

Court Ruling Excludes Pre-August 1, 1974 Residents From Lawsuit

People who lived at Woodlands, but moved out of the School before August 1, 1974, have been excluded from this lawsuit by a series of court decisions.

This class action was started for everyone who lived at Woodlands. Unfortunately, the government brought a court application to exclude residents who moved out of Woodlands before August 1, 1974. That application was granted by the British Columbia Supreme Court. This means that the lawsuit now includes only people who lived at Woodlands on August 1, 1974 or later. We appealed the decision to the B.C. Court of Appeal, but we did not win the appeal. We then applied for leave to appeal to the Supreme Court of Canada, but leave was denied. You can read the decisions of the British Columbia Supreme Court and British Columbia Court of Appeal (go to www.kleinlyons.com/class/woodlands/cdocs.php).

The reason people who lived at Woodlands before August 1, 1974 have been excluded is as follows. Until 1974 it was not possible for people in British Columbia to sue the B.C. government except in very limited circumstances. In 1974, British Columbia passed a statute allowing it to be sued for wrongs it had committed. In the Woodlands lawsuit, the government argued that because the statute did not exist until August 1, 1974, it could not be sued for anything it did wrong before August 1, 1974. Both the British Columbia Supreme Court and the British Columbia Court of Appeal ruled in the government's favour.

The refusal of the Supreme Court of Canada to hear our appeal, means that there are no further legal steps that can be taken for the pre-August 1, 1974 Woodlands Residents. There are, however, many Woodlands residents and their supporters who are continuing to pursue this matter politically and in the press. These residents meet regularly to strategize, socialize and provide each other with support. You can obtain more information about the "We Survived Woodlands Support Group" by clicking this link (<http://wesurvivedwoodlands.org/>).