

# Former student sues private St. Michael's College School after alleged sex assault on campus

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November 11, 2019

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Toronto

The Canadian Press

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Toronto police at St. Michael's College School, in Toronto on Nov. 19, 2018. Tijana Martin/The Canadian Press

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A former student at a private all-boys school in Toronto who was the victim of an alleged sexual assault on campus last year has filed a lawsuit against the institution alleging it failed to keep him safe.

The teenager and his family filed the \$1.65 million suit last week in Ontario's Superior Court against St. Michael's College School, the board of the school, three former students, and the Basilian Fathers who run the school, as well as some coaches and administrators.

The court also granted the teenager and his family the ability to proceed with the suit without being identified in court documents.

The teen's lawyer said Monday the suit is important because of the "horrendous nature" of what happened to his client.

"He has suffered a tremendous amount over the last year. Not only did he have to go through the trauma of being assaulted in the way he did; he was then taunted and then bullied after that when it came to light, when it went public," Iain MacKinnon said in an interview.

The allegations have not been proven in court and those named in the lawsuit have not yet responded. St. Michael's declined to comment, and the Basilian Fathers could not immediately be reached for comment Monday.

Police began an investigation last year into numerous allegations of sex assault and assault at the prestigious Catholic school. Toronto police eventually laid charges against seven students related to two alleged sex assaults and one assault against two victims involving players from one of the school's football teams.

The allegations made international headlines and prompted a national discussion on bullying and hazing.

Last month, three teens pleaded guilty to one count each of sexual assault with a weapon and assault with a weapon – the weapon being a broom stick – for their roles

in two incidents. One of the teens pleaded guilty to making child pornography after filming the sex assault on his cellphone. The trio's sentencing hearing is scheduled for this week.

Charges against another student were dropped in the summer, while the cases of two other students have concluded but the Ministry of the Attorney General has not disclosed those outcomes, citing provisions in the Youth Criminal Justice Act.

The final student facing charges is scheduled to go to trial next year.

The civil suit filed last week marks the first time one of the victims has detailed his plight and the fallout.

The teen, referred to as John Doe in his statement of claim, alleges he endured months of ridicule after being bullied and sexually assaulted by his teammates.

The incident left him struggling with depression, anxiety, emotional trauma and insomnia, according to the documents.

The first attack, an assault with a broom in September, 2018, was captured on video, which quickly spread.

Afterward, the documents say, other students taunted him while on campus, saying "(John Doe) loves broom."

The taunts followed the teen outside school, with hockey opponents jeering him on the ice and others bullying him in his neighbourhood, the documents allege.

In mid-October, he said three teammates approached him in the school's locker room after practice.

He tried to run away, but they tripped him, the documents say, and then dragged him back across the locker room. He was then sexually assaulted with the broom.

The incident was again filmed, but soon deleted at the teen's request, according to the documents.

A few days later, a "diss track" was shared widely on social media that featured a rap that "(the teen) loves brooms," his father wrote in an affidavit.

“It has caused him and his parents a great deal of stress and turmoil,” Mr. MacKinnon said.

“They really want to hold people accountable who allowed this to happen – particularly the school.”

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