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FULL DISCLOSURE

Seeking Justice for Woodlands Survivors

Last year, Klein Lyons was appointed lead counsel in a class action launched on behalf of former residents of the Woodlands School, a New Westminster residential facility for children and adults with mental and physical disabilities. The class action seeks to recover compensation for former residents who suffered widespread physical, sexual, emotional and psychological abuse while living at Woodlands. The trial is set to start in September 2009.

Woodlands operated between 1878 and 1996, and at its peak housed over 1,400 residents. The number of surviving residents is not known, but estimates run as high as 2,200.

The first allegations of abuse at Woodlands surfaced in the media in 2000. In response, the provincial government initiated an administrative review conducted by former ombudsman Dulcie McCallum, a long-time advocate for the disabled. McCallum's report, *The Need to Know*, concluded that abuse at Woodlands was "systemic in nature" and that there were insufficient safeguards or mechanisms to prevent or manage abusive conduct by Woodlands employees. McCallum also documented the code of silence that prevailed at Woodlands. She noted that "there was virtually no evidence that parents or relatives were notified when an incident involving a resident occurred" and added that "very few cases seem to have been referred to the police for investigation."

A 2004 report by the Public Guardian and Trustee of British Columbia confirmed McCallum's findings. The report documented findings of unexplained injuries or illnesses, sexually transmitted

diseases, sterilization, heavy doses of medication, overcrowding, chronic infectious diseases like hepatitis and salmonella, and forms of punishment including seclusion, restraints, restricted visits with family and withdrawal of food and privileges. Former Woodlands residents speak of the terror of watching other residents being abused. They add that they were afraid to speak up for fear that they would be punished.

The Woodlands School was closed in 1996, and a portion of the land was sold by the province to a developer for \$18 million. Although the provincial government has dismissed McCallum's report as "flawed," in 2002, it offered an apology and a fund of \$2 million to be distributed equally among the former residents for victim counselling — approximately \$500 per person. "It's an insult," commented David Klein of Klein Lyons, "considering the devastating impact that the years of living in this atmosphere of fear and neglect had on the Woodlands residents."

"If there is a trial, we will establish that the atmosphere at Woodlands was one of fear, abuse and neglect," Klein said. "But we hope there is a reasonable settlement so that the victims are not forced to go through the trauma of a trial. They deserve fair compensation and a chance to put this behind them." ■

ARRIVE ALIVE *The Fatal Practice of Drinking and Driving*

Drunk drivers are dangerous killers who continue to take lives randomly and indiscriminately. In British Columbia, drunk driving causes approximately one quarter of the 400 motor vehicle fatalities that occur each year. In most cases, victims are in the wrong place at the wrong time.

Impairment Begins with the First Drink

While the legal blood-alcohol content (BAC) in British Columbia is .08 percent, smaller amounts of alcohol in the blood can still impair one's ability to drive. Alcohol consumption affects individuals differently. Factors that can affect the BAC include a person's age, weight, gender and physical condition, as well as the time of day, the amount of food consumed and other drugs or medication taken.

The human body metabolizes alcohol at the rate of about one drink per hour, and despite what many people think, strong coffee or a cold shower does not help a person sober up. Only time can do that.

It's Not Worth the Risk

While some drivers rationalize that a few drinks before driving is okay, ICBC's Drinking Driving Counter Attack program continues to spread the message that drinking any alcohol and driving could cost you more than you think.

If you are caught drinking and driving, you could:

- be prohibited from driving for 24 hours
- have your vehicle impounded for 24 hours
- be asked to provide a breath sample into a roadside screening device such as the Breathalyzer.

If you fail the Breathalyzer test or refuse to provide a sample, you will be served with an Administrative Driving Prohibition Notice, which prohibits you from driving for 90 days.

If convicted of a Criminal Code offence, you will:

- be prohibited from driving for at least one year (or up to three years if you have previous convictions)
- have to take a drinking driver rehabilitation program
- pay more for vehicle insurance
- possibly need to have an ignition interlock device installed in your car.

If you drive while prohibited or suspended, your car could be impounded for a minimum of 60 days, and you could face a \$500 fine, jail time and more driving prohibitions.

If you plan on drinking, plan a safe ride home. And if you know someone is impaired, don't let them drive. As the saying goes, "friends don't let friends drink and drive."

Keep drinking separate from driving. It's a wise choice. ■



FROM TRANSPORT CANADA

Time, and only time,
can sober a person up.

It takes six hours to
reduce a BAC of .09
percent to 0.

Drinking moderately
means no more than
two drinks an evening.

Across Canada, ap-
proximately 80,000
drivers are charged
with impaired driving
each year.

Acupuncture *An Old-World Solution to New-World Injuries*



Many people who have been injured in motor-vehicle accidents aren't aware of the various types of complementary therapy available to help them recover. Acupuncture is the ancient Chinese practice of restoring the balance of the body's energy by inserting needles into particular points just under the skin. Developed in China over 2,500 years ago, acupuncture spread to China's neighbouring countries in the sixth century and to Europe in the sixteenth century. It wasn't until the twentieth century, however, that acupuncture became known and used around the world, according to a report by the World Health Organization (WHO).

