

APPENDIX "A"



**Union of Ontario Indians
Intergovernmental Affairs**

**Ipperwash Inquiry Part II Community Consultations
Final Report**

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Union of Ontario Indians
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Ipperwash Inquiry Part II Community Consultations Final Report

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1.0 MESSAGE FROM GRAND COUNCIL CHIEF JOHN BEAUCAGE



Ahnii-Boozhoo

It is my pleasure to present you with the final report from the Ipperwash Community Consultation Sessions held throughout November 2005 across the 4 regions of the Anishinabek Nation.

The purpose of these sessions was to provide the opportunity for our community members to share views, opinions, experiences and recommendations in areas around relationships with law enforcement and government. The sessions were also developed to assist in the community healing process by providing concerned community members with an opportunity to have their voice carried forward to the Inquiry.

I would like to send a special acknowledgment to the Inquiry Commissioner Sidney B. Linden for attending the sessions in Garden River and Toronto. His dedication to this process is evident and I look forward to the recommendations this Inquiry will put forward.

I'd like to thank all who participated in these consultation sessions that were held in Fort William First Nation, Ojibways of Garden River First Nation, Chippewas of Mnjikaning First Nation and at the Council Fire Native Cultural Centre in Toronto. Appreciation is also extended to the Anishinabek Kwewuk Council and Anishinabek Youth Council as well as representatives who provided the opening and closing for each session.

Chi-miigwech!

John Beaucage
Grand Council Chief
Anishinabek Nation



2.0 MESSAGE FROM THE DEPUTY GRAND COUNCIL CHIEF



It was a great honour to have been part of these consultation sessions. The dedication of our people in pursuing change is clear and strong.

consensus.

Nation building starts with self-identification and determining who we are - it is the importance of Anishnabemowin - it is a reflection of our worldview. In our language we cannot misinterpret what is being said. Our language is based on respect. We speak the truth. If the language is used, it changes the discussion, perhaps enabling us to come to a

First Nation members have shared their personal perspectives that have often been very difficult as they are in many cases unacknowledged or unresolved conflicts with a variety of enforcement agencies of the federal and provincial governments.

It is important that the Inquiry consider very carefully the perspectives, experiences and recommendations of First Nations people. There needs to be a balanced approach in assessing the recommendations being brought forward by academics and First Nation members. At the same time practical recommendations are needed in which all levels of government, including First Nation governments, can act upon.

Ontario needs to promote proper education in the Ontario curriculum regarding Native history and affairs. This should also be mandatory for the public sector of government. First Nation community members understand that this Inquiry will not provide all of the answers or solutions, but will be a step forward in building a true government-to-government relationship in a manner that is mutually respectful.

Meegwetch to all those who participated.

Nelson Toulouse
Deputy Grand Council Chief



Anishinabek Nation



3.0 IPPERWASH BACKGROUND

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

The dispute goes back to 1942. It was wartime and the federal government expropriated land belonging to the Stony Point band under the War Measures Act in order to build a military camp - Camp Ipperwash. In the years following, the band 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 of the time – Jean Chrétien – the Stony Point band had waited patiently for a resolution but was beginning to run out of patience. Chrétien 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, Stony Point band members began moving back on to the land. The military withdrew in September 1995, when another group of Stony Point natives 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 on the protesters to remove them 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 police - dressed in riot gear - used unnecessary force. And they pointed the blame squarely at then-premier Mike Harris, claiming he issued the go-ahead order for the police to rush the barricades in a nighttime raid.

Either way, Dudley George did not survive the raid. He died on Sept. 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 a "reasonable belief" George was armed. Deane later resigned from the force.

Native 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 that day. On Nov. 12, 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 in the first place - 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 member of the band 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 is to examine and report on the events surrounding the death of Dudley George and make recommendations aimed at avoiding violence in similar circumstances.

Reference CBC website: <http://www.cbc.ca/news/background/ipperwash>



“...If not for the persistence of Sam George and his family we would not have a process where the truth could be discussed openly.”

*Chief Lyle Sayers
Garden River First Nation
November 10, 2005*

Ipperwash Community Consultation in Ojibways of Garden River First Nation on November 10th, 2005.



4.0 WORKSHOP SUMMARY

4.1 Ipperwash Inquiry Overview

The Ipperwash Inquiry, established in April 2004 under the Public Inquiries Act, is to report on the events surrounding the death of Dudley George, who was shot in 1995 during a protest at Ipperwash Provincial Park and later died.

