides support and resources for Black youth, including building capacity to advance systemic change, providing programming as prevention measures, and investing in community outreach and anti-violence. Between 2017-2019, the Ontario government launched two public awareness violence prevention campaigns that focused on the strengths of Black children, youth, and families in Ontario and building resilience against violence and racial prejudice (Government of Ontario, 2021).

3.0 Prospecting Police Disarmament

Over the last few decades, police forces in Westernized countries have steadily adopted more militarized structures, tactics, uniforms and equipment. A core aspect of this movement towards militarisation has been the routine carriage of increasingly powerful and visible firearms (Farmer & Evans, 2020). As a result, there are only a few remaining international jurisdictions that continue to deploy frontline police officers without firearms; these include New Zealand, Great Britain, Ireland, Iceland, Finland, and Norway, as well as a few smaller island nations (McCarthy, 2020).

In nations where police are routinely armed, it is expected that they operate through the use of “minimum force” (Farmer & Evans, 2020). And yet this is often not the case, as countries where police are unarmed demonstrate far lower rates of fatal police shootings and homicides. Militarization has contributed to issues of excessive force, whereby the police utilize force to enforce order when other, nonviolent means are available that achieve the same end. The police forces of many militarized countries often retain little appreciation for the principled use of minimum force, which is demonstrated through its infrequent utilization and the correspondingly high incidences of brutality. Notably, the use of excessive force contributes to the alienation of citizens from the police, and a resultant lack of trust between police forces and marginalized populations in particular (Goldsmith, 2005). This absence of public trust in police, in turn, characterizes police-community relations in these countries, particularly among the socially disadvantaged. Without public trust in police, ‘policing by consent’ is difficult or impossible, and as a result, public safety suffers (Goldsmith, 2005).

Within this context, advocacy has increased in recent years calling for the disarmament of Canadian police forces. Currently, civilians that are most frequently shot by police are either marginalised individuals, those who are suffering mental health issues, or persons who are under the influence of drugs (Gerster, 2019). Overwhelmingly, those who are most likely to bear the brunt of police scrutiny and violence are Black people and other minorities (Gerster, 2019). Recent Canadian police fatalities include Ejaz Choudry, and Regis Korchinski-Paquet, both of whom had called for mental health assistance, and died shortly after police intervention. The idea held by that minority of countries that maintain disarmed police forces is that most cops should not carry a gun unless the situation clearly warrants it in order to avoid these scenarios of needless death. Police disarmament, therefore, has increasingly been presented as a potential solution to remedy the high numbers of people killed in North America during interactions with the police (Gerster, 2019). In these countries the police do not routinely carry guns. Rather, they employ “dissuasive” equipment such as tasers, batons and canisters of mace spray that de-escalate the situation while preventing agitation or further loss of life (Commander, 2018).

3.1 Countries with Disarmed Police Forces

While the nations that do not routinely arm their police forces vary in their approach to policing, they do share a common tradition. Within these countries, the population maintains the expectation that officers will police by consent rather than through the use or threat of force (Godin, 2020). Stated simply, these countries tend to have police forces built upon the philosophy of policing by consent, whereby police gain their legitimacy and authority by maintaining the respect and approval of the public rather than through instilling fear in the population. Notably, this model of “policing by consent” maintains that uses of force should be restrained, and measures success not through the number of arrests, but rather through the absence of crime itself (Godin, 2020). Perhaps nowhere is this tradition quite so pronounced as it is within the UK. In 19th-century England, the Peelian model of modern policing emerged, based upon the tenet that, in order to win the trust and confidence of the majority of the population, the police would need to win & maintain that trust. As such, policing by consent within England has emerged not merely as a police PR slogan, but rather as a concrete ideology of the relation between civil society and the police that is affirmed by senior police officers, and continuously reiterated in a myriad of public and private statements (Goldsmith, 2005).

In the UK, more than 90 percent of the capital's police officers carry out their daily duties without guns, instead relying on other tools such as canisters of mace, handcuffs, batons and the occasional use of stun-guns to maintain public safety (Smith, 2017). Sentiment within the UK and other nations that base their police force

off of the concept of policing by consent is that arming typical officers sends a threatening message to communities and will invariably cause more problems than it solves. Therefore, only a few select police officers are trained in and retain the ability to use their guns. By design, gun-wielding officers rarely operate as individual units. Instead, they patrol the city in pairs, or are dedicated members of specialized response teams that are called only to the scene of violent incidents (Smith, 2017). The results of this framework are stark, particularly in comparison to North American police forces. In 2016, for example, the Metropolitan Police carried out 3,300 deployments that involved firearms in 2016, most distinctly without firing a single shot at a suspect. By contrast, cops killed 1,092 people in the United States within the same period. In Canada, the deaths totalled just over 16 individuals for the same year (Smith, 2017). There seems to be merit, therefore, in the belief that intelligence-gathering and stronger links with the community, rather than an increase of armed police forces, tend to keep the cities safer. This strategy of unarmed policing tends to function well in these nations permeated by the concept of policing by consent, and the demonstrated belief that arming the police with guns results in more violence than it prevents (McCarthy, 2020).

3.2 Commonalities of Disarmed Police Forces

There are several key commonalities across nations that maintain unarmed police forces. The primary similarity is the higher standard of training for the police force. In most countries where the police are habitually unarmed, the governments invest in an advanced level of training for law enforcement. For example, in Norway policing is viewed as being an elite occupation. Therefore, police academies are extremely selective when screening candidates, and typically select only the top 15% of applicants— admitting solely the most qualified persons (Godin, 2020). Not only is the process more selective, but prospective officers receive more extensive training than officers in Canada. Norwegian student officers complete a three-year bachelor's degree, with one year spent studying society and ethics, another spent shadowing officers, and the final year spent focusing on investigations and completing a thesis. By contrast, in Canada officers spend only an average of 6 months in a training program that is based off of militarized practices, and in America this period is typically just 21 weeks (Godin, 2020). In a similar vein, unarmed officers are also better trained and equipped to deal with situations requiring mental health experts, that have made up to 25% of individuals shot by police officers within North America. Rather, officers in both Norway and Finland work closely with medical professionals and specialists that accompany officers when dealing with people who are exhibiting signs of mental illness (Godin, 2020). Adoption of these methods could help prevent needless deaths in Canada, such as those of Ejaz Choudry and Regis Korchinski-Paquet.

