

XIII

Impact of the Compensation Program

1. IMPACT ON CLAIMANTS

As noted before, I spoke with a number of claimants. My discussions with them were intended to sensitize me to the impact, positive and negative, which the Program had on many of them. Their views helped me to evaluate the Program and make recommendations for the future. I have little doubt that the Program provided significant assistance to many true victims of abuse.

Not surprisingly, there were some differences in the views of claimants on the Program. However, I was able to identify certain recurring themes in their discussions with me.

Almost all regarded a compensation program, in principle, as a desirable alternative to traditional litigation. Very few would have pursued traditional litigation had a compensation program not been available. Fear of being publicly exposed as a former resident was often cited in support of their reticence. For example, one said: "I hadn't talked about it with anybody and wasn't about to bring it to the public eye."

Generally, the claimants regarded the amounts of compensation as fair. Indeed, some, previously of limited means, clearly regarded their awards as ample.

A number of claimants thought the Government's change from lump sum to periodic payments was fitting. Many recognized that periodic payments were more likely to prevent misuse of the compensation. A number were aware of others who "blew the money" on drinking, drugs or gambling. One said that "a lot of people misused [the money] and aren't a whole lot better off." Several claimants, however, felt that a blanket rule was unfair, particularly to those who intended to purchase a house rather than squander the funds. They suggested that the Program should have shown some flexibility to accommodate individual cases. One suggested that psychological testing could have determined who could cope with lump sum payments and who could not.

Many represented that they did not enter the Program for the money. A variety of motives were articulated. The importance of being believed or vindicated was the most common reason cited. For example, one claimant remarked: "The fact that somebody would listen matters as much to me as receiving the money." Another claimant received only \$6,000, but felt that "the

letter that they believed me was what was important.” That said, claimants generally did welcome the financial awards and many shared how they had improved their lives, sometimes dramatically, as a result.

The most common theme of my discussions with claimants was the importance of the counselling they received. Although some claimants did not avail themselves of the counselling, many did. Almost uniformly, they regarded it as the most beneficial part of the Program. Several remarked that the counselling, not the compensation, made the difference. One suggested that, given the apparent fraud in the Program, the Government would have been better off giving counselling only, rather than financial compensation.

Claimants described the positive influence that the counsellors had in reducing their emotional distress and trauma. Some had been suicidal or drug abusers. Many had been unable to speak with anyone, including family members, about the issues before. One said that, without the counselling, “I wouldn’t be here today.”

Several claimants presently in custody reflected that they could share their feelings with the counsellors without fear that their statements would be used against them in the institution. They contrasted outside counsellors with their institutional counterparts.

Claimants were also highly complimentary of the assistance afforded by Elsie Blake at the Family Services Association. Dr. Blake was often the individual who directed them to their counsellors and provided them with other support.

Concern was expressed that some of the counselling had to be directed to the distress occasioned by disappointments in the Program itself. The funding allotment for counselling was not increased to address this concern. On the bright side, many advised that their counsellors continued to see them even after their counselling allotment was exhausted.

There were other criticisms directed towards the Program. A number regarded their interviews by Internal Investigations Unit (“IIU”) as accusatory and, at times, hostile. Claimants felt that they were presumed to be guilty of fraud and not treated with respect. The investigators sought to trip them up on trivial matters and suggested they were lying. Several were upset that the investigators knew them from previous encounters. In fairness, not all of them shared these views. Those that did often contrasted their treatment by the IIU with how they were treated by the Murphys and, sometimes, the RCMP. None complained about the Murphys. Most regarded the RCMP as courteous and professional.

A number described the Program as exceedingly slow. Extended delays increased their levels of anxiety.

Some were very upset at the suspension of the Program. One thought that, rather than suspending it midstream, a better investigation should have been done up front before the Program got underway.

Some claimants regarded the changes to the Program as unfair. Reasons cited included the inability to meet directly with the file reviewer and the newly perceived presumption that claimants were all liars. One said: “I thought it was really unfair that my file review was in writing. I was very offended that I didn’t get to talk to my file reviewer. I felt I had the right to speak up for myself.”

Several claimants regarded the offer to take the polygraph as a signal that they were not believed.

At least one claimant said that he would not have given a statement to authorities had he known what the Program entailed. Another said that the “Program was worse than the abuse.”

One individual regarded the Program as insensitive to Afro-Nova Scotians. He believed that agencies in the black community should have been contacted to provide counselling, that complaints of institutional racism were not taken seriously, and that consultations should have taken place with the Mi’kmaq, Afro-Nova Scotian and Acadian communities respecting the design and implementation of the Program.

