

Strip Searches After a Release Order Notice of Settlement of a Class Action

A **settlement agreement** has been reached between the Attorney General of Quebec and class action representative Roger Léonard, who challenged the legality of strip searches conducted after a release order.

Who is concerned by this agreement?

All persons who were strip searched:

- 1) between July 13, 2006 and July 1, 2011;
- 2) in one of the following detention centres : Bordeaux, Rivière-des-Prairies, Roberval, Saint-Jérôme or Quebec City (male sector);
- 3) following a court order that they were to be released, and
- 4) that all conditions for their release had been duly completed at the time of the strip search.

What does the agreement provide?

The settlement agreement provides for a **payment of \$4,144,950** by the Attorney General of Quebec. This amount covers the compensation of members, the fees of the representative's lawyers and all administrative and legal costs.

The agreement provides that each claimant will receive an indemnity of \$1,000 for each eligible strip search undergone after a release order between July 13, 2006 and July 1, 2011, up to a maximum of \$10,000 per person (maximum of one eligible search per day). Should there be insufficient funds to compensate each eligible claimant according to this scale, the agreement provides that the indemnities will be distributed based on the number of eligible claims.

This agreement does not include strip searches that occurred in a detention centre that were not subsequent to a release order.

Similarly, it does not cover strip searches conducted by police.

Finally, it does not apply to strip searches conducted in a detention centre when the conditions of release had not yet been met.

The agreement calls for the appointment of the Association des services de réhabilitation sociale du Québec as the claims' administrator.

Approval of the settlement agreement

On **April 7, 2021**, at **11:00 am**, counsel for the representative plaintiff will apply to the Honourable Justice Thomas M. Davis of the Quebec Superior Court for approval of this agreement and of the amount of their fees and disbursements. The hearing will be held

virtually. You must notify the representative's lawyers if you wish to attend the hearing or make oral representations. They will make arrangements for you to participate.

The agreement, as well as the application for approval of the agreement and of the representative's lawyers' fees, can be found at <https://tjl.quebec/en/class-actions/strip-searches/>. You can also obtain a copy by calling the representative's lawyers at 514 871-8385.

Objection

If you are a class member, you have the right to object to the approval of this agreement or the approval of the lawyers' fees. To do so, you must submit an objection by email, fax or mail to the representative's counsel at the contact information below no later than **March 31, 2021**. The objection must contain the following information:

- your name
- the detention centre where you were strip searched after a release order was issued and the approximate date
- your reasons for contesting

The representative's lawyers will file any written objection received in the Superior Court. You will also be able to explain to Justice Davis, if you wish, your reasons for objecting to the settlement agreement at the April 7, 2021 hearing.

If the settlement agreement is approved, further notices will be issued to inform class members of the procedure to follow to claim their compensation.

The address for the representative counsel is as follows:

Trudel Johnston & Lespérance
750 Côte de la Place d'Armes, suite 90
Montreal (QC) H2Y 2X8
T : 514 871-8385 | F : 514 871-8800
info@tjl.quebec

Do not hesitate to contact them if you need more information.