Another common aspect of nations with disarmed police forces is that there are much greater internal police restrictions regarding who can use guns. In New Zealand, for example, the use of firearms is restricted to several key departments. While the Diplomatic Protection Squad, dog sections and airport police officers are permitted to carry firearms, the rest of the force is not routinely armed, although officers are trained in the use of pistols and AR-15 style rifles that remain stored in lock boxes in patrol cars (McCarthy, 2020). Similarly, in Ireland only detectives and certain units such as the Regional Support Unit and Emergency Response Unit carry firearms (McCarthy, 2020). In Britain, only a few police officers are trained in the use of guns— most typically members of specialized response teams akin to S.W.A.T, or a small number of gun-wielding officers that patrol the city in pairs (Smith, 2017). Notably, these nations with disarmed police forces also have stricter laws in place for the police themselves (Godin, 2020). Under the European Convention of Human Rights, officers are permitted to shoot only if it is deemed absolutely necessary. In Finland and Norway, therefore, officers are not permitted to pull the trigger under any circumstances unless they receive permission from a more senior official first (Godin, 2020). While shootings involving police are a habitual occurrence in North America, British authorities review each incidence with painstaking diligence. Each instance that a British police officer shoots and injures or kills someone, it is automatically referred to an outside watchdog called the Independent Police Complaints Commission, or IPCC that begins this process, rather than an in-house body (Smith, 2017).

3.3 The Case for Disarmament

Although a “common sense” rhetoric indicates that armed police are inherently more able to protect and thus improve safety for everyone, in reality there is little empirical evidence to support this assertion. In fact, though the presence of visibly armed police is argued to be inherently protective and comforting, this is not typically the case for marginalized populations that experience a deficit of trust with police forces. As Goldsmith notes, the potential for public trust is not equally distributed between or within particular societies. Therefore, those whose lives are more insecure can less afford to trust (Goldsmith, 2005). Logic dictates that if jurisdictions with routinely armed police are safer, they will therefore record a lower level of homicides. Evans and Farmer test this hypothesis in their article *Do Police need guns? The nexus between routinely armed police and safety*. Throughout their study, Evans and Farmer compare fatal police shootings and homicide rates across four jurisdictions: two are routinely armed (Canada and Australia), as well as two are routinely unarmed (England and New Zealand).

The findings of Evans & Farmer are telling. Following the logic that routinely armed officers would result in a population that is better protected, one might expect that police homicide rates would be lower in these countries that habitually employ

the use of guns. Ultimately, however, Farmer & Evans find that the total number of homicides in jurisdictions where police forces are armed is approximately 26% higher than in unarmed jurisdictions. This is particularly true of gun-related homicides, where the number of civilians fatally shot by police is more than eight times higher than that in the unarmed jurisdictions. Notably, in Canada the incidence of gun-related homicides (per 100,000 people) is more than seven times higher than in England, and two-and-a-half times higher than in New Zealand. Similarly, in Canada the number of civilians fatally shot by police is disturbingly 18 times higher than England, and twice the rate of New Zealand. Ultimately, Farmer & Evans demonstrate that fatal police shootings are statistically higher in the routinely armed jurisdictions. The study effectively negates the assumption that routinely armed police result in intrinsically safer communities (Farmer & Evans, 2020). Rather, their study lends credence to the disarmament practice and concept of policing by consent, whereby police armament is viewed as a problematic practice that will invariably cause more problems than it solves (Smith, 2017).

3.3.1 Limitations of the Study

It is important to note however, that Farmer & Evans list key limitations to their method of study that apply universally to policing— both in Canada and abroad. Although there have been more scholarly sources in recent years due to high-profile killings by police, there remains a troubling lack of empirical data. This highlights the need for a continuing and robust analysis of the effect of force by police and the presence of firearms- particularly as it pertains to Black and other marginalized communities. Unfortunately, reticence from jurisdictions pertaining to data on police shootings seems to be a central issue across policing (Farmer & Evans, 2020). As a result, there is not nearly as much depth of material that would be required in order to provide a comprehensive analysis, and current studies must rely on opinion-driven material rather than evidence-based materials (Farmer & Evans, 2020). Moving forward, more collaboration and transparency will be required on the part of police jurisdictions in order to provide meaningful insights into policing reforms.

3.4 Recommendations

In considering recommendations for the Canadian context in regard to disarmament, it is important to bear in mind key differences in the populations and historical contexts of nations whose police forces rule by consent. For example, compared to Canada, countries such as Norway, Finland, and Ireland have relatively affluent, homogenous populations that lack the historical context of colonization (Godin, 2020). One must also consider rates of firearms; while the number of civilian firearms per 100 persons was estimated to be only 4.6 in England as of 2017, it was seven times higher in Canada at 34.7 (Farmer & Evans, 2020). Therefore, not all practices that work in countries where police are disarmed would translate perfectly

to the Canadian context, where untreated mental illness, racial discrimination, homelessness and poverty, and gun prevalence are much more rampant (Godin, 2020). Bearing these regional differences in mind, this report details several key steps that can be implemented within the Canadian context to improve relations between police and Black communities, thereby making policing safer for marginalised communities within Canada.

