

## **MCGUINTY'S IPPERWASH COVER-UP**

How the Ipperwash Inquiry suppressed evidence of native crime against residents and put Ontario communities on a collision course with anarchy

by Mark Vandermaas, Mary-Lou LaPratte and Gary McHale

On the sandy roads and beautiful Lake Huron beaches of Ipperwash, 35 kilometres north of Sarnia, Ontario there are few signs of the turmoil that once ripped apart an entire community and set others on a collision course with land claim anarchy thanks to a public inquiry that wasn't.

Imagine if a future government invested \$20 Million and three years on an inquiry into the Caledonia crisis, but refused to allow a single resident to testify, and deliberately excluded every shred of evidence of native crimes against them. What if this inquiry was then used to hold natives blameless and justify a 'hands off' policy against land claim lawlessness in other Ontario towns? This is today's legacy of Premier McGuinty's Ipperwash Inquiry for Caledonia, Deseronto, Sharbot Lake, Brantford, and Hagersville.

The Ipperwash saga began in 1942 when land was expropriated from natives for a military base. \$50,000 was paid, and families were relocated to a nearby reserve. An additional \$2.5 million was paid in 1981 with a promise the land would be returned when no longer needed. Tired of waiting, natives occupied part of Camp Ipperwash in May 1993, but were not evicted even after a helicopter was shot. In February 1994, the federal government agreed to return the base. On July 29, 1995 native children were used to crash a bus through the main gate as decoys during a violent takeover of the entire base. Military personnel were cited for protecting "life and property" during the evacuation. The adjacent provincial park was occupied September 4th. During a confrontation with natives two days later OPP officers, believing they had taken fire, shot and killed Dudley George.

McGuinty called a public inquiry following his win over Mike Harris' Conservatives in October 2003 with a mandate to "inquire and report on events surrounding the death of Dudley George" and "to make recommendations that would avoid violence in similar circumstances in the future." Ipperwash residents were hopeful the Inquiry would address the lawlessness they endured for a decade at the hands of native criminals so Ontario could understand the dangers of race-based policing and the role it played in the death of George. Their hope was badly misplaced.

Victimization of residents began in earnest with a land claim filed against their homes in 1992. Former Ipperwash community leader Mary-Lou LaPratte recounts, "As soon as the occupations and land claim on the West Beach started we noticed a disturbing OPP policy evolving. Natives coming off the occupied lands into surrounding areas to harass, threaten, intimidate, steal from, or assault innocent homeowners and tourists, were exempt from criminal charges upon reaching the safe haven of the disputed land. In the West Beach land claim, which was going through a court process, a native anyway here on the properties, for any reason, would not be charged. Our lives became a daily nightmare

of threats, intimidation, and harassment tactics which, over the years, became home invasions and physical assaults.” LaPratte herself was a victim of a 2 a.m. home invasion. When her husband called the OPP he was asked if the intruder was native whereupon he was instructed not to touch the man or face arrest.

In May 1994, the Sarnia Observer published an editorial, ‘ *Police must enforce laws* ’ stating, “Regardless of any land claim, natives must obey the law. They simply cannot be allowed to do as they please...” Within sixteen months, natives had launched their violent takeover of Camp Ipperwash, Dudley George was dead and terrified residents were abandoned for weeks by the OPP who pulled out to a distance of 6 -10 km for fear of native retaliation, leaving residents and the unsecured shooting scene under control of native occupiers.

The OPP eventually returned, but residents complained bitterly to provincial and federal governments about the lack of OPP protection against rampant native crime. Elected officials wrote back saying it was the responsibility of the OPP to enforce the law. The correspondence offers startling insight into how utterly paralyzed the Canadian democratic system can become when police refuse to do so.

In 1996, hundreds of residents wrote victim impact statements to federal liaison Robert Reid. In their letter, the town’s Chief Administrative Officer blamed the Department of National Defence for George's death: “DND, through it [sic] failure to remove illegal occupiers, failure to permit the law to be upheld, failure to protect its boundaries, failure to ensure safety at one of its military facilities and ultimate retreat from and desertion of Camp Ipperwash in the middle of the night has created a situation that led to the death of at least one individual, the takeover and destruction of public property, terrorizing of a municipality, destruction of property values, and the tearing apart of a community and its way of life. Repeatedly, over the two years preceding the fatal shooting of Dudley George, town officials advised provincial and federal government cabinet ministers, politicians and bureaucrats of the real potential for injury and death in the area. Unfortunately, unless real progress towards a solution commences immediately, we feel that more injuries and deaths will occur.”

In 1998 eight natives beat a man to unconsciousness leaving him with permanent damage to his hand. A witness had to call 911 seven times before OPP responded. In 2002 and again in 2005, pieces of two human bodies were found in areas controlled by native occupiers.