Interestingly, when the involvement of employees in the process was discussed, a number of the claimants accepted that fairness dictated that the employees be heard. They appreciated the need for verification of complaints.

Most recognized that some claimants had defrauded the Program. Indeed, a number provided examples of others who, to their knowledge, had done so. For example, one claimant described another individual who had persuaded his mother to lie about his claim. The claimant concluded: “A lot of people abused [the Program]. They could use the same name of the person who others said had abused them ... It makes it bad for everybody.” Another reflected that “there were a lot of people who said things that weren’t true. People told [me] they had stretched the truth.” Yet another described someone who made a false claim and received a large settlement. She stated:

That’s what hurts. There were so many lies and thieves, only thinking about how they were going to get the money. It ruined the process for people like me who could prove their claim. They weren’t listening anymore.

One claimant knew a couple of people who were “stretching the truth.” He advocated “going after [people committing fraud] if you can prove they are fraudulent claims.” However, another claimant felt that the extent of fraud was exaggerated: he was now scared to reveal his involvement “because you were looked at as a fraud artist or druggie.”

A number of claimants recognized that fairness and the need to avoid fraud compelled a proper verification process:

! “You can’t give out a whole bunch of money without investigating.”

- ! “The perpetrators should have had a say in this. Fair is fair. Everybody has the right to try to defend themselves. Maybe there were a lot of people who were innocent.”
- ! “I think everybody including the employees should have an opportunity to be heard.”

Despite perceived deficiencies in the Program, the prevalent view was that its benefits outweighed its flaws. A number of claimants felt they were treated fairly and credited the Program for notable successes in their lives. One claimant had grown up in foster homes, having endured alcoholic parents. He had been sent to various institutions from early childhood, placed in group homes and hospitalized for mental health issues, including suicidal behaviour. He and his counsellor advised me that he was now in a stable group home, his self-worth had been enhanced through compensation and his anger and suicidal thoughts were very much reduced. He had enrolled in an adult literacy program. Another claimant indicated that the compensation changed her whole life. She was able to buy a house. It took her off mother’s allowance. She is no longer on drugs or alcohol. These positive accounts were far from unique.

2. IMPACT ON EMPLOYEES

In this section of the Report I document some of the ways in which the Program has impacted on employees and their families. In my view, the Program's design and implementation deeply hurt past and present employees. It contributed to a number of employees being falsely implicated as abusers. The impact on their lives and the lives of their families may be incalculable. Like my sessions with claimants, my discussions with employees, their families and their treating therapists, enabled me to identify the Program's flaws and make recommendations for the future.

(a) Dr. David Syer

Dr. David Syer, a psychologist, provided valuable insight on the impact of the Government response on employees and their families. Shortly after a staff member at Shelburne committed suicide, he was asked by then Superintendent Heikki Muinonen to assist staff in dealing with the event. Then, as the Government response to reports of abuse further affected employees, Syer was asked to help develop a protocol for staff against whom abuse was alleged and to provide psychological support and interventions where possible. As a result, he has worked directly with 47 employees and their families. These individuals have expressed deep gratitude for Dr. Syer's interventions. Indeed, some believe that they owe their lives to him.

In submissions to the review, Dr. Syer described those aspects of the Government response that had an impact on the employees and how that impact was manifested – in the deterioration of their physical and emotional health, their standing in the community, their future employability and their interpersonal, community and workplace relationships.

In his submissions, Dr. Syer was highly critical of the Government's response and the role of the employees' union (the NSGEU). Those criticisms – forcefully expressed – are reproduced in the passages that follow. Elsewhere in this Report, I address a number of these criticisms. Although I do not agree with every criticism – or all of the motives ascribed to Government or union officials – I adopt a number of them. Suffice it to say that Dr. Syer has captured the perceptions of employees, and I accept, without hesitation, his description of the physical and emotional symptoms exhibited by employees throughout the Government Program.

Dr. Syer began by describing the tremendous stress experienced by employees and their families. In his view, this stress was attributable to, and compounded by, two circumstances: unpredictability surrounding the Program, and the employees' sense of embattlement.

