



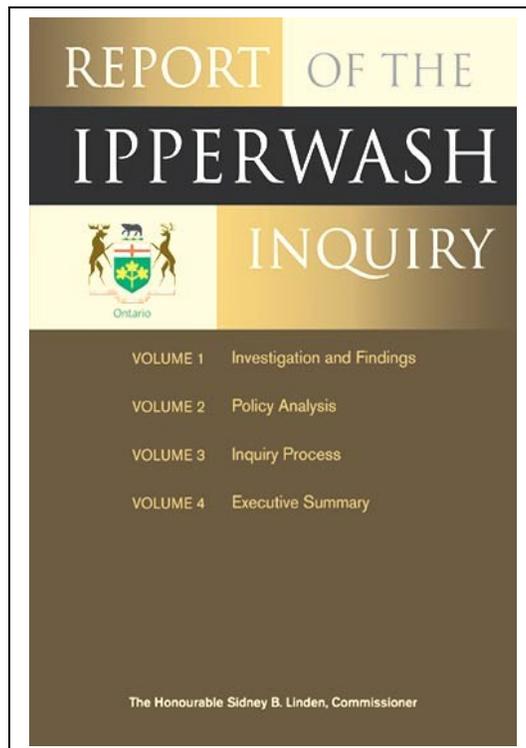
MCGUINTY'S IPPERWASH COVER-UP: THE CALEDONIA LEGACY

The Caledonia-based Regional News has become the first media outlet in Canada to publish the full story of the Ipperwash Papers project. Both parts are reprinted below as they appeared in a two-part series between Feb 18-25/09 with references following.

The authors would like to thank publisher Chris Pickup and reporter Bill Jackson for allowing us to tell this important story in our own words. The Regional News has been a fierce watchdog for the people of Haldimand County, and we are very grateful to them. As Mark Vandermaas once said about the 'Regional':

When the politicians and police finally realize that no realistic landclaim solution is possible if they continue to ignore the innocent victims of landclaim lawlessness it will be due in no small part because one courageous newspaper and a gutsy reporter held true to the highest and finest ideals of journalism in a town where fear has silenced so many.

VoiceofCanada, July 23/08: [Ryerson Review of Journalism: McHale & Vandermaas important news sources for Caledonia dispute](#)



The Regional News, Feb 18/09

MCGUINTY'S IPPERWASH COVER-UP: THE CALEDONIA LEGACY

by Mark Vandermaas, Mary-Lou LaPratte and Gary McHale

PART 1: Race-based Policing in Ipperwash

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 crimes against them by native protesters. 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 the legacy of Premier McGuinty's Ipperwash Inquiry.

On March 14, 2007, two and a half months prior to release of the Inquiry's report, with the assistance of MPP Toby Barrett, the authors held a news conference in the Queen's Park Media Studio to release their Ipperwash Papers project - 400 pages of documents showing how residents of Ipperwash were victimized by land claim lawlessness, government inaction and racial policing. Afterwards, they provided McGuinty and leaders of the Opposition with a press kit summarizing the Inquiry's failures. [1]

The Ipperwash Papers show that the OPP, Provincial and Federal governments allowed race-based policing to exist long before the shooting of Dudley George, and that it was the root cause of both his death and the community's suffering since 1992. The authors correctly predicted that the yet-to-be-released Inquiry report could never make a single credible recommendation for preventing violence against residents because the Inquiry never allowed the issue to be explored.

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. [2] Tired of waiting, natives occupied part of Camp Ipperwash in May 1993, but were not evicted even after a helicopter was shot. [3] 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. [4] Military personnel were cited for protecting "life and property" during the evacuation. [5] 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.

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 anywhere 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." [6]

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. [7]

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..." [8] 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. [9]

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. [10]

In 1996, hundreds of residents wrote victim impact statements to Federal Liaison Robert Reid who held a position similar to that of David Crombie in Caledonia. [11] The Ipperwash Papers includes thirty-three letters, one of which was written by the town's Chief Administrative Officer blaming the Department of National Defence for George's death:

"DND, through its [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." [12]

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. [13] In 2002 and again in 2005, pieces of two human bodies were found in areas controlled by native occupiers. [14]

The Ipperwash Inquiry, called by McGuinty following his win over Mike Harris' Conservatives in October 2003, was given 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 it would examine the lawlessness they had endured so the people of Ontario - especially those living in Caledonia - could understand the terrible dangers of race-based policing.

Their hope was badly misplaced.

