

# Ipperwash: *Tragedy to Reconciliation*



# Union of Ontario Indians Participation

As the Kettle and Stony Point First Nation is a member of the Union of Ontario Indians, our involvement began very early in the dispute. On May 22, 1947, the UOI presented a letter from Chief Frank Bressette to parliament which brought the land dispute issue into the public eye.

In the 1960's and 1970's, the UOI began to lobby on behalf of the Kettle and Stony Point First Nations, attracting increasing political and media attention.

Prior to and during the occupation in 1995, the UOI's role was to advocate with government and generate political support for the Stony Pointer's land claim. The UOI provided moral support for the protesters during the crisis by collecting food.

After the death of Dudley George, the UOI received many phone calls from different communities and organizations asking how they could help.

Through the UOI's political office, support was given in lobbying for an inquiry into George's death in 1995.

The goal of the UOI's participation in the Inquiry was to develop grass roots recommendations that would lead to the building of healthy relationships between Anishinabek First Nation, government and police services.

Consultations were held in 2005 at four different communities – Fort William First Nation, Garden River First Nation, Mnjikaning First Nation and Toronto. Topics included the relationship between police and First Nations people, relationship between police and government, and the interaction between the police and protestors.

Three papers were commissioned by the UOI: Anishinabek Perspectives on Resolving Rights Based Issues and Land Claims in Ontario by Dwayne Nashkawa (August 30, 2005), Anishinabek Perspectives on Roundtable Forums that Support Issue Resolution by Fred Bellefeuille (August 30, 2005) and Anishinabek First Nations Relations with Police and Enforcement Agencies by Dwayne Nashkawa (August 30, 2005).

These papers culminated in written submissions of the Union of Ontario Indians which was submitted to Honourable Justice Linden on July 28, 2006, and included five short-term and eight long-term recommendations.

**Visit [www.anishinabek.ca](http://www.anishinabek.ca) for more information and regular updates regarding the Ipperwash Inquiry Report recommendations.**

# The beach at Ipperwash



Beginning in the late 1800s and early 1900s, settlers began visiting the flint beds and used them as a scenic picnic area. Flint (or flintstone) is a hard, sedimentary cryptocrystalline form of the mineral quartz. The popularity of "Stoney Point" continued to grow as the automobile became more accessible to the average North American family. By the 1920s, cars packed the "Ipperwash Beach Highway" and tourists visited the Stoney Point picnic grounds by the thousands.

However, up until 1929, the Stoney Point picnic grounds remained part of the Stoney Point Indian Reserve. According to the Indian Act, it was illegal for Non-Natives to trespass on Indian land. So, for over three decades, thousands broke the rule of law by trespassing on the Reserve.

During construction in Ipperwash Provincial Park in 1950, a burial of an Anishinaabe child was uncovered in the sand. The land on which Ipperwash Provincial Park now sits was purchased by the Province of Ontario in the summer of 1936. The provincial government had purchased the 109 acres of sand dunes and bush from a real estate agent. The real estate agent had obtained the land from the local First Nations people in 1929 through an official "surrender" of the beachfront portion of the Stoney Point Reserve. The validity of the 1929 surrender has since been questioned.