Dr. Syer explained unpredictability in the following terms. A person accused of wrongdoing derives a degree of comfort from his or her confidence in due process. The existence of due process provides structure in which one can defend oneself and within which one may develop a strategy of coping with emotional pressures. In the employees' view, the Government's response did not adopt a structure which provided due process to the employees. Dr. Syer

contended that the absence of such structure led to inordinate levels of stress, which was compounded by the number of unknowns and, at times, cynicism regarding the competency, motivation or intentions of those who devised and administered the Government response. The failure to use established legal practices removed the security that comes with a predictable legal system. It also inadvertently disrupted a complex network of other systems relating to employee rights and support services.

In Dr. Syer's opinion, implicated staff were dealt with inconsistently. Some were compelled to leave the workplace, while others with serious allegations against them were permitted to remain. Some staff were initially encouraged to leave the workplace by taking advantage of short term sick benefits. Government officials may have felt that the situation would be resolved fairly quickly. Staff were then encouraged to apply for long term disability benefits. This was questionable in the eyes of the insurance company and many employees were reluctant to be regarded as disabled. Nonetheless, staff were faced with the alternatives of cessation of pay or returning to a workplace now felt to be hostile, dangerous and unhealthy. Some returned to work with disastrous emotional consequences. Others suffered financial hardship when they could not return to work, even though they were not deemed disabled.

In Dr. Syer's view, "this chain reaction of failures" in the system resulted in loss of confidence and security. The Government and the union did not have appropriate mechanisms in place to provide relief to these employees. It was no excuse that the Department of Justice ("Justice") might have been on a learning curve. That did not justify poor practices, *ad hoc* decisions and reckless actions, leaving employees perpetually uncertain of their positions. A formal grievance was eventually launched by the union, but Dr. Syer believed that the resulting Memorandum of Agreement ("MOA") continued to leave large gaps where employees' treatment remained uncertain, arbitrary and unpredictable.¹

As for the notion of embattlement, Dr. Syer believed that public statements by Government ministers, bureaucrats, media, judges and lawyers created an atmosphere that led the public to believe that the allegations made against employees were certainly true. Government apologies to claimants, substantial payouts of compensation, and statements by Justice that employees had been removed from their positions, all contributed to this notion. So did comments that the RCMP was now involved in one of the largest investigations ever. He stated:

Clearly the staff felt that they were confronted with an assumption of guilt rather than innocence and that they were targeted by very powerful public institutions with virtually no support and no recourse to the courts. For those still employed, to speak out was to risk dismissal. To protest one's innocence was futile. To question or resist what to many appeared to be an illegitimate process, was to reinforce the assumption of guilt. To question the veracity of the allegations being made was to further victimize the 'victims.'

¹The Memorandum of Agreement is described in the next chapter. It was an agreement intended to offer benefits to employees who had been cleared of misconduct, such as the opportunity to change positions within Government, transfer to the private sector or take early retirement.

According to Dr. Syer, the Government never took the initiative at Shelburne to inform staff of their rights, or of the importance of the presumption of innocence and relating to accused co-workers in a non-judgmental and supportive way. An atmosphere of negativism, judgment and exclusion developed very quickly and was, if not fostered, certainly not discouraged by senior management. This had the effect of further increasing employees' anxieties about the objectivity and intentions of management. Dr. Syer felt that his own experience with senior Justice officials confirmed that staff were seen as guilty of massive abuse and a conspiracy to cover it up. He asserted that there has been no public statement from the Department of Justice regarding the possibility of innocence or the need to reserve judgment. Even with overwhelming evidence of large scale fraud, the Department has made no gesture of support for staff. The release of the IIU Report occurred despite resistance on the part of Justice.² In Dr. Syer's view, its conclusions, available to the Government for a number of months, could have offered a degree of relief and comfort to staff.

Dr. Syer described the mind-set of employees. They were mindful of the miscarriages of justice and hysteria that are spawned by allegations of child and sexual abuse. Thus, they saw it as inevitable that perpetrators, in appropriate numbers, would have to be identified, albeit without justification. They believed that the Program, and even changes to it, were driven by costs. The grief and distress of innocent employees counted for little in the minds of the authorities. The employees' concerns were dismissed with the attitude that 'you will have your day in court if you are charged.' According to Dr. Syer, it is small wonder that employees felt embattled.

The employees felt that the NSGEU only came to their support belatedly and in a half-hearted manner. Many members thought that the union was fearful of being perceived as supportive of abusers, and therefore was not as active as it should have been on behalf of employees.