Dr. Kasia Heigelmann, a Vancouver-based doctor of traditional Chinese medicine and a registered acupuncturist, says that public awareness about acupuncture is growing. The therapy can be used both as a preventative measure for the maintenance of good health and for rehabilitation after an injury or accident.

In her practice, Heigelmann uses acupuncture treatment for injuries caused by motor-vehicle accidents (MVAs) with about two to three patients a week. Some patients visit her when their injuries are at the acute stage, shortly after their accident, while others come to her after they've tried other therapies such as physiotherapy and massage. In almost all cases, Heigelmann finds that acupuncture is successful. "If there's nothing wrong structurally (such as a broken bone or internal bleeding), but they still have pain, acupuncture is really the answer," she says. Even if there are structural problems, acupuncture can still help after the acute stage has passed by improving circulation and speeding up the healing process.

Since 1996, the acupuncture profession has been regulated under the Health Professions

Act of British Columbia. Currently over 1,200 acupuncturists are registered with the CTCMA, the regulatory body for acupuncturists in British Columbia.

In April 2008, acupuncture was added to the list of supplementary benefits available to British Columbians on premium assistance. What this means is that eligible BC residents with a combined family income of \$28,000 or less will receive supplementary benefits of \$23 per visit (up to 10 visits) for acupuncture treatments, just as they do for other complementary therapies such as physiotherapy and massage. The Medical Services Plan's addition of acupuncture treatment is a sure sign that the therapy is now gaining mainstream recognition.

Those not on MSP can, of course, receive acupuncture treatment on a pay-per-service basis, and Heigelmann points out that many extended health plans cover all or a portion of the costs for acupuncture treatment. Even ICBC will cover acupuncture for those injured in motor-vehicle accidents, but Heigelmann says it helps if the injured person inquires about complementary treatments such as acupuncture when negotiating their rehabilitation plan with the insurance company. In such cases, it also helps if a patient has a lawyer negotiating on his or her behalf, she says.

For more information on Dr. Kasia Heigelmann's practice, visit her website at <http://www.acupunct-cure.com/>. To find out more about the regulation of acupuncturists in British Columbia or to find a registered acupuncturist near you, visit the website of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia (CTCMA) at <http://www.ctcma.bc.ca>. ■

GLOSSARY OF TERMS RELATED TO ACUPUNCTURE AND TRADITIONAL CHINESE MEDICINE

CTCMA

College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia.

Qi (pronounced "chee")
Vital energy or life force.

Meridians

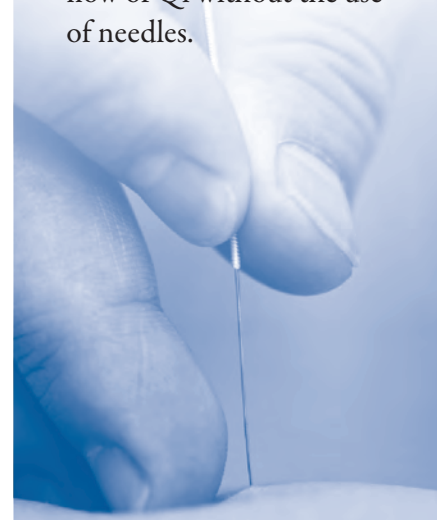
Lines in the human body that channel energy.

Moxibustion

A method that uses the artemisia plant to warm an area and promote the flow of Qi.

Tui Na Massage

A method that promotes flow of Qi without the use of needles.



Remembering Victims of Traffic Accidents



On November 19, 2008, Canada will observe its first National Day of Remembrance for Road Crash Victims, and the year 2011 will be dedicated to promoting road safety across the country. Both of these events signal that Canada, as a nation, acknowledges victims of traffic accidents and their families.

While many around the world recognize the serious consequences of traffic accidents, until recently, the issue had not received the level of attention

and resources needed to solve the problem. The first step towards global awareness occurred in April 2004, when the World Health Organization (WHO) dedicated World Health Day to the topic of road safety. This action sparked governments, United Nations agencies and the private sector to put on road-safety events in over 130 countries.

Canada was ahead of the curve back in 1996, when the national government established an aggressive target of reducing road accidents by 30 percent through the implementation of its Road Safety Vision program. Traffic accidents are a leading cause of death and injury around the world: each year some 1.2 million people die and millions more are injured or disabled as a result of traffic accidents. In addition to the enormous

economic and social costs to individuals, families and communities, injuries sustained in traffic accidents place a heavy burden on national health services, in particular those of developing countries.

We can prevent many traffic accidents, however, through simple measures such as slowing down, using seatbelts and proper child restraints, refraining from alcohol consumption before or while driving a vehicle, wearing helmets when riding motorcycles and bicycles, and maintaining our vehicles. In addition, governments at all levels should ensure that our roads are well designed and sufficiently maintained.

On November 19, take a few moments to remember victims of road accidents. If someone you know has been a victim of a road accident, light a candle in memory of that person or speak to a group of school children on the importance of staying safe while using our roads; write a letter to members of your municipal, provincial or federal government about how important road safety is to your family and community; or take your car in to a service centre for a safety inspection.

When it comes to road safety, we all have an important part to play.

To find out more about Transport Canada's initiatives to promote road safety, visit <http://www.tc.gc.ca/hoodonroadsafety/awareness.htm>. ■

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