*Photo credits: Ipperwash Film Project and Opal Dale*

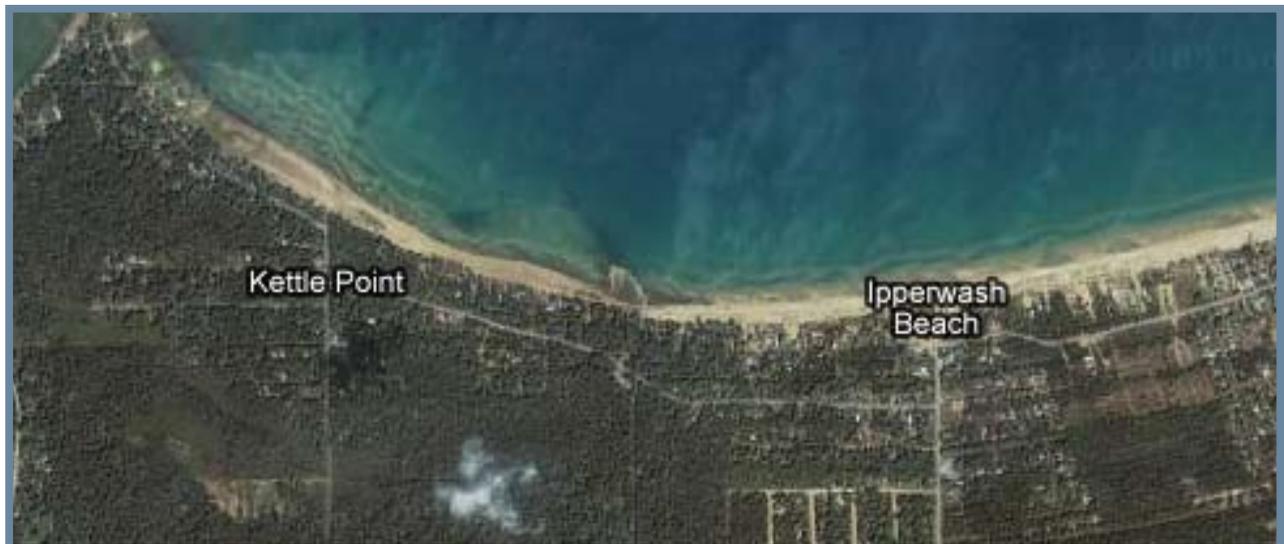


Along the shores of Lake Huron, there are beautiful beaches and beds of flint rock.

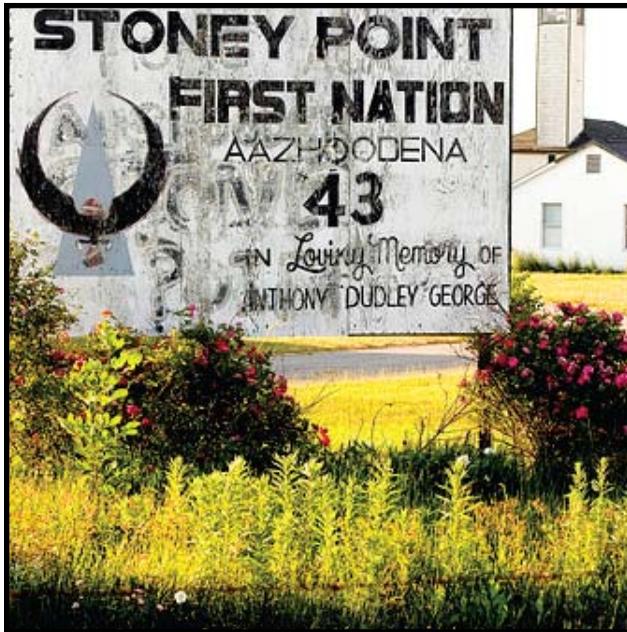
It is on these shores that the Kettle and Stony Point First Nation community is located.

It is roughly a two-hour drive west of London and north of Sarnia, just past the small community of Forest.

If you were to use Lake Huron itself for direction, you would find the communities along the base of the large southern tip.



# Background



**Aazhoodena (next town over) – the traditional name Stoney Pointers gave their land.**

In September 1995, a half-century-old Native land claim dispute exploded in Ontario's Provincial Park and left unarmed protester Anthony Dudley George, dead.

Ipperwash Provincial Park was created by the province of Ontario in 1932 on land that had been surrendered from the front of Stoney Point First Nation in 1928. As early as 1937 the Chief and council notified the park authorities that there was a burial ground in the park and asked them to protect the site. The Department of Indian Affairs also asked that the site be protected.

In 1942, during World War II, the federal government expropriated land belonging to Stoney Point band under the War Measures Act in order to build a military camp—Camp Ipperwash. Stoney Point residents were moved to Kettle Point First Nation—and the Canadian Government unilaterally amalgamated the two First Nations.

In the years following, citizens of Kettle and Stony Point First Nation tried to get the land back, claiming it contained a burial ground destroyed when the camp was built.