Having outlined what aspects of the Government response 'stressed out' employees, Dr. Syer described the effects of prolonged stress. These include: high blood pressure, sleep disturbances, heart failure, increased risk of stroke, increased vulnerability to disease, fatigue and tremors, muscle aches, back pain, headaches, gastric distress, nausea, elimination disorders, loss of appetite and other eating disorders, suppression of sexual drive, interference with interpersonal relations and enjoyment of life (including social withdrawal), loss of motivation or confidence, marriage stress and failure, preoccupation with stresses, exhaustion, generalized anxiety, frequent feelings of rage, despair, fear and suspicion. Employees and their families report many or all of these effects, including strokes, diabetes, high blood pressure and gastric disorders.

Dr. Syer further reported that when ordinary beliefs and faith in society's fundamental fairness are undermined, an individual's feelings of helplessness and disillusionment can be overwhelming. Numerous staff have expressed the idea that they will never be able to regain their

²This Report is reviewed in detail in Chapter XV. In brief, it was highly sceptical of the veracity of many claims made in the Compensation Program.

sense of confidence in society. Some have been diagnosed with major depressive and post-traumatic stress disorders. There have been several hospital admissions to prevent suicides. Some employees have experienced permanent personality changes.

According to Dr. Syer, those who have continued to work for the Department of Justice remain vulnerable. Those who have retired, or will soon retire, carry disillusionment, loss of pride in their career, suspiciousness and bitterness, possibly forever. The taint of an accusation of child abuse will always be with them, regardless of their ultimate exoneration. The future for those who have been unable to work looks bleak. After six years under a cloud of suspicion associated with allegations of abuse, their prospects are grim. Indeed, re-entry into the workplace is extremely difficult after a lengthy absence alone. For those working outside of Justice, the prospects may be better, but the matter is constantly in their consciousness and affects their confidence.

Dr. Syer observed that these people must also contend with ongoing arrest and interrogation by police³ and “heavy handed intervention” by the child protection agency. As well, to gain some sort of financial security under the MOA, staff must remain under the control of those who they feel have betrayed them and done them harm. Thus, they remain vulnerable. Dr. Syer did feel that the MOA served a good purpose in the beginning. It tried to relocate people. But it has not worked well in practice. People have been left insecure in their positions, moved about, and sometimes given menial jobs.

In Dr. Syer’s opinion, many efforts of individual staff to return to or remain in the workforce will not be successful in the long run. Most, if not all, are extremely fragile and may be effectively unemployable. For those without financial security, the risk of physical and emotional breakdown is unacceptably high. In his view, an appropriate resolution would involve accountability for those responsible for the Program and fulfilment of the Government’s duty to ensure employees’ financial security in the future.

(b) Dr. John Keeler

Dr. John Keeler, a general practitioner in Shelburne since 1985, has provided psychotherapy to some of the employees. He indicated that some have not coped well at all. He has observed overwhelming frustration, a tremendous sense of hurt and, for all, a feeling of abandonment. Some felt shame from having been targeted as paedophiles by media and the Government. One individual was deeply upset when it was suggested to him that he might not be allowed to be in the presence of children, even his own granddaughter. Another was more philosophical, but expressed anger and the need for restitution. Dr. Keeler described a suicidal episode, employees on anti-depressants and one young man suffering a stroke. In his view, employees have generally been unable to get on with their lives. The sexual assault allegations have had a tremendous effect. Employees cleared of some allegations are concerned that more

³As explained below, the RCMP apparently adopted a policy in Operation Hope of formally arresting suspects before interviewing them, even though charges might never be, and thus far never have been, laid.

are forthcoming. Interviews by the RCMP on short notice provoked a lot of anxiety.

(c) The Employees and their Families

My meetings with employees, past and present, together with some of their family members, were deeply unsettling. The impact of the Government response upon them was profound. Indeed, the view was expressed that words were inadequate to describe the impact of the process: “There is nothing I can ever do that can make you or anybody else feel what I have felt.” Their descriptions resonated with those provided by Drs. Syer and Keeler.

Employees focussed on aspects of the Government response that most particularly affected them. A common theme was their exclusion from the process and its secretive nature. Also of concern was the fact that payments were being made to former residents without any input from the employees. Guilt was presumed.

One employee described his demoralization by the Government response. He had suicidal thoughts, avoided appearances in public, and lost interest and energy in activities. He even found himself pushing his young granddaughter away, feeling uneasy holding her on his lap given the allegations against him. He remained angry and bitter that his own employer had done this to him without proof. He described the process as “a long journey into hopelessness.”

Another employee said the message from the Compensation Program was that “because I worked at the school, I’m an abuser. It enrages me and scares me that this can happen.” Yet another felt that he was guilty until proven innocent, particularly since the claims were paid out before he was asked about them.