To fulfill its mandate, the Commissioner has divided the Inquiry into two parts. Part 1 will focus on the events surrounding the death of Dudley George. About 80 witnesses have been heard to date and this part of the inquiry has an anticipated completion date near the end of March. Part 2 will deal with broad policy issues used to inform the Commissioner's recommendations. In more detail, Part 2 involves the organization of expert panels on areas such as burial grounds and treaty rights and the development of research papers by different parties including the Union of Ontario Indians. In August 2004 the Union of Ontario Indians obtained standing as a party to Part II by order of Justice Linden. Both parts are underway at the same time.



Honourable Sidney B. Linden, Commissioner, Ipperwash Inquiry with Chief Lyle Sayers of Ojibways of Garden River First Nation at the Ipperwash Community Consultation in Garden River on November 10th, 2005.

“Your responsibility to the outcome of this public Inquiry – to say the least – is immense. The key recommendations will certainly have a great impact on the future of First Nation-Ontario government relations forever. It is our hope that fundamental change will occur as a result of your findings...It is our hope that your voice and recommendations will not go unnoticed and that as always the truth will prevail.”

*Chief Lyle Sayers
Garden River First Nation
November 10, 2005*

Under the second part of the Inquiry related to policy and law development component, the Union of Ontario Indians' conducted a series of 4 regional Ipperwash Community Consultations. They were anticipated to provide an opportunity for Anishinabek First Nation members to relate their individual or community perspectives concerning issues surrounding relationships with police as well as their experiences with other enforcement bodies.



These consultation activities will assist in the community healing process by providing concerned community members with an opportunity to have a voice on the issues and to have that voice carried forward to the Inquiry in the format of a submission.

The three subject areas that participants were asked for their input were:

- Relationships between police and Aboriginal people
- Relationship between police and government
- Interaction between the police and protestors

For the purposes of the sessions, participants were informed that they did not have to know specifically what happened at Ipperwash Provincial Park as the discussion would be focused on relationships, participants' experiences, and feelings and thoughts about the proper relationship in the three subject areas.

In addition to the consultation sessions, the Union of Ontario Indians also prepared three research papers for submission to the Inquiry titled:

- Round Table Forums that Support Issue Resolution: Anishinabek Experience by Fred Bellefeuille;
- Anishinabek First Nations Relations with Police and Enforcement Agencies by Dwayne Nashkawa; and
- Anishinabek Perspectives on Resolving Rights Based Issues and Land Claims in Ontario by Dwayne Nashkawa.

4.2 Chiefs of Ontario

The Chiefs of Ontario is undertaking the drafting of a formal submission and recommendations to the Inquiry with a different focus from that of the Union of Ontario Indians.

A workshop was held in Kenora, Ontario in February 2005 that began a process of gathering the perspectives of Ontario First Nations regarding the research papers commissioned by the Ipperwash Inquiry. The Chiefs of Ontario intends to deliver a comprehensive submission in response to the Inquiry's research and communicate the First Nations position on the topics identified.

As of November 2005, five papers have been released and the next phase of workshops were held in London in late November 2005. The five research papers are as follows:

- Policing and Aboriginal Occupations and Protests



- Occupations of Land: A History and Comparison
- Warrior Societies in Contemporary Indigenous Communities
- Aboriginal Sacred Sites and Burial Grounds
- Canadian Innovations in the Provision of Policing Services to Aboriginal Peoples

4.3 Union of Ontario Indians

The goal of the Union of Ontario Indians in its participation in the Ipperwash Inquiry is to develop grass roots recommendations that will lead to the building of healthy relationship between Anishinabek First Nations, government and police services.

The manner to achieve the goal is in two separate but linked parts. The overall submission to the Ipperwash Inquiry will consist of a report based on the four regional consultation meetings reflective of First Nation experiences, suggestions and recommendations and the three specific subject matter research papers that the Union of Ontario Indians have identified as key to the ongoing difficulties between First Nation, police and government.

The research papers prepared by the Union of Ontario Indians are easy to read and reflect what member First Nation communities have said over the years. The information was also gathered from Union of Ontario Indians files related to the subject matter. The four consultations were held in Fort William First Nation, Garden River First Nation, Mnjikaning First Nation and Toronto.



Participants at the Ipperwash Community Consultation held in Chippewas of Mnjikaning First Nation on November 23rd, 2005.