3.4.1 Transparent Data Practices

First, in order for comprehensive and accurate studies to continue, it is important for there to be easily accessible data available from police jurisdictions that also includes race-based data. Surprisingly little is known about how often and under what circumstances the police kill civilians, and the information is not readily available. Finding reliable data surrounding police violence remains highly challenging as many police agencies either do not keep such statistics or are unwilling to make them public. This lack of transparency further exacerbates the belief that the police use of lethal force is not justifiable or legitimate. More police transparency about the use of firearms, as well as the instances in which they are used, is necessary to develop effective and informed measures to prevent the unnecessary loss of life (Osse & Cano, 2017). One method that might be utilized to achieve this is linking federal funding to the collection of meticulous data (Fryer, 2020). In this manner, police departments will be held accountable to providing this data readily and freely.

3.4.2 Increased Standards of Police Training

Although standards for police training and the policing profession are held to a much higher standard in many nations that advocate policing by consent, this is not the case in Canada. Rather, Canadian police forces receive minimal training, often only six months in a program that only necessitates a high school diploma. Instances of police violence can be understood as a result of improper training and a lack of organisational policy. Therefore, by improving training and entry education requirements, supervision and accountability will also increase for armed officers (Osse & Cano, 2017). Not only is training important, but so too are the weapons at hand. The frequency and quality of police training in various methods of de-escalating conflict will determine whether police will choose to use the weapons at their disposal, and to what extent (Farmer & Evans, 2020). Improved training for officers on the appropriate level of force for different interactions will necessarily improve incidences and interactions with marginalized communities— including Black and Indigenous lives.

3.4.3 Heightened Police Accountability

Police violence towards civilians can also be understood as resulting from a lack of organisational controls, such as accountability mechanisms. Institutional shortcomings and a permissive operational culture that disproportionately defends police officers and obstructs transparency enable the police force to operate within a framework that promotes the reproduction of violence (Osse & Cano, 2017). Therefore, positive regard for police reform can only be enhanced through police acceptance of higher standards for measuring performance and addressing performance shortcomings (Goldsmith, 2005). Heightened police accountability can be enacted both internally and externally. Externally, reform might include measures such as greater police accountability mechanisms, such as civilian oversight bodies. Internally, this could include measures such as senior police accepting responsibility for poor performance, implementing firm action measures against police officers who perform in a manner that is deemed excessive or corrupt, and support for whistleblowers who disclose areas of poor police performance (Goldsmith, 2005). A further possibility includes the adoption of laws that make it easier to prosecute and dismiss police officers for misconduct (Godin, 2020).

3.4.4 Increased Civilian Oversight

Mechanisms that link citizens to government agencies, such as civilian oversight bodies, are a method of building trust and increasing transparency between officers and citizens. Third-party accountability establishes a channel for the provision of information, influence, and control where these means may be absent or deficient (Goldsmith, 2005). Generally, whenever police use firearms in a manner that results in injury or death, it is considered good practice that such an investigation is conducted independently, or at least carried out by a different unit (Osse & Cano, 2017). However, in countries where police regularly resort to the use of firearms, independent investigations of these incidents often lack transparency, are deficient or non-existent, and have sub-standard reporting requirements. In some cases, police officers may even actively avoid such investigations by under-reporting their use of force, tampering with evidence, or intimidating witnesses and investigators (Osse & Cano, 2017).

It has been demonstrated that police accountability is integral to the governance of any democratic state. Due to recent, high-profile instances, there has been an increased interest in establishing civilian oversight of the police which could maintain, if not restore, trust in the police and improve police-community relations (Kwon & Wortley, 2020). In their article *Policing the Police: Public Perceptions of Civilian Oversight in Canada*, Kwon and Wortley examine public perceptions of the police complaints process in Ontario, Canada, using results from a general population survey of Toronto residents. Their study tracks the evolution of police oversight within Canada. While historically, police review of civilian complaints was completed internally, this method garnered significant public discontent that eventually led to calls for reform after several incidents of marked racial unrest

concerning police brutality. A series of government inquiries throughout the 1970s and 80s highlighted systemic racism within law enforcement, particularly among Black and Indigenous communities. As a result, the Ontario Civilian Commission on Police Services (OCCOPS) was established. However, this body was imperfect, as OCCOPS relinquished much oversight back to the police. Therefore, the police were not required to inform OCCOPS of complaints they received, and retained the authority to screen, investigate, and adjudicate civilian grievances. As a response to these shortcomings, in 2007, OCCOPS was replaced by the Office of the Independent Police Review Director (OIPRD), where all complaints were instead received and screened by a civilian police oversight body. While it was initially declared that this movement was a success as it would reduce civilian intimidation and increase reporting rates, a government review uncovered that the vast majority of complaints received by the OIPRD were still referred back to the police service in question for internal investigation. Although politicians and police officials often argued that Ontario's police accountability system was a success, human rights and community organizations, such as Black Lives Matter, continued to express doubt (Kwon & Wortley, 2020).

Wortley & Kwon's study found that racial background is a significant predictor of where respondents would file a complaint against the police. Compared to White people, Black people are less likely to file a complaint directly with the police and are more likely to file complaints with a lawyer or a police board. Ultimately, Kwon & Wortley report that both Black and Chinese respondents are significantly less likely than White respondents to believe that they will be treated fairly, with Black respondents believing that they would be treated unfairly regardless of the nature of the complaint. Notably, the majority of respondents, regardless of racial background, believe that complaints against the police should be investigated by independent, non-police investigators (Kwon & Wortley, 2020). Ultimately, the study finds that despite this belief, the majority of Ontario residents were not getting the type of police oversight that they expected.

