

SECTION 19

Police (Creeps)

19.1 Cree Units of the Québec Police Force

“Cree unit” means a sub-detachment of a detachment of the Québec Police Force composed of one or more Cree peace officers.

19.1.1 On the execution of the Agreement, procedures for the establishment of Cree units of the Québec Police Force shall commence.

JBNQA, par. 19.1.1
A. corr.

19.1.2 The Québec Police Force shall engage two (2) Cree constables per one thousand (1,000) Cree inhabitants of the Territory envisaged by the Agreement, including the floating population of the Territory. Any increase in the number of Cree constables per one thousand (1,000) Cree inhabitants shall be established after consultation with the Cree Regional Authority.

JBNQA, par. 19.1.2
A. corr.

19.1.3 Such constables shall be engaged upon the prior approval of the Cree Native party to be part of Cree units of the Québec Police Force which shall be established, in the beginning, for the following areas :

- a) the coast;
- b) the communities of Mistassini and Waswanipi;
- c) the community of Great Whale River, at least on a part-time basis.

JBNQA, par. 19.1.3
A. corr.

19.1.4 The Cree units of the Québec Police Force referred to in the preceding paragraph shall be established, after consultation with the Cree Native party and the Cree local authorities, in the more populated Cree areas and communities. They shall be established in accordance with the needs and requirements thereof and depending on whether or not the communities involved establish their own community police force composed of special constables having jurisdiction in the Category I lands of such communities.

JBNQA, par. 19.1.4
A. corr.

19.1.5 As a preliminary and temporary measure, the Cree units of the Québec Police Force may be composed of special constables appointed in virtue of section 64 of the Police Act (S.Q., 1968, c. 17), subject to the standards and requirements now in existence for the appointment of Native special constables.

JBNQA, par. 19.1.5
A. corr.

19.1.6 The standards for recruiting members of the Cree units of the Québec Police Force shall be established after prior consultation with the Cree Native party and taking into account the Cree manpower available.

JBNQA, par. 19.1.6
A. corr.

19.1.7 Before a person is selected to become a member of the Cree units of the Québec Police Force, the name of such person must be proposed to the Québec Police Force, or to the Solicitor General of Québec, by the Cree Native party, or to the Cree Native party by the Solicitor General, for approval.

JBNQA, par. 19.1.7
A. corr.

19.1.8 After consultation with the Cree Native party, and after an evaluation and acceptance of the proposed candidates by the Québec Police Force, the said candidates shall follow training courses given by the Québec Police Institute.

JBNQA, par. 19.1.8
A. corr.

19.1.9 The training programs for such accepted candidates at the school of the Québec Police Institute shall be conducted in both French and English, and in the Cree language where appropriate. Books and materials for the said training program shall be both in French and in English and, when possible, in the Cree language.

JBNQA, par. 19.1.9
A. corr.

19.1.10 The said training program shall be the same as the present program for the training of Native special constables. The said training program may be modified, following consultations between the Québec Police Force and the Cree Native party, taking into account the particular characteristics of the Cree manpower.

JBNQA, par. 19.1.10
A. corr.

19.1.11 The duties of the members of the Cree units of the Québec Police Force shall be the same as the duties of all other regular members of such force, as well as the enforcement of the by-laws of the local Cree authorities.

JBNQA, par. 19.1.11
A. corr.

19.1.12 Notwithstanding the provisions of paragraph 19.1.6, the members of the Cree units of the Québec Police Force shall be recruited and appointed in virtue of and subject to special regulations proposed by the Police Advisory Committee which will be established. Negotiations shall take place between Canada, Québec and the Crees with a view to the establishment of such a Committee.

JBNQA, par. 19.1.12
A. corr.

19.1.13 The Cree units of the Québec Police Force shall have, as in the case of the regular members of such force, duties in Categories I, II and III lands.

JBNQA, par. 19.1.13
A. corr.