Next week - Part 2: How the Ipperwash Inquiry suppressed evidence and put Ontario communities on a collision course with anarchy

The Ipperwash Papers are located at <http://www.ipperwashpapers.ca>.

The Regional News, Feb 25/09

MCGUINTY'S IPPERWASH COVER-UP: THE CALEDONIA LEGACY

by Mark Vandermaas, Mary-Lou LaPratte and Gary McHale

PART 2: How the Ipperwash Inquiry suppressed evidence and put Ontario communities on a collision course with anarchy

On October 15, 2008 MPP Toby Barrett announced that his petition for hearings into the Caledonia crisis had been rejected by Aboriginal Affairs Minister Brad Duguid with the excuse that, "Justice Linden's comprehensive report arising out of the Ipperwash Inquiry includes a road map for progress in our relations with First Nations and Metis people and the government is following those guidelines." [15]

The Inquiry's report contains 100 recommendations, but not one specifically addresses the issue of preventing violence against residents. [16] How could this even be possible given the extreme lawlessness in Caledonia during the year prior to its release?

The Ipperwash Inquiry began with seven days of testimony by two experts on aboriginal culture and history going back to the 17th century. [17] 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. [18]

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 land claim filed against their homes in 1992. [19] The case went to the Supreme Court of Canada, and on May 19, 1998, the claim was dismissed. [20] 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. Out of 139 witnesses, not one was a non-native resident. [21] 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. [22] Not one symposium was held on the subject of preventing violence against innocent residents during land claim protests.

During the three year inquiry, the non-native 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 at the height of the violence in Caledonia. 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." [23]

The Inquiry's minutes of this 'Community Consultation' however, give the false impression there were no significant problems between residents and natives expressed. [24]

Since the Inquiry never examined the issue of preventing lawlessness against innocent residents, and does not have the force of law, the use of it to justify racial policing in Caledonia is illogical, disingenuous, and illegal.

The best evidence for this can be found in the testimony of OPP Commissioner Julian Fantino himself on August 29, 2007 when he told Shawn Brant's lawyer:

"Mr. Rosenthal, there's nothing in the spirit, the intent, or the written word in this document [Ipperwash Inquiry report] that justifies criminal conduct or that exonerates people from accountability from criminal conduct, or that it absents me as a law enforcement officer from exercising discretion or using the authority bestowed upon me to effect a lawful purpose." [25]

McGuinty and Fantino have stated that police are 'peacekeepers' - as though citizens victimized by land claim lawlessness are living in a de facto war zone with no right to full police protection mandated under the Police Services Act. [26] Both men know they are allowed - and required - to enforce the law before innocent people become victims. They simply choose not to do so in Haldimand County.

The authors briefed Mayor Trainer prior to releasing the Ipperwash Papers who 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.

Not one MPP has ever risen in the Legislature to denounce the suppression of evidence by the Ipperwash Inquiry, or the inappropriate use of its flawed recommendations. The Opposition has silently allowed the Inquiry to become a legalized myth justifying racist policing practices that have already been permitted by Conservative and Liberal governments at both the provincial and federal levels.

The authors believe the key reason Ipperwash residents were never permitted to testify was because the Inquiry was not about justice or reconciliation, but about attacking the Mike Harris Conservatives. It should not have surprised anyone that its report was made public a few months

before the last provincial election - an obvious attempt to silence the Conservatives regarding law and order in Caledonia.

Since June 2006 ordinary Canadians have been leading the fight to ensure any new inquiry was about justice and law & order, and not about scoring political points. On June 5, 2007 however, PC leader John Tory called for an inquiry into Caledonia stating the purpose of such an inquiry was to review the 'absence of communication and lack of leadership by Premier McGuinty and his Liberal government,' and not to examine OPP race-based policing. [27]

MPP Toby Barrett's February 05, 2009 call to examine the validity of land claims, and allegations of political interference in policing follows in Tory's footsteps by ignoring the clear wishes of the 7,000 people who have signed the current petition demanding an inquiry into the actions of the OPP. [28], [29]

Ontario's political parties believe Caledonia is a mere 'drop' of water in the political landscape. Real change within the OPP and the Ontario government is possible, however, thanks to a growing grassroots movement to hold all politicians accountable for allowing racial policing to exist. When you sign the petition, you become one of the thousands of 'drops' in a river that will one day wash away the illegal actions of the OPP.

The Ipperwash Papers are located at www.ipperwashpapers.ca.

Note to readers of printed editions: Links to supporting citations, references and author information can be found exactly as listed below in '[McGuinty's Ipperwash Cover-up: The Caledonia Legacy](#)' at www.CANACE.ca.