5.0 PRESENTATIONS

5.1 Relationship between Police and Aboriginal People

The objective of the paper titled “*Anishinabek First Nations Relations with Police and Enforcement Agencies*” is to explore how the events at Ipperwash have impacted ordinary Anishinabek people and how these events have affected the level of trust with all police services. Resolution of issues such as land claims as well as effective and accountable jurisdictional structures, dialogue roundtables and governing structures are critical in developing healthy relations between Anishinabek First Nations, government and police services.

The subject area was not just about the relationship with the Ontario Provincial Police (OPP) and the Anishinabek Police Service (APS). It includes enforcement in a more general sense such as the Ministry of Natural Resource (MNR) enforcement of law and policy around natural resource activity and the social service agency enforcement around child welfare (Children’s Aid Society).

5.2 Relationship between Police and Government

The objective of the paper titled “*Anishinabek Perspectives on Resolving Rights Based Issues and Land Claims in Ontario*” is to assist the Inquiry in developing recommendations that, if implemented, will help avoid violent confrontations over Aboriginal land and treaty claims. The paper will discuss how the issue of unresolved land claims are a contributing factor to the overall challenges facing Anishinabek First Nations and their desire to improve the social and economic well being of their community members.

In addition to this, the paper discusses the related matter of the lack of recognition and respect of Aboriginal and treaty rights and how these issues together pose a barrier to maintaining healthy relationships between Anishinabek First Nations, government and police services. More oft than not, Anishinabek First Nation people exercising their treaty and Aboriginal rights find themselves under the scrutiny of not only the police and Ontario Ministry of Natural Resources, but by a public that have not been educated on First Nation treaty and Aboriginal rights.

Participants were asked what they thought the proper relationship between police and government should be. They were asked to share their experiences and suggestions for recommendations.



5.3 Interaction between Police and Protestors

The objective of the paper titled “Round Table Forums that Support Issue Resolution: Anishinabek Experience” is to assist the Inquiry in understanding and fostering processes that help to avoid violence between Anishinabek First Nations and police, government and others. The paper demonstrates the utility and practicality of what the Union refers to as “Round Table Processes.” Round tables are discussion forums and dispute resolution forums where issues are brought forward and ways to address them are jointly developed.

The Union has many roundtable forums, for example the “Anishinabek/Ontario Resource Management Council” (AORMC), the first of its kind in Ontario. The purpose of the AORMC is to address the confrontational relationship between Anishinabek First Nations and the Ontario Ministry of Natural Resources. These types of forums allow for education, awareness and the identification of emerging issues with an overall goal of relationship building and conflict resolution.

Participants were asked to share their thoughts, feelings and personal experiences surrounding the interaction between police and protestors.



Fort William First Nation Community Consultation, November 8th, 2005



6.0 PARTICIPANTS DISCUSSIONS

The four community workshops that were held were designed to record information from participants and have them share their experiences in the three subject areas. The intent of gathering this information was to provide the support for the recommendations made from the consultation sessions.

Three basic questions were asked of participants. Below are the three main questions followed by participant's responses.

6.1 *What are your experiences with police and enforcement agencies?*

1. **Community members are not aware of what rights they have.**

In an incident that occurred in one First Nation where youth were partying in the bush, the OPP showed up with their guns. Access to the area was blocked to stop them from entering the area and the officers were informed that they needed a search warrant. People didn't know what their rights were. It is important to have a better understanding of police jurisdiction and our rights. I felt that I did the right thing.

2. **There is a lack of understanding of rights and jurisdiction by community members and enforcement agencies.**

We are Anishinabek.

Can the OPP enter the reserve? Can I fish in this area or that area? On skidoo trails, MNR says we don't need a permit but for the OPP it is not good enough. There is miscommunication between the OPP and MNR.

Community members and the enforcement agencies are not aware of what level of jurisdiction they or the other enforcement agencies may have.

In one community, the First Nation constables allowed another jurisdiction to enter and as a result the community had no control over the situation – the end result was a youth suicide. The First Nation has an active crisis intervention team and they were not allowed to intervene. The situation could have been avoided, but because we let another jurisdiction enter, they don't know how the community operates, are trained in a different way and operate differently. As a result a young life was lost. It is a traditional practice to offer tobacco or do a ceremony but specific instructions were left that this could not be done. So it created some bad feelings which added to what needed to be done for the healing process.



Where is APS when they are needed? First Nation members are phoning the OPP Liaison Officer to do something because APS are not there. The Liaison officer is left to contact APS as he is unable to do anything. The support for First Nation officers is lacking.

There is confusion on who to call sometimes - OPP or APS and even who is being called in.

