

CANADA SUPERIOR COURT  
Class Action  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
No. : 500-06-000991-196  
**RAUL MARTIN**  
Representative Plaintiff  
v.  
**ATTORNEY GENERAL OF  
QUEBEC**  
Defendant

**ABBREVIATED NOTICE REGARD-  
ING THE AUTHORIZATION OF A  
CLASS ACTION AGAINST THE  
ATTORNEY GENERAL OF  
QUEBEC**

If you were detained in pre-trial custody between March 29, 2016 and June 21, 2019 and, having been charged with an indictable offence, your pre-trial detention exceeded 90 days or, having been charged via summary conviction, your pre-trial detention exceeded 30 days:

**This notice may affect your rights.**

On March 17, 2020, the Superior Court of Quebec authorized Raul Martin (the "**Representative Plaintiff**") to institute a class action against the Attorney General of Quebec in the district of Montreal on behalf of the following persons:

*Anyone who was detained in Quebec pending trial between March 29, 2016 and June 21, 2019 for a continuous period of more than:*

- 90 days, if that person was charged with an indictable offence;
- OR
- 30 days, if that person was charged via summary conviction;

*Without the person having custody requesting a judge to set a date for a hearing to determine whether he or she should be released.*

*The following detentions are excluded:*

- Detention that was the subject of a review application under section 520 of the Cr. C. within the continuous period of 90 days (or 30 days, as the case may be) and that ended within 90 days (or 30 days, as the case may be) of the date of the judgment under review;
- Detention of a person charged with an offence under section 469 of the Cr. C.;
- Detention of a person who was to be detained in custody in connection with another matter.

**(our translation of the Judgment of the Superior Court)**

All persons who meet these criteria (the "**Members**") may be entitled to compensation if the class action is successful.

**THE CLASS ACTION**

The Representative Plaintiff alleges that the Attorney General of Quebec failed to ensure that persons detained pending trial were summoned before a judge within the time limits prescribed by section 525 of the Criminal Code for the purpose of determining whether they should be released.

The Representative Plaintiff alleges that this omission by the Attorney General of Quebec constitutes a civil fault and contravenes several of his fundamental rights as set out in the *Canadian Charter of Rights and Freedoms* and the *Quebec Charter of Human Rights and Freedoms*.

The Representative Plaintiff requests that the Attorney General of Quebec be ordered to pay each of the Members damages of at least \$1,000 and punitive damages in the amount of \$5,000.

The Attorney General of Quebec denies the merits of the class action.

**THE RIGHT TO EXCLUSION**

If you wish to be included in the class action, you do not have to do anything.

If you do not wish to be included in the class action, you may exclude yourself by notifying the Clerk of the Superior Court of the District of Montreal located at 1, Notre-Dame St. East, Montreal (Québec) H2Y 1B6, within sixty (60) days of the date of this notice.

**ADDITIONAL INFORMATION**

For any questions relating to the class action and/or your rights, please contact the lawyers handling the class action:

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Please be advised that this is an abbreviated notice.

Members are encouraged to consult the full notice which is published on plaintiff's lawyers' website: <https://www.coupalchauvelot.com>.

The publication of this abbreviated notice has been authorized by the Honourable Chantal Corriveau, j.c.s.