The Ipperwash Inquiry began with seven days of testimony by two experts on aboriginal culture and history going back to the 17th century. While the Inquiry was keen to understand, in excruciating detail, aboriginal history predating Confederation, they did not want to hear how today's aboriginals had terrorized innocent residents in the 1990’s. They refused to allow LaPratte to testify despite her position as president of the 600 member Ontario Federation for Individual Rights and Equality (ONFIRE) – a group formed one month after the death of Dudley George to give beleaguered residents a voice

– and, arguably, the most knowledgeable person alive regarding the impact of land claims and associated crime on innocent third parties.

Derry Millar, lead counsel for the Inquiry, was well acquainted with both LaPratte and the suffering of Ipperwash residents. He and his law firm successfully defended the West Ipperwash Property Owners Association - of which LaPratte was the Public Relations officer - against the native claim filed against their homes in 1992. The case went to the Supreme Court of Canada, and on May 19, 1998, the claim was dismissed. It cost residents \$500,000 for the legal defence of their homes.

Despite Millar's knowledge of the residents' agony, none were permitted to testify about the native crime and violence they had experienced during the years prior to 1995 or afterwards except for a casual cottager who was across the street when Dudley George was shot. Out of 139 witnesses, not one was a full-time resident. Mary-Lou LaPratte's 29-page chronological history of Ipperwash from the residents' point of view, submitted on behalf of ONFIRE in July 2004, is not listed on the Inquiry website.

During the three year inquiry, the victims of Ipperwash were allotted a total of just 90 minutes to address Commissioner Linden during a townhall meeting that took place on June 21, 2006. The now-mayor of Lambton Shores, Gord Minielly, a councillor at the time, echoed residents' concerns and expressed his sympathy for Caledonians: "I have listened to all of the seminars, and am most aggrieved that all the work in the last ten years among the governments, OPP and the Natives was of no help in the Caledonia dispute. Violence must not be tolerated. It only serves to leave the area in question paralyzed by fear and a sense of hopelessness." The Inquiry's minutes of this 'Community Consultation' give the false impression there were no significant problems between residents and natives.

The Inquiry's report contains 100 recommendations, but not one specifically addresses the issue of preventing violence against residents. The fault for this lies squarely at the feet of McGuinty. He campaigned on a promise to call an Inquiry, and he gave the Inquiry its mandate. Two and a half months prior to release of the Inquiry's final report, we provided him and leaders of the Opposition a press kit summarizing the Inquiry's failures following our news conference in the Queen's Park Media Studio. McGuinty is well aware that important evidence from residents was suppressed.

We briefed Haldimand Mayor Marie Trainer prior to releasing the Ipperwash Papers ([www.IpperwashPapers.ca](http://www.IpperwashPapers.ca)) and she was shocked by the eerie similarities between Ipperwash and Caledonia. "If you just change the names," she said, "this could be Caledonia." Her observation highlights the most disturbing and far-reaching consequence of the suppression of evidence from residents: dangerous policy-making resulting from the Inquiry's inability or unwillingness to identify the root cause of Dudley George's death as race-based policing. If the law had been properly enforced in Ipperwash in the years prior to 1995 without regard to race it is quite likely that Dudley George would not have been part of the escalating violence that claimed his life just as Caledonia builder

Sam Gualtieri would not have been nearly beaten to death by native thugs if OPP had removed the initial occupiers of the Douglas Creek Estates.

McGuinty's Inquiry refused to listen to the residents of Ipperwash and now, innocent victims in other Ontario towns are paying the price of a tragically -flawed inquiry.

George Orwell said, "In a time of universal deceit, telling the truth becomes a revolutionary act." For the victims of Ipperwash, Caledonia, and other communities yet to face state-sanctioned land claim lawlessness, the revolution cannot come to o soon.

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**References (other than hyperlinks) correspond to document numbers at  
<http://www.ipperwashpapers.com/IW-documents.htm>**

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Imagine if a future government invested \$20 Million and three years on an inquiry into the Caledonia crisis, but refused to allow a single resident to testify, and deliberately excluded every shred of evidence of native crimes against them. What if this inquiry was then used to hold natives blameless and justify a 'hands off' policy against land claim lawlessness in other Ontario towns? This is today's legacy of Premier McGuinty's Ipperwash Inquiry for Caledonia, Deseronto, Sharbot Lake, Brantford, and Hagersville.