MNR doesn't know their jurisdiction.

3. Local Protocols not established between police services and individual First Nations.

Good protocols are a result of people, but should be part of process.

There needs to be an awareness of the authority of the police - First Nation constables and the OPP. What is the local decision-making process when OPP as opposed to APS should come in to a First Nation?

Opinions of the people are not supported by or acted upon by our elected leadership or First Nation law enforcement agencies.

First Nations have a responsibility to "buy in" to the process of asserting jurisdiction.

The OPP are to assist if APS need help.

Police exercise ultimate control within our communities.

Recommendations must be implemented by law enforcement and government.

We need to consider steps before we give control to a unit that is external to the First Nation.

We have a Neighborhood Watch Committee with a Liaison Officer who is a part of the committee; it's a casual atmosphere; its purpose is to keep the community safe and have a police presence in the community.

The perception of our Neighborhood Watch Committee is "grass roots" – people moving things along versus the police telling the community what to do. People are now pro-police because there is grassroots involvement.



It hasn't been easy to build a relationship between our police force and the OPP.

If you don't have a police officer with the right personality, it won't work.

There was a lack of trust with the OPP and community members. The Chief worked on a relationship with the OPP as it was hard to get them to do their job. Since then, there has been a 100% improvement in communication and supervision. We have a sergeant that cares about the First Nation. The neighboring First Nations don't have that relationship.

4. Long police response times and lack of crucial funding and structure for police services.

Shared police services between communities create long response times due to the population served and the expanded geographic areas that these officers must service.

With respect to travel time for APS, where are our police, we never see them; the jurisdictions that they have are really big for the manpower they have. The OPP have the best equipment, they have capital dollars. We have to fight and scramble, our operating budget is small compared to the OPP and it is always going to be like this. When APS was formed, it was formed to derail, to fall apart, be dysfunctional; it is driven to fail. Back home people want to go back to the OPP, but APS needs time to develop, they need more manpower, equipment; we don't want to see it fail. The bottom line is need.

You only see the police when they come and get someone. The smaller First Nations are not getting any type of presence other than coming to get someone.

The perception is that the police come in to take away the bad guy. In smaller communities, the presence of the police is only in crisis situations.

APS officers serve two First Nations that are one hour apart; the police are never seen. The jurisdiction area of service is too big for APS officers, OPP have better equipment and more money. APS has a small budget.

APS was formed to dysfunction. The APS concept was originally formed as peacekeepers. A First Nation expressed that they want to go back to OPP servicing them instead of APS.

There is no counseling for NAPS or APS officers after incidents; they are set up to fail.



The original vision of APS was different the “Police” are peacekeepers; there is an implementation problem.

It is not enough to take a drive through a First Nation. Police are stretched too thinly and do not have enough resources.

To build a relationship with the police there needs to be more than this.



Participants at the Ipperwash Community Consultation held in Ojibways of Garden River First Nation on November 10th, 2005.

5. **There is a lack of cultural sensitivity training** often resulting in police acting in ignorance and fear. Excessive force often felt necessary.

Often, the police approach the First Nations with weapons in hand. Why?

First Nation police officers (ie. APS) are not always taken seriously or respected.

Law enforcement tends to use excessive force when dealing with Aboriginal People.

Racial profiling and discrimination is rampant in police services.

There is unequal treatment of injustices against Aboriginal people.

There is paranoia among law enforcement that confrontations with Aboriginals always involve armed resistance.



Police perception on reserves is that there is always a problem that needs to be controlled with heavy-handed measures.

The call centers are not our people. An OPP call is taken in New Brunswick; they don't know the First Nation, don't know the people – there is a time loss in responding.

The personal suitability of officers to enforce laws needs to be addressed; racist Conservation Officers and police officers – there are some bad apples.

There is a lot of stereotyping by police.

6. Historical lack of trust with police services and government agencies.

When people see a cop car the question becomes “what are they here for”?

There is a mistrust of government.

Personal experiences of injustice are ingrained into the minds of Aboriginal people and are part of the socialization process of following generations.

There is an inherent power and control relationship between Aboriginal people and law enforcement; Aboriginals are subservient to police and the rest of society.

We recognize that change is constant in both worlds. Our change has come at a huge cost – broken and unfulfilled treaty promises, the residential school legacy, the 60's scoop of First Nation children into foster homes, stolen land and a snails pace land claim resolution and so on.

Land claims; the government must recognize us as human beings instead of second and third class citizens.

I don't believe that the Inquiry will amount to anything; so many injustices are being done to our people.

