

Federal Prisoner Mental Health Class Action

This case concerns the administrative segregation of seriously mentally ill Class Members in Federal correctional institutions. Koskie Minsky LLP commenced this case and alleged, among other things, that Canada breached the Charter of Rights and Freedoms by subjecting mentally ill inmates to periods of administrative segregation. The action was certified as a class proceeding, and the Court found that the rights of inmates were violated.

A claims process is currently underway in this and two other class proceedings concerning administrative segregation. The period to submit a Claim Form seeking compensation ended on November 7, 2022. The claims process is conducted by the Claim Administrator, Epiq Class Action Services Canada Inc.

The eligibility criteria for compensation, all documents, and answers to frequently asked questions are available at the Claims Administrator's website:

<https://www.segregationclassactionfederal.ca/>

If you have any questions about the receipt of your Claim Form or the processing of your claim, please contact the Claims Administrator:

Email: info@SegregationClassActionFederal.ca

Toll Free Number: 1-833-871-5354

Attention: Federal Administrative Segregation Class Actions

P.O. Box 507 STN B

Ottawa ON K1P 5P6

If you have submitted an eligible Claim, and chosen to be represented by class counsel, someone from a class counsel law firm will contact you directly in regard to your claim when necessary.

The members of this Class are all offenders in federal custody, who were:

placed in administrative segregation in a federal institution situated outside of Quebec after February 24, 2013, or who were placed in administrative segregation in a federal institution anywhere in Canada before February 24, 2013,

and

also diagnosed by a medical doctor with an Axis I Disorder (excluding substance use disorders), or Borderline Personality Disorder, who suffered from their disorder in a manner described in "Appendix A", and reported such during their incarceration, where the diagnosis by a medical doctor occurred either before or during incarceration in a federal institution and the offenders were incarcerated between November 1, 1992 and the present, and were alive as of July 20, 2013.

Appendix A refers to:

- Significant impairment in judgment (including inability to make decisions; confusion; disorientation);

- Significant impairment in thinking (including constant preoccupation with thoughts, paranoia; delusions that make the offender a danger to self or others);
- Significant impairment in mood (including constant depressed mood plus helplessness and hopelessness; agitation; manic mood that interferes with ability to effectively interact with other offenders, staffs or follow correctional plan);
- Significant impairment in communications that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;
- Significant impairment due to anxiety (panic attacks; overwhelming anxiety) that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;
- Other symptoms: hallucinations; delusions; severe obsessional rituals that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;
- Chronic and severe suicidal ideation resulting in increased risk for suicide attempts;
- Chronic and severe self-injury; or,
- A GAF score of 50 or less.

Please note that the class no longer includes inmates incarcerated in Federal correctional facilities who suffer from a mental illness but *were not placed in administrative segregation*. If you suffer from a mental illness but were not placed in administrative segregation, you are no longer covered by the class action, and, in accordance with section 28 of the *Class Proceedings Act, 1992*, all applicable limitation periods will resume with respect to your claim after April 11, 2019 (45 days after publication of this notice).

If you have questions, you may contact us at:

Toll-free: 1-866-777-6343

Email: Prisonermentalhealth@kmlaw.ca