By 1972, tensions were rising. According to the federal minister of Indian Affairs at the time – Jean Chretien – the Stoney Point First Nation had waited patiently for a resolution but that patience was beginning to run out. Chretien suggested in a memo to then defence minister, James Richardson, that if the land was not going to be returned, the band should be offered another piece of land as compensation.

Twenty years later, there was still no resolution. In 1993, families from the original Stoney Point First Nation began moving back on to the land. The military withdrew in September 1995, when another group of Stoney Point citizens marched onto the base.

It was then that a group of about 30 protesters built barricades at nearby Ipperwash Provincial Park to underline their land claim and to protest the destruction of the burial ground.

Dudley George was one of the group's leaders. There's no agreement on what happened next. The Ontario

Provincial Police moved in to remove the protesters from the park. The police say they had no choice but to draw their guns because the protesters were armed; the protesters say the opposite, that they were unarmed and that the police – dressed in riot gear – used unnecessary force. They pointed the blame squarely on then-premier Mike Harris, claiming he issued the go-ahead order for the police to rush the barricades in a night-time raid.

Regardless, Dudley George did not survive the raid. He died on September 6, 1995, after being shot by acting Sgt. Kenneth Deane of the OPP.

In 1997, Deane was convicted of criminal negligence causing death after a court ruled he did not have “reasonable belief” George was armed. Deane later resigned from the force and was killed in a traffic accident in 2006.

First Nation groups called for an official Inquiry into George’s death, but the Progressive Conservative government of the time resisted, saying it had nothing to do with police actions of the day. This was unacceptable to the family of Dudley George who began a campaign to find the truth and receive justice for Dudley. A civil case for wrongful death was brought by Sam George against the government and the family had the opportunity to have an inquest held. Yet, a civil case and inquest do not hold the judicial weight of a full inquiry; they would not have had the power to call certain witnesses or look at the incident to its full extent. The George family did not relent in its advocacy for Dudley and continued to raise awareness to pressure government to launch an inquiry. Finally, on November 2003, just days after the Liberals swept to power in a general election, Dalton McGuinty announced his government would launch a public inquiry into the matter.

The original land claim – the reason protesters occupied Ipperwash Park – was settled in 1998. Under the \$26-million agreement, the land occupied by the former military installation was to be cleaned up and returned to the Kettle and Stony Point First Nation. As well, every citizen was to receive between \$150,000 and \$400,000 in compensation.

On April 20th, 2004, more than eight years after the death of Dudley George, the Ipperwash Inquiry was established and the Honourable Sidney B. Linden appointed as the Commissioner. The mandate of the Inquiry was to examine and report on the events surrounding the death of Dudley George and make recommendations aimed at avoiding violence in similar circumstances.



**Camp Ipperwash's H-Hut barracks were home to over 1500 cadets every summer. Circa 1986**



**Anthony “Dudley” George.**



Honourable Sidney B. Linden, Ipperwash Commissioner at one of the consultation sessions held during the inquiry process.



Anishinabek Nation Grand Council Chief John Beaucage, centre, and the late Elder Ray Rogers, left, joined friends of Dudley George at a Feb 20, 2006 sacred fire at the Ipperwash Inquiry.

– Photo by Sue Reeve, London Free Press

The Ipperwash Inquiry Report was released to the public on May 31, 2007. A total of 98 recommendations were made—four of which the Union of Ontario Indians addressed with the Era of Action postcard campaign in the summer of 2007.

On December 20th, 2007, Ontario agreed to turn over Ipperwash Provincial Park to the Chippewas of Kettle and Stony Point First Nation.

Today the clean up of the former military base continues. It is estimated that it will take up to 20 years to finish the work.



**George family lawyer, Murray Klippenstein with Sam George.**



**Sam George and Michael Bryant, Minister of Aboriginal Affairs celebrate the return of Ipperwash Provincial Park back to Kettle and Stony Point First Nation Dec 20, 2007. Photo credit: Ministry of Aboriginal Affairs**

# Ipperwash Timeline

**May, 1942:** Eighteen Chippewa families from Stony Point First Nation are removed from Ipperwash under the War Measures Act to merge with Kettle Point First Nation. The land is used for military testing. The federal government promises to return it after the war.