7. No proactive approach taken.

There needs to be a greater presence – be in schools, use bikes; we need higher resources to increase the manpower.

Seeing a cop car is bad news, however, you can organize events where the OPP come in and participate in community events like baseball and a



barbeque. This demonstrates to the youth that the police are part of the community.

Children see police officers as negative – they are there to take parents away. Children end up taking situations in their own hands instead of calling the police and the example of handling an intoxicated parent was used. Some children are threatened by children service agencies such as Tikanogan.

There is also fear based parenting where children are threatened that if they are not good the police will come to get them.

People have to listen; the federal and provincial governments - it seems that things have to escalate to a crisis before there is action. For some First Nations, crisis means change; something bad must happen first.

Police need to be involved in the every day activities of the community.

Police services need to include the benefits to the community and not perceived as a threat for children.

We need to proactively address issues as citizens.

There is a lack of trust by youth and they question “are they really here to protect me”.

8. There is a high turnover of constables.

They try to acclimatize themselves to the community and after two years they leave. Constables have limited support and resources and can't get help in the north because no one wants to stay long.

Police officers transfer too fast; therefore there is no time to build a relationship, officers are seen as too young, too gung ho which results in a high turnover. There is culture shock for new southern police officers; they stay two years and are out.

There is a high turnover of police in northern communities.

9. Media coverage of protests often held under negative circumstances.

I found the video of Oka particularly the scene of people throwing rocks was upsetting and caused anger. This event demonstrates the real impact this has not only to the individuals involved and the community, but to the larger Aboriginal community.



The press paints all First Nations the same.

10. Society and the general public have an uneducated view of Aboriginals.

There are not enough resources being established to educate the public.

The root of many challenges that we face is the systemic racism that we encounter in the public institutions we interface with on a daily basis - systemic racism that reaches to the highest echelons of decision-making – Queen's Park. Further, our people are burdened with similar situations when we interact with business and commerce. The point I am trying to make is that there continues to exist a huge disparity between our two nations.

There is little or very modest changes to the curriculum in the education system that teaches, reflects and embraces the true history of our people. We are viewed as a burden to society rather than as valuable contributors.

We are treated differently as a result of systemic institutional racism. Both First Nations and enforcement contribute to the on-going development of negative perceptions of each other.

There is harassment of our young people in schools as a result of the Inquiry.

As Anishinabek people we deal with racism and discrimination. Our people have a hard time due to discrimination.

We need to share our cultures in the schools and surrounding areas.

It is our responsibility to provide the education of our language and culture on a regular basis at least one to two times per year; this wouldn't cost anything.

Reserves are seen as a dumping ground; a safe haven for crime.

There is still a need to voice issues because there are still things happening.

Prejudice does exist; we have to deal with it every day.

11. There is a lack of accountability on enforcement agencies.

I issued a formal complaint about an officer whom I felt was racist, but received no response.



The “blue wall of silence” is used by police services to protect each other from litigation and accountability.

First Nation members are not aware of how to access the complaint process.

Individual officers are not accountable for their actions.

In Ottawa, my son was partying and got a taxi but he did not get home. The police beat him. A taxi eventually brought him home. There was no recourse, nowhere to go, no place to complain.

Do the OPP have a debriefing stage? Where do they go for counseling?

12. First Nation members fear retribution when making complaints against police officers.

Because members are living in the First Nation community; there is fear to complain against police because of retribution.



Yves Chenier (Policy Analyst, UOI) and Allan Dokis (Intergovernmental Affairs Director, UOI) speaking with Chief James Wabigwan from Thessalon First Nation at the Ojibways of Garden River First Nation Ipperwash Community Consultation on November 10th, 2005.



13. Western law enforcement not conducive to Aboriginal values.

We are tossed between federal and provincial governments, we follow provincial policing standards; we need our own laws, justice and policing systems that reflect our way of life. APS is a step in the right direction, but we need to go further; we have the right to make our own laws. Jurisdiction over law enforcement, justice and child welfare needs to be repatriated.

The differences between western and Native cultures must be acknowledged.

The role of APS as Police or Peacekeepers is not seen as the same as other police services. APS was designed as peacekeepers and are seen as something less.

Success in policing based on healthy communities, not convictions ie. the vision of the Bear – Peacekeepers.

First Nation law enforcement agencies cannot alter their guidelines to acknowledge cultural differences between western concept of law and enforcement and Aboriginal concepts.

The Japanese have a Human Rights Commission; we have been oppressed yet we have not had our own system.

