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Class Claims Canada Killed Native Cultures

By DARRYL GREER

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VANCOUVER, B.C. (CN) - A class action claims the Canadian government "deliberately planned the eradication of the language, religion and culture" of native Indian children and robbed them of their treaty rights through child welfare policies which placed them in non-aboriginal foster families for the past half-century.

Skogamhallait, also known as Sharon Russell, claims in B.C. Supreme Court that the Canadian government passed the buck on Indian child welfare services to the British Columbia government, causing "ongoing harm to Indian children in care by not taking steps to prevent them from losing their Aboriginal identity and the opportunity to exercise their Aboriginal and treaty rights."

Russell is a member of the Gitsegukla Indian Band and the Gitksan First Nation. She says the Canadian government delegated child welfare responsibilities to the British Columbia government in 1962.

"As a result, Indian children were apprehended and removed from their Aboriginal family and community and were placed in the care of non-Indian and non-Aboriginal foster or adoptive homes where they were systematically denied the opportunity to preserve their Aboriginal identity," the complaint states.


Russell says the policy "continued the pursuit of Canada's goal of complete integration and assimilation of Aboriginal Children into mainstream Canadian society and the obliteration of their traditional language, culture and religion."

Russell says she was taken from her family twice, once when she was 7 and again when she was 9, and placed in two non-Aboriginal families. She returned to her family when she was 15, but says was not accepted into the community when she came back.

"Ms. Russell entered adulthood with a significantly impaired knowledge and experience of what it meant to be Gitksan," she says. "In her teens, Ms. Russell struggled with alcohol and drug addictions and made a number of suicide attempts."

She seeks class certification and damages for breach of treaty rights and for the "widespread psychological, emotion and cultural abuses of the plaintiff and class members.

"Canada deliberately planned the eradication of the language, religion and culture of the plaintiff and class members," the complaint states. "Canada's actions were deliberate and malicious and in the circumstances, punitive, exemplary and aggravated damages are appropriate and necessary."

She is represented by David A. Klein with Klein Lyons. 

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