One key issue with civilian oversight bodies is the lack of public awareness of such processes. In 2018, the Government of Ontario was poised to establish a police accountability system consistent through Bill 175 (the Safer Ontario Act). The Act's provisions involved changing the name of the OIPRD to the Law Enforcement Complaints Agency in order to make the purpose of the agency more transparent, thereby promoting public awareness of the police complaints process. Further, the act also designated that all complaints against the police were to be investigated by independent, non-police investigators within a 5-year period (Kwon & Wortley, 2020). However, before Bill 175 could be fully implemented, the newly elected Conservative government eliminated Bill 175, instead introducing their own police oversight legislation that removed the requirement for independent investigation of complaints against the police and reduced the power of the civilian police complaints to impose disciplinary actions against officers (Kwon & Wortley, 2020).

Civilian oversight bodies are a necessary mechanism to not only improve police relations with civilians, but also to act as a third-party assurance of transparency & fairness. In the Kwon & Wortley study of Toronto participants, the majority of respondents looked favourably upon a body of civilian oversight. The positive impacts of these bodies are especially pertinent for Black communities, where there is a lack of trust in current mechanisms of police oversight. Previous reformatory measures, such as Bill 175, would likely have a positive impact on increasing the awareness of civilian oversight bodies and improving relations and trust between people and the armed officers. Lobbying improvements to the transparency and awareness of these bodies are therefore a viable, tested method of police reform.

4.0 Jurisdictional Scan

4.1 Purpose and Methodology

The purpose of this jurisdictional scan is to examine how other jurisdictions with low crime rates have approached police reform and assess the lessons learned in order to consider approaches that can be applied to the Canadian context.

First, this scan will present information and data by a means of a multi-jurisdictional scan including other countries and communities with low crime rates that have undertaken police reform. The following case studies outline police reform efforts in three broad geographical regions: The United Kingdom, North America, and the Nordics. This scan will primarily focus on the jurisdictions of Scotland, Northern Ireland, Camden, New Jersey, and highlight the general police reform trends in the Nordic countries (excluding Iceland). While police reforms in the United Kingdom and North America case studies were enacted in response to high crime rates and violence, the Nordic countries have had historically low crime rates and have taken a management theory approach to police reform. This first section will also outline the different historical, societal, cultural and other contextual factors that led to reform within these jurisdictions.

Second, in considering the future of policing in Canada and the evolution of society, crime, and the justice system, the overview of the case studies will be followed by an assessment of the best practices and changes in different policing models towards fostering public confidence in policing and improving efficiency and effectiveness.

4.2 Overview of Police Reform Efforts: The United Kingdom

4.2.1 Scotland

In 2005, Glasgow was dubbed the murder capital of Europe, with the poorest neighbourhoods being the most crime-ridden and violent (Bergeron and Mills, 2019). Scotland has since taken strong measures to reduce their crime rate. By 2016-2017, the number of crimes decreased by 37% while the number of weapons possessions charges fell by 85% since 2007-2008 (Bergeron and Mills, 2019). Scotland has even become the first jurisdiction in the world to list violence as a public health issue (Bergeron and Mills, 2019). In order to achieve this, Scottish police underwent a significant phase of change over the last decade as the demands for greater effectiveness increased and the public sector faced significant budgetary pressures (Police Scotland, 2017). In 2011, It was determined that the best method for improving the effectiveness and sustainability of Scottish policing was to move towards a single service model which was eventually introduced in 2013 through the establishment of Police Scotland (Police Scotland, 2017). The goals of this reform were influenced by the Christie Commission's 2011 findings and the Police and Fire Reform (Scotland) Act 2012.

The Christie Commission was established by the Scottish government in 2010 and operated independently from the government to develop recommendations for the future delivery of public services. The Christie Commission's 2011 report concluded that public services needed to work closely with individuals and communities in order to understand their needs, maximize resources, support self-reliance, and build resilience (Police Scotland, 2017). The report also highlighted the importance of prioritizing preventative measures to reduce inequalities (Police Scotland, 2017).

Comparatively, the Police and Fire Reform (Scotland) Act 2012 (The Scottish Police Act) merged the eight separate police forces and fire and rescue services in Scotland as well as several central agencies into single agencies that covered the entire country. The Scottish Police Act dismantled the arrangements of police governance that existed since the 1960s. Under the old arrangements, the government contributed to 51% of local policing costs and maintained the overall responsibility for policing policy. Local police boards contributed to 49% of the costs and set the budget, while the chief constable exercised operational independence in relation to local policing (Terpstra and Fyfe, 2014). Under the Scottish Police Act, local police boards were abolished, and local councils now do not have formal powers related to the governance of the police—they merely have a consultative position (Terpstra and Fyfe, 2014). With these changes, the local police commander must consult local councils in setting priorities for policing in their area, submitting a

local police plan for approval, and providing reports about local policing (Terpstra and Fyfe, 2014).

One of the most significant changes ushered in by the Scottish Police Act was the abolition of locally elected police authorities. The main form of statutory governance now operates at the national level through the unelected Scottish Police Authority. In contrast, at the local level, locally elected councillors have limited powers that only extend as far as requesting information and reports from the local police commander and the approval of local police plans (Terpstra and Fyfe, 2015). Moreover, the act outlined that police should be “accessible to and engaged with, local communities” and the police should collaborate with other local agencies to promote “measures to prevent crime, harm, and disorder” (Terpstra and Fyfe, 2015). These principles reflected the commitment to a community-based policing style that prioritizes cooperation with partner agencies and communities, emphasizing police proximity and visibility. This view greatly contrasts the vision of policing in England and Wales, which is strongly focused on crime-fighting (Terpstra and Fyfe, 2014).

Overall, police reform in Scotland has resulted in a fundamental shift in the relationship between local authorities and the police away from governance towards what is referred to as “scrutiny and engagement” (Terpstra and Fyfe, 2015). The early successes of Police Scotland include the delivery of equal access to specialist policing services across the country and the breaking down of historic boundaries that existed between legacy forces (Police Scotland, 2017).