**April 16, 1992:** Citizens of Kettle and Stony Point First Nation serve the army with a 90-day eviction notice.

**May 7, 1993:** Former residents and their families move into Camp Ipperwash after an attempt to force army to give it up.

**Sept. 13 1993:** Thirty citizens of Kettle and Stony Point First Nation march to protest against the expropriation of their land.

**Sept. 4, 1995:** Dudley George and about 30 others move the protest into the adjacent Ipperwash Provincial Park, occupying it and claiming the park also contained sacred burial grounds.

**Sept. 6, 1995:** Ontario Provincial Police move in on the protesters during the night. Shots are fired and native protester Dudley George is hit. His brother and sister drive him to hospital. They are stopped and arrested for attempted murder before George is taken for medical treatment. He dies in hospital. The protesters say they were unarmed. The police say they only fired after they were fired upon.

**June 18, 1998:** The federal government and the Kettle and Stony Point First Nation sign an agreement returning Camp Ipperwash to the band. The government had expropriated the land to build a military base during the Second World War.

Under the \$26-million settlement, every citizen receives \$150,000-\$400,000 in compensation.

**April 9, 1999:** A United Nations commission on human rights urges the Ontario government to call a public inquiry into the death of Dudley George.

**Nov. 12, 2003:** The Ontario government, under recently-elected Liberal Premier Dalton McGuinty announces a public inquiry into the death of Dudley George.

**Apr. 20, 2004:** Ipperwash Inquiry opens. Seventeen groups and individuals are granted standing for Part 1 of the inquiry, which deals with the circumstances surrounding the death of Dudley George. Eleven groups and individuals have standing for Part 2, which explores ways of preventing future violence. More than 100 people are on the witness list for the fact-finding part of the inquiry, with former premier Mike Harris and other former senior ministers testifying near the end. The Union of Ontario Indians had official standing in Part Two of the Ipperwash Inquiry.

**May 31, 2007:** Ipperwash Inquiry Report released to the public. 98 recommendations were made—four of which the Union of Ontario Indians addressed with the Era of Action postcard campaign in the summer of 2007.

**Dec. 20, 2007:** Ontario agrees to turn over Ipperwash Provincial Park to the Chippewas of Kettle and Stony Point First Nation.

**Today:** Clean up of the former military base continues. It is estimated that it will take up to 20 years to finish the work.



*"To give a voice to the vision of the Anishinabek Nation."*

Volume 19 Issue 5

Published monthly by the Union of Ontario Indians - Anishinabek Nation

Single Copy: \$2.00

June 2007

## Inquiry cites claim logjam

FOREST, Ont. – Establishment of an independent Treaty Commission of Ontario is fundamental to dealing with a land claim logjam that impedes First Nations progress and leads to confrontations like the one that took Dudley George's life in 1995, says Grand Council Chief John Beaucage.

The "permanent, independent, and impartial" agency – one of 98 recommendations contained in the report of the Ipperwash Inquiry, released May 31 – would have the mandate to assist in resolving land and treaty rights issues in Ontario.

"By following Commissioner Sidney Linden's advice Ontario would pave the way for Canada to follow through on its plans to create an independent authority, to more efficiently deal with the growing backlog of land claims," said Beaucage. Under the commission's recommendation, the Governments of Ontario, Canada, and First Nations would jointly select the head of the Treaty Commission of Ontario.

"The cooperation of federal and provincial governments in resolving treaty and land rights issues is critical to laying the ground work for building our economic bases," said Beaucage.

"Our thoughts today are with members of the George family, who have lived with this tragedy in their hearts every day since Sept. 6, 1995," said the Grand Council Chief. "Dudley George did not



**Ipperwash smiles**

Carolyn George and Pamela Mathews, the actress who portrayed her in the movie *One Dead Indian*, had a lot to smile about in the much-anticipated May 31 release of the report of the Ipperwash Inquiry. The report issued 98 recommendations, including a call for a federal apology and compensation to Kettle and Stony Point First Nation for failure to respect their land rights that led to the Sept. 6, 1995 confrontation in which Carolyn's brother Dudley George was shot and killed by an OPP sniper.

