



## OMBUDSPERSON BRITISH COLUMBIA

### Backgrounder

#### Who are the Doukhobors?

- Group of Russian spiritual Christians who emigrated to Canada in the early 20<sup>th</sup> century.
- Initially settling in Saskatchewan, many headed west to the Kootenay region of BC.
- Sons of Freedom Doukhobors were a small group of Doukhobors who openly protested against specific government policies including the requirement to send their children to public school.

#### The apprehension of Sons of Freedom Children

- On September 9, 1953, RCMP arrested 148 protestors from a tent village in Perry Siding, BC for protesting nude near a school. The 104 children of the protestors were apprehended and taken by bus to a compound in New Denver, BC. They were housed in what was formerly a sanatorium for tuberculosis patients.
- Between 1953 and 1959, government ordered approximately 200 children to be taken from their homes. Some children were detained for up to six years under the *Protection of Children Act*, which gave government the legal authority to apprehend children between 6 and 15 who were not attending school because their parents disagreed with the school system.
- Government forbade the detained children to speak or read Russian, the first and only language for many of the children, and did not provide any Russian teachers or interpreters.
- Government significantly restricted and controlled the children's access to their parents and families. Children were required to assist in the construction of a chain-link fence through which limited visits with their parents took place.
- Government released children at different times over the six years with the final release of children occurring August 2, 1959, after the parents of the remaining 77 children swore an oath in court to send their children to school.

#### 1999 Ombudsman Report Highlights

- In 1999, the Ombudsman issued a report *Righting the Wrong: The Confinement of the Sons of Freedom Doukhobor Children* about the New Denver children and the historic and systemic abuse suffered at the hands of government as a result of their confinement.
- Disturbing allegations of physical and psychological maltreatment were made by those detained from abuse and neglect to poor living conditions and loss of privacy, dignity, and self-respect.
- The investigation included documentary evidence and first-hand-accounts of the children's maltreatment including being denied access to their parents, culture, religion, and language. The Ombudsman found the treatment was unjust and that survivors and their families suffered long-term consequences.

The report made five recommendations to the Ministry of Attorney General including:

1. Provide a clear acknowledgement that the government was wrong in the manner in which it apprehended and confined the children of the Sons of Freedom Doukhobors in the New Denver institution (Recommendation 1).
2. Provide the complainants with as full and adequate an explanation as is reasonable and appropriate, given the passage of time, for why, as children, they were apprehended and confined in New Denver (Recommendation 2).
3. Make an unconditional, clear and public apology to the complainants on behalf of the government, in the Legislative Assembly, for the means by which they were apprehended and for their confinement in New Denver (Recommendation 3).
4. Consult with the complainants as a collective to determine the means by which they want to be heard, and the appropriate form of compensation (Recommendation 4).
5. Refer this Report to the Commanding Officer “E” Division and urge him to consider the role of the RCMP in the matter and the appropriate action to take (Recommendation 5).

### **2002 Progress Report**

- In the office’s 2002 progress report, Recommendation 5 was assessed as being fully implemented or completed, Recommendations 2, 3 and 4, were partially implemented meaning government had begun to address elements of these recommendations, and Recommendation 1 had not been not implemented or started.
- In that report, the office said, “government has not provided a clear acknowledgement that it was wrong in the manner in which it apprehended and confined the children of the Sons of Freedom Doukhobors in the New Denver institution.”

### **Statement of Regret**

- In 2004, the Attorney General issued a statement of regret in the Legislative Assembly. This statement of regret stopped short of being the recommended unconditional, clear and public apology.
- In 2006, the Ombudsman issued a report *The Power of an Apology* calling for legislative reform to allow apologies to be made without incurring liability.
- In 2006, the Attorney General introduced, and the Legislature passed, the *Apology Act* implementing the Ombudsperson’s recommendations for such reform.
- Despite the new law the government has not apologized to the survivors.

### **Situation today**

- Since their release from detention in 1959, survivors have not received a clear apology or compensation from the provincial government.
- There are still several survivors of the original confinement living in the West Kootenays. Given the passage of time, many have died but their descendants continue to call for restitution.
- In its response to the Ombudsperson’s 2023 update of the original investigation, government has committed to make an apology this fall and is preparing a “recognition package.”

[1999 Ombudsperson Report](#)

[2002 Ombudsperson Progress Report](#)