A number of employees cited the lack of due process associated with the Government’s Program:

- ! “The Government incited people to commit fraud without proof. Little input was sought from [me] on these allegations, despite my ability to comment on them.”
- ! “Anyone accused of a crime has the right to know the accusations and face the accuser. By design, the employees were denied these things through a secretive process.”
- ! “The worst kind of sexual offender has the opportunity to be heard in court before his name is added to a [sexual abuse registry]. Even this opportunity was taken away from us.”
- ! “[The Program] took away any ability to show that I was not an abuser.”

One employee described himself as “just a dollar sign for many people.” Another described his humiliation in being moved out of the institution where he worked without cause, and being ‘red circled’ as someone who would never be moved upwards. While he was awaiting transfer elsewhere, he had heart palpitations, was depressed and angry. Because he was moved, people said that he must have been an abuser. He had to resign from community activities, found it impossible to shop publicly for two years, became physically ill and came close to suicide. Promising placements fell through. He felt he was under a cloud of suspicion.

The fact that former residents were being rewarded for fraudulent allegations was contrasted with the employees’ plight:

Former residents drive about in flashy new cars and trucks that we can’t afford. Crime pays. Judges give lighter sentences when abuse is [falsely] claimed. Bad behaviour is being rewarded.

Many employees described the physical and emotional effects of learning of specific allegations of abuse being made against them. The hurt was said to be enormous. Though employees came to expect these kinds of allegations, nothing could adequately prepare them. One employee said he ended up crying in his wife’s arms when he tried to tell her about the claims.

Employees facing allegations were often desperate, afraid, depressed and suicidal. Some were well-supported by their families; others were distraught by the lack of support. Some cannot hold their grandchildren in their arms without thinking of the allegations. One said: “This stigma of sexual abuse is so powerful and the suggestions so pervasive.”

In Nova Scotia, the RCMP apparently followed the practice of formally arresting suspects before interviewing them, even though charges might never be laid. Indeed, all current and former employees who were arrested and questioned by the RCMP in the present investigation were released immediately after the interviews. Some employees described the stigma associated with being a law abiding citizen arrested by the police. Some had heart palpitations when the RCMP contacted them. One reflected that he resented being arrested on a false claim. He is angry, outraged and unable to sleep. He said he was physically fit when he retired and had plans for the future. That was taken from him.

The RCMP were accompanied by child protection workers who investigated whether children were potentially at risk from suspected employees. This inquiry, years after allegations first surfaced, was deeply humiliating to employees, some of whom are themselves grandparents of small children.

Several also cited media accounts quoting the RCMP to the effect that thousands of charges would be laid against hundreds of employees.⁴

⁴An issue later arose as to whether those media reports accurately reflected what the RCMP had to say. It is unnecessary for me to resolve that issue.

A number of employees pointed out that allegations were shown to be fraudulent. Nonetheless, the Program continued. This was an obvious source of frustration, desperation and anger.

Another common theme in my discussions with employees and their families was the uneven treatment of employees accused of abuse. They said there was no consistency in who was asked to leave institutions and who was allowed to stay.

A related theme was the absence of support from the employees' own union. Indeed, several employees have now sued the NSGEU for alleged breaches of its obligations to its members.⁵ One allegation is that the union instituted the MOA without consulting the members or allowing them to vote. Employees also cite the failure of the MOA to rectify their plights.

Employees have had potential criminal charges and disciplinary proceedings hanging over their heads for years. The seemingly endless duration of the process, without resolution and without meaningful exonerations, represents a constant source of stress. One person asked: "Are we going to go to our graves and not be exonerated?" Another said that he would never live down his role as a counsellor at Shelburne:

We don't remember Mount Cashel for their fishing communities. We remember them for abuse, true or false. No amount of exoneration, no amount of public outcry will wipe that slate clean.

A number of longstanding employees indicated that they had been proud of the work they did. Now, some do not want it known that they had worked at Shelburne. The Government Program was said to have destroyed lengthy careers. One indicated that the events have made it more difficult to fight cancer and high blood pressure. He is preoccupied with the allegations, instead of his retirement. Another told his wife: "Don't put it in my obituary that I worked there." Yet another indicated he had removed the reference to Shelburne from his résumé. His brother assumed he must be a pervert because he had worked at Shelburne. As a result, he now has no contact with his brother's family.

