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SCHOOL ABUSE

Settlement with Woodlands survivors leaves out pre-1974 pupils

BY WENDY STUECK VANCOUVER

Nearly a decade after an ombudsman's investigation into abuse at Woodlands school, the province has negotiated a proposed settlement with survivors who say they endured beatings, sexual assaults and other mistreatment at the New Westminster institution.

But the deal, which is subject to court approval, covers only

those claims for abuse that took place after Aug. 1, 1974, when British Columbia brought in its Crown Proceeding Act. It leaves out Woodlands residents whose claims of abuse involve incidents that took place before that date.

"It's a major disappointment," David Klein, lawyer for the plaintiffs in a Woodlands class-action suit, said yesterday.

"These [pre-1974 residents] are people who are in their 40s, 50s and 60s, and the vast majority live below the poverty line. This money would make a major difference in their lives. And it would be a recognition by the province that things happened that should not have happened."

In a statement, Attorney-General Michael de Jong said the agreement "is the result of

extensive negotiations to find a fair approach to compensate Woodlands residents who suffered abuse."

Officials declined further comment, citing pending court approval.

Under the agreement, 1,100 to 1,200 people are in line for compensation ranging from \$3,000 to \$150,000, depending on their experiences while at Woodlands, Mr. Klein said.

A residential facility for people with developmental and physical disabilities, Woodlands operated between 1898 and 1996. Up to 1,200 children and adults at a time lived at the sprawling facility, where they were admitted for "mental retardation" and often stayed for years with little or no contact with anyone outside the school.

In 2000, the province asked

former ombudsman Dulcie McCallum to investigate reports of abuse at Woodlands.

In her report, released in 2002, Ms. McCallum concluded that abuse, including sexual assaults, had occurred.

Her report described a "code of silence" among many employees, including those who were not engaged in abusive conduct.

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Woman was force-fed and shoved, but won't see compensation

» The report also described a "skewed view" of what constituted appropriate discipline that resulted in a high tolerance for "mean, abrasive, harsh and abusive" behaviour.

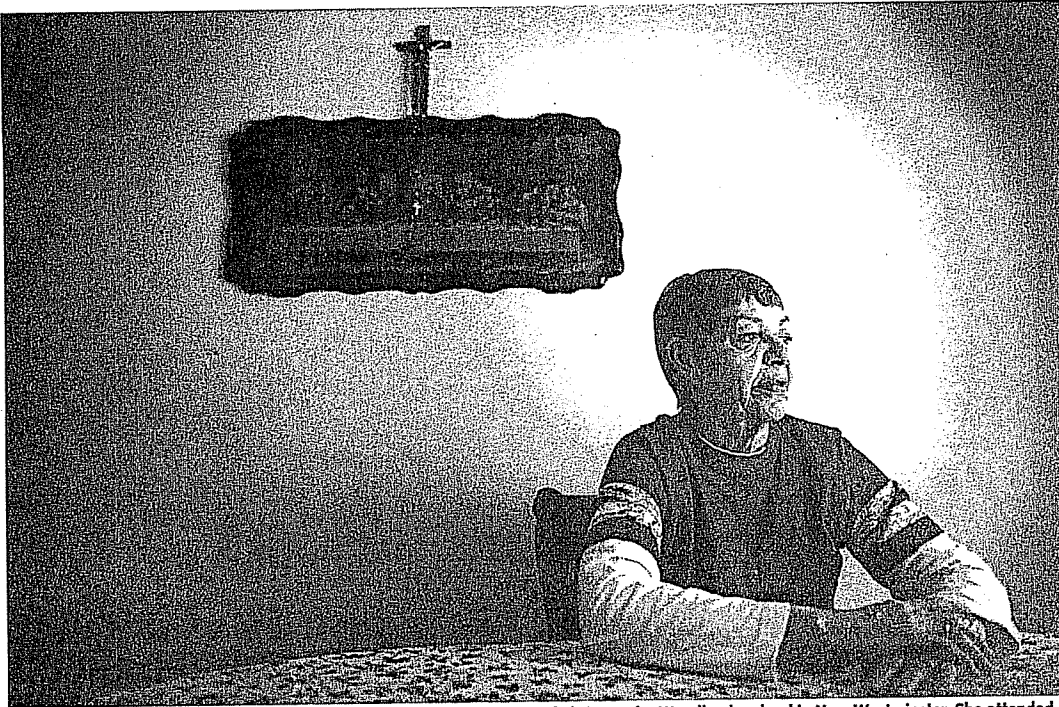
The 2002 report found there was systemic abuse at Woodlands, citing a "toxic environment" in which employees were afraid to report abuse. The province disagrees that "systemic abuse" existed at the school.

To date, no criminal charges have been laid involving any incidents of alleged abuse. A class action was certified in March, 2005, and settlement talks began later that year.

Carol Dauphinais was 18 and labelled "incorrigible" when she was placed in Woodlands after bouncing through a series of foster homes. Now in her 60s, Ms. Dauphinais 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.

Some financial compensation "would validate the things that happened," said Ms. Dauphinais, who wrote a book about her experiences at Woodlands and received a Courage to Come Back award from Coast Mental Health in 2000.

"I just don't want anybody



Carol Dauphinais, shown at her Chilliwack home yesterday, is a survivor of abuse at the Woodlands school in New Westminster. She attended the school before 1974, so the proposed financial settlement does not include her. SIMON HAYTER FOR THE GLOBE AND MAIL

else put in the system and failed so miserably."

Bill McArthur, 50, was twice committed to Woodlands as a child and his final stay ended

just before the cutoff date.

"A whole group of people who experienced significant harm and great suffering have been totally disenfranchised,"

he said. The facility was a crowded, frightening place where beatings, cold showers and other punishments were common, he said.

"It was a dumping ground. It was a garbage can for B.C.'s garbage kids - the kids that nobody wanted, for whatever reason."