4.2.2 Northern Ireland

Northern Ireland has historically engaged in discriminatory police practices and has a history in which the nation's population was divided along ethno-religious lines between Catholics and Protestants. A period of over 30 years beginning in the late 1960s, marked by sporadic violence was known as “the troubles” (Marijan and Guzina, 2014). By the 1980s, Northern Ireland was internationally regarded as extremely prejudiced and violent, with comparisons being drawn to the civil conflicts in Bosnia, Kosovo, Somalia, and Sri Lanka (Bayley, 2008). By the 1990s, the Catholic population was disproportionately targeted by the overwhelmingly Protestant Royal Ulster Constabulary (RUC) police force and grievances about the unfair treatment of members of the Catholic, nationalist, republican community led to distrust between members of the community and the police (Marijan and Guzina, 2014). Given this legacy, the reform of the police service has emerged as a major challenge for Northern Ireland following the negotiation of the Good Friday Agreement of 1998 in which a more inclusive police force was widely regarded as crucial to the legitimacy of the peace process (Marijan and Guzina, 2014). Ultimately, the signing of the Good Friday Agreement of 1998 ushered in police reform.

In the wake of the Good Friday Agreement, Northern Ireland needed to transform the police from a force preoccupied with protecting the government and itself, to a force that was dedicated to protecting citizens, regardless of their community and religious affiliations (Bayley, 2008). In response to low public confidence, RUC rebranded as the Police Service of Northern Ireland (PSNI) to include both Protestants and Catholics (Posner, 2020). The reforms were informed by the Patten Commission (Independent Commission on Policing in Northern Ireland, 1999) which set three objectives for the police: (1) conform their actions to the international standards of human rights, (2) be accountable to expert external auditors with respect to both their law enforcement effectiveness and their individual behaviour, and (3) to “police with community” (Bayley, 2008). In response, three critical accountability measures helped to build trust: (1) a police review made up of members from all communities to supervise the PSNI, (2) an ombudsman to conduct independent investigations of police misconduct, and (3) an international oversight commission to assess progress in implementing PSNI’s mandate (Cowell-Meyers and Gallaher, 2020). Moreover, the PSNI became more representative of the Catholic community than the RUC and adopted an approach that focused on demilitarized and community-based policing (Posner, 2020). Policing has come to be based on the consent of the public rather than the use of force and is implemented in coordination with the community, rather than delivered by armed outsiders (Cowell-Meyers and Gallaher, 2020). For example, in 2011, the PSNI renewed their commitment to strengthening the links with local communities in their Policing with the Community (PwC) 2020 Strategy through the establishment of community-based policing that would come to be known as Policing and Community Safety Partnerships (PCSPs) (Marijan and Guzina, 2014). Community-based policing in Northern Ireland includes neighbourhood policing teams, a commitment to policing via foot patrol, and engaging more directly with grassroots restorative-justice organizations. The notion of community-based policing was strongly linked to the idea that all of Northern Ireland’s citizens should see themselves and their communities reflected in the police force (Ellison, 2007). PSNI’s commitment to demilitarization and restorative justice helped foster confidence in the police and could potentially reduce police violence towards citizens who disproportionately face violence (Ellison, 2007).

The levels of day-to-day violence in Northern Ireland have greatly decreased in scale prior to the 1990s and police attacks on police and military personnel have been reduced to an almost non-existent level (Ellison, 2007). As policing played a central role in the long sectarian conflict in Northern Ireland, the country’s police reform is often used as a model for other societies emerging from conflict (Bayley, 2008). However, after two decades, the PSNI has not met all of its goals, such as ensuring that its police force be 50% Protestant and 50% Catholic. Instead, Catholic officers make up roughly 30% of the force (Cowell-Meyers and Gallaher, 2020). This transformation took over a decade since the recommendations were first proposed and will likely take more time for the reforms to be fully realized.

4.3 Overview of Police Reform Efforts: North America

4.3.1 Camden, New Jersey

As cities across the United States are grappling with demands to defund, abolish, or reform policing, Camden, New Jersey is frequently referred to as a successful case of comprehensive police reform and has been cited by some as a possible blueprint to solving policing issues in North America. Prior to reform, Camden was regularly listed as one of the most violent cities in the United States and had a police force known for corruption, brutality, fabricating reports, and committing perjury (Andrew, 2020).

In 2013, this police force was dissolved and replaced with Camden County Police Department (CCPD). The primary objective of the CCPD was to reduce violent crime and make residents feel safer in their communities. This was achieved through community-oriented policing that prioritized partnership and problem-solving over punishment and violence (Andrew, 2020). The CCPD was also given de-escalation tactics training that underscored that the use of deadly force should be considered as a last option (Andrew, 2020). Finally, the CCPD ensured diversity within the force to serve Black and brown residents (Andrew, 2020). In 2016, Camden county also partnered with New York University's Policing project which acted as a consultant to aid the police department in updating its policies, including the use of force (Rao, 2020). The county has continued to implement training and anti-bias programs and simulators in accordance with the American Civil Liberties Union of New Jersey guidelines.

After its first seven years of operation, the city saw a 47% reduction in crime rates (Andrew, 2020). Currently, the crime rate is at a 50-year low and excessive force complaints have dropped from 64 to 3 cases in two years (Rao, 2020). Moreover, murders in Camden were once resolved at a 16% rate but are now resolved more than 60% of the time (Feuerherd, 2020). The White House Task Force pointed out this would not have been achievable without building trust and legitimacy between police and citizens (Robinson, 2020). However, it is important to note that critics skeptical of Camden being lauded as a blueprint to police reform have remarked that Camden's police restructuring was deeply democratic and involved a doubling down on "broken windows" policing strategies, which posit that cracking down on small infractions would lead to lower incidence of more serious crime, that increased excessive force complaints (Danley, 2020). Critics argue that it was local activism that eventually pressured the new police force to adopt a new force policy, rather than the act of disbanding the police force that led to Camden's success (Danley, 2020). Regardless, the case of Camden highlights that prioritizing

community trust in every jurisdiction is critical and that reform cannot be sustainable without it.

