

KLEIN · LYONS
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Woodlands Class Action Settlement



January 2010

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Settlement achieved for former Woodlands residents

We're pleased to announce that a settlement has been achieved for former residents of Woodlands School in New Westminster, British Columbia. Woodlands was a residential facility operated by the Province of British Columbia for mentally disabled children and adults. An investigation by the province's former Ombudsman concluded that there had been widespread systemic abuse at the institution, which was closed in 1996.

THE SETTLEMENT



The proposed settlement requires the defendant (the provincial government) to compensate survivors who are able to show that they lived in Woodlands after August 1, 1974, and that they suffered sexual, physical, or psychological abuse or injuries. To receive an award, survivors will need to submit written materials to prove their claim. A judge will decide if these survivors are entitled to an award of money and also how much money (between \$3,000 and \$150,000 plus payment for counselling). The claim process is mostly through written submissions but any class member wishing to do so may also speak to the judge in person

about their claim.

The Supreme Court of British Columbia must still approve the proposed settlement agreement. The Court will hear the request for approval on January 27, 2010. [More...](#)

Further details will be posted, as they become available, on the Klein Lyons [website](#).

THE FORGOTTEN WOODLANDS CHILDREN

While many former residents will be eligible for compensation, the provincial government has left out about 500 survivors who moved out of Woodlands before August 1, 1974. This is because of the law the province itself enacted in 1974 regarding its liability for government wrongdoing. As David Klein pointed out in media interviews "That is the current state of the law, but the result is unjust. The province can choose to ignore the statute and compensation all of the Woodlands survivors. That would be the morally correct thing to do."

ESCAPE FROM WHAT WAS "BASICALLY A PRISON FOR CHILDREN"



Bill McArthur fled from Woodlands in July 1974 after years of sexual and emotional abuse in what he describes as a "horribly abusive environment." Mr. McArthur remembers being "beaten to a pudding on a regular basis" while at Woodlands, and having been locked outside naked at the age of six. Mr. McArthur says that he was repeatedly sexually abused by a male staff member at Woodlands who was known to be a serial abuser. Because he left only 10 days before August 1, 1974, the provincial government excluded Mr. McArthur from the settlement.

For more on Bill's story, read articles in [The Province](#), [Vancouver Sun](#),

[The Globe and Mail](#) and [The Record](#).

CHILD SURVIVOR REMINDS THAT “EVEN PEOPLE WHO WERE THERE FOR A VERY SHORT TIME WERE AFFECTED”

Debbie Brkich was sent to Woodlands as a toddler in 1960, because she was deaf and mute at the age of three-and-a-half. As an adult, Ms. Brkich learned that her mother was horrified on picking her up from Woodlands after five weeks to find that she was no longer toilet trained and shied away from even the most basic communication. Ms. Brkich has made “the point that even people who were there for a very short time were affected.”

[More...](#)

WOODLANDS SURVIVOR WRITES OF BEING FORCE-FED, SHOVED AND VERBALLY ABUSED

Woodlands survivor Carol Dauphinais has written an award-winning book about her experiences at the school. Ms. Dauphinais, who was 18 and labelled “incorrigible” when she was placed in Woodlands says she was force-fed, shoved and verbally abused at the school. Because she was there before 1974, she will not be eligible for compensation under the proposed settlement.

[More...](#)

A CALL TO ACTION – LET THE PROVINCE KNOW THAT YOU SUPPORT COMPENSATION FOR ALL VICTIMS OF WOODLANDS ABUSE



The Provincial Government needs to be reminded that just as it accepted liability in 1974, it can extend its liability beyond 1974. The oldest, most fragile residents who have waited the longest to have their abuse recognized are being told by our government that it does not care about what they went through in what was supposed to be a safe place. Most of the 500 pre-1974 survivors are living in poverty.

We encourage you to telephone and write to your MLA, the Premier, the Attorney General and the Minister of Children and Family Development to show your support for pre-1974 Woodlands survivors. Let them know that

you expect your tax dollars to be spent in a way that reflects your values. You can find your local MLA by clicking here: [MLA Finder](#)

<p>Hon. Gordon Campbell Premier</p> <p>Room 156 Parliament Buildings Victoria, BC, V8V 1X4 Phone: (250) 387-1715 Fax: (250) 387-0087 Email: Premier@gov.bc.ca</p>	<p>Hon. Mike de Jong Attorney General</p> <p>Room 232 Parliament Buildings Victoria, BC, V8V 1X4 Phone: (250) 387-1866 Fax: (250) 387-6411 Email: Michael.DeJong@gov.bc.ca</p>	<p>Hon. Mary Polak Minister of Children and Family Development</p> <p>Room 306 Parliament Buildings Victoria, BC, V8V 1X4 Phone: (250) 387-9699 Fax: (250) 387-9722 E-mail: MCF.Minister@gov.bc.ca</p>
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Callers may reach these offices toll free by phoning Enquiry BC at (604) 660-2421 (from Vancouver) or 1-800-663-7867 (throughout BC).

WOODLANDS IN THE MEDIA

The Woodlands settlement, and the exclusion of pre-1974 survivors are being extensively covered in local and national media. [The Province](#) newspaper supports compensation for pre-1974 survivors, arguing that excluding those survivors of mental, physical and sexual abuse is “not the right decision morally”. The editorial board calls on the government to “do the right thing on this file” and settle with Woodlands survivors who left the institution prior to August 1, 1974. [More....](#)

WOODLANDS SUPPORT GROUPS

The “We Survived Woodlands Group” was formed in 2002 by survivors of Woodlands School and their families and advocates. [More....](#)

The BC Coalition of People with Disabilities continues to work closely with Woodlands survivors in their struggle for justice and compensation. [More....](#)

[Read more about the Woodlands Class Action](#)

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