



School abuse survivors still hope for compensation

The Canadian Press

Updated: Thu. Apr. 8 2010 8:13 PM ET

Only about a third of the expected number of survivors of sexual, psychological and physical abuse at the Woodlands School in British Columbia have come forward to claim part of a cash settlement with the provincial government.

Those involved in a long-running lawsuit against the province say far fewer than the number estimated to be eligible for compensation have made claims so far, but they hope that former students who were left out of the court-approved settlement might benefit.

The settlement was based on 1,163 former residents making claims, but only about 400 have come forward. They could receive anywhere from \$3,000 to \$150,000 each depending on the abuse they suffered.

A legal loop hole excluded students who lived at the school prior to August 1974 from the settlement.

David Klein, the lawyer representing survivors, said the province now believes the group to be compensated could be as small as 860 people. He hopes the extra funds can be made available to those excluded from the deal.

"So if...the entire population of pre and post-class members is around 1,150 or 1,200 everyone could be included without having to go back to cabinet and treasury board to request more money," he said.

Klein said it would mean the government could "do the right thing" and compensate the entire group.

"It's an elegant solution, one that satisfies everyone's interests."

A B.C. court ruled last year that the government didn't have to compensate those who were at the school prior to August 1974, when the Crown Proceedings Act was brought into law, making the government legally liable for people under its care.

It was thought about 500 residents who lived in the facility before 1974 are still alive, but Klein believes that estimate is much too high.

The imposing school facility sat on the banks of the Fraser River in New Westminster and was in operation for more than 100 years before being closed in 1996. Thousands of children deemed to have mental disorders passed through its doors.

In 2001, B.C.'s former ombudsman Dulcie McCallum submitted a disturbing report to the provincial government outlining the abuses endured by the residents, some of whom were mentally challenged, some mentally ill and some simply children in care who had nowhere else to go.

"The powerlessness and vulnerability of these children because of their placement in a total institution was further compounded by virtue of their being disabled," McCallum wrote in her report.

The report outlined a code of silence among staff that allowed some staff and other Woodlands residents to abuse residents, both physically and sexually.

McCallum wrote of a "disproportionately high level of tolerance for mean, abrasive, harsh and abusive behaviour."

B.C. Attorney General Mike de Jong couldn't be reached for comment Thursday.

Klein said while the provincial government doesn't have to compensate the pre-1974 residents, there is strong public support to extend the compensation.

"Everyone recognizes that it involves an expenditure of public monies. But voters expect the government to spend public money in ways that reflect public values."

Bill McArthur, of the Woodlands Survivor Group, said this would give the government a wonderful opportunity to settle with everyone who was abused.

"Because with the smaller numbers, it could do it on the same budget."

McArthur endured a litany of sexual and physical abuse, but left the institution just 10 days before the August 1974 date.

He couldn't explain why so few people have applied for money in the months since the court approved the settlement.

"Maybe some of the people really want to forget about that part of their life," he suggested. "Because for a

lot of people it was a very unpleasant thing, what happened to them."

Only one man who resided at the massive dilapidated brick building prior to 1974 has been compensated.

A B.C. Supreme Court judge granted the man, known only as J.H., \$100,000 for the three and a half years of abuse he endured.

"At Woodlands, everything was a privilege including regular food, wearing something other than pyjamas, and any measure of freedom," wrote Justice J. Lowry in his 1998 ruling ordering compensation.

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