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PRESS RELEASE

For Immediate Release

Forced Sterilization and Forced Abortion Claim now filed in the Supreme Court of British Columbia as LORRAINE DAVIS and STEPHANIE ROY v. HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA.

Cooper Regel LLP and Murphy Battista LLP announce the filing of a claim seeking to certify a class action in the Supreme Court of British Columbia on behalf of the Indigenous victims of forced sterilization and forced abortion in the province.

The history of the country that we call Canada is replete with examples of colonizers attempting to eradicate and erase the languages, cultures and personhood of First Nations, Inuit and Métis persons — including through colonial policies of subjugation, segregation and assimilation of Indigenous people in Residential Schools, Day Schools, and child welfare systems across the country.

The coerced sterilization and coerced abortion of Indigenous people is another damaging manifestation of these colonial policies.

Using the power of the province and the authority of those within its health care system over many decades, Indigenous people in British Columbia have suffered from sterilization and abortion in the absence of truly free and informed consent. No such policy, procedure or mandate was in place at the time for any other group of Canadians beyond those of Indigenous identity.

This class action, if certified, seeks public recognition of this chapter in the history of British Columbia — to ensure that those responsible are held accountable, to serve as a deterrent against future public policies of sexism, discrimination and cultural genocide, and to seek compensation for those affected.

In coming forward as proposed representative plaintiffs for this class action, Lorraine Davis and Stephanie Roy face their personal experiences and this history of Indigenous peoples in British Columbia with courage and strength.

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Ms. Davis notes:

So often it feels like you're alone when you have been coerced into sterilization, something I never wanted and never expected. It's been many years and I'm glad that our voice is about to be heard. It's always difficult to speak truth to power but the province must acknowledge what happened to me and others, and be forced to account for its participation in the attempt to control the Indigenous population of this country. Never again can this be allowed to happen.

Ms. Roy adds:

People in Canada need to know their history, the good and the bad. The province of British Columbia participated and supported a program aimed at taking away the reproductive rights of Indigenous people, including my own rights as an Indigenous woman. Reproductive rights are basic human rights. For years and years, silence has hurt me and so many others. My unborn child was taken away from me, against my will. Now I am coming forward, to speak up.

As noted in the claim, as a consequence of sexual assault and battery, breach of fiduciary duty, breach of common law duty, and violations of *Canadian Charter of Rights and Freedoms*, the proposed class members, including Ms. Davis and Ms. Roy, suffered severe injury and damages.

Legal counsel, Steven Cooper, says:

Forced and coerced sterilization and abortion is yet another shameful chapter in Canada's past attempts to subjugate and assimilate the first peoples of this country. Whether or not this particular program was part of a coordinated effort in conjunction with the federal government, it is certainly consistent with the oppressive colonial approach to the Indigenous population which underlies so many government decisions in the past century. Canadians need to know what happened and their governments must be held to account.

Legal counsel Angela Bespflug adds:

This proposed class action is about reproductive rights and Indigenous rights. Historically, British Columbia has participated in programs aimed at controlling and assimilating Indigenous people. The Province's promotion of forced and coerced sterilization and abortion was consistent with, and a manifestation of, these assimilationist policies. One of the particularly disturbing aspects of this claim is how recently some Indigenous people were subjected to these non-consensual medical procedures. We hope that this proposed class action will compel the province of British Columbia to acknowledge this dark chapter in our history, work to ensure that it never happens again, and honour its legislative and international commitments by engaging in dialogue with the plaintiffs to resolve this claim.

Questions and comments may be directed to Steven Cooper, as noted below.

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