4.4 Overview of Police Reform Efforts: The Nordic Countries

4.4.1 Denmark, Finland, Norway, and Sweden

Denmark, Finland, Norway, Sweden, and Iceland, commonly referred to as the Nordic countries or Scandinavia, are known for low crime and imprisonment rates among developed countries, moderate punishment policies, and lack of heavily politicized criminal justice policy debates (Lappi-Seppala and Tonry, 2011). Moreover, social spending and services, taxation, governmental legitimacy, and levels of trust are internationally high, while income inequality and fears for personal safety are low compared to other countries (Lappi-Seppala and Tonry, 2011). There are some additional features of the Nordic political systems and of Nordic welfare states that are critical to understanding Nordic crime patterns and criminal justice system policies and practices. First, consensus political systems and career judges and prosecutors are associated with low imprisonment rates and moderate penal policies, low levels of income inequality and high levels of welfare expenditure, trust, and legitimacy (Lappi-Seppala and Tonry, 2011). Additionally, strong welfare states are able to sustain less repressive policies by providing alternatives to imprisonment and generous and extensive social service networks often serve as effective crime prevention measures (Lappi-Seppala and Tonry, 2011). Finally, it is important to note that the Nordic penal policy has a pragmatic and non-moralistic approach with a clear emphasis on social policy that reflects the values of the Nordic welfare state ideal (Lappi-Seppala and Tonry, 2011).

In considering the Scandinavian police reforms, Nordic countries have unified, state-organized, police forces under the supervision of a separate minister and administrative responsibilities are usually delegated to separate bureau (Lappi-Seppala and Tonry, 2011). Each Nordic country is divided into police districts that have considerable local autonomy in regard to personnel policy, budget responsibility, and priorities (Lappi-Seppala and Tonry, 2011). Scandinavia has taken a management theory approach towards police reform, with different areas of focus within each respective jurisdiction (Graner, 2017). While reform in Denmark has emphasized objective measures of police effectiveness, reform in Sweden and Norway have been more concerned with citizens' attitudes (Graner, 2017). Nevertheless, in Finland, Denmark, Sweden, and Norway, police reforms similarly focused on centralization, improved police contact with citizens, reducing the number of police districts, and uniform organization and service delivery (Holmberg, 2019). As an example of some of the key performance indicators used to measure success in the Nordics, there were five objectives that guided reform in Finland: (1) security of a minimum service standard in the whole country, (2) increasing productivity and

profitability, (3) management by results, (4) maintaining cooperative relations with various partners and (5) securing of the personnel's motivation (Graner, 2017).

The police reforms in Scandinavia have faced several challenges. These reforms emphasized centralizing police management, regardless of the problems they are expected to solve (Holmberg, 2019). The focus on management theories has caused these reforms to disregard the particularity of police work — as experience from police work and organizational cultural assumptions have been neglected, these reforms have been met with resistance from many police officers and often a loss of confidence in the police at the local level (Graner, 2017). Additionally, many of these Nordic reforms were framed as a form of decentralization through centralization in terms of releasing resources by larger administrative units (Graner, 2017). Although reform was presented as decentralization in Denmark, the National Police Commissioner's power was strengthened, and the number of districts was reduced from 54 to 12 (Graner, 2017). As demonstrated by Denmark, the focus remains on strengthening governmental control, increasing uniformity and cost-efficiency, and the emphasis on more local police has primarily served as a way to promote the reforms (Graner, 2017). These reforms have also underestimated the resources and time needed for implementation. As the reforms in Norway and Sweden are recent, evaluations have indicated the need for a prolonged implementation period. In Denmark, where reform was implemented in 2010, not all of the expected results have been achieved (Holmberg, 2019).

Since their implementation, none of the reforms have yielded the expected returns based on the Scandinavian findings. Critics of reforms in Finland have suggested that reform did not significantly impact police services at the local level, and no major changes to police work productivity were observed (Graner, 2017). Meanwhile, in Denmark, Sweden, and Norway, there have been difficulties related to realizing expected timelines, scarce resources, and maintaining control over local policing (Holmberg, 2019). Additionally, while the data is limited regarding the improvement of the relationship between police and the communities they serve, no evidence suggests that reforms have improved this relationship (Holmberg, 2019).

4.5 Summary and Discussion of Lessons Learned

The various police reform efforts in the United Kingdom, the United States, and the Nordic countries provide useful lessons that could be considered in the Canadian context. It is also important to highlight that the limited availability of research and data could possibly indicate issues related to transparency or administrative inefficiency. Moreover, police reforms often take long to implement, as demonstrated by the current reform challenges in the Nordic countries. As a result, it is important to further evaluate reform efforts once they have been fully realized in order to effectively apply the potential lessons learned to the Canadian context.

Nevertheless, these jurisdictions provide valuable insight into the challenges and common themes of ongoing and past police reform efforts.

4.5.1 Independent Evaluation and Oversight Commissions Informing Reform Efforts

In response to high crime rates and violence, both Scotland and Northern Ireland set up a commission that operated independently from the government to develop recommendations for the delivery of public services and set concrete objectives to inform policy. Notably, both of the respective commissions in Scotland and Northern Ireland highlighted the need for public services to work closely with individuals and communities through a community-based policing approach to understand local needs and maximize resources. Additionally, while the Christie Commission in Scotland emphasized the need to prioritize preventative measures to reduce inequalities, the Patten Commission in Northern Ireland set objectives for policing to conform to international human rights standards and be accountable to external auditors, in respect to police effectiveness and behaviour. Both of these two jurisdictions also rebranded and transformed their police forces after external audits due to an extreme lack of confidence from the public prior to reforms being enacted. Since each province and territory in Canada is distinct, a community-based policing model may work well in one jurisdiction but not the other. As a one size fits all approach will not address the unique challenges of different jurisdictions across Canada. Commissions provide great value in assessing the specific needs of different regions.

