

ST. THOMAS PSYCHIATRIC HOSPITAL FORENSIC UNIT CLASS ACTION NOTICE OF CERTIFICATION

To all persons who were patients in the Psychosocial Treatment (PST) Program at St. Thomas Psychiatric Hospital between 1976 and 1992 and their family members

PLEASE READ CAREFULLY. IGNORING THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS

This document includes reference to allegations of psychological, physical and sexual assault, and the content may be distressing or triggering for some readers. You may wish to review this document in private or in the presence of a trusted person.
If you find the content upsetting, consider seeking support.

WHO IS THIS NOTICE FOR?

This Notice is directed to:

- 1) All persons who were patients in the Psychosocial Treatment Program (referenced as unit 2C, P2C, PST or PSTU) on the forensic unit at St. Thomas between 1976 and 1992, or their estates, ("Class Members"); and
- 2) All persons including, but not limited to, spouses, children, parents, and other relatives who, on account of a personal relationship to any one or more Class Members have a derivative claim for damages under [s. 61](#) of the [Family Law Act, R.S.O. 1990, c. F.3](#) or other equivalent provincial or territorial legislation.

WHAT IS THIS CLASS ACTION ABOUT?

On October 31, 2023, the Ontario Superior Court (the "Court") certified a class action against the government of Ontario in relation to the operation of the Psychosocial Treatment Program or the PST Program in the forensic unit of St. Thomas Psychiatric Hospital from 1976 to 1992. St. Thomas Psychiatric Hospital was a psychiatric facility operated by the government of Ontario located in St. Thomas, Ontario.

The lawsuit alleges that patients in the forensic unit of St. Thomas were subjected to an experimental, abusive and punitive patient-run Program with no medical merit. It is alleged that, as part of this Program, the patients were subjected to psychological, physical, and sexual abuse. It is further alleged that this Program, which was run by the government of Ontario, caused the Class Members harm. The Court has not made any determination yet on the merits of these allegations. The Defendant, the government of Ontario, denies these allegations.

The action seeks, among other things, damages for negligence and breach of fiduciary duty, as well as damages allegedly suffered by family members of individuals who were patients in the Program.

PARTICIPATING IN THE CLASS ACTION

If you were a patient in the Psychosocial Treatment Program or the PST Program on the forensic unit at St. Thomas Psychiatric Hospital between 1976 and 1992, you are automatically included in the action and do not need to do anything at this time. You do not need to take any further action to join this class action. As a Class Member, you will not be responsible for legal costs if the class action is unsuccessful.

If the action is successful and a settlement or judgment is reached, a further notice will be provided with complete details concerning the terms of the settlement or judgment. Class Members who do not opt out of the action will be bound by the terms of any judgment or settlement, whether favourable or not, and will not be allowed to bring their own individual claim against the Defendant for any matter related to the action. If the common issues are determined in favour of the class, individual determinations may be required to determine entitlement to, and the amount of, any damages. If a settlement is reached, Class Members may be entitled to share in the amount of any settlement recovered. You will have the opportunity to decide whether you wish to proceed with your individual trial after the determination of the common issues.

OPTING OUT OF THE CLASS ACTION

You have the right to exclude yourself from the class action by delivering an **Opt Out** form before March 29, 2025 to the Administrator at the address provided below. The Opt Out Form is available on the website of Class Counsel at the following link: <https://www.rochongenova.com/current-class-action-cases/st-thomas-psychiatric-hospital/>. By opting out, you preserve your right to commence or continue your own individual claim subject to limitation periods.

If you require a hard copy of the Opt Out form, you may contact the Administrator at the following phone number or e-mail address below. Opt Out Forms must be received by **March 29, 2025**:

St. Thomas Psychiatric Hospital Forensic Unit Class Action

Dewar Communications Inc.
9 Prince Arthur Avenue
Toronto, ON M5R 1B2
T: +1-416-921-1827 ext. 229

StThomasclassaction@dewarcom.com

WHO REPRESENTS ME? CLASS COUNSEL ARE:

The Plaintiffs and the Class Members are represented by *Rochon Genova LLP*, who is acting on a contingency basis. This means that legal fees, disbursements and applicable taxes will be payable only in the event of success in the action. *Rochon Genova LLP* is also paying all disbursements incurred in the action. In the event of success in the action, Class Counsel will bring a motion to the Court to have their fees and disbursements approved. As a Class Member, you will not be required to pay any costs in the event that the action is unsuccessful.

Class Counsel may be contacted at the coordinates below:

Rochon Genova LLP
Barristers • Avocats
900-121 Richmond St. W.

Joel P. Rochon
Golnaz Nayerahmadi
Sarah J. Fiddes

Tel: (416) 363-1867
1-800-462-3864
contact@rochongenova.com

FOR MORE INFORMATION:

If you have questions about the St. Thomas Psychiatric Hospital Forensic Unit class action and/or would like to obtain more information about this action, you may contact Class Counsel or review the Long Form Notice available on Class Counsel's website.

This Notice has been approved by the Ontario Superior Court of Justice