– Photo by Maurice Switzer

have to die, and we feel that justice has been served by the calling of the inquiry into his death, and by publicly discussing the political and police decisions that led to it."

Following the May 31 release of the report – the product of two years of hearings that heard evidence from 140 witnesses – Ontario Premier Dalton McGuinty issued an apology to the George family for the shooting death of Dudley George by an OPP sniper.

Less than two weeks after the release of the Ipperwash Inquiry report, federal Indian Affairs Minister Jim Prentice pledged that a new independent land claims tribunal would be in place this fall.

On June 21, National Aboriginal Day, McGuinty announced the creation of a stand-alone provincial Ministry of Aboriginal Affairs, a key recommendation of the report of the Ipperwash Inquiry.

## Era of Action

June 1997 saw the launch of the Anishinabek Nation's "Era of Action" postcard campaign. The back of the postcard listed four key recommendations that the Anishinabek Nation leadership proposed be to implemented.

These were:

1. The provincial government should establish a permanent, independent and impartial agency to facilitate and oversee the settling of land and treaty claims in Ontario.
2. The Treaty Commission of Ontario should be established with the full cooperation of the federal government, or by the province in cooperation with First Nations in Ontario.
3. The Ministry of Education and Treaty Commission of Ontario should develop appropriate classroom-ready teaching tools and resources about First Nation and aboriginal peoples and issues.
4. The provincial government should continue to work with First Nation and aboriginal organizations in Ontario to develop co-management arrangements and resource-sharing initiatives.



**A CALL TO ACTION – RENEWING THE RELATIONSHIP**

# Era of Action campaign to renew relationships



**Sam George speaks at Era of Action campaign launch, June 29, 2007 – National Day of Action.**



**Aboriginal Affairs Minister Michael Bryant accepts Era of Action postcards on behalf of Premier McGuinty.**

NIPISSING FIRST NATION (July 4, 2007) – Grand Council Chief John Beaucage hopes to receive 35,000 pieces of mail by the end of August.

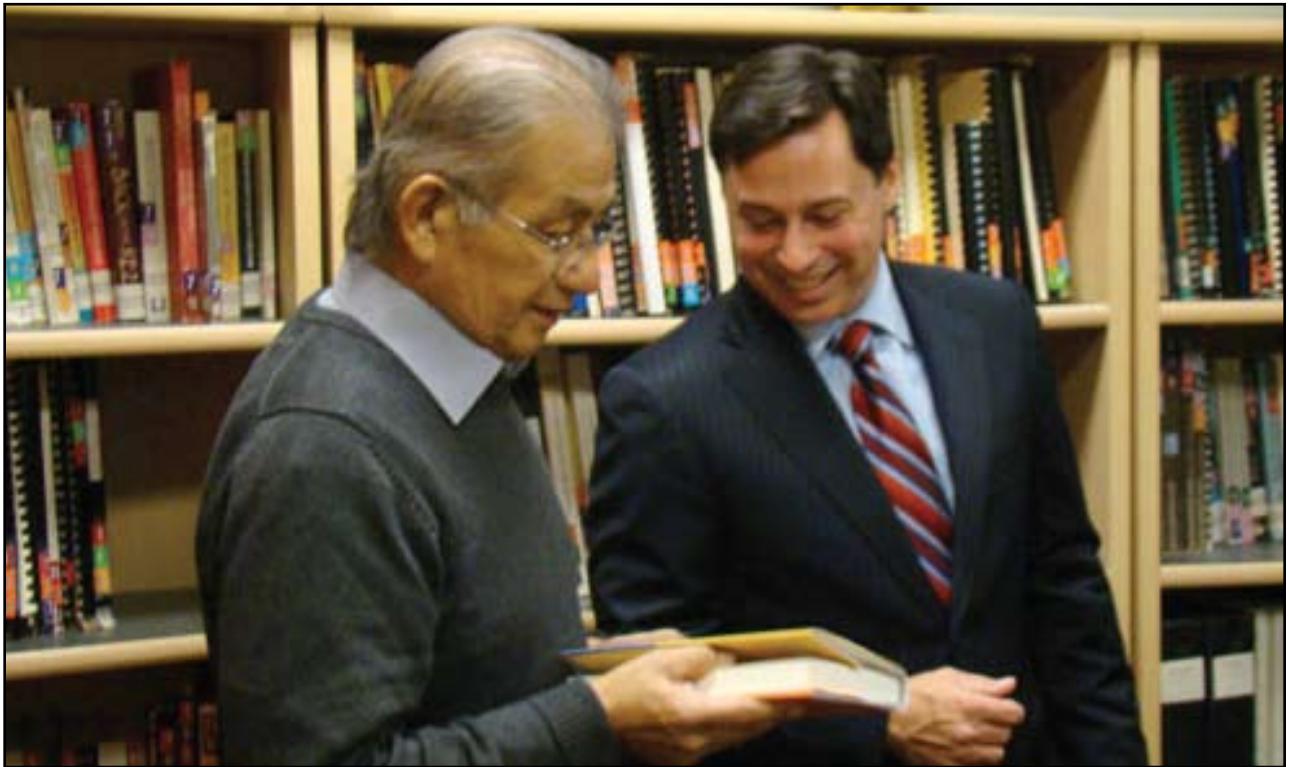
"There's nothing that would give me more pleasure than to hand the Premier of Ontario 35,000 postcards that demonstrate public support for First Nation issues," said the Anishinabek Nation leader, referring to an "Era of Action" public education campaign launched by the Union of Ontario Indians June 29, designated as a National Day of Action by First Nations across Canada.