4.5.2 Community-Based Policing to Increase Public Confidence

The cases of Camden, New Jersey and Northern Ireland further illustrate the success of community-based policing in response to discriminatory police practices and distrust between the community and police. As mentioned, Northern Irish police reform prioritized community-based policing and has been effective in achieving professional and democratic efficiency and accountability, with other countries attempting to emulate this model. A key lesson from both of these reforms is that everyday legitimacy is as important as the formal processes of democratic representation and professionalization of the police. The community-based policing in both jurisdictions prioritized a commitment to partnership, community ties, restorative justice, and demilitarization over violence and punishment. Moreover, both police forces became more representative which was a deliberate attempt to better reflect the residents in the police forces. Camden dissolved their corrupt police force and reinstated a new one that received specific training in de-escalation tactics, anti-bias, and using force as a last option. The commitment to community approaches, demilitarization, and representation allowed the police forces in both jurisdictions to foster public confidence. However, it is important to note that although some positive steps have been put in place, critics have highlighted that the

transformation of the relationship between local communities and the police will take much more time to develop.

In Canada, many police departments have adopted the community-based policing model in distinctive ways and with varying degrees of success. For example, community-based policing may take the form of a specialized unit for a minority group, such as the Vancouver Chinese Community Policing Centre which currently works in close collaboration with the Vancouver Police Department. Comparatively, in Hintonburg, Ottawa, neighbourhood officers engaged in community problem solving and dealt with low-level crime, but its neighbourhood policing model was dismantled in 2017 due to budget constraints and a bid to become more efficient (Yogaretnam, 2018). As illustrated, while the diffusion of successful models of community-based policing can be encouraged, it should also be recognized that no one specific model is universally applicable given the diversity of local crime and policing contexts.

4.5.3 Improving Administrative Effectiveness and Efficiency

A 2018 study highlighted that the indicators used to assess success and inform police action in Canada varied greatly between police departments, indicating that Canada could greatly benefit from a management theory approach to police reform (Rogers, McIntyre, and Caputo, 2018). In consideration of improving key performance indicators in Canada, the Nordic cases demonstrate that an overemphasis on a management theory-based approach to reform can lead reforms to disregard the particularity of police work and possibly cast aside more pressing issues related to policing. In other words, the Nordic reforms emphasized centralizing police management without considering the variation in police cultures between police departments and the varying needs of different communities. It is also important to note that the Nordic countries have underestimated the resources and time needed for implementation

In evaluating Scandinavia's management theory approach to police reform and considering it in the Canadian context, it is important to reiterate that both the intended and unintended outcomes of the reforms in the Nordics have not been fully realized as the reforms have been put in place relatively recently. As a result, the next final sections of this scan will consider the possible conditions that have allowed the Nordics to maintain historically low crime rates and compare these considerations to the Canadian context.

4.5.4 Good Social Policy Fosters Good Crime Policy

In Scotland, violence was framed as a public health issue and there was a shift in policing from governance to scrutiny and engagement which led to the delivery of equal access to specialist policing services across the country. Similarly,

the Nordics have traditionally viewed good social policy as being the most effective crime policy. However, unlike Scotland, the Nordics have historically low crime rates and police reforms have been focused on improving administrative and managerial effectiveness and efficiency, rather than reducing crime rates.

As highlighted by the Nordics, strong welfare states have low crime rates due to strong social policies that provide support. The current focus in Canada on defunding and reallocating resources away from prisons and police and reinvesting it into institutions and initiatives calls into question the effects of social services on crime rates. In many jurisdictions in Canada, spending on police has grown faster than spending on social services, city planning, or public transit (Cardoso and Hayes, 2020). In Toronto, civil rights groups have urged the city to reallocate more than \$250 million in funding for police services to address problems such as homelessness, addiction, and mental health, but Toronto's police budget has remained untouched (Brown, 2021). In the cases of Scandinavia, their approach is to view policing as part of the solution to social issues, rather than the solution itself. In Sweden, mental health professionals have been deployed without police officers since 2015 (Adam and Noack, 2020). Finland introduced its "housing-first" program in 2008 and successfully reduced long-term homelessness by 42% (Adam and Noack, 2020). By providing people with homes, Finland has helped break the cycle of violence for people trying to find homes or coming out of prison (Adam and Noack, 2020). The Nordic experiences suggest that reforms may need to take place across a range of sectors beyond the police force itself to have a sustainable impact.

4.5.5 Recognition and Representation of Multicultural Populations

Another reason why crime rates tend to be lower in Scandinavia is that Nordic countries are all Protestant and homogenous in terms of culture— this has fostered strong cooperative and community ties that have allowed these countries to be comparably free of large internal conflicts. Comparatively, in multicultural societies similar to Canada, policing is more of a challenge as police forces have yet to fully develop the capabilities to engage with a diverse citizenry and overcome biases and prejudices that may exist. As highlighted by the Northern Ireland case, there is a recognition that police must pay attention to the multicultural societies by broadening police functions from maintaining order and authority to engaging in problem solving and conflict resolution with all members of the community. Recommendations for police reforms related to multiculturalism and minority groups tend to fall into six broad categories: (1) diversification of human resources; (2) cultural sensitivity training for police officers; (3) formal antiracism practices within the police; (4) review and revision of operational practices that may lead to systemic discrimination; (5) liaison between minority communities and the police; and (6) inclusion of minority group representation within police forces (Stenning, 2003). As previously noted, these recommendations were undertaken in varying degrees within the United Kingdom and the United States.

