

HOT TOPICS

Parents sue over brain injury

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Claiming he was repeatedly bullied at school before a punch left him needing brain surgery, a London boy's parents have filed a \$3.7-million negligence lawsuit.

The suit brought by the parents of Raymond Trudell, 11, against the London District Catholic school board alleges negligence from the top down -- from its education director to the school principal and the playground supervisor on Sept. 23, the day their son was hit by a classmate during an after-recess school lineup.



Raymond Trudell, 11, sits with his cat Garfield under a tower of get-well balloons last month, two days after he was he was punched in the head by another pupil at school. (SUSAN BRADNAM/Sun Media)

London police are still investigating the case.

Taken to hospital by his mother, Raymond Trudell was found to have a fractured skull and needed three metal plates inserted into his head.

The lawsuit, filed yesterday, contends he's been left with "lasting permanent and personal injuries including but not limited to headaches, short-term memory loss, fatigue, nausea and dizziness.

The suit also cites a "loss of fine motor skills."

Vince Trudell, the boy's father, referred questions to the family's lawyer but said they expect safety at school.

"We want our child, and all children at that school, at the Catholic school board and all over to be safe," he said.

The family of the accused boy declined comment, saying their lawyer is looking at the lawsuit.

A statement of claim is a legal document containing allegations not yet tested in court.

No statements of defence have been filed.

The lawsuit contends Raymond Trudell became the object of bullying and teasing at the school starting in 2005, and that his complaints to school officials -- including the principal and teachers -- "were ignored, downplayed and otherwise ineffectively dealt with . . ."

Only a day before the Sept. 23 incident, the suit contends, Trudell was punched by the same boy during lunch recess and told the school secretary and his class teacher, but neither reported it to his parents.

The Trudells argue authorities were negligent in protecting their child under provincial education laws and the board's own bullying-prevention and conduct policies, and in not notifying them of his injuries in a timely manner.

Lawyer Barb Legate, representing the Trudells, said the situation is difficult for both boys and their families.

"The point is, if the adults involved had been more on the ball, this could have been avoided," Legate said.

A school board spokesperson said he couldn't comment because the issue is before the courts.

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