

NOTE: This statement is the opinion of the Haldimand County Police Services Board, which is governed by Section 10 of the Police Services Act, and does not reflect the opinion of the municipality or its Council.

The Primary Concern and Focus of the Haldimand Police Services Board

The primary concern and focus of the Haldimand Police Services Board is to ensure the safety of the Caledonia community. Part of our mandate is to hold our policing services accountable for the equitable, unbiased application of the law. Under no circumstances is the Board racially motivated in how they want the police service (OPP) to enforce the law in Haldimand county.

It is the position of the Board that the actions taken by the individuals on August 05, 2020 meet the definition of terrorism as outlined in the Canadian Criminal Code.

This report was not a racial commentary or editorialization made by the Board. It was simply a statement made upon reviewing the definition of terrorism in the Criminal Code and comparing the illegal actions of the people involved when the court order requiring them to leave the construction site was given. Those who refused to comply with the order were arrested for being in violation of that court order. The end result was intimidation, assault, destruction of infrastructure, interruption to local commerce, the rail lines and road blocks for a two-week period.

The “Land Defenders” are currently back on the site in contravention of a legal court order. The Board acknowledges it is peaceful at this time and is thankful to all parties who managed to achieve this.

The Board’s meeting on September 23, 2020 was directed at the OPP with a focus on their policy on Aboriginal critical incidents. The Board was recommending the policy be reviewed and revised. It is the position of the Board that the policy as written fails to adapt accordingly when a peaceful situation becomes aggressive and unlawful. It appears the policy lacks the foresight to address situations similar to what occurred on August 05, 2020. The Board believes the policy must ensure the overall safety of the residents of Caledonia and that their guaranteed Charter rights are also considered and protected.

Land claims were not the focus of our meeting. The issue was enforcement of court orders, enforcement of the law, and public safety.

The OPP policy, A Framework for Police Preparedness for Indigenous Critical Incidents, is not working. It fails to address incidents that are no longer peaceful. The Commissioner of the Ipperwash Enquiry, Mr. Justice Sidney Linden, stated after the 2006 DCE incident that the OPP policy needed a third-party independent review as to whether, “it is a best practice or not.” The Board does not believe the OPP did this review and is also recommending they do so. The Board also recommends that when circumstances change and criminal acts start to occur it is incumbent upon the OPP to develop an operational plan in order to make arrests, restore order, and preserve public safety.

N.B. - The Board’s report is available on the Haldimand County Police Services Board website.

All background information contained in the Board’s report was obtained from local news media coverage, social media coverage (Facebook), the book Helpless by the late Christie Blatchford,

the Canadian Criminal Code, OPP A Framework for Police Preparedness for Indigenous Critical Incidents, and statements from Caledonia residents concerning the OPP’s course of action.