

Lawsuit alleges physical, sexual abuse at youth facility in Newfoundland and Labrador

By **Sarah Smellie** The Canadian Press

Tue., Dec. 7, 2021timer3 min. Read



ST. JOHN'S, N.L. - A Newfoundland and Labrador man is suing the provincial government for alleged sexual and physical abuse he says he endured as a teenager at a provincial facility for youth.

The statement of claim filed last month in provincial Supreme Court alleges plaintiff Stephen Miller was subjected to the abuse between 2004 and 2008 at the Newfoundland and Labrador Youth Centre in Whitbourne, N.L. At the time, Miller was a minor in intermittent provincial care, the document says.

This is not the first lawsuit against the province alleging sexual abuse against minors at the facility. In 2019, a class action was certified alleging sexual abuse of minors at provincial facilities including the Whitbourne centre between 1973 and 1989 — the year Miller was born.

St. John's lawyer Lynn Moore, who is involved in the class action, said there is a summary trial scheduled for it in March 2022 in provincial Supreme Court.

Miller's lawyer, Jennifer Helleur of St. John's, said she expects other claimants will come forward alleging more recent abuse at Whitbourne.

"Typically, if there's an abuser at an institution, you're going to expect that they're going to be abusing more than just one person ... that's the nature of sexual abusers," she said in an interview Monday.

A provincial government website identifies the Newfoundland and Labrador Youth Centre as an active "youth secure custody" facility. The statement of claim refers to the institution as the "Whitbourne Youth Centre."

Helleur said the fact the alleged abuse of Miller continued until 2008 is particularly concerning because it means some of the employees involved could still be working there. His suit is the first she is aware of to allege abuse beyond the time period covered by the 2019 class action, she said.

In the statement of claim filed Nov. 8, Miller alleges he was subject to "numerous forms of child abuse" at the facility, including sexual abuse from female and male staff members and physical abuse from a male employee. In

one instance, Miller alleges a male employee forced him to wrestle while naked with other boys at the facility.

The statement says Miller suffered “irreparable psychological harm, substance abuse and other severe impairments” as a result of the abuse and alleges the provincial government knew or ought to have known that Miller was “exposed to serious harm” while at the facility.

In an email Tuesday, a provincial Justice Department spokeswoman said it would be inappropriate to comment on the matter as it is before the courts. Helleur said Monday the province has not yet filed a statement of defence.

The suit alleges the provincial government didn’t properly monitor or investigate the operators of the facility, nor did the government adequately follow up on the quality of care provided there to Miller. The government also failed to correct any failings or shortcomings in his care, the suit claims.

Miller alleges the abuse left him with difficulties building and maintaining relationships and made it tougher for him to go to school and earn an income. He also claims he is continually plagued by distressing memories of the abuse and that he developed addictions issues and spent time incarcerated as a result of the distress, among other harms.

“As you can imagine, it takes an incredible amount of bravery to speak about childhood sexual abuse,” Helleur said. “For many survivors, it takes years and years — decades — to feel comfortable talking about it.”

She said Miller wanted his name to be public. “He is ready now to break his silence,” she said.

This report by The Canadian Press was first published Dec. 7, 2021.

Note to readers: This is a corrected story. A previous version based on information provided by a lawyer involved in the case said the class action trial would start March 22, but it is in fact scheduled to begin March 7.