4.5.6 Prioritizing Rehabilitation Over Punishment

Low crime rates in Nordic countries are also fostered through moderate punishment policies and low imprisonment rates. There is a priority on reducing and preventing crimes through rehabilitating criminals which takes priority over punishment. As research has shown that restorative justice reduces repeat offences and tends to be more efficient and cost-effective than the traditional justice system, a strong case can be made for increasing attention and funding towards restorative justice initiatives in Canada (Department of Justice Canada, 2018).

4.5.7 Strong Accountability Mechanisms

In Scandinavia, the societies of the Nordic countries greatly prioritize transparency and trust through strict laws and political systems that require the government and police to be open and accountable to its citizenry. In Canada, police accountability remains low despite incidents of civilian death and abuse. A recent CBC report found that only two officers were convicted in 461 cases of civilian deaths from the period between 2000 and 2018 (Annable and Kubinec, 2018). Even in the cases where officers are charged, the legal outcomes tend to be more favourable to officers compared to civilians charged with similar offences. For example, James Forcillo, a police officer convicted of attempted murder in the death of Toronto teenager Sammy Yatim, received full parole after serving just four years of a six-year sentence (Annable and Kubinec, 2018). Police accountability in Canada is also greatly limited by the great variance of police culture and practices between police departments. A 2018 study that researched the strategic plans of 23 Canadian police departments found that they “vary considerably with respect to environmental scans; statements of values; vision and mission; description of goals; and resources to be applied to goal achievement” (Rogers, McIntyre, and Caputo, 2018). As highlighted by Northern Ireland, there are several accountability measures that help to build trust, including a police review consisting of members of all communities, an ombudsman to conduct independent investigations of police misconduct, and an oversight commission to assess progress in implementing police mandates. The strict laws and political systems of the Nordic countries also serve as a model to improve police accountability in Canada. In this case, reforming the police is not just about improving operations or policy—it is also an inherent political question about the overall effectiveness of the political and policing systems that currently exist in Canada.

5.0 Conclusions

Reforming, defunding, and abolishing are different responses to the problem of racial discrimination in the context of Canadian policing. Overrepresentation of

Black and Indigenous people in the criminal justice system and cases of police violence, have motivated activists and allies to call for reform and/or abolition of Canadian policing institutions. When abolition enters the discussion, a question that is often asked is “what or who will replace the police?”. Advocates and scholars of restorative justice have sought to answer that question with alternative justice methods that seek accountability instead of punishment. Canada has made modest promises to adopt restorative justice techniques but is still heavily criticized for not taking adequate action for the population it is intended to serve.

Ontario’s 2017 Anti-Racism Act and Anti-Racism Data Standards are currently at the forefront of anti-racist policing reforms in Ontario. They focus on race-based data collection so that trends can be identified, and policy can then be informed. Emerging as a result of systemic racism in Ontario, the Black Youth Action Plan seeks to provide resources and support for Black youth as a means of investing directly in communities. Larger police forces have mobile crisis intervention teams that have a mental health professional as secondary responders to mental health crisis calls. These intervention teams continue to be undermined by the police who are unequipped with the appropriate mental health crisis de-escalation tools. The Toronto Police force has begun to pilot a mobile crisis intervention team as first responders to mental health crisis calls.

Cases of a disarmed police force can be found in New Zealand, Great Britain, Ireland, Iceland, Finland, and Norway. Disarmed police transform the way officers perform their duties by seeking to use the “minimum force” necessary in situations. This is in direct contrast with highly militarized police forces that tend to alienate marginalised populations and breed distrust through maximum force, violence, and brutality. In Canada, advocates have increasingly called for the disarming of police and the increased use of ‘dissuasive’ equipment such as tasers or mace spray to reduce needless death. In this scenario, police would only be equipped with guns if deemed absolutely necessary.

Police reformists often recommend increased data transparency, heightened standards of police training, improved systems of police accountability, and increased civilian oversight. These reforms target portions of the Canadian policing system without disrupting the inherent way in which they operate. They are effective methods of modifying what already exists in order to increase trust between citizens and police, prevent needless deaths, ensure that the police are held accountable, and democratize the policing system. What differentiates these reforms from abolitionist goals is the inherent acceptance of police as a necessary good that generates public safety.

The case of Camden, New Jersey, is a unique example of both reformist and abolitionist methods being used to in order overhaul Camden's police force. The dissolution of the original 2013 police forces and replacement with the Camden

County Policy Department demonstrates that the necessity of the traditional police force was challenged. Reforms such as mandated diversity, the prioritization of problem-solving over punishment, and community-oriented policing shifted the nature of policing in Camden from maximum to minimum force. The significant reduction in crime and excessive force complaints show that there is promise in blending reformist and abolitionist techniques.

Other reform efforts such as independent oversight commissions, community-based policing strategies, improved social policy, and prioritizing rehabilitation over punishment have been tried and tested around the world. These methods all seek to decrease public distrust of police and legitimize the police force in the eyes of the communities they interact with. As a broad illustration, Northern Ireland pursued this through heightened accountability measures; Camden achieved this by dissolving their police force; Norway approached this through administrative reforms; and Finland followed this by breaking the cycle of violence through strong social policy.

Looking to the future, actions taken by Canadian policymakers to reform policing institutions are still a long way from true abolition. One of the primary challenges to abolitionists is convincing people and policy makers that a world without police can exist. Painting the picture of what it might look like and how it would function is another challenge due to the lack of research and case studies regarding a police-less world. It is therefore recommended that future reforms based on an abolitionist perspective continue to research and push for recommendations that evaluate the validity of current policing and find appropriate alternatives.

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