<http://joincanace.wordpress.com/2009/02/28/mcguintys-ipperwash-cover-up-the-caledonia-legacy/>

REFERENCES

A. Ipperwash Inquiry report

- Ipperwash Inquiry website: www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash
- Ipperwash Inquiry, Volume 1: [Investigation and Findings Full Version PDF \(VoC download - Full Version PDF\)](#)
- Ipperwash Inquiry, Volume 2: [Policy Analysis Full Version PDF \(VoC download - Full Version PDF\)](#)
- Ipperwash Inquiry, Volume 3: [Inquiry Process Full Version PDF \(VoC download - Full Version PDF\)](#)
- Ipperwash Inquiry, Volume 4: [Executive Summary Full Version PDF \(VoC download - Full Version PDF\)](#)

B. The Ipperwash Papers project

- Ipperwash Papers website: www.ipperwashpapers.ca
- Ipperwash Papers: [Documents Index](#)
- Ipperwash Papers: [Summary of Documents](#)
- VoiceofCanada feature: [The Ipperwash Papers](#)

C. Citations

1. Ipperwash Papers news conference & press kit, March 14/07
 - www.ipperwashpapers.ca
2. Camp Ipperwash payments & negotiations
 - Dept. of Indian & Northern Affairs: [Fact Sheet - Camp Ipperwash Negotiations PDF](#)
3. Helicopter Shooting
 - Ipperwash Papers: [K-5](#)
 - Ipperwash Inquiry: [Vol 4](#) (see p10, para 3) ([VoC download](#))
 - Ipperwash Inquiry: Vol 4, [p10 only](#)
4. Children used to crash bus through gate of Camp Ipperwash
 - Ipperwash Inquiry: [Vol 1 Ch 7](#) (see p130-132) ([VoC download](#))
 - Ipperwash Inquiry: Vol 1 Ch 7, [p130-132 only](#)
5. Military citations for conduct during native attack
 - Ipperwash Papers: [I-1](#)
6. LaPratte quote re Native crime against residents
 - Ipperwash Papers: [D-14](#)
 - See also: [A1](#), [Documents Index](#): D-1 to D-13
7. LaPratte home invasion
 - Ipperwash Papers: [A-1](#) (see para 7)
8. Sarnia Observer editorial, May 25/94
 - Ipperwash Papers: [K-4](#)
9. Victim impact statements re OPP abandonment
 - Ipperwash Papers: [A-1](#) (see paras 31-43), [F-11](#), [F-12](#), [F-14](#), [F-15](#), [F-26](#), [F-33](#)
10. Correspondence w/elected officials
 - Ipperwash Papers: [Documents Index](#) (H-1 to H-27)
11. Victim Impact Statements by residents (Authors' Note: Including the CAO statement referenced below, there are 34 victim impact letters included with the Ipperwash Papers, not 33 as cited in the article)
 - Ipperwash Papers: [Documents Index](#) (F-1 to F-34), [G-3](#)

12. Town of Bosanquet CAO victim impact stmt, Mar 13/96
 - Ipperwash Papers: [F-34](#)
13. Assault on Ipperwash resident
 - Ipperwash Papers: [A-1](#) (see para 77)
14. Body parts found on former Camp Ipperwash:
 - Ipperwash Papers: [L-22](#), [L-23](#)
15. Ontario gov't refuses Caledonia inquiry
 - MPP Toby Barrett email, Oct 15/08: [McGuinty axes land dispute hearings - uses Ipperwash as excuse](#)
16. No recommendations for preventing violence against residents
 - Ipperwash Inquiry: [Recommendations from Vol 1](#) (20) ([VoC download](#))
 - Ipperwash Inquiry: [Recommendations from Vol 2](#) (78) ([VoC download](#))
 - Ipperwash Inquiry: [Recommendations from Vol 3](#) (2) ([VoC download](#))
17. Expert testimony re Aboriginal culture
 - Ipperwash Inquiry: [Witnesses Who Have Testified](#) (Darlene Johnston: July 13, 14, 15/04; Joan Holmes: Aug 17, 18, 19, Sept 08/04)
 - Ipperwash Papers: [O-2](#) (printed Feb 20/07)
18. LaPratte & Ontario Federation for Individual Rights and Equality (ONFIRE)
 - Ipperwash Papers: [D-1](#), [F-1](#), [G-3](#), [G-8](#), [H-8](#), [H-9](#)
19. Inquiry lead counsel represented Ipperwash residents during land claim against their homes
 - Ipperwash Papers: [C-1](#), [C-2](#), [C-3](#)
20. Supreme Court rules in favour of Ipperwash residents
 - Ipperwash Papers: [C-4](#)
21. Ipperwash residents not allowed to testify
 - Ipperwash Inquiry: [Witnesses Who Have Testified](#)
 - Ipperwash Papers: [O-2](#) (printed Feb 20/07)
22. LaPratte chronology of Ipperwash not listed on Inquiry website
 - Ipperwash Papers: [A-1](#) (LaPratte chronology w/affidavit)
 - Ipperwash Inquiry: Part 2, [Parties with Standing](#) (#12: ONFIRE) [PDF](#)
 - Ipperwash Inquiry: Part 2, [Projects Prepared by Parties to Inquiry](#) [PDF](#)
23. Comments by former Councillor Gord Minielly, June 21/06
 - Ipperwash Papers: [O-4](#) (Lakeshore Advance, June 28/06)
24. Minutes of 'Community Consultation,' June 21/06
 - Ipperwash Inquiry: ['Community Consultation'](#)
 - Ipperwash Papers download: [O-3](#)

