



## **Pekuakamiulnuatsh Takuhikan before the Supreme Court of Canada for a fair funding of Indigenous police forces**

**Mashteuiatsh (Nitassinan), October 6, 2023** - Pekuakamiulnuatsh Takuhikan is well determined to gain a true recognition of its police services while the process to obtain fair funding for its police force continues before the highest court in the country.

The Supreme Court of Canada (SCC) has announced this morning that it will hear the appeal of the decision rendered on December 15, 2022 by the Quebec Court of Appeal. In that decision, three judges of the Quebec Court of Appeal unanimously concluded that Canada and Quebec had not fulfilled their legal obligations by underfunding the indigenous police services in Mashteuiatsh. The Court of Appeal had then ordered a 1.6 million \$ compensation to be paid to Pekuakamiulnuatsh Takuhikan.

Although the Government of Canada has decided to comply with the conclusions of the judges of the Quebec Court of Appeal, Quebec, for its part, is once again showing stubbornness by pursuing its appeal of this decision.

For several years, Pekuakamiulnuatsh Takuhikan has made great efforts to receive adequate funding for its police force in order to provide services of the same quality as those offered to non-native populations. The Quebec Court of Appeal has even described the actions of the governments in this matter as insensitive and dishonorable.

*“ We are confident that the Supreme Court of Canada will go in the same direction and render a decision that will be favorable to us, in order to benefit from police services adapted to our community and our needs to ensure the safety of the Pekuakamiulnuatsh.”* says the Chief of the Pekuakamiulnuatsh, Gilbert Dominique.

According to the Chief of the AFNQL, Ghislain Picard, Pekuakamiulnuatsh Takuhikan is showing exemplary determination in the legal battle it is waging to recover the funding needed to cover the accumulated deficit of its police force while promoting the possibility of similar remedies for other communities. “The case that Pekuakamiulnuatsh Takuhikan has been leading is now taking on a national dimension and we can reasonably expect a very strong Indigenous mobilization across the entire country,” believes Chief Picard. “The AFNQL has been advocating for many years that First Nations police services must be recognized as essential services and that they must therefore receive sustainable and adequate funding. Many other Indigenous police forces throughout the Quebec and Labrador region and across Canada also suffer from significant underfunding.”

Moreover, this decision comes the day after the Quebec Ombudsman released his first follow-up report of the Viens Commission. Quebec's appeal request comes right against the proposed calls for action to provide recurring and long-term funding for all Indigenous police forces. “ Meanwhile, our police services continue to endure systemic discrimination and underfunding even though it is now a well-known issue”, adds Chief Gilbert Dominique.

### **Facts reminder**

- In 2017, Pekuakamiulnuatsh Takuhikan filed a 1.6 million \$ lawsuit in the Superior Court of Quebec in order to recover the deficit accumulated between 2013 and 2018 by its Police force.
- Following a decision unfavorable to Mashteuiatsh, the case was appealed. On December 15, 2022, the Quebec Court of Appeal overturned the first instance judgment and ordered the federal and provincial governments to pay \$1.6 million to Pekuakamiulnuatsh Takuhikan.
- The Attorney General of Quebec filed a request for leave to appeal in February 2023 to bring the case before the Supreme Court. Canada paid its sentence last spring.
- The Supreme Court of Canada will hear the parties arguments in 2024, on a date to be determined.
- In a parallel legal proceeding, the Canadian Human Rights Tribunal (CHRT) recognized in 2022 that the Mashteuiatsh police service was victim of discrimination.

### **About the Pekuakamiulnuatsh First Nation**

Pekuakamiulnuatsh Takuhikan is the political and administrative organization that represents the Pekuakamiulnuatsh. The Pekuakamiulnuatsh First Nation has 10,110 members, many of whom are established in the community of Mashteuiatsh, on the shores of the Pekuakami. Mashteuiatsh – which means “where there is a point” – is a historic rallying and meeting place.

### **About the AFNQL**

The Assembly of First Nations Quebec-Labrador is the political organization that brings together 43 Chiefs of the First Nations in Quebec and Labrador.

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