



Tuesday » March
9 » 2010

Woodlands survivors left out of settlement hope for moral persuasion

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From the age of 8 to 18, Richard McDonald lived at New Westminster's Woodlands School, a provincial institution that was rife with abuse.

The mildly developmentally disabled 66-year-old says he saw other mentally disabled children and youth verbally abused and whipped with belts, and he was aware of sexual abuse during his residency from 1952 to 1962.

"If you said anything you were put into a side room and put into coveralls and [faced] LOP [which] means loss of privileges and stuff like this, and have to go and push a block up and down the hall from the time you get up in the morning after you have breakfast until the time you go to bed," said McDonald, who now lives near Fraser and Kingsway.

A review of the school by a former provincial ombudsman reported widespread sexual, physical and psychological abuse. Last December, the provincial government announced a compensation package for 1,100 Woodlands survivors. These survivors can apply for \$3,000 to \$150,000 once the courts approve the package.

But McDonald and 500 others who left the school before Aug. 1, 1974 aren't eligible for the money. Until 1974, B.C. residents could sue the provincial government in limited circumstances. In 1974, the province 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 Aug. 1, 1974, it couldn't be sued for any wrongdoings before this date, according to Klein Lyons, the law firm representing the survivors.

The B.C. Supreme Court and the provincial Court of Appeal ruled in the government's favour, and the Supreme Court of Canada has refused to hear the group's appeal. Survivors, family members and advocates say it's up to the attorney general, the premier and the province to act.

"It's no longer a legal issue, it's what the attorney general has referred to as a human issue," said lawyer David Klein. Klein said survivors met with Attorney General Michael de Jong in January. "We felt encouraged in that the door was not closed," Klein said. "The key now is to press upon the rest of the members of Premier Campbell's cabinet and caucus the morality of this issue."

De Jong was not available for comment by press time but ministry staff told the Courier that de Jong appreciated hearing from members of the Woodlands group.

The We Survived Woodlands Group argues everyone who attended Woodlands suffered and should all receive compensation. Survivors had hoped for a common experience settlement of \$15,000 for each former student and argued the province could direct the \$18 million it earned from selling the school to its former students.

"It's about money to some degree because they are very poor, but it's also about recognition of the abuse they suffered," said Jane Dyson, executive director of the B.C. Coalition of People with Disabilities.

For many years, the government would say it just happened to a few people and was just a few bad eggs... and so it was this incredible lack of acknowledgement of the terrible things that happened even though there'd been a study that found that systemic abuse occurred."

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