25. OPP Commissioner Fantino on limitations of Ipperwash Inquiry report
 - Shawn Brant trial transcript: [Fantino testimony, Aug 29/07](#) (p28-29) ([VoC download](#))
 - Shawn Brant trial transcript: Fantino testimony, Aug 29/07 ([p28-29 only](#))
 - Newstalk AM1010 CFRB.com: [OPP commissioner Julian Fantino and native activist Shawn Brant Wiretap Transcripts PDF](#)
26. Premier McGuinty & OPP Commissioner Fantino comments re OPP as ‘peacekeepers’
 - McGuinty: [City TV news, May 02/07 re Caledonia Convoy](#)
 - Fantino: [Hamilton Spectator, Nov 09/07: Full text of the Spec’s interview with OPP Commissioner Julian Fantino](#) (see Q #8: “What is the OPP’s role?”) [PDF](#)
27. PC leader John Tory calls for inquiry
 - MPP Toby Barrett email, Feb 10/09: [Time for an inquiry into area land disputes](#) (see para 4)
28. MPP Toby Barrett calls for inquiry
 - Barrett news release, Feb 05/09: [Time to determine the truth about Caledonia](#)
 - MPP Toby Barrett email, Feb 10/09: [Time for an inquiry into area land disputes](#)
29. Resident’s petition for inquiry into OPP
 - Ken Hewitt, Dec 26/08: [Open letter to Commissioner Julian Fantino](#)
 - Petition for Caledonia Public Inquiry: [Petition download page](#)
 - VoiceofCanada, Jan 03/09: [McHale, Caledonia fight Fantino attempt to rewrite history](#)
 - Dunnville Chronicle, Jan 17/09: [Petition asks for inquiry into Fantino and OPP PDF](#)
 - The Sachem, Jan 09/09: [New petition calls for Fantino inquiry PDF](#)
 - Dunnville Chronicle, Dec 24/08: [Caledonia residents launch petition for Fantino’s resignation PDF](#)

D. About the Authors

Complete bio info can be found at CANACE.ca, About Us: [Founding Advocates](#)

Mark Vandermaas was the project leader for the Ipperwash Papers. He is a former member of the Canadian Forces who has served with a United Nations peacekeeping force in the Middle East where he personally saw the remnants of war. His parents suffered under Nazi occupation and watched Jews taken away to be murdered. His father escaped from a Nazi work camp. Having sworn an oath to defend Canadian values at the risk of his own life he feels a deeply-held sense of duty to speak out against what he perceives as racially-based policing and threats to the Canadian rule of law.

After his arrest on Dec 16/06 while attempting to raise a Canadian flag in Caledonia Mark put his real estate career and award-winning real estate college concept on hold to become 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.

Mary-Lou continues to fight for justice and recognition for the suffering of victims of landclaim lawlessness. 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. This shocking indictment of race-based policing should be a 'must read' for every Canadian citizen. It is listed as document A-1 in the Documents Index at <http://www.ipperwashpapers.ca/>.

- 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 of West Beach Land claim.

Gary McHale is a full time Civil Rights Advocate working to stop violence and OPP civil rights violations during native land claims.

Mr. McHale attended a Baptist Seminary and has been a deacon in the church, and preached and/or taught in various churches in Ontario. He has also authored several Christian books. His activism in Caledonia arises out of his deeply-held religious belief that he as a Christian has a duty to speak out against the injustices of race-based policing even if it means travelling to another community.