"We are launching the first phase of what will be an ongoing strategy to forge new relationships with our fellow Canadians," Beaucage said. "It will take more than one day to rebuild relationships and eradicate First Nations poverty."

The Era of Action campaign produced an initial print run of 35,000 postcards asking individuals and organizations to indicate their support for major recommendations among 98 made by Ipperwash Inquiry commissioner Sidney Linden, including one calling for establishment of a Treaty Commission of Ontario – a permanent, independent, and impartial agency to expedite resolution of land and treaty claims in the province.

Cards have already been distributed to all 42 Anishinabek Nation chiefs, and organizations that have pledged support include the United Church of Canada, the Ontario Environment Network, and the Metis Nation of Ontario. Signed cards are to be returned to the Union of Ontario Indians for presentation to the Ontario premier.

Dudley's brother Sam George was one of 100 guests - including members of provincial and federal parliaments and regional mayors – who attended the campaign launch at the Union of Ontario Indians head office on Nipissing First Nation near North Bay, Ont. "We are starting a new era here today," he said, "and this postcard campaign, if you look at the picture on the front, is about friendship."



Ontario Aboriginal Affairs Minister Brad Duguid (right) dedicated the ministry's new resource library to Maynard "Sam" George on Nov. 19, 2008. George, whose brother Dudley died tragically during a First Nations protest at Ipperwash Provincial Park in 1995, has been a tireless advocate for truth and justice for First Nations people.

## *Ontario honours Sam George*

TORONTO (Nov 19, 2008) –First Nation activist Sam George, whose 10-year fight for justice resulted in an inquiry into the death of his brother Dudley at Ipperwash, has been invested into the Order of Ontario.

George received the province's highest honour Nov. 21 from the Hon. David C. Onley, Lieutenant Governor of Ontario, in a special ceremony in the Lieutenant Governor's Suite.

"Sam George was steadfast in his quest for justice for his brother

and his community," said the Lieutenant Governor. "He is an inspiration to all Ontarians."

"I am moved to be presented with this honour," said Sam George. "My goal, however, was never accolades. It was to respect and honour the memory of my brother."

"Sam George did not seek revenge – he sought justice. Sam is a man of peace, a shining example for us all," said his nominator Wayne Samuelson, President of the Ontario Federation of Labour.

"Debewin is the Ojibway word for truth. It means the truth is supposed to heal us all. That's what Sam set out to do."