19.2 Cree local Community Police Force

19.2.1 Cree Special constables shall be appointed in virtue of section 64 of the Québec Police Act and will have the duties and functions, in Category I lands of Cree communities, of constables and peace officers as well as duties similar to those of municipal police constables.

JBNQA, par. 19.2.1

A. corr.

19.2.2 The special constables referred to in paragraph 19.2.1 must be Crees. Some of them may be engaged on a part-time basis to perform the above duties referred to in paragraph 19.2.1 and may, in their spare time, perform other duties and functions referred to in Section 18 of the Agreement.

JBNQA, par. 19.2.2

A. corr.

19.2.3 The said special constables shall initially perform their duties in Category I lands but they may subsequently be given jurisdiction in Categories II and III lands on such conditions and in such circumstances as will be agreed to between the Solicitor General of Québec, the Cree local governments of Category I lands and the James Bay Municipality.

JBNQA, par. 19.2.3

A. corr.

19.2.4 The number of Cree persons to be engaged as special constables shall depend on the circumstances and requirements of the Cree communities. The basic criterion which will apply is one special constable for every five hundred (500) Cree persons in each community, including the floating population therein.

JBNQA, par. 19.2.4

A. corr.

19.2.5 The qualifications for the appointment of said special constables shall be the same as those actually prevailing for the appointment of Native special constables, taking into account the availability of the Cree manpower. Amendments may be made after consultation with the Police Advisory Committee referred to in paragraph 19.1.12 of this Section.

JBNQA, par. 19.2.5

A. corr.

19.2.6 The Cree local governments shall establish by by-law the requirements and standards for the appointment of special constables and for the creation of a community police force, in accordance with special legislation that will be adopted by Québec permitting the establishment and operation of such police forces.

19.2.7 The Cree local governments shall submit to the Québec Police Force or to the Solicitor General of Québec a list of candidates already screened by such Cree local governments to be appointed as special constables. Thereafter, the procedure for appointment and training for such special constables shall be the same as that provided in the paragraph for the appointment of members of the Cree units of the Québec Police Force, except that for such special constables, the consultation shall be with the Cree local government of the interested community.

19.2.8 The said special constables shall be trained at the Québec Police Institute pursuant to special programs that will be established in order to take into consideration the circumstances and requirements of the areas where such constables will be called upon to perform their duties.

JBNQA, par. 19.2.8
A. corr.

19.3 Federal-Provincial Cost Sharing

Canada and Québec shall pay the direct costs of policing services provided by such Cree special constables referred to in Sub Sections 19.1 and 19.2 of the Agreement in accordance with a cost-sharing agreement for James Bay Cree policing or in accordance with such other Federal-Provincial cost-sharing agreement respecting Indian policing in the Province of Québec to be entered into forthwith upon the execution of the Agreement.

Such costs as training, lodging, training allowances and transportation to and from training institutions of Québec shall be provided for in the above cost-sharing agreement.

Based on annual budgets approved by Canada and Québec each of the said governments shall contribute to the approved budget of such police forces in respect to such special constables on the following basis :

Canada 60%

Québec 40%

This cost-sharing agreement shall continue until March 31, 1978 and shall be subject to review and renegotiation prior to the above date of expiry. Notwithstanding the foregoing, Québec and Canada shall provide the funds necessary to maintain the policing services referred to above beyond such date of expiry.

The communities served by the said police forces may, according to their revenue, but excluding government funds provided for the Cree communities, be obliged to pay to Québec up to a maximum of 10% percent of the said direct costs of such policing services.

JBNQA, subs. 19.3
A. corr.

19.4 Legislation

The provisions of this Section can only be amended with the consent of Canada and the interested Native party, in matters of federal jurisdiction, and with the consent of Québec and the interested Native party, in matters of provincial jurisdiction.

Legislation enacted to give effect to the provisions of this Section may be amended from time to time by the National Assembly of Québec in matters of provincial jurisdiction, and by Parliament in matters of federal jurisdiction.

JBNQA, subs. 19.4
A. corr.