



Office of Sen. PJ Prosper

## BY-LAW ENFORCEMENT ROUNDTABLE EXECUTIVE SUMMARY NATIONHOOD, 2025

During the Mi'kma'ki listening tour that the Senator engaged in during 2024, every community raised the issue of by-law enforcement. In response to what was an obvious priority, the Senator engaged with the office of the Minister of Public Safety and Public Safety officials. He was also pointed toward two pilot projects in Saskatchewan and Manitoba that were leading the way on by-law enforcement. As a result of those discussions, he approached KMKNO to bring what he learned back to NS community leaders and help foster a discussion on a path forward.

### KEY TAKEAWAYS

- There are pilot projects in other First Nation communities that can be looked at when considering options moving forward in Nova Scotia.
- Chiefs wanted the information to be able to share with community members and conduct their own consultations on the path forward.
- Participants suggested a focused, multi-level, multi-disciplinary group to focus on potential solutions to be presented next year.



### PRESENTATIONS

Following meetings with Public Safety officials, the Senator learned of the strides that the Federation of Sovereign Indigenous Nations (FSIN) and Manitoba Keewatinowí Okimakanak (MKO) have made in creating safer, healthier communities. These organizations have worked on behalf of their 74 and 26 First Nations, respectively, and successfully championed provincial legislative changes required to help advance the issue of by-law enforcement and prosecution. As such, representatives from FSIN and MKO were invited to present to participants on their work, their success and their ongoing challenges, in the hopes that highlighting best practices and successful examples would bring important context to how Nova Scotia communities can see real progress on this important issue.

Michael Anderson, Policing and Public Safety Advisor, MKO – See his presentation and handout [here](#).  
Jason Stonechild, Executive Director, Justice (FSIN) – See his presentation [here](#).



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## SUMMARY OF Q&A PERIOD

During the Q&A period, several interventions were made by participants including:

- Q: Could legislation be passed at the provincial level that would enable ability to shut down illicit cannabis shops
  - A: Would need to be proceeded with by KMKNO at the negotiation table
- Q: Where do fines go? Do they come back to the community?
  - A: 100% if paid in First Nation; 75% if paid at courthouse
- Q: Why can't we transition fully to Mi'kmaw laws as opposed to having to use colonial mechanisms like by-laws to keep our communities safe?
  - A: CTA 50 is a legal imperative and UNDRIP can help guide us to that outcome; the system of federal law development is a very complicated one and takes a lot of time

## THE DISCUSSION

Sen. Prosper raised 3 questions to help stimulate a discussion on the path forward for NS.

1. Given that it's been years of pursuing this issue with relatively little progress, I can understand the frustration of everyone in this room. I know from the tour that some communities have some differing visions on how to approach this, but, in the end, everyone wants the same thing: safer communities and for our laws to be respected. However, we can only reach the top of a mountain by climbing one step at a time. **If we agree that we need to pursue this in an orderly manner, what are the immediate next steps that leadership sees us taking? How can we mark success and forward momentum in the next year? The next 3 years? The next 5 years?**

2. One of the cornerstones of the work that MKO and FSIN have done over the past few years has been extensive research coupled with strong data. Just recently, MKO applied for last minute research dollars and received it to help continue adding to this research. In government, policy proposals must be evidence-backed in order to pass the rigorous system of checks and balances imposed by the bureaucracy. **What research gaps do we have in Nova Scotia that are keeping us from moving forward? Who should do this research and how can it be funded? Could we, for example, use the partnership between CMM and SFX on Mi'kmaq-specific research to help address these gaps?**

3. Staying with the successful models of MKO and FSIN, we learned that extensive coordination of lobbying efforts were required, wherein the organizations (representing 26 and 74 nations respectively) worked with provincial and federal partners to hone and deliver the proposed programs. Without this effort, they would not have been able to receive the legislative changes required at the provincial level, that cleared the path for by-law enforcement and the ticketing regime. **Is the Tripartite table on Justice still the most effective mechanism to lead this work?**



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## DISCUSSION POINTS

Throughout the guided discussions, several comments were made and are captured here:

### On Tribal Police Force:

- Need a Tribal Police Force as RCMP training and policies are incompatible with Indigenous peoples
  - Would save money at the provincial level if we use our own police and courts
- Tribal Police in Canada have never shot anyone during wellness checks.

### On the role of Tripartite:

- Research through Tripartite has been important – there is a lot it can do but it is hampered by high turnover in the federal and provincial Justice departments.
- Tripartite has been great for research but has challenges i.e. the province resisting language around the Marshall review, limited resources, etc.; There are ways to improve it in order to better respond to priorities.
- Tripartite has a role but needs boots on the ground trying to operationalize research; need a pilot like Saskatchewan and Manitoba.

### On logistics/potential next steps:

- How do we pay for all of this? We are moving away from our traditions and way of life; Grand Council needs to be recognized more and incorporated into our rules and regulations. We're a separate nation and shouldn't be having this discussion without representation from other districts.
- How do we hold government accountable to ensure implementation?
- Need a multi-faceted approach where experts on law and operations are able to present options on potential legislative changes and practical changes required to move forward.
- Need a multi-disciplinary, multi-level approach that brings in Grand Council concerns, leadership, community voices, legal professionals, police officers, etc. that can do the work to create a proposed path forward/present options at next year's Nationhood/similar forum
  - Should also be a multi-level group with representatives from federal and provincial departments, RCMP, and so forth.
- Chiefs and council should be leading the consultations within their communities.

### On general feelings of frustration:

- This is a human rights issue – this is similar to the Union of BC Indian Chiefs' complaint against the RCMP and we need the power to enforce
- We are still spinning wheels after RCAP, TRC, etc.; Premier Houston called us "special interest groups" and makes me not want to work with them as a sovereign nation