The Children's Aid Society takes children; there is no real connection to our ways, western tactics are used when coming into homes. CAS takes away our young people.

Our value systems are different, our world view is different. Our treaties are given no respect and for the most part are challenged in provincial courts and have not been given the time of day to be understood by government and the bureaucracy that runs the government.

Key players should be invited to an Aboriginal Justice Circle so they can see that it works.

Honor and respect one another as we are taught. Our way is not to pick up a gun.

There has been no debriefing for the people. Healing processes for communities have yet to begin.

The healing process is not there.



6.2 What are your thoughts on the Government's role in policing and enforcement?

1. Politics and police should be separate from each other.

They don't mix, the relationship has to be further defined.

There are more political fingers on police during the protest than there should be.

We have a By-law Committee that has a constable on it; this is a conflict as the police are dictating laws on a First Nation where they shouldn't be.

The Police Board is responsible for policing services; the Police Chief reports to the board. Chief and Council is at arms-length; they set policies.

There is a proper role for Chiefs and Council involvement in policing issues, but I am unsure of what it is.

Treaty rights and Aboriginal rights are not clear; it is the role of First Nations government to do this.



Participants in the breakout session at the Community Consultation in Fort William First Nation on November 8th, 2005.



2. First Nations have a more direct involvement in police services.

The First Nation controls the rules for police conduct ie. drawing a revolver.

The First Nation government must play a stronger role than priority identification.

First Nation should have input in selection of police constables.

Community members look to the leaders to act on their behalf.

Each community must prioritize the issues specific to their needs.

3. Community members need to be informed of surrounding circumstances to do with policing issues.

Issue on information available for community members ie. quota system for cops.

4. General lack of understanding of Aboriginal values within government structure.

Aboriginal people must be involved in all levels of government in order to promote understanding.

Governments and service boards must remove nepotism from the current system.

MNR wants to rule; we can manage our own rights and need a FN MNR which would be our own services.

5. Each level of authority needs to be involved in coordinating efforts.

The systems have to work together (OPP/APS and First Nations).

We have six First Nations in our area that have agreed to look at policing at a regional level.

We can't dial 911 from our First Nation so it's not uncommon for people to call family members and the police at home.



6.3 What are your experiences with police and protests?

*“Dudley George was not a protestor; he was home.”
November 25, 2005*

1. Society and the general public have an uneducated view of Aboriginals.

There are not enough resources being established to educate the public.

I have never seen our treaties taught to non-natives.

We have our treaty rights; we know them, the government wants to forget them; non-natives need to know them. Acknowledging rights doesn't cost much.

We have rights; they need to be taught this.

2. Media coverage of protests often held under negative circumstances.

Positive things are never printed.

Most protests are organized, controlled so no one gets hurt.

3. Local Protocols not established between police services and individual First Nations.

A rapport needs to exist.



Ipperwash Community Consultation held in Fort William First Nation on November 8th, 2005.



7.0 RECOMMENDATIONS

From the experiences shared by participants, a number of themes emerged that are critical to improving the relationship in all three subject areas. The recommendations in all three areas are provided below. They reflect what participants suggested and are formulated from the dialogue that occurred in the sessions.

7.1 Relationship between Police and Aboriginal People

Accountability

There is a need for a complaints procedure to be developed that would ensure accessibility, consistency and accountability of police officers for their actions when issues of improper conduct are being addressed. We require a system that ensures accountability and transparency in dealings with law enforcement and this system must involve Aboriginal people. The system could be either a complaints board or commission with processes to avoid fear of reprisals that would be our own watchdog agency to deal with complaints. Knowing your rights is not enough.

The public complaints process must be clear and understood. First Nations need to know what processes are available to address complaints, how to contact, when to contact, etc.

Communication

There is a need for a formal process of communication between First Nations and Police with a better understanding of how law enforcement engages a community and what steps they take. Consideration must be given to the situations the police are being called in for and that every community is unique. In non-emergency situations, the OPP need to contact the First Nation prior to entering the community. Other communication improvements include having a main contact in the community so that community members can be informed when there is a change in policing personnel.

Communications also need to be improved between the APS and the OPP. A commitment from both sides is required in developing communications procedures, processes and relationships.



Cooperation

More regional cooperation/coordination is required between the APS, OPP, RCMP and municipal police services.

Decision-making

There is a need for a community decision-making process on whether to let in the OPP when the APS is the local service.