George, 56, Kettle and Stony Point First Nation, has been diagnosed with pancreatic and lung cancer, and doctors say he might not live to see the 14th anniversary of his brother Dudley, who was killed by an Ontario Provincial Police sniper Sept. 5, 1996 at Ipperwash Provincial Park.

– *Anishinabek News*

# Recommendations for Action

The **Ipperwash Inquiry Report** produced 98 recommendations. These are some of the key recommendations that the Union of Ontario Indians is advocating for implementation.

The federal government should immediately return the former army camp to the peoples of the Kettle and Stony Point First Nation and guarantee that it will assume complete responsibility for all appropriate environmental clean-up of the site.

The federal government should issue a public apology with appropriate compensation to the Kettle and Stony Point First Nation for the failure of the federal government for more than 60 years to honour its promise to return the lands to the First Nation.

The provincial government should work with First Nations and Métis organizations to develop policies regarding how the government can meet its duty to consult and accommodate. The duty to consult and accommodate should eventually be incorporated into provincial legislation, regulations and other relevant government policies as appropriate.

The Ministry of Education should establish formal working relationships with Aboriginal organizations to promote more Aboriginal perspectives and content in elementary and secondary school curricula.

The provincial government should establish a permanent, independent, and impartial agency to facilitate and oversee the settling of land and treaty claims in Ontario. The agency should be called the Treaty Commission of Ontario

The Ministry of Education and Treaty Commission of Ontario should work with Aboriginal organizations, school boards, and teachers associations to develop appropriate, classroom-ready teaching tools and resources about Aboriginal history, treaty and Aboriginal rights, and related current events.

The Ontario Provincial Police should establish a formal consultation committee with major Aboriginal organizations in Ontario.

The Ministry of Community Safety and Correctional Services should issue a directive to all police services in Ontario, including the OPP, requiring police officers to report incidents of racism or other culturally- insensitive behaviour by other officers to their supervisors.

The OPP should establish an internal process to ensure that racist and other culturally insensitive behaviour by police officers is dealt with publicly. The OPP should also determine the most appropriate policy for handling complaints of misconduct involving racism and other culturally-insensitive conduct, including the role, if any, for informal discipline.

The Ministry of Natural Resources should develop a policy respecting ministerial directives to its conservation officers which is consistent with the principles and findings on police/government relations generally as set out in the report.

# Ipperwash Implementation

The Chiefs of Ontario Assembly passed resolution 08/05 which endorsed the establishment of the First Nations Ipperwash Inquiry Task Force which is mandated to:

1. Conduct research and analysis of the recommendations within each organization
2. Develop a strategy and process framework for dealing with the government
3. Facilitate regional discussions of leadership and members on the recommendations

The Chiefs of Ontario Assembly, by way of a memorandum of understanding, committed to collaborative effort with the Ministry of Aboriginal Affairs regarding the implementation of the Ipperwash recommendations.

The Ipperwash Inquiry Priorities and Action Committee (IIPAC) includes representatives of First Nation Provincial/Territorial organizations and appropriate Ontario government ministries. Co-chairs are the Ontario Regional Chief and the Minister of Aboriginal Affairs. IIPAC developed four priority areas:

1. Treaty Implementation
  - a. Establishment of a Treaty Commission
2. Land Rights and Interests
  - a. Consultation and Accommodation
  - b. Resource Benefit Sharing
3. First Nation Jurisdiction
  - a. First Nation Policing
  - b. Harmonization of Law and First Nation Jurisdiction
4. Capacity Building

These recommendations were undertaken by the Joint Ipperwash Technical Table (JITT) which consists of the First Nation Ipperwash Task Force and the Ministry of Aboriginal Affairs Special Projects. The JITT met to develop an organization structure of the IIPAC as well as a ten to twelve-month work plan for the four priority areas; the approach was consistent throughout and activities can be broken down into themes: Information Gathering and Sharing, Engagement, Finding Common Ground and Implementation. Each priority area will have a sub-working group of representatives who specialize in that area and will develop a workplan template for each area to use. The Union of Ontario Indians has representation at each priority sub working group.





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