Many reflected a fundamental loss of faith in Canada and the justice system. One senior employee's view of the world has changed. He regrets moving to Canada. He no longer regards Canada as a civilized, just society. He has moved his family, disconnected his telephone and abandoned volunteer work in the community. He described stroke-like symptoms, little initiative, indecision, slowness to recover from illness, lack of concentration, and sudden feelings of anxiety and fear. Another employee accused of abuse was told that he had to cease any volunteer work, even work involving adults. He felt he was scarred for life in his community.

Employees and their families sometimes likened their experiences to those of people with

⁵*John Bingham et al and Nova Scotia Government Employees Union*, August 24, 2001, S.Y. No. 443.

terminal illnesses. They have no sense of security or optimism for the future. A number broke down as they described the impact of the process upon them.

Employees' descriptions of their physical and emotional problems paralleled Dr. Syer's observations. Examples cited by the employees included strokes, serious depression, eating disorders, alcohol abuse, panic attacks when near children, and contemplated suicide.

Generally, the employees were extremely bitter about the Government's response to reports of abuse. One was less embittered, not blaming his employer but instead recommending that money should never be paid 'up front.' He suggested that money should only be awarded after judicial proceedings. He concluded: "The road to hell is paved with good intentions."

3. IMPACT OF MEDIA

It is relevant to add that the plight of innocent employees, as well as the distress of true survivors, was greatly exacerbated by frequent stories in the press. As a recent study pointed out, the two leading papers in Halifax did not always see eye to eye. Writing in the *Ryerson Review of Journalism*,⁶ Bob Sexton, a recent graduate in journalism, concluded that, "[i]ntentionally or not, the two Halifax dailies ended up on opposite sides of the abuse issue."

Sexton gave a number of examples of press reports to support his view. For instance, in reference to the IIU Report, the *Chronicle-Herald* carried a headline on September 12, 2000, stating "Compensation Triggered False Abuse Claims – Report," while the *Daily News*, five days later, referring to the same document, said "Report Has No Evidence of Massive Fraud." While these headlines are not necessarily contradictory, they do reflect divergent attitudes, and the reader who scans headlines only will be left with a different view depending on which paper he or she saw.

Both claimants and employees who met with me told of the impact of the media on them.

A number of employees described the devastating public references in the media to employees as abusers, perpetrators or accused. One commented that "the media has portrayed the employees as monsters, predators, perpetrators, paedophiles. Shelburne was described as paradise for paedophiles." Another employee's spouse stated: "The media started out referring to 'alleged perpetrators.' Now the 'alleged' has been dropped." She said that everybody hates a paedophile. These were to be the happiest years of their lives, spent with grandchildren. Instead, their lives have been destroyed. She feels totally vulnerable. She could not understand how this could happen in Canada.

As the existence of potential fraud by some claimants gained currency in the media, claimants too felt that they were being tarred with the brush reserved for 'con artists.'

⁶Summer 2001, p. 22.

4. ANALYSIS

Not surprisingly, many of those reading this Report will hold highly divergent, indeed polarized, views on the Government response and, in particular, on who was truly victimized by it. It is, therefore, important to say at once that the Program has left in its wake both claimants and employees who have been damaged by it. As I reflected earlier, my mandate does not permit me – nor did I have the means – to quantify how many claimants were truly abused or, on the other hand, how many employees were falsely implicated. I have no doubt that there were claimants who were truly subjected to physical and sexual abuse. Not even the most cynical observer of the Compensation Program can reasonably challenge that proposition. Similarly, I have no doubt that there was a significant number of employees who were falsely implicated.

One of the challenges of any Government response to reports of institutional abuse is to ensure that the lives of true victims of abuse are enhanced without, however, destroying innocent employees and their families. This requires balance, something the Nova Scotia response lacked. As stated elsewhere, the Government response was skewed against the employees to an extent that the innocent were deeply hurt, sometimes irreparably. Then, as the Government revised the Program, trying to provide some balance, true victims of abuse sometimes suffered.

The media coverage exacerbated the problems caused by the Program. It is not my role to pass judgment on which media accounts were accurate and fair and which were not. Nor do I intend to tell the media how to do their job. But it is important to stress that strongly held views by reporters and columnists, sometimes expressed in strong language, may have caused unnecessary hurt to people who were already viewed with suspicion, be they claimants or employees, past or present. Government, in designing and implementing a response to reports of institutional abuse, must appreciate the impact that the media have, and govern itself accordingly. This might mean, for example, that Government should repeatedly and effectively reiterate, in its public utterances, the presumption of innocence and the importance of avoiding premature judgments about individual employees or claimants.