Education

There is a need to increase First Nation awareness of the authority of police officers. To overcome the fear of the police by children, children need to be educated about the role of police officers and this could be achieved in the education system.

Further, the provincial government needs to make critical changes to the education system in terms of its curriculum so that it reflects and teaches the true history of our people. Education needs to include the significance of our treaties, burial sites, why First Nations people are here, the differences among First Nation people ie. Iroquois and Anishinabe, etc.

In addition, more First Nation teachers need to be hired within the education system.

Establishing Institutions

There is a need to create First Nation institutions in the areas of justice, enforcement, complaints and “our” own laws that may vary from First Nation to First Nation. The institutions include a police commission, a separate and independent Human Rights Commission, APS Police Governance Board, an Anishinabe Judiciary system, a First Nations MNR and a First Nation/Canada/Ontario Treaty Commission. The Ontario government in partnership with the Chiefs of Ontario, need to develop a joint policy that sets out the relationship that recognizes the spirit and intent of the various treaties and further, Ontario needs to work in collaboration with its federal counterpart in the creation of a First Nation/Canada/Ontario Treaty Commission. All would need to have First Nation community representatives.

A joint Cabinet Committee/Chiefs of Ontario process needs to be established that reviews critical conflicts annually or when deemed necessary.



Evaluation

There is a need for an evaluation of the roles that police officers play in First Nation communities. Good police conduct and their assistance needs to be acknowledged.

First Nation Emergency Response Teams

There is a need for the APS and other First Nation police authorities to be provided with the training, resources and mandate to develop and implement an Emergency Response Team that approaches conflicts such as the one at Ipperwash, in a culturally appropriate way. The teams would deal with escalated issues when Aboriginal people are involved.

Healing

There is a need for external police officers to know the traditions and culture of a community particularly the necessity of ceremonies conducted for the healing process to occur.

There is a need for everyone involved in a crisis to go through a debriefing and counseling if necessary.



“The entire Ipperwash Inquiry Commission and its counsel hold a reconciliation forum between Ontario First Nation leadership and the OPP, including OPP Commissioner Gwen Boniface, the Dudley George family, the Premier of Ontario. An invite to hold this redress process between the First Nations, the OPP and Ontario was extended from the Mnjikaning First Nation. This is not a simple initiative and will take a commitment on everyone’s part. I hope we can all make that commitment. I hope our invitation is taken up as part of the resolution to the Inquiry.”

*Chief Sharon Stinson-Henry
Mnjikaning First Nation
November 23, 2005*



Information Sharing/Exchange

There is a need to share and exchange information among the different parties such as changes in personnel, service delivery, etc. Information and best practices need to be shared between First Nations.

Jurisdiction

There is a need to develop “our” own laws to address the jurisdictional overlap. There needs to be a culturally significant law making process and the development of an Anishinabe Judiciary system. Jurisdiction over law enforcement, justice and child welfare needs to be repatriated.

Kettle and Stony Point First Nation

The land claim issue and compensation needs to be settled immediately with the Kettle and Stony Point First Nation.

Law Enforcement

Law enforcement needs to be consistent when administered by different organizations, i.e. skidoo trail regulations enforcement is inconsistent between MNR, OPP, APS and NAPS.

Media

There is a need to develop a rapport with the media to educate them. Journalists need sensitivity training just like the OPP.

Police Committees

There needs to be more community involvement in policing. A committee could be helpful in building a relationship with the police. It does not cost a lot of money to start a police committee nor should the size of a community be a factor in starting a police committee, however, communities need support to develop a Police Committee.

The Committee should be independent of Chief and Council. A First Nation Councillor should sit on the Police Service Committee as it promotes communication. To overcome the power and control issues between the committee and police officers, it should be both the committee and police together that tackle an issue.



Police Services

Integrating culture and language in police services is needed and Elders could be utilized to identify terms for police services.

Policy Development

A council/panel of Elders and experts needs to be created to assist the Ontario government in policy development that directly impacts First Nation relations.

Processes

Issues between First Nations, APS and OPP need to be addressed such as complaints, OPP access to reserves, the power and control struggle. In non-emergency situations, the OPP need to contact the First Nation before they come on to the reserve.

Protocols

There needs to be Communications Protocols for law enforcement agencies that come on to First Nations territories. This would help to improve the relationship, specify who to contact in the communities and reduce the impact of high police officer turn over. There is also a need for a protocol for OPP involvement.

Racism

Institutional racism must be resolved to facilitate change in the relations between law enforcement and Aboriginal people.

