



Supreme Court awards woman \$839,000 for wrongful sex abuse accusations

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OTTAWA (CP) A woman who says her life was ruined by wrongful accusations of sexual abuse is entitled to \$839,000 in damages from Memorial University of Newfoundland, the Supreme Court ruled Friday.

The high court unanimously overturned an appeal court decision and said Wanda Young should get the damages awarded by a civil jury.

University officials, said the unanimous decision from the seven-justice panel, "had no data that, interpreted by a reasonable person, would suggest that a child has been, was or may be in need of protection from Wanda Young."

More than half the original award, \$430,000, was for non-pecuniary damages - damages not related to loss of income or other financial considerations. It's believed to be one of the largest such awards in Canadian legal history.

"While the damages are higher than we would have awarded in the circumstances, the law assigns the task of that assessment to the jury," said the high court.

Young has been fighting to clear her name since 1994, when as a 23-year-old undergraduate she submitted a paper for a social work course at Memorial.

She included an excerpt, taken from a class textbook, in which an anonymous young woman gave a first-person account of sexually abusing a child.

Her professor thought she might be

describing herself and took the matter to university officials, the provincial child protection service and the RCMP. When the authorities initially failed to act because of lack of evidence, the professor convinced Memorial officials to lodge another complaint, and this time it stuck.

No charges were ever laid - and Young was never confronted with the accusation by her professor or other university officials - but her name was eventually placed on an RCMP list of suspected child abusers, where it remained for years.

The university argued that it acted in good faith and in compliance with child welfare law. It also argued that Young had not properly footnoted the excerpt.

The high court said Memorial University and its employees failed to "live up to their broader responsibilities to (Young) as a member of the university community."

Young was a correspondent student who only met the accusing course professor once.

A spokesman for the Child Welfare League of Canada immediately expressed concern Friday that the court ruling could put a chill on those reporting potential child abuse.

"The public policy concern is that if we're going to do a good job protecting children from all forms of child maltreatment, it's essential that we have reporting procedures that are unfettered and allow good-faith reporting," said Gordon Phaneuf.