The Ipperwash saga began in 1942 when land was expropriated from natives for a military base. \$50,000 was paid, and families were relocated to a nearby reserve. An additional \$2.5 million was paid in 1981 with a promise the land would be returned when

no longer needed. [[http://www.ainc-inac.gc.ca/pr/info/cin\\_e.html](http://www.ainc-inac.gc.ca/pr/info/cin_e.html)] Tired of waiting, natives occupied part of Camp Ipperwash in May 1993, but were not evicted even after a helicopter was shot. [K-5]

[[http://www.ipperwashinquiry.ca/report/vol\\_4/pdf/E\\_Vol\\_4\\_Summary\\_1.pdf](http://www.ipperwashinquiry.ca/report/vol_4/pdf/E_Vol_4_Summary_1.pdf) (page 10, para 3)] In February 1994, the federal government agreed to return the base.

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[[http://www.ipperwashinquiry.ca/report/vol\\_4/pdf/E\\_Vol\\_4\\_Summary\\_1.pdf](http://www.ipperwashinquiry.ca/report/vol_4/pdf/E_Vol_4_Summary_1.pdf) (page 11, para 7)] Military personnel were cited for protecting “life and property” during the evacuation. [I-1] The adjacent provincial park was occupied September 4th. During a confrontation with natives two days later OPP officers, believing they had taken fire, shot and killed Dudley George.

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In May 1994, the Sarnia Observer published an editorial, ‘*Police must enforce laws*’ stating, “Regardless of any land claim, natives must obey the law. They simply cannot be allowed to do as they please...” [K-4] Within sixteen months, natives had launched their violent takeover of Camp Ipperwash, Dudley George was dead and terrified residents were abandoned for weeks by the OPP who pulled out to a distance of 6 -10 km for fear of native retaliation, leaving residents and the unsecured shooting scene under control of native occupiers. [A-1, paras 31/43, F-11, F-12, F-14, F-15, F-26, F-33]

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correspondence offers startling insight into how utterly paralyzed the Canadian democratic system can become when police refuse to do so. **[H-1/H-27]**

In 1996, hundreds of residents wrote victim impact statements to federal liaison Robert Reid. **[F-1/F34, G-3]** In their letter, the town's Chief Administrative Officer blamed the Department of National Defence for George's death: "DND, through its failure to remove illegal occupiers, failure to permit the law to be upheld, failure to protect its boundaries, failure to ensure safety at one of its military facilities and ultimate retreat from and desertion of Camp Ipperwash in the middle of the night has created a situation that led to the death of at least one individual, the takeover and destruction of public property, terrorizing of a municipality, destruction of property values, and the tearing apart of a community and its way of life. Repeatedly, over the two years preceding the fatal shooting of Dudley George, town officials advised provincial and federal government cabinet ministers, politicians and bureaucrats of the real potential for injury and death in the area. Unfortunately, unless real progress towards a solution commences immediately, we feel that more injuries and deaths will occur." **[F-34]**

In 1998 eight natives beat a man to unconsciousness leaving him with permanent damage to his hand. A witness had to call 911 seven times before OPP responded. **[A-1-para 77]** In 2002 and again in 2005, pieces of two human bodies were found in areas controlled by native occupiers. **[L-22/L-23]**

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**[A-1] [[http://www.ipperwashinquiry.ca/policy\\_part/projects/index.html](http://www.ipperwashinquiry.ca/policy_part/projects/index.html)]**

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**Mark Vandermaas** was the lead investigator for the Ipperwash Papers project. He is the editor of VoiceofCanada.ca and is a full time activist working to stop violence and OPP civil rights violations during native land claims.

**Mary-Lou LaPratte** lived in Ipperwash from 1990 to 2007 and was once nominated – unsuccessfully – for the Order of Canada for her tireless work in pursuing justice for the people of Ipperwash. Her house was approximately 400 feet from the site where Dudley George fell. She supplied the majority of documents for the Ipperwash Papers project, including the 29-page chronological history of residents’ suffering which the Ipperwash Inquiry refused to publish. It is a shocking indictment of race-based policing that should be a ‘must read’ for every politician in Canada.

Her qualifications include:

- served as Vice Chair of the Ipperwash Policing Committee. 1993 to 1996
- organized the first Neighbourhood Watch in Ipperwash. 1993 to 1996
- served on the Executive of ONFIRE (Ontario Federation for Individual Rights and Equality). Security, 1995 to 1997
- President of ONFIRE from 1997 to December 2006.
- Public Relations officer for the West Ipperwash Property Owners Association. 1992 to 2001.
- Conducted 700 hours of research and cataloguing for a class action lawsuit.
- Spokesperson for the West Ipperwash Property Owners Association with the Assessment Review Board from 1995 to 2001 during the litigation on the West Beach Land claim.
- Keynote speaker at inaugural March for Freedom event in Caledonia, Oct 15/06.
- Co-presenter of The Ipperwash Papers project at Queen’s Park Media Studio, March 14/07.

**Gary McHale** is editor of CaledoniaWakeUpCall.com and is a full time activist working to stop violence and OPP civil rights violations during native land claims. He was a co -

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