

**SHORT FORM NOTICE TO THE MEMBERS CONCERNING THE AUTHORIZATION BY THE  
COURT OF A CLASS ACTION REGARDING CONFINEMENT AND LOCKING-UP  
MEASURES, SEXUAL ASSAULTS AND THE USE OF FORCE IN YOUTH PROTECTION  
CENTRES  
500-06-001022-199**

**TAKE NOTICE** that the institution of a class action has been authorized by the Honourable Justice Christian Immer of the Superior Court of Québec on September 7, 2022 against the Government of Québec (represented by the Attorney General of Québec) and 16 integrated (university) health and social services centres (also known as IUHSSC, IHSSC, CIUSSS and CISSS), on behalf of the members of the following class:

Any person, save for an excluded person, who was placed, on or after October 1, 1950, in a centre as per a youth protection law, when he or she was 17 years old or less and who was subject to measures or who was sexually assaulted.

The italicized words have the following meaning:

Centre: means an industrial school, a youth protection school, a charitable institution, a reception centre, a secured unit, a detention centre, a transition centre, a child and youth protection centre, a rehabilitation center, a rehabilitation centre for young persons with adjustment problems, an intensive supervision unit and a youth centre. **It excludes** a hospital centre, a group home or a foster family.

Youth protection law: means the Youth Protection Schools Act or the Youth Protection Act. **It excludes** the Juvenile Delinquents Act, the Young Offenders Act and the Youth Criminal Justice Act.

Measures: means being placed in solitary confinement, confined in a common area, being locked up in a room or in a cell, being subject to the use of force, including by mechanical means or chemicals.

Excluded person:

- 1) A member of a First Nation, an Inuit or a Métis;
- 2) Any person who is part of the class on behalf of which a class action was authorized in connection with Mont d'Youville reception centre (200-06-000221-187), but this exclusion does not apply to any such person who was also admitted to reception centres other than Mont d'Youville;
- 3) Any person who received financial assistance and signed a release pursuant to the National Program of Reconciliation with the Duplessis Orphans or the National Reconciliation Program for Duplessis Orphans Who Were Residents of Certain Institutions (collectively, the "NPRDO"). This exclusion does not apply to any such persons if, beyond having been admitted to one of the institutions covered by the NPRDO between October 1, 1950 and December 31, 1964, (i) they were also admitted during this period to reception centres which are not covered by the NPRDO; or (ii) they were also admitted or readmitted, on or after January 1, 1965, to any reception centre.

Ms. Eleanor Lindsay has been appointed as the representative plaintiff for the class action.

Ms. Eleanor Lindsay claims that the Government of Québec and the sixteen (16) defendant centres are responsible for systemic detention and abuse of the children admitted into centres.

Ms. Lindsay seeks to prove that these children were and continue to be placed in solitary confinement, confined in common areas, locked up in rooms or cells (these measures may have been referred to as the "quiet room", the "QT", the "hole" or "*arrêt d'agir*"), subjected to the use of force and medication, and sexually assaulted.

The Superior Court will be required to decide whether the defendants were at fault, whether and to what extent the members should be compensated, and whether and to what extent punitive damages should be paid by the defendants.

Ms. Lindsay's and any class member's allegations and the defendants' purported liability remain to be proven.

**You are not required to do anything in order to become a member of this class action.** You are automatically included in the class if you meet the criteria mentioned above.

Any member of the class who is not excluded from the class at the latest on **July 9, 2023** at 4:30PM in the manner indicated below will be bound by any judgment rendered in the class action.

Any member of the class who has introduced a personal action that would be disposed of by the final judgment in the class action is deemed to opt out of the class if he or she does not discontinue his or her personal action prior to the deadline for opting out of the class.

A member of the class other than the representative plaintiff cannot be required to pay the legal costs of the class action if the class action is dismissed. As to lawyers' fees, they will only be paid if the class action is successful. If so, they will correspond to a percentage of the damages paid to class members. This percentage will require the Superior Court's approval.

If you **do not want** to be included in the class action and to obtain a payment if the class action is granted or settled, you may **opt out** of the class by notifying the clerk of the Superior Court of Québec in the judiciary district of Montreal by registered or certified mail, prior to the deadline for opting out of the class, at the following address: **Grefe civil de la Cour supérieure, Palais de justice de Montréal**, 1 Notre-Dame Street East, Montréal (Québec) H2Y 1B6. You must state that you wish to opt out of the class action of *Eleanor Lindsay v. Procureur général du Québec et al.* (case number: 500-06-001022-199). The deadline to opt out of the class action is **July 9, 2023** at 4:30PM.

This is a short form notice. A more detailed notice is available on the central registry of class actions at the following address:

<https://www.registredesactionscollectives.quebec/fr/Consulter/ApercuDemande?NoDossier=500-06-001022-199>

For more information concerning this class action, you can contact counsel for the class by the following means: e-mail: [ELCA@alexeevco.com](mailto:ELCA@alexeevco.com); phone: 514 545-7080; fax: 514-648-7700. These counsels are:

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**THE PUBLICATION OF THIS NOTICE HAS BEEN ORDERED BY THE COURT.**

N<sup>o</sup> : 500-06-001022-199

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**C O U R   S U P É R I E U R E**

(Chambre des actions collectives)

District de Montréal

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**LE GROUPE**

et

**ELEANOR LINDSAY**

Représentante

c.

**PROCUREUR GÉNÉRAL DU QUÉBEC**

et

**CENTRE INTÉGRÉ DE SANTÉ ET DE SERVICES  
SOCIAUX DU BAS - SAINT- LAURENT et al.**

Défendeurs

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**AVIS ABRÉGÉ AUX MEMBRES EN ANGLAIS  
CONCERNANT L'AUTORISATION PAR LE  
TRIBUNAL D'UNE ACTION COLLECTIVE**

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**ORIGINAL**

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AVOCATS

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