

Woodlands decision 'morally bankrupt'

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Bill McArthur calls it a morally bankrupt decision that will continue to haunt him.

McArthur is one of the survivors of abuse while at Woodlands School, but he won't be part of the class-action court case that survivors have launched against the provincial government.

On April 30, the B.C. Court of Appeals turned down a request from McArthur and fellow abuse survivors to be considered a part of the class action because their abuse occurred before Aug. 1, 1974.

That date is important because the B.C. Court of Appeal ruled that the Province of British Columbia would not be liable for its employees' actions prior to this date.

Of the 3,314 former residents of Woodlands, 1,133 will now be excluded because of this ruling.

"This decision is so wrong, so morally bankrupt and so morally reprehensible," said McArthur, who left Woodlands on July 27, 1974, after 10 years in the institution.

"I make no differentiation between those who were abused before 1974 and after 1974. We're all victims."

McArthur said he's been lucky to have recovered - he currently works for a transportation company loading and unloading trucks - but the court case makes him feel like he's being revictimized.

"I remember being beaten by staff members, sexually abused by staff members, and one time, in the summer of 1967, I had three staff members beat the living pudding out of me in a cellar," he said.

"That was bad, but to have the government say that doesn't count, that's not abuse that you should be compensated for, that hurts almost as much."

June Dyson, executive director for the B.C. Coalition of People with Disabilities, has helped Woodlands survivors advocate for their rights.

"I'm very disappointed," said Dyson.

"We are strongly supportive of all former residents of Woodlands who suffered at the hands of employees there.



CREDIT: Larry Wright/THE RECORD

Disappointed: Bill McArthur is one of the survivors of abuse at Woodlands School.

"We believe all victims should be compensated for their pain and suffering, and we are encouraging the provincial government to settle out of court and pay these victims immediately."

Lawyer David Klein argued on behalf of the Woodlands survivors and agreed it was a disappointing setback.

"There is no rational basis for distinguishing between victims before 1974 and after 1974," he said. "It's simply an unjust law."

Schiller said he expects Klein will be asked to appeal the decision to the Supreme Court of Canada later this year.

The Court of Appeal decision means that the main suit, for the roughly two-thirds of former residents victimized after Aug. 1 1974, will take a lot of Klein's attention. It is scheduled to start in January 2010 and is expected to last six months.

"This case should have been settled a long time ago," said Klein.

"The conditions at Woodlands were horrendous, and it's a stain on B.C.'s reputation."

Gregg Schiller, coordinator and spokesperson for the We Survived Woodlands group, agreed: "If the government wants to put its best face forward for the Olympics, having this case going on at the same time is not the right way to go about it."

Schiller said his group has written letters to each of the three major parties in the B.C. provincial election.

"The NDP has indicated they would support our cause if they were elected, and the Green party have told us they support our cause," said Schiller. "We haven't heard back from the Liberals."

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