

**CLASS ACTION CONCERNING THE TREATMENT OF WOMEN INCARCERATED AT  
LECLERC DETENTION FACILITY IN LAVAL**

**HAVE YOU BEEN DETAINED AT THE LECLERC DETENTION FACILITY IN LAVAL  
SINCE SEPTEMBER 6, 2019?**

**YOU COULD BE A MEMBER OF A CLASS ACTION.**

The Superior Court has authorized Ms Louise Henry to institute a class action against the Attorney General of Quebec (representing the Ministry of Public Security). The class action concerns the strip-searching of inmates, problems of access to health care and the material state of the infrastructure at the Leclerc Detention Facility in Laval. This class action bears the file number 500-06-001226-238 in the Quebec Superior Court. Proceedings will take place in the district of Montreal.

The judgment of authorization is a preliminary step that allows the class action. This judgment does not determine whether the Attorney General of Quebec is liable. Following the trial, the Superior Court will decide whether the defendant should be ordered to pay damages to class members and, if so, in what amount.

**CLASS MEMBERS**

You are a member of the class action if you meet the following criteria:

- Group: All women detained at the Leclerc detention facility in Laval since September 6, 2019.
- Subgroup: All women detained at the Leclerc detention facility in Laval since September 6, 2019, and who have required health care while being incarcerated.

If you meet the group or sub-group definition, you are automatically a member of the class action and you may be entitled to financial compensation for violations of your fundamental rights, depending on the final judgment in the case.

**WHO REPRESENTS THE MEMBERS?**

The law firm **Trudel Johnston & Lespérance** represents the class members.

**LAWYERS' FEES** will be paid only if the class action is successful and will need to be approved by the Court. Therefore, **you don't have to pay anything** unless you get compensation.

**YOU MAY OPT OUT UNTIL MARCH 24, 2025**

You may exclude yourself from the group if you do not wish to participate in the class action.

This exclusion implies that you will not be entitled to any compensation in the event of a favorable judgment or settlement in this class action.

To opt out, send a letter to the Superior Court clerk's office, with a copy to Louise Henry's lawyers, indicating file number 500-06-001226-238, to the following addresses:

**Superior Court Registry**  
Montreal Courthouse  
1 Notre-Dame Street East  
Montréal (Québec) H2Y 1B6

**Trudel Johnston & Lespérance**  
90-750 Côte de la Place d'Armes  
Montréal (Québec) H2Y 2X8

If you are a member of the group and have already taken legal action against the Correctional Services of Quebec for having been subjected to an illegal strip search, the lack of access to health care or the material state of the infrastructure at the Leclerc Detention Facility in Laval, you are automatically excluded from the group. You may join the group by withdrawing your individual application before March 24, 2025.

## **YOU CAN ASK TO INTERVENE**

The case will be heard in the Montreal judicial district. A class member may ask the Court to intervene in the class action. The Court will allow intervention if it is of the opinion that it is useful to the group.

## **STAY INFORMED**

If you would like to receive information on the progress of the case, you can subscribe to the Trudel Johnston & Lespérance mailing list for this class action by filling out the form at: <https://tjl.quebec/en/class-actions/inhumane-treatment-of-women-incarcerated-at-leclerc-prison/>.

**PLEASE NOTE. Your subscription to the newsletter is not a claim!** The claims procedure will be established by the Court only in the event of a successful class action or settlement.

You can also consult the Central Registry of Class Actions, where all proceedings must be published: <https://www.registredesactionscollectives.quebec/>.

You can contact Louise Henry's lawyers at the following coordinates:



TRUDEL JOHNSTON & LESPÉRANCE

750 Côte de la Place d'Armes, Suite 90  
Montréal (Québec) H2Y 2X8  
Toll-free: 1 844-588-8385  
[info@tjl.quebec](mailto:info@tjl.quebec)

## APPENDIX A QUESTIONS AND CONCLUSIONS AUTHORIZED BY THE COURT

### Questions authorized by the Court:

- Does the defendant resort to abusive and systematic strip searches of group members in violation of sections 1, 4, 10, 24.1 and 25 of the Quebec Charter and sections 8 and 15 of the *Canadian Charter*?
- Do systemic problems in access to health care for sub-group members who required health care constitute a violation of sections 1 and 4 of the Quebec Charter and section 7 of the *Canadian Charter*?
- Did the defendant respect the right of class members to be treated according to a distinct regime adapted to their sex and their physical and mental condition in accordance with section 26 of the *Quebec Charter*?
- Has the defendant committed a fault against the members of the group?
- Does the defendant have to compensate the plaintiff and the class members for the damages they have suffered?
- Are class members entitled to fair and appropriate compensation within the meaning of section 24(1) of the *Canadian Charter*?

### Conclusions sought authorized by the Court:

**GRANT** plaintiff's action on behalf of all class members;

**CONDEMN** the defendant to pay the sum of \$5,000 per strip search to each member of the group, with interest at the legal rate plus the additional indemnity since the filing of the application for authorization to institute a class action, and **ORDER** the collective recovery of these sums;

**CONDEMN** the defendant to pay the class members punitive damages in the amount of \$5,000,000, with interest at the legal rate plus the additional indemnity since the judgment on the merits, and **ORDER** the implementation of restorative measures for the class members starting from this sum;

**ORDER** the cessation of infringements of the rights of group members protected by the *Charters*;

**CONDEMN** the defendant to compensate each class member for the particularized harm resulting from the problems of access to health care, with interest at the legal

rate plus the additional indemnity since the filing of the request for authorization to institute a class action, and **ORDER** the individual recovery of these claims;

**RECONVENE** the parties within 30 days of the final judgment to set the terms and conditions for the distribution of individual claims;

**ALL** with legal fees, including the costs of experts, notices and administration of the collection process.