Francis v. Ontario / Chandra v. Ontario

Press Release re Proposed Settlement and Protocol

TORONTO, On September 22, 2023, the Superior Court of Justice will decide whether to approve a settlement and claims protocol in two class actions concerning the use of Administrative Segregation at provincial Correctional Institutions in Ontario.

Under the proposed settlement and claims protocol, people who meet certain criteria, called Class Members, would be eligible to make a claim for damages.

- Inmates in prolonged segregation: all persons who were placed in Administrative Segregation at an Ontario Correctional Institution (excluding St. Lawrence Valley Correctional and Treatment Centre) for 15 or more consecutive days between April 20, 2015 and August 18, 2021; and

- Inmates with serious mental health issues: all persons who were placed in Administrative Segregation for any length of time at an Ontario Correctional Institution (excluding St. Lawrence Valley Correctional and Treatment Centre) between April 20, 2015 and August 18, 2021, who were diagnosed by a medical doctor before or during their incarceration with a listed mental health issue (full list available here) and who meet other conditions.

If approved, the settlement and claims protocol will make about $32.8 million available for distribution to certain Class Members, and some Class Members may be eligible to submit claims for additional damages in some cases. Class Members who were placed in Administrative Segregation between January 1, 2009 and April 19, 2015 may also be eligible to make a claim.

If the settlement and claims protocol is approved, information regarding eligibility and how to make a claim will be distributed to Class Members and will be made available online.

James Sayce, a partner at Koskie Minsky LLP, has stated that "the settlement and claims protocol will provide real compensation for a vulnerable class. We believe it is a fair outcome after many years of hard-fought litigation".

Additional information is available online at https://www.ontarioadministrativesegregation.ca. Class members may also contact the Claims Administrator by email to info@OntarioAdministrativeSegregation.ca or by calling toll-free 1-833-290-4730.

SOURCE: Koskie Minsky LLP

For more information, please contact Koskie Minsky LLP at: 1-844-819-8527 or ontarioadminsegclassaction@kmlaw.ca.