Relationship Building

There is a need to develop relationships between different law enforcement agencies such APS, First Nations and the OPP. Trust relationships must also be developed between government agencies, law enforcement agencies and Aboriginal people and groups.

There is a need to develop community “safety” committees to support the development of relations in the First Nation, with police and others. Police need to listen and share with First Nations to develop and ensure relations are maintained, however, due to the high turnover rate of police officers it is difficult to develop long term relationships. The relationship needs to be built with the detachment, not the individual officer.



There is a need to have once a year, a feast of celebration that takes place between the Ontario government and the Chiefs in Ontario to recognize the mutual respect and understanding with one another and that an exchange of gifts takes place that demonstrates good will and harmony.

Resources

First Nation policing requires more funding. There needs to be increased financial support for police officers, policing committees, manpower, equipment and other capital costs, response teams, increase in the number of police officers within First Nation communities, and equivalent remuneration of Aboriginal police officers to the level of non-native officers.

Rights

People need to know their rights including inter-treaty harvesting rights and to understand them. This is a gray area and because the federal government has fiduciary duty, and enforcement agencies should err on side of being accommodating of the rights of Aboriginal people.

Recruitment

More Aboriginal people need to look at law enforcement as a career.

Training

There is a need to provide additional training for police officers such as sensitivity, enhanced training in our culture and traditions for all police officers, history and past injustices that would promote understanding. The differences between western and Native cultures must be acknowledged

Aboriginal police services require additional training dollars and time to allow for growth and adaptation.

There needs to be cross-cultural training provided to all government ministries that engage with First Nations people.

There needs to be our own training for True. More First Nation constables need to be trained in specialized areas.



7.2 Relationship between Police and Government

Communication

There needs to be an enhancement of communication between communities about law enforcement issues.

Ethics

There is a need to develop common ethical guidelines for the police and government and respect for Aboriginal and treaty rights included in their code of ethics.

Law Making

There is a need for First Nations to pass laws or rules on issues.

Priorities

There is a need for First Nation Chiefs and Councils to identify priorities for police services.

Police and Politics

There is a need to define the role of politics and the police and how they work together to overcome the issues of power and control.

The RCAP recommendations on the participation in government processes must be followed up on and implemented.

Relationship

There needs to be a professional structured relationship between the First Nation and police.

Shared Responsibility

There is a dual responsibility for policing.

Training

Additional training in the Anishinabe culture is required.



7.3 Interaction between Police and Protestors

Communication

Discussions need to occur in the early stages of organizing a protest to avoid the development of a serious situation. Police enforcement agencies need to be made aware of a protest. It is the responsibility of the First Nation to make the initial contact.

There is a need to have inter-jurisdictional communications to ensure that all law enforcement agencies are aware of what each other are doing.

Education

Education of Aboriginal people concerning their rights as Aboriginal people and rights as Canadian citizens will improve the effectiveness of protests and protect protesters.

Protocols

A tripartite communication protocol between Native law enforcement agencies, non-Native law enforcement agencies and the Ontario Provincial Police would benefit all involved.

There needs to be a general protocol for the engagement of protests.



Fred Bellefeuille, Yves Chenier and Deputy Grand Chief Nelson Toulouse presenting at the Ipperwash Community Consultation held in Chippewas of Mnjikaning First Nation November 23rd, 2005.



8.0 NEXT STEPS

In closing the sessions, Al Dokis informed participants that the submission made to the Ipperwash Inquiry will be comprised of the three research papers and the report on the four consultation sessions. The Final Report of the consultations will be available in the coming months and forwarded to all participants.

“Tomorrow we will be celebrating and commemorating Remembrance Day. We will be remembering all of our brave people, both men and women, who so gallantly fought to defend our rights. The day we are acknowledging is one of the reasons why this Inquiry is happening. Our brothers and sisters from Kettle and Stony Point were removed from their lands so that the army base could be located there which resulted in the peaceful demonstration at Ipperwash for the protection of the sacred burial sites. We wish to acknowledge and honour all of our warriors. We wish to pay tribute to the late Elder and Veteran Clifford George who passed into the spirit world recently. We understand that he was a stalwart at the hearings and was an inspiration to the commission and people of Kettle and Stony Point. We thank him for his value of life and his contribution to defending our rights. We wish him a safe travel. Elder George’s journey was filled with irony, he volunteers to go to war for his country only to return from war and to find out the country he defended took the very land he loved away from him and so many other people.”

Chief Lyle Sayers
Garden River First Nation
November 10, 2005